

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 24 October 2024 at 10.00 a.m.

Present: Councillors William Grant (Chair), Kenneth Bell, Laura Brennan-Whitefield, Martin Kilbride and Duncan Townson.

Apologies: Councillors Bob Pollock and Gavin Scott.

Attending: K. Briggs, Service Lead – Legal and Licensing; L. McChristie, Co-ordinator - Licensing and Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; I. McColl, Police Inspector - Police Scotland; K. Hancox, 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 5 December 2024 at 10.00 a.m.

3. Minutes of Previous Meeting

The [Minutes](#) of the Meeting of South Ayrshire Licensing Board of 19 September 2024 (issued) were submitted.

Decided: to approve the Minutes of the previous meeting.

4. Update by Licensing Standards Officer (LSO)

The Licensing Standards Officer advised

- (1) that, at the beginning of this month the minimum price for alcohol sold in Scotland had risen to 65p a unit (from the previous price of 50p a unit) which had resulted in a considerable price rise overnight on a number of products. The change was not well advertised and did not receive as much press coverage as the original introduction of this particular legislation and, as a result, it had left licence holders in South Ayrshire (and I believe the rest of Scotland) with quite a challenge;

- (2) that the biggest impact could be seen in the off-sales premises who had now increased prices as required which for example had shown an increase of £1.32 on a 4 pack of beer at 5% volume (now being sold at a minimum of £5.72) and a 70cl bottle of vodka at 37.5% an increase of £3.94 (now being sold at a minimum of £17.07). Whilst some products may already have been priced above the minimum, they had also now changed to allow the retailer to still have a differential between the premium brands and those of a lower quality which meant that a premium vodka in a 70cl bottle may now be priced around £20 minimum;
- (3) that this overnight increase had left many customers feeling 'cheated' and blaming the retailer who they see as being responsible for the rise. This had already resulted in a significant amount of abuse to staff and an increase in theft which she had witnessed first hand over the past few weeks when she have visited premises to offer information and guidance and to assist with price checking;
- (4) that, additionally, many of the smaller premises had 'price marked' items which were now showing a sale price below the permitted amount. With the advice from colleagues in Trading Standards, those affected by this anomaly had now been advised to cover the price and label the product with the new price that was in accordance with legislation;
- (5) that it should be noted that the minimum pricing legislation only applied to Scotland and as a result some of our retailers were receiving offers from UK wide chains that did not meet the requirements. Also the additional revenue was not being collected by the Government to fund health, support services, recreation or alcohol education, it was instead simply going direct to the retailer, which was another fact that was misunderstood;
- (6) that licence holders had advised that whilst they always welcomed additional income, the challenges they were facing in light of the price rises were making trading difficult at times. She also highlighted that this was introduced by the Scottish Government and was not an initiative in South Ayrshire as has been suggested by some. She was aware that the Board mentioned at its last meeting that it was keen to write to the Scottish Government regarding the minimum pricing legislation and as LSO she was suggesting that the Licensing Objectives Preventing Public Nuisance, Securing Public Safety and Preventing Crime and Disorder were being negatively affected. Additionally, information from off sales retailers suggested that people who were spending more on alcohol were spending less on food and therefore the objective Protecting and Improving Public Health may also be difficult to support;
- (7) that she would continue with visits in particular to off sales over the next few months to offer guidance and ensure compliance with the legislation;
- (8) that Members would be aware that there was no longer a requirement to 'renew' a premises licence, however there was an annual fee due by 1st October each year in order to 'maintain' the licence and that notices regarding this with details for fee payment were issued the licensing office from August each year and to date there were around 25 premises in South Ayrshire who had not paid their annual fee. These premises would have received a total of 3 letters sent both to the premises address and to the premises licence holder and many had also been contacted or visited by her. An LSO letter had now been issued to premises who had still not paid and it was her intention to bring a review of the premises licence of any premises who had not paid to the next Board meeting to request suspension of the licence prior to the festive season;

- (9) that she was aware that a number of premises on the list were not currently trading and may also be intended for future residential use and in this case she would encourage the premises licence holder to contact the licensing team to provide them with this information in writing; that the annual fee payments due varied in price from £180 to £700 depending on the rateable value of the premises and payments could be made in a variety of different ways;
- (10) that an increasing number of licensed individuals and premises were not updating the licensing office when their personal details and addresses changed and not only did this make it difficult to contact them, it was also an offence. When a designated premises manager ceased working at the premises, it was a requirement that the premises licence holder inform the licensing office within 7 days to allow them to continue trading for the next 6 weeks whilst a replacement manager was appointed. If this notification was not provided to the office within 7 days, alcohol must be removed from sale until such times as a new manager was officially appointed and advised by the licensing office;
- (11) that she wished to highlight concerns regarding the use of 'blood bags' and 'syringes' as a way of serving and dispensing alcohol and that it had been raised previously as a concern by partners in health teams and working groups. The main reason for that was the trivialisation of what could be lifesaving products and the possible association that alcohol contained within these could be seen as a substitute. Additionally, over the years there had been many national campaigns that encouraged vigilance when having a drink in an open glass and ensuring that nothing was 'added' to it after it was served (such as the prevention of drink spiking) and therefore encouraging liquid from a syringe to be added to a glass was contrary to the message. Furthermore, this increased the number of single use plastics. With this in mind, she had requested that the South Ayrshire Licensed trade carefully consider any proposed use of blood bags or syringes in the sale and service of alcohol and that it had been her opinion as LSO that promoting alcohol in this way was not in keeping with the licensing objective 'Protecting and Improving Public Health'; and
- (12) that she encouraged the licensed trade to contact her if she could be of assistance regarding any currently licensed premises or future premises or events and was pleased to report that she was currently working with a number of licence holders regarding future applications.

