

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a meeting in the County Buildings, Ayr,  
on 24 October 2019 at 10.00 a.m.

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

Apology: Councillor Margaret Toner.

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

Also

Attending: Chief Inspector B. Anderson and Sergeant D. Dougan, Police Scotland.

### **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, 21 November 2019 at 10.00 a.m.

### **3. Minutes of Previous Meeting.**

The Minutes of the Meeting of South Ayrshire Licensing Board of 12 September 2019 ([issued](#)) were submitted.

**Decided:** to approve the Minutes of the previous meeting.

### **4. Briefing Paper on Impact of Extended Hours Licensing.**

There was submitted a briefing paper from the Area Commander, South Ayrshire, Police Scotland ([copy herewith](#)) and notes of two meetings of the Working Group examining Extended Hours ([copies herewith](#)).

Chief Inspector Anderson advised that the report outlined his findings following Police visits to licensed premises on 31 August 2019, including to two premises in Ayr which had been granted extended hours to 3.30 a.m. that evening; and the impact that these extended hours had on Police Scotland.

The Chair advised

- (1) that representatives of the licensed trade had been given an opportunity to express their views on both extended hours applications which take the terminal hour beyond 2.30 a.m. and also on the normal terminal hour for premises;

- (2) that applications for extended hours beyond 2.30 a.m. submitted to the Board without adequate information were creating difficulties for Licensing Staff and the Board; and
- (3) that the Board would require to have further discussions to ascertain what constituted a “special event” in terms of section 68 of the Licensing (Scotland) Act 2005.

Following questions and comments from Board Members, the Board

**Decided** :-

- (a) not to amend the Statement of Licensing Policy;
- (b) to request the Depute Clerk to the Board to prepare draft guidance for approval by the Board to accompany the Extended Hours application form to ensure that adequate information was provided by applicants and that the form was submitted in sufficient time for all processes to be carried out prior to consideration by the Board; and
- (c) that the Board should consider at its next meeting what constituted a “special event”.

**5. Applications for Transfer Granted Under Delegated Powers.**

There was submitted a report ([issued](#)) of 10 October 2019 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) Failford Inn, Failford – transferred to Holly Cree on 13 September 2019;
- (2) The Ghillie Dhu, 11 Burns Statue Square, Ayr – transferred to The Ghillie Dhu Ltd. on 25 September 2019;
- (3) Boswells, 7 Boswell Park, Ayr – transferred to Ckena Ltd. on 1 October 2019; and
- (4) 48 Newmarket Street, Ayr – transferred to the MacPherson Family Partnership on 3 October 2019.

**Decided**: to note the transfers granted under delegated powers.

**6. Revocation of Personal Licences.**

There was submitted a report ([issued](#)) of 10 October 2019 by the Clerk to the Licensing Board advising of the revocation of personal licences.

**Decided**: to note the twenty eight licences revoked under delegated powers since the last report to the Board.

**7. Update from Licensing Standards Officer.**

The Licensing Standards Officer advised

- (1) that the annual fee for Premises Licence was due to be paid by 1 October each year and, whilst there were no ‘renewals’ for Premises Licences, this fee must be paid to keep the licence ‘active’;
- (2) that a fee notice had been issued to each premises in August this year and any premises which had not paid by the beginning of October had received a reminder which had been directed to the Premises Licence Holder;

- (3) that she had visited premises who had still not paid the annual fee to bring this to the attention of the operator and to establish the trading position of each premises as she was aware that some premises had closed and any premises who had still not paid their annual fee but continued to trade would be brought to the attention of the Board at its meeting in November 2019;
- (4) that currently premises were advertising their Christmas party nights and festive offers and she was liaising with Managers to ensure that any drinks promotions, price reductions and special offers met the requirements of the mandatory conditions of premises licences, however, premises had been pro-active in asking for information and guidance when preparing adverts and leaflets which was pleasing;
- (5) that, with the festive season approaching there was an increase in temporary staff in licensed premises and she continued to remind managers that all staff required a minimum of two hours training covering the specific points listed in the regulations, however, despite the Licensing (Scotland) Act 2005 now having been in force for ten years, she continued to find both Managers and staff who assumed that the required training was of a more practical nature and many had not covered what was required by legislation; and
- (6) that there had been many successful free training events held by Licensing Services over the past year and feedback from them had suggested that the vast majority of attendees had not received similar training before.

The Board then thanked the Licensing Standards Officer for her update.

