

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a hybrid webcast meeting held on 26 October 2023 at 10.00 a.m.

Present: Councillors William Grant (Chair), Laura Brennan-Whitefield, Martin Kilbride, Bob Pollock, Gavin Scott and Duncan Townson.

Apology: Councillor Lee Lyons.

Attending: K. Briggs, Service Lead – Legal and Licensing and Depute Clerk to the Board; L. McChristie, Co-ordinator, Licensing and Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; J. McClure, Committee Services Lead Officer; L. Russell, Committee Services Officer; and E. Moore, Committee Services Assistant.

### **Opening Remarks**

The Chair welcomed everyone to the meeting, outlined the procedures for conducting this meeting and advised that it would be broadcast live.

#### **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 on Thursday 23 November 2023 at 10.00 a.m.

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

The [Minutes](#) of the Meeting of South Ayrshire Licensing Board of 21 September 2023 (issued) were submitted.

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

#### **4. Update by Licensing Standards Officer**

The Licensing Standards Officer

- (1) referred to the training event which had been arranged for Thursday 2 November 2023 in Ayr Town Hall to ensure that staff were trained prior to the busy festive period by covering the minimum two hour mandatory staff training for those who did not have a personal licence but worked within licensed premises; and advised that only a few spaces remained for this course;
- (2) thanked David Cuthill, a member of South Ayrshire Local Licensing Forum who had delivered invitations to premises in the Ayr and Prestwick area;

- (3) advised that the liquor licensing legislation required individuals to receive this training from a personal licence holder and for this to be documented and copies retained for inspection;
- (4) outlined that a premises in South Ayrshire had recently come to the attention of the Board for not providing or documenting adequate staff training and ultimately this could lead to a review of the Premises Licence and licence holders could face the potential actions that could be taken as a result of that hearing;
- (5) advised that whilst there was no requirement for a premises licence to be renewed, an annual fee was due by 1 October each year to 'maintain' the licence; that currently the fees were overdue in relation to some venues and that final reminder letters had now been issued with a list of the premises with outstanding fees being provided to the November Board meeting with a request for the Board to suspend the premises licence until the fees had been paid; however, work was ongoing to establish the current trading status of any premises on the list to ensure that no active premises were suspended prior to the busy festive period; and
- (6) that, despite the ongoing rising costs and staffing challenges currently facing the licensed trade, the Licensing Team remained busy with applications and enquiries relating to licence transfers and variations to premises licences as licence holders prepared for the future; and that Occasional Licence applications were still being received for dates this year and in advance for events in 2024.

#### The Chair

- (a) advised that it was pleasing to note that the free training event was taking place and that this event was almost fully booked;
- (b) thanked the Licensing Standards Officer and David Cuthill for the work undertaken in arranging this event and encouraged Board Members to attend;
- (c) thanked the members of the Local Licensing Forum for their input to the consultation on the Statement of Licensing Policy; and
- (d) recommended that those premises who had not paid their annual fees do so as soon as possible to ensure that they were not disadvantaged over the busy festive period by having their licence suspended.

#### The Board

**Decided:** to note the Licensing Standards Officer's update.

### 5. **Revocation of Personal Licences**

There was submitted a [report](#) (issued) of 12 October 2023 by the Clerk to the Licensing Board advising of the revocation of seventeen Personal Licences.

#### The Board

**Decided:** to note the revocation of seventeen Personal Licences since the last Board meeting.

## 6. Applications for Transfers Granted Under Delegated Powers

There was submitted a [report](#) (issued) of 12 October 2023 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 this Board:-

- Monkton Premier Store, 29 Main Street, Monkton – transferred to John Whitehead on 11 September 2023.

The Board

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

## 7. Licensing (Scotland) Act 2005

### (a) Application for Extended Hours

The Board considered the following application:-

#### **Applicant**

Christopher Morrison

#### **Premises**

Number Forty-Seven  
47 Templehill  
Troon

Festive Period – 25/12/23 and 26/12/23 – 2.30 a.m. to 3.30 a.m.

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

### (b) Applications for Occasional Licences.

The Board noted that, as the following two applications had now been amended and were not now outwith the Board's policy, these applications are now able to be had granted under delegated powers:-

#### **Applicant**

(1) Mattia Delle Piane

#### **Premises**

37 Sandgate  
Ayr

Use of the premises as a restaurant during the period prior to grant of an application for a new premises licence - 13/11/23 to 26/11/23

On Sale Every Day 10:00 – 12.30 am  
Off Sale Every Day 10:00 – 10.00 pm

<u>Applicant</u>	<u>Premises</u>
(2) Mattia Delle Piane	37 Sandgate Ayr

Use of the premises as a restaurant during the period prior to grant of an application for a new premises licence - 27/11/23 to 10/12/23

On Sale Every Day 10:00 – 00:30 a.m.  
Off Sale Every Day 10:00 – 22:00 p.m.

**(c) Premises Licences Ceasing to Exist**

The Board noted that the following licences now ceased to exist as the licences had been surrendered:-

- (1) Goudies, 8 Whitehall, Maybole – licence surrendered 25/09/23;
- (2) Savers, Unit 3, 49 Academy Street, Troon – licence surrendered 06/10/23; and
- (3) Mercado, 48 Newmarket Street, Ayr - Premises sold 31.01.2023, no application for transfer received.

**8. Statement of Licensing Policy**

There was submitted a [report](#) (issued) of 17 October 2023 by the Clerk to the Licensing Board seeking approval of the updated Statement of Licensing Policy following the statutory consultation; and requesting that the new Policy be published on the Council's website.

Discussion took place in relation to the Board's concerns regarding home deliveries of alcohol; and the Board thanked the members of the Local Licensing Forum and other partner agencies for their input in relation to this Policy.

The Board

**Decided:**

- (1) to approve the updated Statement of Licensing Policy (Appendix 1 to the report); and
- (2) to request the Depute Clerk to the Licensing Board to arrange for publication of the Statement of Licensing Policy on the Council's website.

**9. Closing Remarks.**

The Chair thanked everyone in attendance; and reminded Board Members that the annual meeting with the Local Licensing Forum was taking place following this Board meeting.

The meeting ended at 10.20 a.m.