

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,
on 1st September 2011 at 10.00 a.m.

Present: Councillors Douglas Campbell (Chair), Ian Douglas, Ian Fitzsimmons,
Ann Galbraith, Bill Grant, Alec Oattes and Tom Slider.

Apology: Councillor Andy Campbell.

Attending: V. Andrews, Clerk to the Board; M. Douglas, Licensing Policy Officer;
C. Andrew, Licensing Standards Officer; and J. McClure, Committee
Administrative Officer.

Also Attending: Chief Inspector N. Kerr and Sergeant U. Menzies, Strathclyde Police.

1. 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, 29th September 2011 at 10.00 a.m.

2. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 29th June 2011
(issued) were submitted.

The Board noted the Minutes of the previous meeting.

3. Applications for Transfers Granted Under Delegated Powers.

There was submitted a report (issued) of 18th August 2011 by the Clerk to the
Licensing Board advising of the following determination of applications for Transfer of
Licences between the last Board meeting and the present one:-

- (1) Burrowfields, 13 Beresford Terrace, Ayr;
- (2) The Horseshoe Bar, 81-83 George Street, Ayr;
- (3) Amber House, 9-11 Barns Street, Ayr;
- (4) Nicedays, 63 High Street, Maybole;
- (5) Trout Inn, 18 Main Street, Barrhill; and
- (6) Commercial Inn, 123 Dalrymple Street, Girvan.

The Board noted the transfers granted under delegated powers.

4. Update Report by the Licensing Standards Officer.

The Licensing Standards Officer advised

- (1) that, whilst some efforts had been made by various trade organisations and publications to publicise the changes to licensing legislation introduced as a result of regulations made under the Alcohol etc. (Scotland) Act 2010, it had become apparent that many licenceholders remained unaware of the changes which would also add further mandatory conditions to the licence;
- (2) that, in order to offer advice in relation to 'Challenge 25' and to discuss refusing sales, staff training and legislative changes, she had made a successful funding bid to the Alcohol and Drug Partnership to hold a training session for licenceholders which would take place on Monday, 26th September 2011 and that delegates would be offered the opportunity to attend a morning or afternoon session;
- (3) that presenters at the training session would include representatives from the Licensing Service, Alcohol Focus Scotland, Strathclyde Police and Trading Standards and that the day would be Chaired by Councillor Douglas Campbell;
- (4) that trade members had been invited to attend and spaces would be allocated on a first come first served basis as updated staff training books would also be provided for each delegate;
- (5) that, in addition, the Ayr Licensed Trade Alliance (ALTA) had agreed to utilise some of their funding to advertise the introduction of the Challenge 25 scheme and encouraging patrons to carry appropriate ID;
- (6) that, following her previous report regarding Occasional Licences, during the period from 1st April to 30th June 2011, the total number of Occasional Licences granted had been 170 which were allocated as follows:-

Ayr	90;
Maybole	16;
Girvan	19;
Troon	25;
Prestwick	20; and
- (7) that, compared to the number of licenses granted in the first quarter, this figure was slightly less, however, over the summer months the Licensing Section had continued to receive a large number of occasional licence applications and it was expected that the next quarterly report would show a rise as on average the Licensing Section was receiving approximately sixty to seventy applications per month.

A Member of the Board enquired what Occasional Licences were generally requested for and the Licensing Standards Officer advised that a large number of applications were for weddings and birthday parties, however, over the Summer period applications had been received for various shows, events and galas.

The Board then noted the report from the Licensing Standards Officer.

5. **Letter from the Scottish Government – Guidance for Licensing Boards in Order to Assist with the Implementation of the Alcohol etc. (Scotland) Act 2011.**

There was submitted a letter (issued) from the Scottish Government dated 22nd August 2011 attaching a copy of the guidance for Licensing Boards in order to assist with the implementation of the Alcohol etc. (Scotland) Act 2011.

The Licensing Policy Officer then updated the Board on the new mandatory conditions being imposed on licensees and advised that guidance would be available on the Council's website. A further briefing session for Board members would also be organised.

The Board then noted the Guidance from the Scottish Government.

6. **Variation in order of business.**

The Board agreed to vary the order of business as hereinafter minuted.