## 8. Licensing (Scotland) Act, 2005.

### (a) Applications for Variation of Premises Licences.

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Woodpark Stores Ltd.	Woodpark Stores 1 Woodpark Ayr
<u>Existing Licensed Hours</u>	
<u>On-Sales</u>	<u>Off-Sales</u>
Monday N/A	10.00 a.m. to 9.00 p.m.
Tuesday N/A	10.00 a.m. to 9.00 p.m.
Wednesday N/A	10.00 a.m. to 9.00 p.m.
Thursday N/A	10.00 a.m. to 9.00 p.m.
Friday N/A	10.00 a.m. to 9.00 p.m.
Saturday N/A	10.00 a.m. to 9.00 p.m.
Sunday N/A	10.00 a.m. to 9.00 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 9.45 p.m.  
10.00 a.m. to 9.45 p.m.  
10.00 a.m. to 9.45 p.m.  
10.00 a.m. to 9.45 p.m.  
10.00 a.m. to 9.45 p.m.  
10.00 a.m. to 9.45 p.m.  
10.00 a.m. to 9.45 p.m.

Change of operating hours.  
Increase capacity from 13.217m<sup>2</sup> to 17.9m<sup>2</sup>

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

**Applicant**

(2) Damanjot Kaur Benipal

**Premises**

Enterkine House  
Annbank

Existing Licensed Hours

On-Sales

Monday 10.00 a.m. to 12.30 a.m.  
Tuesday 10.00 a.m. to 12.30 a.m.  
Wednesday 10.00 a.m. to 12.30 a.m.  
Thursday 10.00 a.m. to 12.30 a.m.  
Friday 10.00 a.m. to 12.30 a.m.  
Saturday 10.00 a.m. to 12.30 a.m.  
Sunday 10.00 a.m. to midnight

Off-Sales

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

Proposed Licensing Hours

On-Sales

Monday 10.00 a.m. to 12.30 a.m.  
Tuesday 10.00 a.m. to 12.30 a.m.  
Wednesday 10.00 a.m. to 12.30 a.m.  
Thursday 10.00 a.m. to 12.30 a.m.  
Friday 10.00 a.m. to 12.30 a.m.  
Saturday 10.00 a.m. to 12.30 a.m.  
Sunday 10.00 a.m. to 12.30 a.m.

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 10.00 p.m.

Alcohol to be sold for consumption both on and off the premises.  
Sunday core hours adjusted to 10.00 a.m. to 12.30 a.m.  
Include club or other group meetings.  
Amend children's statement to allow children and young persons accompanied by a responsible adult to be on the premises until 11.00 p.m. or if a function is being attended, to the terminal hour of the function.  
Additional hour during festive period.  
Internal alterations.

Lower ground floor, partial removal of internal wall to open up function room, removal of a number of internal walls.

New toilets and new bar.

Ground floor.

New bar, access to fire escape repositioned to form new access to whisky room

Doorway between lounge and new bar widened.

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

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

The Board considered the following applications:-

**Applicant**

**Premises**

(1) Ayr Railway Club

Ayr Railway Club  
20 James Street  
Ayr

Hogmanay Dance – 31/12/19 – 6.30 p.m. to 1.00 a.m.

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

(2) Martin John Dunlop

Blairquhan Castle  
Maybole

Wedding – 22/11/19 and 23/11/19 – Friday 22/11/19 2.00 p.m. to midnight and Saturday 23/11/19 1.00 p.m. to 1.00 a.m.

(3) Martin John Dunlop

Blairquhan Castle  
Maybole

Wedding – 29/11/19 and 30/11/19 – Friday 29/11/19 2.00 p.m. to midnight and Saturday 30/11/19 1.00 p.m. to 1.00 a.m.

Having heard the Licensing Standards Officer, the Board granted applications (2) and (3) above.

(4) Maidens Bowling Club

Maidens Bowling Club  
31 Harbour Road  
Maidens

New Year – 31/12/19 – 6.00 p.m. to 1.00 a.m.

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

**Applicant**

**Premises**

(5) Johnathan Morton

Troon Town Hall  
Municipal Buildings  
South Beach  
Troon

Troon Christmas Tribute Party Nights – 20/12/19 and 21/12/19 – 6.00 p.m. to 2.00 a.m.

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

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

The Board considered the following applications:-

**Applicant**

**Premises**

(1) Ultimate Leisure (Scotland) Ltd.

Vinyl  
1-5 Arthur Street  
Ayr

Halloween Saturday – 26/10/19 – 2.30 a.m. to 3.30 a.m.

