

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting in the Town Hall, New Bridge Street, Ayr,
on 16 May 2019 at 10.00 a.m.

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

Apology: Councillor Lee Lyons.

Attending: M. Douglas, Depute Clerk to the Board; G. Lauder, Team Leader (Trading Standards and Environmental Health); C. Andrew, Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

1. Declarations of Interest.

Councillor Andy Campbell declared in interest in item 7(b)(1) of this Minute as the applicant was known to him.

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, 13 June 2019 at 10.00 a.m.

3. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 18 April 2019 (**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 2 May 2019 by the Clerk to the Licensing Board advising of the following determination of an application for the Transfer of a Licence between the last Board meeting and the present one:-

- The Smugglers, 10 Portland Street, Troon – transferred to LAL (Public House) Ltd. on 23 April 2019.

Decided: to note the transfer granted under delegated powers.

5. Personal Licence Renewals

There was submitted a report (issued) of 13 May 2019 by the Clerk to the Licensing Board advising of the progress of renewals of personal licences.

Decided: to note the terms of the report.

6. Update from Licensing Standards Officer.

The Licensing Standards Officer advised

- (1) that a Best Practice Seminar was currently being arranged for Wednesday 29 May 2019 in Brig O'Doon House Hotel following requests from members of the trade for information; and would take place between 9.30 a.m. and 12.15 p.m. with presentations from the Chair of the Licensing Board and Officers of Police Scotland, which would hopefully address the concerns of the trade members;
- (2) that invitations had been issued for this seminar and bookings were currently being taken for the 150 available spaces; and
- (3) that all Board Members were welcome to attend this seminar.

7. Licensing (Scotland) Act, 2005.

(a) Application for Provisional Premises Licence.

The Board considered the following application:-

Applicant

Iceland Foods Limited

Premises

Iceland
Unit 1
Heathfield Retail Park
Liberator Drive
Ayr

Retail Sale of Alcohol (Off Premises) -

Every Day from 10.00 a.m. to 10.00 p.m.

The Board first considered the issue of locality for the purposes of this application and decided (with the agreement of the applicant's representative) that 500m of the applicant premises would be the appropriate locality for consideration of this application.

Having heard from the applicant's representative, the Board granted the above application.

Having previously declared an interest in the following application, Councillor Andy Campbell left the meeting during consideration of this matter.

(b) Applications for Variation of Premises Licences.

The Board considered the following applications:-

Applicant

(1) James Dunlop

Premises

The Carrick
15 Whitehall
Maybole

Removal of condition that the back doors to the premises should be continually monitored closely to ensure doors remain closed.

The back door to the premises is now alarmed with audible and visual alarms behind bar.

The removal of the condition “no live music or karaoke on the premises”. The volume of the live music or karaoke to be kept to an acceptable level.

The removal of the need for an SIA approved steward on the premises every Friday and Saturday night.

There are no physical changes to the operating plan but the public areas are now labelled as Lounge/Bar areas on layout drawing.

Permit live music including karaoke.

The Chair established that none of the objectors were present and, having heard from the applicant’s representative and the Team Leader (Trading Standards and Environmental Health) and having considered the Noise Impact Assessment and objections, the Board granted the above application subject to the following conditions:-

- (1) the music area is to be re-located to the area marked in red on the layout plan;
- (2) a noise management plan incorporating a management checklist is fully implemented during every amplified music event;
- (3) the sound setup is optimised in line with section 4.1 of the Noise Impact Assessment and amplified music can only be played through the premises own sound system which should be pre-set to a level that cannot subsequently be increased in volume. The pre-set level must be set to prevent noise nuisance from the premises. Also no additional amplifiers can be used and the sound system must not be changed or upgraded in any way without prior consent of Environmental Health;
- (4) a graphic equalizer is to be incorporated into the premises sound system so that low frequency noise can be reduced; and
- (5) the rear fire door and single glazed windows in that corridor are acoustically improve in line with section 4.2 of the Noise Impact Assessment and thereafter, maintained to that standard.

The variation is not to come into effect until such time as the premises have been inspected by Environmental Health and they have confirmed that all conditions have been met.

Councillor Andy Campbell re-joined the meeting at this point.

Applicant

Premises

- (2) Costley and Costley Hoteliers Limited Lochgreen House Hotel
Monktonhill Road
Troon

Creation and operation of new spa and beauty treatment facilities on the upper floor of the premises.

Small alteration to the lounge guest serving bar.

Minor location change to fire point.

Ground floor boutique has been removed and original bedroom reinstated.

Adjacent gents toilets have been added.

Minor location change to fire points.

The second floor offices have been removed and new spa treatment rooms created.

Having heard from the applicant's representative, the Board granted the above application.

- (3) The National Trust for Scotland Culzean Castle
Enterprises Limited Culzean
Maybole

Operating plan to be amended at question 7 to include capacity of Ailsa Room – 50 persons and also include capacity for off-sales in Castle Shop as 0.46m²/0.93m³.

Updated ground floor layout to show the Castle Shop now being located in the old Scullery Room and the Ailsa Room now licensed to hold the café/restaurant with a 50 persons capacity.

Having heard from the applicant's representative, the Board granted the above application.

(c) **Application for Occasional Licence.**

The Board considered the following application:-

Applicant

Premises

Martin John Dunlop

Blairquhan Castle
Straiton

Golfing Residential Stay – 01/07/19 and 02/07/19 –

Monday 01/07/19 – noon to 1.00 a.m.

Tuesday 02/07/19 – noon to 1.00 a.m.

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

(d) **Applications for Extended Hours.**

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Sprig Ltd.	Furys Nightclub 154 High Street Nile Court Ayr

May Bank Holiday – 26/05/19 – 2.30 a.m. to 3.30 a.m.

Having heard from the applicant's representative, the Board granted the above application.

(2) Ultimate Leisure (Scotland) Ltd.	Vinyl Nightclub 1-5 Arthur Street Ayr
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Special Guest DJ – 25/05/19 – 2.30 a.m. to 3.30 a.m.

The Board heard from the applicant's representative and from the Licensing Standards Officer in relation to this application.

Councillor Pollock, seconded by Councillor Andy Campbell, moved that this application be refused.

By way of Amendment, Councillor Brown, seconded by Councillor Brennan-Whitefield, moved that this application be granted.

On a vote being taken by a show of hands, four Members voted for the Amendment and four for the Motion. The Chair then exercised his casting vote in favour of the Amendment and the application was, therefore, granted.

(3) Ultimate Leisure (Scotland) Ltd.	Vinyl Nightclub 1-5 Arthur Street Ayr
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May Bank Holiday – 26/05/19 – 2.30 a.m. to 3.30 a.m.

Having heard from the applicant's representative, the Board granted the above application.

The meeting ended at 10.50 a.m.