

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,
on 10 January 2019 at 10.00 a.m.

Present: Councillors Craig Mackay (Chair), Laura Brennan-Whitefield, Siobhian Brown, Andy Campbell, Douglas Campbell, Ian Fitzsimmons, Lee Lyons, Bob Pollock and Margaret Toner.

Attending: M. Douglas, Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

1. Declarations of Interest.

There were no declarations of interest by Members of the Board in terms of the Councillors' Code of Conduct.

2. Date of Next Board Meeting.

The Chair advised that the next Board meeting would be held in the County Hall, County Buildings, Ayr on Thursday, 7 February 2019 at 10.00 a.m.

3. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 22 November 2018 (issued) were submitted.

Decided: to approve the Minutes of the previous meeting.

4. Applications for Transfer Granted Under Delegated Powers.

There was submitted a report (issued) of 20 December 2018 by the Clerk to the Licensing Board advising of the following determination of applications for the Transfer of Licences between the last Board meeting and the present one:-

- (1) Hula, 11 Burns Statue Square, Ayr – transferred to RJ (Ayr) Ltd. on 23 November 2018;
- (2) Central Bar, 13 New Bridge Street, Ayr – transferred to Simpson and Sons Ltd. on 11 December 2018;
- (3) Bennane Shore Holiday Park, Lendalfoot – transferred to Bennane Shore Holiday Park Ltd. on 13 December 2018; and
- (4) Enterkine House Hotel, Annbank – transferred to Damanjot Kaur Benipal on 18 December 2018.

Decided: to note the transfers granted under delegated powers.

5. Revocation of Personal Licences.

There was submitted a report (issued) of 20 December 2018 by the Clerk to the Licensing Board advising of the revocation of personal licences.

Decided: to note the sixteen licences revoked under delegated powers since the last report to the Board.

6. Premises Licences Surrendered.

There was submitted a report (issued) by the Clerk to the Licensing Board advising of the two Premises Licences surrendered recently.

Decided: to note the following licences which had been surrendered:-

	<u>Licence Holder</u>	<u>Premises</u>	<u>Date Surrendered</u>
(1)	Gillian Patricia Melrose	Kildonnán Hotel 27 Queen's Terrace Ayr	20 November 2018
(2)	J and S Sangha Partnership	125 Lochside Road Ayr	5 December 2018

7. Update from Licensing Standards Officer.

The Licensing Standards Officer advised

- (1) that, following the festive season, she had contacted a number of members of the licensed trade to seek feedback and was pleased to report that, on the whole, the majority of premises had reported a successful time in terms of attendance and profits with reports suggesting that for most premises, Christmas had been busier than new year, however, some individual premises, specifically those providing particular entertainment, felt that new year had been particularly successful with one or two suggesting they were almost at maximum capacity;
- (2) that feedback had suggested that it was the food led premises proving to be most popular over the festive period with many licence holders suggesting that 'office parties' and 'festive nights out' were more inclined to remain in one or two premises rather than visiting a number of venues;
- (3) that there were variations depending on the area but it seemed to be generally agreed that the additional hours granted by the Board were mainly used on the two weekends prior to Christmas and the weekend between Christmas and new year with some premises having decided to close completely on new year's day;
- (4) that, having liaised with colleagues in Environmental Health, it had been confirmed that no specific noise complaints had been received by the Council in relation to licensed premises over the festive period despite a number of venues, both permanent premises and occasionally licensed being permitted to enjoy additional hours, often with entertainment to celebrate the new year;

- (5) that the trade had reported a few issues with misuse of ID and fake ID, therefore, she would discuss this issue with colleagues in Police Scotland with a view to providing clear advice to the Licensed Trade in relation to their right to confiscate ID and how to report concerns;
- (6) that with January generally being a quieter month for the Licensed Trade, she was currently concentrating on reminding Personal Licence Holders of the need to book on a refresher training course if they were approaching the ten year renewal date and that, having contacted all of the local course providers that she was aware of, there were a range of dates and venues each month offering the refresher course; and
- (7) that she would continue to urge Personal Licence Holders who would be affected, in particular Premises Managers, to book on a course as soon as possible as the deadline for submitting the application was May 2019 and that anyone concerned about the requirements for refresher training or looking for further information should contact her directly.

