

**Application for Occasional Licence**

<b>Applicant</b>	<b>Premises</b>	<b>Event</b>	<b>Dates Requested</b>	<b>Times Requested</b>
Helen Murray-Hamilton	Maybole Town Hall	Hogmanay Hoolie	31 <sup>st</sup> December 2025	On Sale: Wednesday 18.00 – 01.30 *Outwith Board Policy
Samantha Finnie	Pavillion Food Village And Bar Ayr Pavilion Pavilion Road Ayr	Food Led with alcohol day to day service with low level background music through fixed speakers	22.08.2025 – 04.09.2025	On Sale Every day 10.00 – 22.00
Samantha Finnie	Pavillion Food Village And Bar Ayr Pavilion Pavilion Road Ayr	Food Led with alcohol day to day service with low level background music through fixed speakers	05.09.2025 – 18.09.2025	On Sale Every day 10.00 – 22.00
Samantha Finnie	Pavillion Food Village And Bar Ayr Pavilion Pavilion Road Ayr	Food Led with alcohol day to day service with low level background music through fixed speakers	19.09.2025 – 02.10.2025	On Sale Every day 10.00 – 22.00
Samantha Finnie	Pavillion Food Village And Bar Ayr Pavilion Pavilion Road Ayr	Food Led with alcohol day to day service with low level background music through fixed speakers	02.10.2025 – 15.10.2025	On Sale Every day 10.00 – 22.00
Samantha Finnie	Pavillion Food Village And Bar Ayr Pavilion Pavilion Road Ayr	Food Led with alcohol day to day service with low level background music through fixed speakers	16.10.2025 – 28.10.2025	On Sale Every day 10.00 – 22.00

## **L.S.O Report to South Ayrshire Licensing Board**

### **Occasional Licence Applications – Samantha Finnie, Pavilion Food Village and Bar**

The applicant Samantha Finnie has currently lodged a total of 6 Occasional Licence applications for a site at the rear of the Ayr Pavilion building, Pavilion Road, Ayr.

Members will be aware that these outdoor 'premises' were created last year by Samantha Finnie and family who made a significant investment to create a food village with bar and seating area within a fenced area to the rear of the Pavilion building in Ayr.

Due to the nature of the area created (being fully outdoors with limited cover at the bar and within the seating areas) it was not possible to grant a permanent 'Premises Licence' and thus the premises operates with the benefit of continued Occasional Licences, a practice which was approved by the Board.

At the time of grant, Board Members were keen to ensure that these premises operated in line with others in South Ayrshire and thus there were 3 agreed actions in relation to grant of all future Occasional Licences to this venue:

- 1- To delegate powers to the Depute Clerk to grant future successive Occasional Licence applications, provided they mirror the original applications
- 2- That the applicant is instructed that if any changes are proposed for the use of the area (such as the introduction of live music) that this must be highlighted on future applications to allow it to be considered
- 3- That a condition is added to the Occasional Licence to state that 'All staff must be trained in accordance with the Licensing (Training of staff) (Scotland) Regulations 2007

With this in mind Ms Finnie has been in touch with the LSO regarding the further development of the business and is keen to allow recorded music to be played.

In order to ensure consistency with other decisions taken by the Board, Ms Finnie was advised that she should engage with an acoustic consultant to allow the area to be assessed for the suitability of providing music. Following this an acoustic report by KSG Acoustics was provided to the Board with the updated applications.

Additionally, I visited the premises accompanied by Brian Seditas (Environmental Health Co-ordinator) and Matt Smith (who has been assessing the recent applications by premises who are requesting music and entertainment outdoors) and we were able to witness the effects of music being played in this area. Whilst the professional assessments will provide the Board with the most detail and comfort, I can confirm that I was unaware that music was being played as we walked round the building and it was not until I was present in the bar area that I could actually hear the music. Members will be aware that the location of this area is directly overlooking the low green and behind a busy entertainment area and beach café and that the Boards policy restricts the use of the area to a terminal hour of 10pm.

There are currently Occasional Licences granted to Ms Finnie for the dates applied for, however these do not include music and therefore if the Board were minded to grant the applications before you today, the existing licences would fall in favour of new ones including music. In this case and to ensure consistency and compliance with the licensing objectives, I would suggest that the following actions are agreed in addition to any conditions suggested by Environmental Health.

- 1- To delegate powers to the Depute Clerk to grant future successive Occasional Licence applications, provided they mirror the applications dated 22<sup>nd</sup> August 2025 and beyond
- 2- That a condition is added to the Occasional Licence to state that 'All staff must be trained in accordance with the Licensing (Training of staff) (Scotland) Regulations 2007
- 3- That a condition is added to the Occasional Licence as stated in Appendix 1 as recommended by Environmental Health in accordance with the recommendations in the report by KSG Acoustics dated 5<sup>th</sup> May 2025

I would advise the Board that this applicant has continued to work with the LSO since the original grant of the Occasional Licences to operate this area and whilst they understand that an Occasional Licence is by its nature a 'temporary' licence, they see this as a long term plan and have made a significant investment. Members will be pleased to note the operation of this area in line with Board policy and I have provided some recent photographs to illustrate this.

