

Application for Occasional Licence

No	Applicant	Premises	Event	Dates Requested	Times Requested
1.	Christopher Morrison	Number Forty-Seven 47 Templehill Troon	Temporary outdoor area comprising the 4 parking bays immediately outside of licensed premises. Approximate size: 9.6m X 5m to cope with the overflow expected from the premises with the open golf being hosted in Troon, the area perimeter will be secured with fencing	18 th to 21 st July 2024	On Sale 12:00 – 22:00
2.	Alastair McClymont	The Main Field Stafflar Farm Symington	21 st Birthday Party	27 th July 2024	19:00 – 01:00* *Outwith Board Guidelines
3.	Alastair McClymont	Pinwherry Field Main Street Pinwherry	The Community Association Dance	17 th August 2024	19:00 – 01:00* *Outwith Board Guidelines

Christopher Morrison – Number 47, Troon
Occasional Licence Application – 18th to 21st July 2024
Report by Licensing Standards Officer

I refer to the Occasional Licence application made on behalf of Number 47 which is a premises who operate with later core hours in Troon. The application is to cover the use of a proposed outside drinking area during the period of the 152nd Open Golf Championships which are being held on the Royal Troon Golf Course in Troon and the dates requested are Thursday 18th to Sunday 21st July 2024 which are the main competition days.

Prior to lodging of this application, I was contacted by Christopher Morrison who is the Premises Licence Holder and Premises Manager of Number 47 and who had been attending the engagement events in the area which had been set up by representatives from the Golf Open and South Ayrshire Council. I advised Mr Morrison that he should contact Ayrshire Roads Alliance prior to further consideration of his proposal as the use of the 'space' proposed would involve 'adopting' parking bays and crossing a public footpath. Having seen an email exchange regarding this I can confirm that Ayrshire Roads Alliance have offered no initial objections to the proposal.

The application is to create an 'outdoor drinking area' using 4 parking bays which are situated outside Number 47 (see space labelled 3 on attached photograph) the purpose of which is to allow an external drinking space for patrons of Number 47 if the weather is favourable and to allow increased capacity for the venue, which currently stands at 120 persons inside. There are no proposals to offer food or entertainment within this area and there is no 'view' of the golf or any other entertainment from this location which is adjacent to a road, which I understand will be fully operational during this period. Additionally the applicant requests access for under 18's until 8pm and although no food will be served there is a variety of soft drinks on offer.

Whilst I am aware that Community Engagement groups have been encouraging local businesses to anticipate an increase in visitors in the area due to the Open Championships and consider ways to maximise business during this time, I would request that this application is not dealt with under delegated powers but is instead referred to a Board hearing for a decision.

As this proposal includes tables and chairs for people to sit in an area that is not usually for this purpose, it would be relevant to assume that there will be an increase in general noise in the locality as patrons drink, smoke, vape and socialise.

There are a number of flats opposite the premises and there have been complaints from residents who have been concerned about noise and anti-social behaviour in the past year from people who have left licensed premises. These have been referred to colleagues in the Communities team and I have contacted the previous complainants to make sure they are aware of the existence of this application as there is no process of automatic consultation for this type of application that would involve local residents. Although the applicant has indicated that the site will be covered by the CCTV positioned at the front of the premises and that he will be providing extra staff and door stewards, the Board may wish to consider if grant of the application would be consistent with the licensing objective 'Preventing Public Nuisance'.

The proposed location for the site is currently used as free parking spaces and are used on a daily basis by those visiting the commercial premises that are situated in Templehill. From personal experience I am aware that this is a busy area and I would anticipate the use of parking spaces to increase during this busy time in Troon. Whilst the applicant has advised that barriers will be in place to identify and secure the space, Members will be aware that the spaces at either side of the site will continue to be used by drivers who will be manoeuvring in and out to park and cannot be controlled by the applicant. The public road also borders the proposed area (see area labelled 4 on photograph) and I understand that the traffic management plan does not propose closure of this road and therefore it may be busier than usual if other roads in the area are restricted or closed. For this reason, the Board may wish to consider if the grant of this application is consistent with the licensing objective 'Securing Public Safety'.

