

SOUTH AYRSHIRE LICENSING BOARD (SPECIAL)

Minutes of a hybrid webcast special meeting held on 15 July 2025 at 10.00 a.m.

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

Apologies: Councillors Kenneth Bell, William Grant and Gavin Scott.

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; H. Talbot, Co-ordinator (Building Standards); S. McInnes, Principal Engineer (Building Standards); J. McClure, Committee Services Lead Officer and E. Moore, Committee Services Assistant.

In Attendance Remotely: S. McGowan, TLT Solicitors; G. Mathie, Chief Executive, Ayr United Football Club; and R. Provan, Safety Manager, Ayr United Football Club.

1. Opening Remarks

L. McChristie, Depute Clerk to the Licensing Board welcomed everyone to the meeting and outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

2. Declarations of Interest

There were no declarations of interest by Members of the Board in terms of the Councillors' Code of Conduct.

3. Appointment of Chair

In the absence of the Chair, the Depute Clerk to the Board invited nominations for the appointment of Chair of this Board meeting.

Decided: unanimously, that Councillor Pollock be appointed Chair of this meeting of the Licensing Board.

Councillor Pollock then took the Chair.

4. Licensing (Scotland) Act, 2005

Application for Occasional Licence

Reference was made to the Minutes of 12 June 2025 (page 6) when it had been decided to grant delegated authority to the Depute Clerk to grant both applications on the condition the Building Standards Service confirm in writing to the Board there was no Breach of the Premises Safety Certificate by the use of the area for a bar and to impose various conditions on the licences:

Applicant

Ayr United Football Club

Date Requested: 19 July 2025

Date Requested: 22 July 2025

Premises

Concourse Area Within Ayr United Football Stadium

Time Requested: On Sale 12:00 – 16:30

Time Requested: On Sale 17:00 – 21:00

The Depute Clerk to the Board advised that, following determination of these applications on 12 June 2025, the Board had decided to grant delegated authority to the Depute Clerk to grant the applications subject to conditions once confirmation had been received from the Building Standards Service that the use of the area in question as a bar did not breach the current safety certificate for the stadium; that a response had been received from Building Standards on 10 July 2025 outlining that the current safety certificate would be breached by the use of the area as a bar, however due to the mitigations being put in place by the applicant, Building Standards did not offer any objections to the applications; that this position, however, did not meet the requirement to grant the licences under the current delegation and had therefore been referred back to the Board for determination of the applications in light of the Building Standards response.

The Co-ordinator (Building Standards) updated the Board by advising that, following the Board meeting of 12 June 2025, a consultation request had been made to Building Standards in relation to the two occasional licence applications for Somerset Park for 19 and 22 July 2025; that Somerset Park was a designated sports ground and required a general safety certificate with the current safety certificate having been issued on 1 July 2025 and being in place until 30 June 2026; that, having reviewed the information submitted as part of the application, the proposals for the temporary hospitality area within the main stand of the stadium would be in breach of the current safety certificate; that, whilst neither the main stand nor the overall stadium capacity numbers would be exceeded, tickets for the proposed hospitality area would be available for all home fans to purchase meaning there would be migration of fans between the north stand and the Somerset Road stand towards the hospitality area within the main stand at the half time interval; that Building Standards had carried out an inspection on 9 July 2025 and met with representatives of Ayr United Football Club who had outlined the mitigations to be put in place; that he had asked the Club to provide calculations to demonstrate the proposed capacity numbers for the proposed hospitality area and reduced disabled area in accordance with the guidance set out in the current version of the Green Guide and that these had been submitted and were now included in the updated Event Management Plan; and that, having considered all of the mitigations put in place and that this was a temporary arrangement for two matches as part of a trial being managed by the SFA, Building Standards had no formal objection to the proposals, however noted that the Club must commit to managing the associated risks using the Event Management Plan and applying a risk based approach to any challenges.

S. McGowan, representative for Ayr United Football Club thanked the Co-ordinator (Building Standards) and his staff for engaging with the Club and working with them on this matter; and advised that mitigations had been agreed with Building Standards; that the updated Event Management Plan had been lodged with the Depute Clerk to the Board and that it would be a condition of the licence that the Event Management Plan be adhered to; that the Green Guide referred to deviations for one-off events where an approach could be agreed whereby the normal match day Risk Assessment could be modified for one-off events; and that it was pleasing to note that the Co-ordinator (Building Standards) offered no objection to the application.