7. **Licensing (Scotland) Act, 2005.**

(a) **Application for Variation of Premises Licences.**

The Board considered the following application:-

Applicant

Buzzworks Leisure

Premises

Elliots Terrace, Bar and Restaurant
132 Main Street
Prestwick

Change to core On-Sale Hours:-

Existing

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 1.30 a.m.
Thursday 10.00 a.m. to 1.30 a.m.
Friday 10.00 a.m. to 1.30 a.m.
Saturday 10.00 a.m. to 1.30 a.m.
Sunday 10.00 a.m. to midnight

Proposed

Monday 11.00 a.m. to 12.30 a.m.
Tuesday 11.00 a.m. to 12.30 a.m.
Wednesday noon to 2.30 a.m.
Thursday 11.00 a.m. to 1.30 a.m.
Friday noon to 2.30 a.m.
Saturday noon to 2.30 a.m.
Sunday 11.00 a.m. to midnight

Change to core Off-Sale Hours:-

Existing

Every day 10.00 a.m. to 10.00 p.m.

Proposed

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

Change to seasonal variations: additional hour from 1st December to 2nd January.

Change to “Any Other Activities” – Karaoke: may be carried out but no alcohol served outwith core times. Quiz: may be carried out but no alcohol served outwith core times. Theme nights: may be carried out but no alcohol served outwith core times.

The Board heard from Strathclyde Police and the Licensing Standards Officer in relation to this application. The applicant’s representative then spoke to the application, including a request to amend the application in respect of off-sale hours (currently 10.00 a.m. to 10.00 p.m.) so as to bring these in line with the off-sale opening hours applied for and, following questions from Board members, the Board adjourned for consideration of the application.

Upon reconvening, the Board granted the hours as outlined above.

(b) Application for Personal Licence.

The Board considered the following application:-

<u>Application Number</u>	<u>Applicant</u>
SA/11/00138/LAPRS	Kevin Connolly

The Board heard an objection from Strathclyde Police, the applicant’s representative in response, considered the letters of reference and, following questions from Board Members, adjourned for consideration of this application.

Upon reconvening, the Board refused this application on the grounds that it was necessary to do so for the purposes of the preventing crime and disorder licensing objective.

(c) Application for Provisional Premises Licence.

The Board considered the following application:-

<u>Applicant</u>	<u>Premises</u>
Ayr Gaiety Partnership Limited	Cafe/Bar Gaiety Theatre Carrick Street Ayr

Retail Sale of Alcohol (On Premises) – every Monday to Saturday inclusive 11.00 a.m. to 11.00 p.m.; and every Sunday 5.00 p.m. to 11.00 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 a 300m radius from the applicant premises would be the appropriate locality for consideration of this application.

Having then heard the applicant’s representative, the Board granted the above application.

(d) **Applications for Variation of Premises Licences.**

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Belhaven Pubs	Cheeky Charlies 47 Templehill Troon

Change to core On-Sale Hours:-

<u>Existing</u>	<u>Proposed</u>
Monday 10.00 a.m. to 12.30 a.m.	Monday 10.00 a.m. to 12.30 a.m.
Tuesday 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.	Wednesday 10.00 a.m. to 12.30 a.m.
Thursday 10.00 a.m. to 12.30 a.m.	Thursday 11.00 a.m. to 1.30 a.m.
Friday 10.00 a.m. to 12.30 a.m.	Friday 11.00 a.m. to 1.30 a.m.
Saturday 10.00 a.m. to 12.30 a.m.	Saturday 11.00 a.m. to 1.30 a.m.
Sunday 10.00 a.m. to midnight	Sunday 11.00 a.m. to 1.30 a.m.

Change to core Off-Sale Hours:-

<u>Existing</u>	<u>Proposed</u>
Monday 10.00 a.m. to 10.00 p.m.	Monday from 10.00 a.m. to 10.00 p.m.
Tuesday 10.00 a.m. to 10.00 p.m.	Tuesday 10.00 a.m. to 10.00 p.m.
Wednesday 10.00 a.m. to 10.00 p.m.	Wednesday 10.00 a.m. to 10.00 p.m.
Thursday 10.00 a.m. to 10.00 p.m.	Thursday 11.00 a.m. to 10.00 p.m.
Friday 10.00 a.m. to 10.00 p.m.	Friday 11.00 a.m. to 10.00 p.m.
Saturday 10.00 a.m. to 10.00 p.m.	Saturday 11.00 a.m. to 10.00 p.m.
Sunday 10.00 a.m. to 10.00 p.m.	Sunday 11.00 a.m. to 10.00 p.m.