There is a public footpath between Number 47 and the proposed outdoor space as shown in the attached photograph and labelled 2. This means that staff who are bringing alcohol from the premises to the drinking area and patrons who are moving from inside the premises to the outside space will have to cross the public footpath. In order to ensure this is not in breach of the Byelaw in South Ayrshire which prevents possession of 'an open container of alcohol in a public space' I assume a section of the footpath would require to be included in the Occasional Licence. The Depute Clerk will be able to advise on the legalities of this, however I would suggest that if granted, there is a condition added to the licence to prevent patrons from standing with or consuming alcohol on the footpath and it is instead simply used as a way to access the outside area. Although I have not personally had any communication with Ayrshire Roads Alliance I assume that it will be necessary to ensure the public footpath is not blocked and kept in use during this busy time to prevent people from walking on the road or between parked cars.

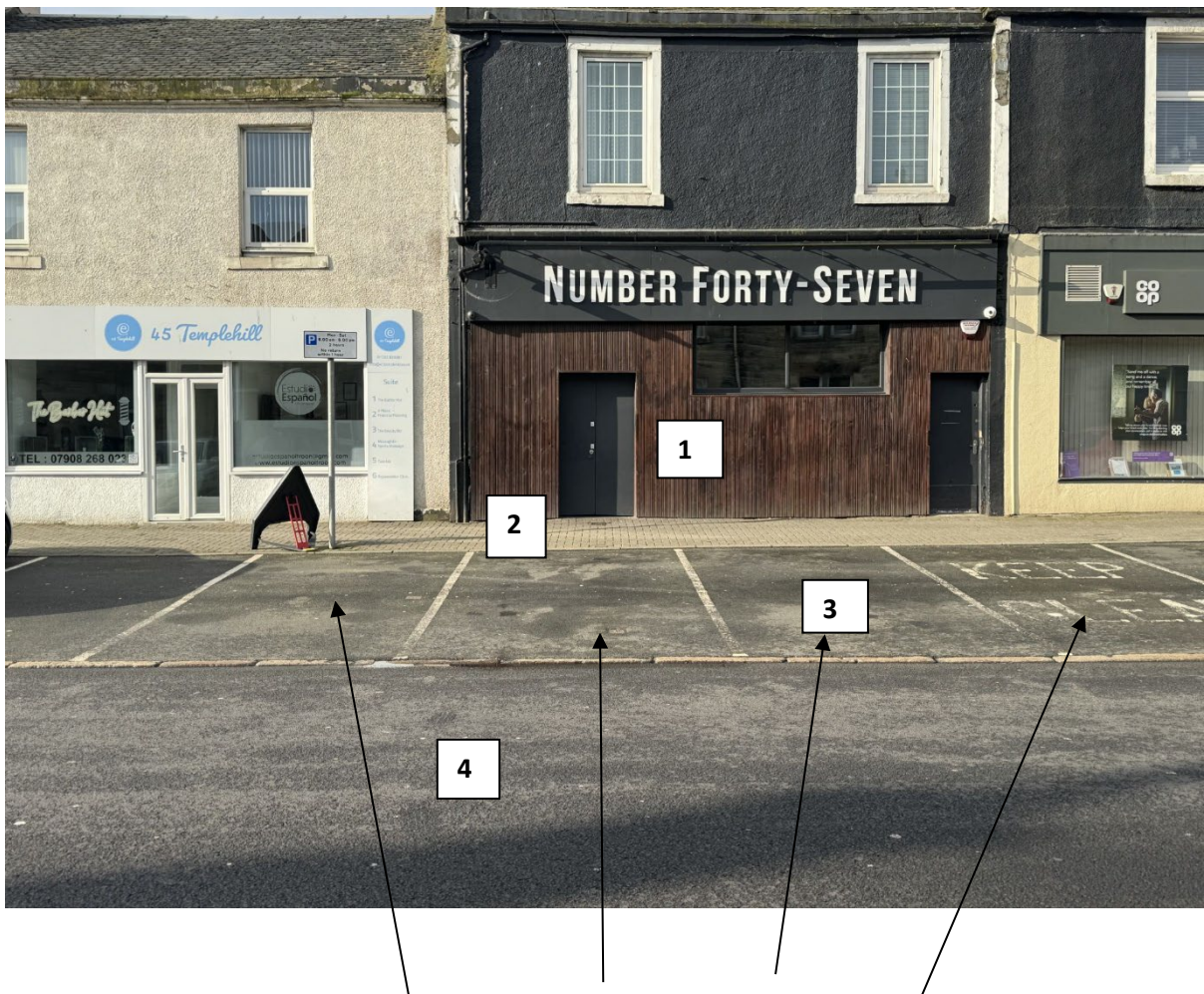
This application is unique and no similar applications for Occasional Licences have been considered by South Ayrshire Licensing Board since the introduction of the Licensing (Scotland) Act 2005. However during the Covid pandemic the Scottish Government encouraged Licensing Boards to support premises who wanted to make use of outside areas and car parks in order to continue to trade. A few of these were granted for a temporary period in South Ayrshire but all used spaces that were owned by and attached to the premises and which were not accessed via a public footpath.