Following comments from Members in relation to -

- (a) the number of premises who had not paid their annual fee which had been due on October 1st 2024 and to note that any premises whose fees remain unpaid will be referred to the next meeting of the Licensing Board for the Board to consider suspension of their licence; and
- (b) support from Members of the warning provided to premises regarding irresponsible Halloween promotions, and that they would welcome a report from the LSO if further issues arose subsequent to the warning.

The Board

Decided: to note the update from the LSO.

5. **Police Scotland Annual Report**

There was [submitted](#) (issued) the Police Scotland Annual Report for noting by the Board.

Inspector McColl advised of the work undertaken by Police Scotland in 2023/24 including the overview of the Violence Prevention and Mindset Co-ordination Unit based in Dalmarnock, collaborative work with partnership agencies and updated the senior officer information as follows – Temporary Chief Inspector Stuart Dougan as Area Commander; Inspector Gail Fitzpatrick as Head of the Licensing Department; and Sergeant David Markin in the Licensing Department.

The Chair provided thanks to Police Scotland for the report and the assurance of the ongoing collaboration work.

The Board

Decided: to note the report from Police Scotland.

6. **Applications for Transfers Granted Under Delegated Powers**

There was submitted a [report](#) (issued) of 10 October 2024 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:-

- (1) Central Park, 7 Boswell Park, Ayr – transferred to Charles Taylor on 19th September 2024.

The Board

Decided: to note the transfer granted under delegated powers.

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

(a) **Applications for Provisional Premises Licence**

The Board considered the following applications:

<u>Applicant</u>	<u>Premises</u>
(1) Sukhjit Kaur	50 Smith Street Ayr
Off Sale	Every Day – 10:00 a.m. to 10:00 p.m.

Having heard from the Co-ordinator (Licensing) and the applicant's representative, the Board

Decided: to grant the above application.

Applicant**(2)** Wood Walsh Holdings Ltd**Premises**8 Templehill
Troon

	On Sale	Off Sale
Monday	10:00 to 00:00	10:00 to 22:00
Tuesday	10:00 to 00:00	10:00 to 22:00
Wednesday	10:00 to 00:00	10:00 to 22:00
Thursday	10:00 to 00:00	10:00 to 22:00
Friday	10:30 to 01:00	10:30 to 22:00
Saturday	10:30 to 01:00	10:30 to 22:00
Sunday	10:00 to 00:00	10:00 to 22:00

Having heard from the Co-ordinator (Licensing) and the applicant's representative, the Board

Decided: to grant the above application.

(b) Applications for Variation of Premises Licence

The Board considered the following applications:

Applicant**(1)** John Stewart**Premises**The Swee
27 Knockushan Street
Girvan

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Tuesday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Wednesday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Thursday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Friday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Saturday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Sunday	12:30 – 00:00	12:30 – 22:00	10:00 – 00:30	10:00 – 22:00

Increase on sales core hours on Sunday in line with rest of week.

Increase off sales hours on Sunday in line with rest of week.

Add seasonal variations.

Include restaurant facilities and bar meals.

Include sale of tea, coffee and breakfast rolls outwith core hours.

Change to children/young persons statement to say "Children and young persons may enter premises for the purpose of having a meal or attending a function. Children aged 15 years and under must be accompanied by an adult at all times"

Having heard from the Co-ordinator (Licensing) and the applicant, the Board

Decided: to grant the above application.

(2) Melli Limited

The Burgh Bar
112-114 Main Street
Prestwick

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	11:00 – 22:00
Tuesday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	11:00 – 22:00
Wednesday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	11:00 – 22:00
Thursday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	11:00 – 22:00
Friday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	11:00 – 22:00
Saturday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	11:00 – 22:00
Sunday	10:00 – 00:00	10:00 – 22:00	10:00 – 00:00	11:00 – 22:00

Changes to Operating Plan.

Reduction in off-sale hours.

To add indoor/outdoor sports as an activity within core hours.

To remove all activities outwith core hours.

To remove restaurant facilities.