The Board thanked the Licensing Standards Officer for her update.

8. Licensing (Scotland) Act, 2005.

(a) Premises Licence Reviews – Non-Payment of Annual Fees.

There was submitted a report (issued) of 20 December 2018 by the Licensing Standards Officer advising that all premises had been due to pay their annual fee on 1 October 2018 as payment of the annual fee was a mandatory condition of the Premises Licence; and that a number of premises had failed to pay their annual fees despite reminders in the form of a Section 14(2)(a) Notice being issued by the Licensing Standards Officer requiring compliance with these regulations.

Decided:-

- (1) that, as the conditions of the premises licences of these premises had been breached, to suspend the following licences from Monday 14 January 2019 and to grant delegated powers to the Depute Clerk to the Board to reinstate the licences on payment of the annual fee:-
 - (a) Unity Grill GIC, Unity Grill, 37 Sandgate, Ayr;
 - (b) Ayr Catering Limited, Café Spice Wine and Dine, 1B Alloway Place, Ayr;
 - (c) Susan and Robin Crosthwaite, Cosses Country House, Ballantrae;
 - (d) RTY Ltd., Hula, 11 Burns Statue Square, Ayr;
 - (e) Linda McCulloch, L&Ms, 1A Bath Place, Ayr;
 - (f) John McCallum, McCallums of Troon, The Oyster Bar, Harbour Road, Troon;
 - (g) Ayrshire Catering Limited, Brunston Castle Golf Course, Golf Course Road, Dailly; and
 - (h) Tariq Rafiq, Pearl Tandoori, 8-10 Bridge Street, Girvan; and

(2) to note that payment of the annual fee had now been received from the following and to take no further action in relation to these premises:-

- (a) Lagganhouse Country Park, Lagganhouse Country Park, Ballantrae, Girvan; and
- (b) B and E Inns Ltd, Matha Dickies, 20 Smith Street, Ayr.

(b) Applications for Variation of Premises Licences.

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Malin Housing Association	Malin Court Turnberry Road Maidens

Existing Licensed Hours

<u>On-Sales</u>	<u>Off-Sales</u>
Monday 10.00 a.m. to 12.30 a.m.	N/A
Tuesday 10.00 a.m. to 12.30 a.m.	N/A
Wednesday 10.00 a.m. to 12.30 a.m.	N/A
Thursday 10.00 a.m. to 12.30 a.m.	N/A
Friday 10.00 a.m. to 12.30 a.m.	N/A
Saturday 10.00 a.m. to 12.30 a.m.	N/A
Sunday noon to midnight	N/A

Proposed Licensing Hours

<u>On-Sales</u>	<u>Off-Sales</u>
Monday 10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Tuesday 10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Wednesday 10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Thursday 10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Friday 10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Saturday 10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Sunday 10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.

Include Off Sales. Amend Sunday hours.

Include activities prior to core hours.

Allow 0-15 year olds entry when accompanied by an adult and 16-17 year olds when having a meal/food or staying as hotel resident.

Extension of new conservatory to premises.

Having heard from the applicant's representative and the Licensing Standards Officer, the Board granted the above application.

Applicant

Premises

(2) Dowhill Country Fayre

Dowhill Country Fayre
Dowhill Farm
Girvan

Existing Licensed Hours

On-Sales

Off-Sales

Monday	11.00 a.m. to 11.00p.m.	10.00 a.m. to 6.00 p.m.
Tuesday	11.00 a.m. to 11.00 p.m.	10.00 a.m. to 6.00 p.m.
Wednesday	11.00 a.m. to 11.00 p.m.	10.00 a.m. to 6.00 p.m.
Thursday	11.00 a.m. to 11.00 p.m.	10.00 a.m. to 6.00 p.m.
Friday	11.00 a.m. to 11.00 p.m.	10.00 a.m. to 6.00 p.m.
Saturday	11.00 a.m. to 11.00 p.m.	10.00 a.m. to 6.00 p.m.
Sunday	11.00 a.m. to 11.00 p.m.	10.00 a.m. to 6.00 p.m.