Having heard the applicant's representative, the Board granted the hours as outlined above.

(2) Sandra Horne	The Kings 10 Dalrymple Street Girvan
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Change to core On-Sale Hours:-

<u>Existing</u>	<u>Proposed</u>
Monday 10.00 a.m. to midnight	Monday from 10.00 a.m. to 12.30 a.m.
Tuesday 10.00 a.m. to 11.00 p.m.	Tuesday 10.00 a.m. to 12.30 a.m.
Wednesday 10.00 a.m. to 11.00 p.m.	Wednesday 10.00 a.m. to 12.30 a.m.
Thursday 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.	Friday 10.00 a.m. to 12.30 a.m.
Saturday 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	Sunday 10.00 a.m. to midnight

Core Off-Sale Hours:-

Existing

Proposed

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

Amend operating plan to include dominoes/darts, games i.e. play your cards right, quizzes, gaming i.e. poker/cribbage, open mike, theme nights, bingo, karaoke, live bands.

The applicant's representative then spoke to the application, including a request to amend the application in respect of the on-sales hours applied for and to amend the off-sale hours application (10.30 a.m. to 10.00 p.m. currently applied for) so as to bring these in line with the on-sale opening hours applied for and, following questions from Board Members, the Board granted the hours as outlined above.

Applicant

Premises

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| (3) Matha Dickies Limited | Matha Dickies
20 Smith Street
Ayr |
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Change to core On-Sale Hours:-

Existing

Proposed

Monday 11.00 a.m. to 12.30 a.m.	Monday from 11.00 a.m. to 12.30 a.m.
Tuesday 11.00 a.m. to 11.00 p.m.	Tuesday 11.00 a.m. to 12.30 a.m.
Wednesday 11.00 a.m. to 11.00 p.m.	Wednesday 11.00 a.m. to 12.30 a.m.
Thursday 11.00 a.m. to 11.00 p.m.	Thursday 11.00 a.m. to 12.30 a.m.
Friday 11.00 a.m. to 12.30 a.m.	Friday 11.00 a.m. to 12.30 a.m.
Saturday 11.00 a.m. to 12.30 a.m.	Saturday 11.00 a.m. to 12.30 a.m.
Sunday noon to 11.00 p.m.	Sunday noon to 12.30 a.m.

Change to operating plan as follows:-

Inclusion of recorded music and live performances (although live performances will be for occasional use only), gaming and darts.

Having heard the applicant's representative withdraw that part of the application for children aged 5-14 years to be admitted and to amend the application for music/live performances for only one event at a Christmas party, the Board granted the hours as outlined above subject to a condition to be imposed to limit the playing of live music/performance as above.

<u>Applicant</u>	<u>Premises</u>
(4) Ayr Ex-Services Club Ltd.	Ayr Ex-Services Club Ltd. 13-15 Academy Street Ayr

Change to core On-Sale Hours:-

<u>Existing</u>	<u>Proposed</u>
Saturday noon to 11.45 p.m.	Saturday 11.00 a.m. to 11.45 p.m.

Amend operating plan item 5 to include restaurant facilities and bar meals.
Creation of enlarged kitchen from existing store/kitchen and adjacent store.

The Board granted the above application.

(e) Applications for Occasional Licences.

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Sir Patrick Hunter Blair	Blairquhan Castle and Marquee Maybole

Wedding Reception on 09/09/11 from 3.00 p.m. to 1.00 a.m.

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

(2) Angela Tremble	Marquee at Enterkine Enterkine House Annbank
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Wedding and Reception on 29/10/11 from 1.00 p.m. to 12.30 a.m.

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

(3) Darren Mitchell	Hamilton Arms 22 Bridge Street Girvan
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Premises are an unlicensed hotel offering accommodation, restaurant facilities and bar meals.