To replace wording at Q5(f) with the following, "Quiz nights, dominoes, tournaments, competitions, charity nights, theme nights, karaoke, poker nights, exhibitions and displays, tastings, meet the maker/brewer events within core hours."

Having heard from the Co-ordinator (Licensing), objectors and the applicant's representative, the Board

Decided: to grant the above application.

(3) Penny Petroleum (Scotland) Limited

Ayr Service Station
78-80 Prestwick Road
Ayr

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	N/A	10:00 – 22:00	N/A	10:00 – 22:00
Tuesday	N/A	10:00 – 22:00	N/A	10:00 – 22:00
Wednesday	N/A	10:00 – 22:00	N/A	10:00 – 22:00
Thursday	N/A	10:00 – 22:00	N/A	10:00 – 22:00
Friday	N/A	10:00 – 22:00	N/A	10:00 – 22:00
Saturday	N/A	10:00 – 22:00	N/A	10:00 – 22:00
Sunday	N/A	10:00 – 22:00	N/A	10:00 – 22:00

To add recorded music as an activity within and outwith core hours.

To amend and add wording to read as follows –

"The premises may open for general trade prior to the commencement of core hours.

Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours."

To amend and add wording to read as follows –

“The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public: Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/Food on the Move. Click & collect. Home Deliveries. External automated cash machine. Charity collection point and charitable events may take place, alongside sampling & promotional activities. The licence holder may operate a national lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points.”

Having heard from the Co-ordinator (Licensing) and the applicant’s representative, the Board

Decided: to grant the above application.

(4) Penny Petroleum (Scotland) Limited

Tam O Shanter
2 Station Bridge Road
Ayr

To amend and add wording to read as follows –

“The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.”

To amend and add wording to read as follows –

“The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public. Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/Food on the Move. Click & collect. Home Deliveries. External automated cash machine. Charity collection point and charitable events may take place, alongside sampling & promotional activities. The licence holder may operate a national lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points.”

Having heard from the Co-ordinator (Licensing) and the applicant’s representative, the Board

Decided: to grant the above application.

(5) Ayr United Football and Athletic Club Ltd

Ayr United Football Ground
Somerset Road
Ayr

Amend Children and young persons statement as follows:-

Children and young persons under the age of 18 will be permitted until 10pm for the purposes of having a meal or refreshment.

Children accompanied by a responsible adult and young persons may be permitted access to the premises until the terminal hour whilst attending a function or event, at the management’s discretion.

Children or young persons may attend an event pre core hours.
Children and young persons over the age of 14 may be permitted on the premises at any time if employed in a role in the venue.

Having heard from the Co-ordinator (Licensing) and the applicant's representative, the Board

Decided: to grant the above application.

(c) **Applications for Occasional Licences**

The Board considered the following applications:

Applicant

Premises

(1) Helen Murray Hamilton

Maybole Town Hall
High Street
Maybole

Hogmanay Event with live band - On Sale – 31/12/24 – 6:00 p.m. to 1:00 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant

Premises

(2) Kate Henderson

Marquee within the courtyard of the
Gibbsyard buildings at Auchincruive

Family friendly ticketed function - On Sale – 31/12/24– 4:00 p.m. to 1:00 a.m.

Having heard from the Licensing Standards Officer and the applicant's representative, the Board

Decided: to grant the above application.

Applicant

Premises

(3) Stewart Brown

Dam Park Stadium
Dam Park Road
Ayr

Fireworks Display - On Sale – 8/11/24– 5:00 p.m. to 10:00 p.m.

Having heard from the Licensing Standards Officer and the applicant's representative, the Board

Decided: to refuse the above application on the basis that it would be inconsistent with the licensing objectives of protecting children and young people from harm and securing public safety.

(d) **Application for Extended Hours**

The Board considered the following applications:-

Applicant

(1) Buzzworks Hospitality Ltd

Premises

Vic's and The Vine
132 Main Street
Prestwick

Festive Season

24/12/24 – 00:30 a.m. to 02.30 a.m.

31/12/24 – 00:30 a.m. to 03:00 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant

(2) Buzzworks Hospitality Ltd

Premises

The Fox
18 West Portland Street
Troon

Festive Season

24/12/24 – 00:30 a.m. to 02.30 a.m.

31/12/24 – 00:30 a.m. to 02:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant

(3) Buzzworks Inns Limited

Premises

Treehouse
67 Sandgate
Ayr

The Super Bowl – 09/02/25 – 00:00 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant

(3) Buzzworks Hospitality Ltd

Premises

The Fox
18 West Portland Street
Troon

The Super Bowl – 09/02/25 – 00:00 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

The Board extended thanks to applicants for the early submission of their applications.

(e) **Premises Licence Ceasing to Exist**

The Board noted that the following licence now ceased to exist as the licence had been surrendered.

(1) Ayr Railway Welfare Club, James Street, Ayr

Decided: to note the Premises Licence ceasing to exist.

8. **Closing Remarks**

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 12.40 p.m.