R. Provan, Safety Officer advised that the overriding principles of the Club were safety and security which he had responsibility for, on match day and outwith; that he had been involved in this proposal from the outset when the trials had been announced and had worked in conjunction with S. McGowan, G. Mathie and Council Officers to produce an approach for a safe and secure environment; that he was comfortable that the proposals could be introduced on match days with no concerns; and that all advice from Building Standards had been accepted and acted upon.

The Chair then outlined that all documentation had been received from Ayr United Football Club and had been issued to Board Members for consideration; confirmed with the Co-ordinator (Building Standards) that he had received the Updated Management Plan and was satisfied with this; and following a question from him on the views of other Licensing Boards who had received similar applications, the Licensing Standards Officer (LSO) advised that no applications in other Board areas had requested the use of the hospitality area during half time or the use of disability access areas.

Questions were then raised by Board Members in relation to the deviation process within the Green Guide; if removing that part of the application for hospitality at half time would change the LSO's views on this application; would the applicant agree that this was a disability access area and not the concourse; and the temporary fencing which was required when alcohol was being consumed; and these questions were responded to by the Depute Clerk to the Board, the Co-ordinator (Building Standards); the LSO and S. McGowan.

Comments were made by Members at their disappointment that Ayr United Football Club had been selling tickets prior to Building Standards carrying out their inspection; and that applicants should be respectful of the Board and the decisions it made; and S. McGowan advised that a full and sincere written apology had been submitted to the Board from Ayr United Football Club for the oversights; that it was a matter of regret that the Club had used language which was not accurate in advertisements; and that lessons had been learned in this regard and the Club wished to continue to respect the wishes of the Board and work in partnership with the Board and officers.

Adjournment

The time being 10.40 a.m., the Board adjourned to allow Ayr United Football Club's representative to liaise with his clients; and for the Board to seek a legal view on the temporary fencing required when alcohol was being consumed.

Resumption of Meeting

The Board resumed at 11.05 a.m.

The Chair advised that Legal Services had confirmed that the fencing must remain in place two hours prior to the match commencing and one hour following the match; that the main concern of the Board was the migration of fans at half time to the hospitality area and the Co-ordinator (Building Standards) confirmed how this would operate; and the Chair asked the representative for the applicant if he had received instruction from his clients on how to progress; and he advised that the half time part of the application was a critical element of what the Club was wanting to achieve; that the Club was satisfied that they could carry this out safely in terms of access and egress of the hospitality area with the processes they had put in place and with the experience of the staff; that the Board's approval of these applications on 12 June 2025 had included half time; that the other hospitality areas within Somerset Park were open at half time so this application was to give uniformity; and that these tickets were for adults only and were not marketed towards family groups, therefore addressing the Board's concerns of a parent attending the hospitality area leaving their child in the stands. The Chair then clarified that the Board had approved the licences at the Board meeting on 12 June 2025 on condition that there was no breach of the safety certificate and it was clear that the safety certificate was being breached, hence the reason this matter was being considered at this meeting.

G. Mathie further advised that the Club had been pleased to be involved in the initial trial from the SPFL; that liaison had been taking place for months on this matter to provide a positive offering for supporters to be delivered in a safe way; that the concourse bases were the preferred site for other Clubs, however, as Somerset Park was an older stadium, an alternative area required to be identified; that there was additional provision for disabled supporters within the new north stand and these fans could also attend the proposed hospitality; that the dates chosen were due to these matches having lower than normal attendance, to trial the hospitality; that the Club's other hospitality areas served a wider selection of alcohol and were heavily regulated; that the half-time element of the application was the critical part of the application and should this element not be granted by the Board, the Club would proceed to withdraw the application; and also apologising on behalf of the Club and advising that lessons had been learned.

The Chair then noted the apology and advised that he was pleased to note the Club's positive working relationship with Council Officers; outlined that the Club had been put in an unfortunate position by the SFA in terms of Ayr United's application being different from other clubs and that, in his view, the trial should be carried out on a similar basis across all participating Clubs; and that the Board was supportive of the trials and would like to see them being successful, however, it had concerns regarding the half-time drink and the deviation from the Safety Certificate which other Clubs did not have.

Councillor Duncan Townson, seconded by Councillor Laura Brennan-Whitefield, moved that the application be granted subject to removal of the half-time drink element.

Following this Motion, G. Mathie advised that Ayr United Football Club wished to withdraw the application and re-submit an application at a future date; and the Chair advised that the Board would be happy to re-consider an application in future as it was keen to see a successful trial.

The meeting ended at 11.25 a.m.