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

(2) Charlene Irvine

Flix Fun Bar  
35A Bridge Street  
Girvan

Halloween Fancy Dress Party – 02/11/19 – 2.30 a.m. to 3.30 a.m.

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

(3) Buzzworks Hospitality Ltd.

Vic's and The Vine  
132 Main Street  
Prestwick

DJ and Live Music for Christmas Eve Party – 24/12/19 – 1.30 a.m. to 2.30 a.m.

(4) Buzzworks Hospitality Ltd.

Vic's and The Vine  
132 Main Street  
Prestwick

DJ and Live Music for Hogmanay Party – 31/12/19 – 1.30 a.m. to 2.30 a.m.

(5) Buzzworks Hospitality Ltd.

Scott's Bar and Restaurant  
Harbour Road  
Troon

DJ and Live Music for Hogmanay Party – 31/12/19 – 1.30 a.m. to 2.30 a.m.

**Applicant**

**Premises**

(6) Buzzworks Hospitality Ltd.

Lido  
11-17 West Portland Street  
Troon

DJ and Live Music for Christmas Eve Party – 24/12/19 – 1.30 a.m. to 2.30 a.m.

(7) Buzzworks Hospitality Ltd.

Lido  
11-17 West Portland Street  
Troon

DJ and Live Music for Hogmanay Party – 31/12/19 – 1.30 a.m. to 2.30 a.m.

(8) Buzzworks Hospitality Ltd.

Treehouse  
67-69 Sandgate  
Ayr

DJ and Live Music for Christmas Eve Party – 24/12/19 – 1.30 a.m. to 2.30 a.m.

(9) Buzzworks Hospitality Ltd.

Treehouse  
67-69 Sandgate  
Ayr

DJ and Live Music for Hogmanay Party – 31/12/19 – 1.30 a.m. to 2.30 a.m.

Having heard the applicant's representative and the Licensing Standards Officer, the Board granted applications (3) to (9) above.

(10) Daleglade Limited

Madisons  
38A Carrick Street  
Ayr

West FM Birthday Party – 15/11/19 – 2.30 a.m. to 3.30 a.m.

Having heard the applicant's representative, an objection from Police Scotland and the Licensing Standards Officer, the Board adjourned for consideration of this application.

Upon reconvening, the Board granted the above application.

(11) Global Wines Distributors Ltd.

The Buf  
7-9 Arthur Street  
Ayr

Halloween and Tamfest Party for Ayr and District Young Farmers' Club – 25/10/19 – 2.30 a.m. to 3.30 a.m.

(12) Global Wines Distributors Ltd.

The Buf  
7-9 Arthur Street  
Ayr

Halloween and Tamfest Celebration – 26/10/19 – 2.30 a.m. to 3.30 a.m.

**Applicant**

**Premises**

(13) Global Wines Distributors Ltd.

The Buf  
7-9 Arthur Street  
Ayr

Halloween Night and Student Party and The Buf Karaoke Grant Final with Guest DJ – 31/10/19 – 2.30 a.m. to 3.30 a.m.

Having heard the applicant’s representative and the Licensing Standards Officer in relation to applications (11) to (13) above, the Board invited the applicant to choose one date, 26/10/19 was chosen by the applicant and, therefore application (12) only was granted.

(14) Christopher Morrison

Cheeky Charlies  
47 Templehill  
Troon

Annual Fancy Dress Halloween Party – 02/11/19 – 2.30 a.m. to 3.30 a.m.

Having heard the applicant and the Licensing Standards Officer, the Board granted application

**(d) Premises Licences Surrendered.**

The Board noted the surrender of the following licence:-

**Premises**

**Date of Surrender**

23 Adamton Road North  
Prestwick

24/09/19

**9. Presentation by NHS Ayrshire and Arran.**

A **presentation** was given to the Board by the Interim Director of Public Health and the Health Improvement Officer, NHS Ayrshire & Arran on “Alcohol and Health Harms in South Ayrshire”, including statistics in relation to alcohol related hospital stays and associated harms by gender, alcohol condition and community level.

Questions were raised and responded to by the Interim Director of Public Health and the Health Improvement Officer and a full discussion took place in relation to alcohol consumption at home; early intervention; the impact on A&E of alcohol related accidents; the accessibility of alcohol; making GP services more accessible; and educating school pupils on the effects of alcohol.

The Interim Director of Public Health thanked Board Members for their comments and the Board thanked the Interim Director and the Health Improvement Officer for their interesting and informative presentation.

The meeting ended at 12.20 p.m.