Proposed Licensing Hours

On-Sales

Off-Sales

Monday	11.00 a.m. to midnight	N/A
Tuesday	11.00 a.m. to midnight	N/A
Wednesday	11.00 a.m. to midnight	N/A
Thursday	11.00 a.m. to midnight	N/A
Friday	11.00 a.m. to midnight	N/A
Saturday	11.00 a.m. to midnight	N/A
Sunday	11.00 a.m. to midnight	N/A

Increase in core hours.

Seasonal variations.

Include conference facilities, gaming, televised sport.

Additional activities to include opening at 8.00 a.m. for morning service.

Amend children's statement to allow them to remain until the end of a function (in restaurant).

Delete off sales.

Having heard from the applicant's representative and the Licensing Standards Officer, the Board granted the above application.

Applicant**Premises**

- (3) Partnership of Rajvinder Kaur Basra
and Gurdip Singh Basra

Basra Stores
102 Dalmellington Road
Ayr

On-Sales

Monday N/A
Tuesday N/A
Wednesday N/A
Thursday N/A
Friday N/A
Saturday N/A
Sunday N/A

Off-Sales

10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 1.00 p.m.

Proposed Licensing Hours**On-Sales**

Monday N/A
Tuesday N/A
Wednesday N/A
Thursday N/A
Friday N/A
Saturday N/A
Sunday N/A

Off-Sales

10.00 a.m. to 9.00 p.m.
10.00 a.m. to 9.00 p.m.
10.00 a.m. to 9.00 p.m.
10.00 a.m. to 9.00 p.m.
10.00 a.m. to 9.00 p.m.
10.00 a.m. to 9.00 p.m.
10.00 a.m. to 9.00 p.m.

Change of layout plan.

Increase in capacity from 25.15m² to 25.7m²

Change of hours on a Sunday.

Having heard from the applicant, the Board granted the above application.

- (4) Hawthorn Leisure Scotco Limited

Red Lion
9 The Cross
Prestwick

Existing Licensed Hours**On-Sales**

Monday 10.00 a.m. to midnight
Tuesday 10.00 a.m. to midnight
Wednesday 10.00 a.m. to midnight
Thursday 10.00 a.m. to midnight
Friday 11.00 a.m. to 1.30 a.m.
Saturday 11.00 a.m. to 1.30 a.m.
Sunday 11.00 a.m. to midnight

Off-Sales

N/A
N/A
N/A
N/A
N/A
N/A
N/A

Proposed Licensing Hours

<u>On-Sales</u>		<u>Off-Sales</u>
Monday	10.00 a.m. to midnight	N/A
Tuesday	10.00 a.m. to midnight	N/A
Wednesday	10.00 a.m. to midnight	N/A
Thursday	10.00 a.m. to midnight	N/A
Friday	noon to 2.30 a.m.	N/A
Saturday	noon to 2.30 a.m.	N/A
Sunday	10.00 a.m. to midnight	N/A

Amend core hours.

Add seasonal variations.

Allow restaurant facilities outwith core hours.

Allow recorded music outwith core hours.

Allow the outdoor area to be used outwith core hours.

Allow the outdoor area to be used for the sale of alcohol, service of food, snacks and refreshments, barbeques and televised sport.

Allow children and young persons on premises from opening until 10.00 p.m. daily.

Allow young persons (aged 16 and 17) on the premises until the end of a function or until 1.30 a.m. whichever is earlier.

The Board noted that this application was being reheard following an appeal by the licence holder. Having ascertained that none of the objectors were present and having heard from the applicant's representative and the Licensing Standards Officer, the Board granted the above application with the exception of the televised sport in the outside area which was refused; and further conditions were imposed on the licence, namely:- there should be no music in the outdoor area, either recorded or live; the outdoor area should not be utilised between the hours of 10.00 p.m. and 9.00 a.m.; there should be no amplified live music during the period 1.00 a.m. to 2.30 a.m. on Fridays and Saturdays; and licensed SIA Stewards to be utilised from 9 p.m. on Friday and/or Saturday nights when the premises is opening beyond 1.00 a.m.

(c) Application for Occasional Licence.

The Board considered the following application:-

<u>Applicant</u>	<u>Premises</u>
John Orr	Glenapp Castle Ballantrae

Wedding – 26 January 2019 – 5.00 p.m. to 1.00 a.m.

Having heard from the Licensing Standards Officer, the Board granted the above application.

The meeting ended at 10.20 a.m.