

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting in County Buildings, Wellington Square, Ayr,
on 31st March 2011 at 10.00 a.m.

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

Apology: Councillor Bill Grant.

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

1. Chair's Remarks.

The Chair advised that, following a decision of South Ayrshire Council to take account of environmental issues, the serious financial situation facing the public sector and the fact that meeting papers could be accessed through the Council's website, papers for the Licensing Board would no longer be available at the meeting.

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 Wednesday, 4th May 2011 at 10.00 a.m.

3. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 3rd March 2011 (issued) were submitted.

Decided: to note the Minutes of the previous meeting.

4. Applications for Transfers Granted Under Delegated Powers.

There was submitted a report (issued) of 21st March 2011 by the Executive Director - Corporate Services advising of the following determination of an application for Transfer of a Licence between the last Board meeting and the present one:-

4 Prestwick Road, Ayr.

Decided: to note the transfer granted under delegated powers.

5. Update Report By Licensing Standards Officer.

The Licensing Standards Officer advised

- (1) that she had noted in a local newspaper that there were details of two separate cases of violence and aggression towards staff in licensed premises who had refused to sell alcohol to people who they judged to have already consumed a considerable amount which was one of the ongoing challenges faced by staff who worked in licensed premises, in addition to judging the age of young people and also if alcohol was being purchased with the intention of passing it on to underage drinkers;
- (2) that the articles had demonstrated the vigilance and positive steps which were being taken by those who worked in the trade and that those who correctly refused this type of sale should be commended for their actions;
- (3) that staff who worked on licensed premises were now required to have more training than ever before and perhaps education for the public was now required to emphasise the offences which were committed by those acting as 'agents' to purchase alcohol for others or by attempting to purchase alcohol underage or whilst intoxicated; and
- (4) that she had continued to have discussions with representatives from private members' clubs regarding the types of activities which had taken place on these premises and that, due to the nature of the licence, it was not acceptable for these premises to act as host for events which were open to the general public to attend, unless an occasional licence had been granted which indicated that weekly classes or activities would not be acceptable.

Decided: to note the report from the Licensing Standards Officer.

6. Licensing (Scotland) Act, 2005.

(a) Application for Premises Licences.

The Board considered the following application:-

<u>Applicant</u>	<u>Premises</u>
Leslie Forbes	Woodland Farm Hotel, Coffee Shop and Farm Shop Girvan

Retail Sale of Alcohol (On Premises) – every Monday to Saturday inclusive from 10.00 a.m. to 12.30 a.m.; and every Sunday from 10.00 a.m. to midnight.

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 a 1km radius of the applicant premises would be the appropriate locality for consideration of this application.

The Board then heard the applicant's representative in relation to this application and having taken all submissions into account when determining the application, considered if any of the grounds for refusal applied and, having concluded that no grounds for refusal had been established, the application was granted.

Variation in order of business.

In terms of Council Standing Order No. 10, the Board agreed to vary the order of business as hereinafter minuted.

(b) Applications for Provisional Premises Licences.

The Board considered the following application:-

<u>Applicant</u>	<u>Premises</u>
Burnside 110 Limited	Fouters Restaurant 2A Academy Street Ayr

Retail Sale of Alcohol (On Premises) – every day from 11.30 a.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 Ayr Town Centre would be the appropriate locality for consideration of this application.

The Board then heard the applicant's representative in relation to this application and having taken all submissions into account when determining the application, considered if any of the grounds for refusal applied and, having concluded that no grounds for refusal had been established, the application was granted.

(c) Applications for Variation of Premises Licences.

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Mrs Sukhjit Kaur	Culzean Stores 15 Queens's Terrace Maybole

To allow alcohol to be displayed behind serving counter and increased shelf height. Increase capacity from 6.97m² to 14.88m².

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

Applicant

Premises

- (2) The MacPherson
Family Partnership
- Caprice
48 Newmarket Street
Ayr

Amend opening time from 9.00 a.m. to 8.00 a.m. to provide food and non-alcoholic beverages and to allow children on the premises from 8.00 a.m.

The Board approved the above application.

- (3) Lidl UK GmbH
- Lidl
15 Allison Street
Ayr

Amend core hours to 10.00 a.m. to 10.00 p.m. every Monday to Sunday inclusive (currently 10.00 a.m. to 8.00 p.m. every Monday to Saturday inclusive and 10.00 a.m. to 6.00 p.m. on Sundays). Increase capacity from 37.62m² to 41.94m².