Christopher Morrison is an experienced operator who has owned and managed premises in the Troon area for many years and has contacted both Ayrshire Roads Alliance and the Licensing Standards Officer prior to lodging the Occasional Licence application. However the grant of this application would in my view set a precedent for future applications in South Ayrshire and therefore I would ask that if the Board were minded to grant this application, that they consider adding the following conditions to ensure compliance with the Licensing Objectives;

- 1- No glass is permitted in licensed area
- 2- A barrier must be used to define consumption area and a bin provided

- 3- All consumption of alcohol must be within the barrier area and not on the public footpath
- 4- A dedicated staff member must be present to supervise the area at all times

Catrina Andrew
Licensing Standards Officer
29th May 2024



Photograph shows the area at front of Number 47 in Templehill, Troon

Arrows show the 4 parking bays which form the proposed site for an external drinking area during the hours of 12noon and 10pm from Thursday 18th to Sunday 21st July 2024

1 = Number 47 (Core Hours until 2.30am)

2= Public Footpath

3= Parking Bays

4= Road

Alastair McClymont – Personal Licence Holder
Occasional Licence Application – 27th July 2024
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by Alastair McClymont for a 21st Birthday Celebration in a Marquee in the Front Field, Stafflar Farm, Symington.

The application requests a terminal hour of 1.00am, which is out with the Board's Policy. However, the location of the event is Stafflar Farm, a working dairy farm in Symington and the event is organised to take place in a marquee in the front field where neighbour noise and disturbance is unlikely to be an issue due to the rural location.

This venue has been used previously by the applicant, who was granted an Occasional Licence in 2022 for a 21st Birthday party for the same terminal hour and no negative feedback was received by Licensing as a result.

In the recent update to the Licensing Policy Statement, South Ayrshire Board added the following statement:

' The Board recognises that there are some venues which operate events such as weddings, on a regular basis with the benefit of Occasional Licences, and there are therefore applicants who appear before the Board throughout the year with applications for a terminal hour beyond 12 midnight. Where the applicant and venue are known to the Board and the application is for the type of event and hours that have previously been granted to the premises with no negative feedback from Police Scotland, the Licensing Standards Officer and the local community, the Board may grant the Clerk delegated powers for future similar applications. This decision would be taken at a Board meeting in relation to applications for a period of 12 months, subject to agreement with the consultees.'

Considering the above, I have no objections to the grant of this Occasional Licence and I would ask the Board to agree the delegated powers for the Clerk to allow any similar applications up until 31st December 2024 to be granted without the requirement of a Board meeting, if the required criteria is met.

Catrina Andrew
Licensing Standards Officer
28th May 2024

Alastair McClymont – Personal Licence Holder
Occasional Licence Application – 17th August 2024
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by Alastair McClymont, who is a personal licence holder familiar to the Board as he provides a mobile bar service for a number of events, predominantly in the Ayrshire rural community.

The application requests a terminal hour of 1.00am, which is outwith the Board's Policy and therefore cannot be granted under delegated powers.

The location of the event is the Pinwherry Field at Pinwherry and it is intended that the venue will be a marquee erected on the field to host the Community Association dance and buffet supper.

As this is a community event and is being hosted within a rural village, the neighbours will be aware of this happening and many may be attending. For this reason, I have no concern that the grant of this application will breach the licensing objective 'Preventing Public Nuisance'.

As the applicant is known to me and has run a number of similar events over the years with the benefit of a 1am terminal hour, I have no objections to the grant of this application.

Catrina Andrew
Licensing Standards Officer
28th May 2024