From 16/09/11 to 28/09/11.

On-Sale – 11.00 a.m. to midnight.

Off-Sale – 11.00 a.m. to 10.00 p.m.

The Board heard from the applicant's representative and, following questions from Board Members, the Board adjourned for consideration of this application.

Upon reconvening, the Board granted the above application subject to a condition that the premises would only open once inspected and confirmed to be to the satisfaction of Building Standards and Environmental Health.

(f) Applications for Extended Hours.

The Board considered the following applications:-

- | <u>Applicant</u> | <u>Premises</u> |
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| (1) Barracuda Pubs and Bars Limited | The Maltcross
14/16 New Bridge Street
Ayr |

Rugby World Cup – 14/09/11, 25/09/11 and 01/10/11 - 8.00 a.m. to 11.00 a.m.

The Board heard from the applicant's representative and the Licensing Standards Officer in relation to this application and, following questions from Board Members, adjourned for consideration of this application.

Upon reconvening, the Board decided, in agreement with the applicant's representative that the above application be granted subject to a condition that breakfast would be available for customers purchasing alcoholic drinks and subject to the terminal hour for the premises being varied to 10.30 p.m. on 14/09/11 and 25/09/11. In relation to the application for 01/10/11, the Board agreed that delegated powers be granted to the Clerk to the Board to grant this application provided that the applicant agreed to amend the application to hours of 8.00 a.m. to 10.30 p.m. for that date also.

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| (2) Western House Catering Ltd. | Princess Royal Suite
Ayr Racecourse
2 Whitletts Road
Ayr |
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Summer Sensual Party – 25/09/11 from 12.30 a.m. to 1.30 a.m.

The Board noted that the applicant's representative had withdrawn the above application.

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| (3) Western House Catering Ltd. | Princess Royal Suite
Ayr Racecourse
2 Whitletts Road
Ayr |
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Summer Sensual Party – 25/09/11 – 12.30 a.m. to 2.30 a.m.

Having heard from the applicant's representative and the applicant and, following questions from Board Members, the Board granted the hours as outlined above subject to the event being restricted to over 18s and agreed that, should a similar application be received in future, a report would be submitted to the Board from the Licensing Standards Officer in relation to this event.

<u>Applicant</u>	<u>Premises</u>
(4) Troon & District Sports Club	Troon & District Sports Club Fullarton Estate Isle of Pin Road Troon
Rugby World Cup – 14/09/11 and 25/09/11 14/09/11 – 8.00 a.m. to 10.00 a.m. 25/09/11 - 8.00 a.m. to noon.	
(5) Troon & District Sports Club	Troon & District Sports Club Fullarton Estate Isle of Pin Road Troon
Rugby World Cup – 01/10/11, 08/10/11 and 09/10/11 01/10/11 – 8.00 a.m. to 10.00 a.m. 08/10/11 – 8.00 a.m. to 10.00 a.m. 09/10/11 – 8.00 a.m. to noon.	
(6) Troon & District Sports Club	Troon & District Sports Club Fullarton Estate Isle of Pin Road Troon
Rugby World Cup – 15/10/11, 16/10/11, 21/10/11 and 23/10/11 15/10/11 – 8.00 a.m. to 10.00 a.m. 16/10/11 – 8.00 a.m. to noon. 21/10/11 – 8.00 a.m. to 10.00 a.m. 23/10/11 – 8.00 a.m. to noon.	

Having heard the applicant's representative in relation to applications numbered (4) to (6) above and following questions from Board Members, the Board granted the hours as outlined above subject to a condition that breakfast would be available for customers purchasing alcoholic drinks and subject to the terminal hour for the premises being varied to 10.30 p.m. on each date.

8. Gambling Act, 2005.

(a) Application for Bingo Premises Licence.

The Board considered the following application:-

<u>Applicant</u>	<u>Premises</u>
Matchurban	202 High Street Ayr

The Board granted the above application.

(b) Application to Vary a Premises Licence.

The Board considered the following application:-

Applicant

Mecca Bingo Limited

Premises

Mecca Bingo Club
The Playhouse
4 Boswell Park
Ayr

The Board granted the above application.

The meeting ended at 12.50 p.m.