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

- (4) Raymond McDonald
- The Wallace Bar
6 Tams Brig
Ayr

Amend core hours to open at 10.00 a.m. on Sundays.
Allow poker nights on premises.

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

(d) Review of Premises Licence Under Section 38.

The Board agreed to continue consideration of the following application for review:-

Guiseppe Ippolito, Willie Wastles, 30 New Bridge Street, Ayr.

(e) Applications for a Personal Licence.

The Board considered the following applications:-

Application Number

Applicant

- (1) SA/10/00204/LAPRS
- Alan Sharp

Having failed to appear at three previous Board meetings despite being cited to attend, the Board agreed to consider this application.

In the absence of the applicant, the Board refused the above application.

Councillor Slider declared an interest in the following application as the applicant was known to him and withdrew from the meeting during consideration of this matter:-

	<u>Application Number</u>	<u>Applicant</u>
(2)	SA/11/00022/LAPRS	Christopher Rodie

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

(f) Applications for Occasional Licences.

The Board considered the following applications:-

	<u>Applicant</u>	<u>Premises</u>
(1)	Kevin Boyd	Maybole Town Hall High Street Maybole

Wedding on 28/05/11 from 2.00 p.m. to 12.30 a.m.

The Board granted the above application.

(2)	Carrick Sports Club	Carrick Sports Club 6/10 Whitehall Maybole
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Fundraising Night for Carrick Amateurs F.C. on 15/04/11 from 7.00 p.m. to 1.00 a.m.

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

(3)	William Howat	Maybole Town Hall High Street Maybole
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Golden Wedding on 02/04/11 from 7.00 p.m. to midnight.

Having heard the Chair advise that the above application had now been amended to midnight from 12.30 a.m., the Board noted that this application had now been granted by the Clerk to the Board under delegated powers, the hours as outlined above.

<u>Applicant</u>	<u>Premises</u>
(4) William Howat	Cattle Shed Craigie Wilson Auction Mart Whitefordhill Ayr

Ayrshire Young Farmers' County Rally Dance on 21/05/11 from 9.00 p.m. to 1.00 a.m.

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

Councillor Fitzsimmons declared an interest in the following applications as he was a member of the Girvan Folk Festival Committee and withdrew from the meeting during consideration of these matters:-

(g) Application for Extended Hours.

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Nancy Rae	The Royal Hotel 36 Montgomerie Street Girvan

29th and 30th April and 1st May 2011 for Girvan Folk Festival - Friday and Saturday from 12.30 a.m. to 2.00 a.m.; and Sunday from midnight to 2.00 a.m.

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

(2) Gordon McGregor	Harbour Bar 35 Knockcushan Street Girvan
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29th and 30th April and 1st May 2011 for Girvan Folk Festival - Friday and Saturday from 12.30 a.m. to 2.00 a.m.; and Sunday from midnight to 2.00 a.m.

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

(3) Robert Jardine	Westcliffe Hotel 15-16 Louisa Drive Girvan
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29th and 30th April and 1st May 2011 for Girvan Folk Festival - Friday and Saturday from 12.30 a.m. to 2.00 a.m.; and Sunday from midnight to 2.00 a.m.

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

Adjournment.

The time being 10.40 a.m., the Board adjourned for twenty minutes.

Recommencement of Meeting.

The Board recommenced at 11.00 a.m.

7. Any Other Business.

(a) Application for Provisional Premises Licences.

The Board considered the following application:-

Dorothy Birks	Kirkmichael Arms 3-5 Straiton Road Kirkmichael
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Retail Sale of Alcohol (On Premises) – every Monday to Saturday inclusive from 10.00 a.m. to 12.30 a.m.; and every Sunday from 10.00 a.m. to midnight.

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) that a 1km radius of the applicant premises would be the appropriate locality for consideration of this application.

The Board then heard the applicant in relation to this application and, having taken all submissions into account when determining the application, considered if any of the grounds for refusal applied and, having concluded that no grounds for refusal had been established, the application was granted.

(b) Application for Extended Hours.

The Board considered the following application:-

<u>Applicant</u>	<u>Premises</u>
Buzzworks Claremont Ltd.	Elliot's Bar and Restaurant 132 Main Street Prestwick

24/04/11 for Easter Sunday from midnight to 1.00 a.m.

The Board heard the applicant's representative in relation to this application, particularly in relation to the late opening until 2.00 a.m., the stewarding arrangements and the numbers limitation and also heard from the Licensing Standards Officer and granted the hours as outlined above.

The meeting ended at 11.15 a.m.