Catrina Andrew

Licensing Standards Officer

25<sup>th</sup> July 2025



The entrance to the premises can be easily managed.



Signage is in place at the entrance to the premises.



The accessibility of all areas has been considered.



There are plenty of bins and a variety of seating options.





The area is completely self-enclosed with all facilities within the 'premises'.



## Environmental Health

There is no objection to the issuing of a licence providing the following conditions are attached.

1. The Licence holder must ensure that the site conforms to the requirements of the Health and Safety at Work etc Act, 1974 and any regulations or orders arising therefrom or amendments thereto.
2. The Licence holder must ensure that the volume and tone controls of any amplified music system(s) shall be adjusted and set by the Licence holder or member of his staff in such a way that the sound level emanating from the amplified music system(s) shall not cause nuisance within the nearest noise sensitive dwelling house or building. In particular the premises should operate in accordance with the Noise Management Plan produced by KSG Acoustics on 5 May 2025 in respect of the outdoor seating area in particular:
  - A single in-house PA design will be adopted for use in the outdoor area. This will be set up in such a way as to minimise noise break-out from the area. Specific measures include the use of a distributed system and highly directional loudspeaker components orientated to face west and provide adequate cover for the outdoor seating area. Sub speakers are unlikely to be required and will not form part of the installed in-house system.
  - Stage source sound levels will be kept to a minimum. Any requirement for monitors should employ minimal PA located in close proximity to the DJ or performing artist. No subs shall be permitted on stage as part of the monitors system at any time. Where live music is included, all artists must be made aware in advance that stage levels must be minimised and front of house levels maintained to satisfy the noise management requirements.
  - Prior to commencement of operations, a level setting exercise shall be carried out. Levels of off-site sound from the front of house system will be correlated with off-site levels representative of the closest dwellings to ensure that acceptable levels are achieved. Particular attention will be paid to low frequency sound (63 and 125Hz octave band centres) to minimise the potential for complaint. The venue audio engineer will be present during tests and instructed on the maximum levels of sound, including any frequency specific limits. These shall be adhered to at all times during which amplified sound is in use in the space.
  - Where required, sound management hardware and software can be introduced to facilitate real time monitoring of levels in the Application area and to allow on and off-site access to data by staff and management. The purpose of such a system is to ensure consistency in offsite noise profile at all times, thereby limiting the potential for adverse impacts at sensitive receptors.
  - All audio settings must be checked daily prior to trading commencing. Any requisite adjustments shall be made to ensure that levels are regularised and meet off-site limits. Regular off-site listening exercises should be carried out to ensure that levels are within acceptable parameters and as expected. It should be remembered that meteorological conditions may have a positive or negative effect on sound propagation from the outdoor area



# Proposed introduction of amplified sound to outdoor seating area

## The Pavilion Café and The Piv Bar & Grill, Ayr

### Noise Impact Assessment and Noise Management Plan

05 May 2025

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## Introduction of amplified sound to outdoor seating area

### The Pavilion Café and The Piv Bar & Grill

## Noise Impact Assessment and Noise Management Plan

### 1. Introduction

The Pavilion Café and The Piv Bar and Grill is located on Pavilion Road, Ayr, adjacent to the Low Green and Esplanade.

The Operators plan to diversify the use of the existing outdoor seating area to the rear of the premises by introducing limited amplified music. This may include, for example, background ambient music, DJs, live acoustic artists and sports commentary.

The operators are acutely aware of the need to respect the local community and be a good neighbour. As such, this document sets out a Noise Impact Assessment (NIA) and Noise Management Plan (NMP) to achieve this aim.

### 2. Site description and proposed activities

The Pavilion is in a popular beachfront area, featuring a range of other hospitality and leisure uses. The wider area also includes mixed residential, commercial and retail uses, with the closest dwellings on Wellington Lane and Park Terrace to the east. The outdoor area, to the south of the venue has been in use since June 2024-for consumption of food and drink. It is understood that this use has continued without complaint.

The closest dwellings to the west on Wellington Lane and Park Terrace have a partial line of sight on to this area. The separation distance from the dwellings to the edge of the outdoor area is approximately 140m.

The Application site and surrounding area has a soundscape typical to its coastal urban location, dominated by distant road traffic, local vehicle movements and people noise, and sounds associated with the marine environment.

The Pavilion proposes to introduce limited amplified sound to their outdoor area. An area is marked up on the drawings prepared for Licencing, which indicate a small stage and screening area located in the east aspect facing west towards the sea. Any use of amplified sound will

be commensurate with the size of the outdoor space and will be cognisant of the proximal residential dwellings. The use of the space will be curtailed at 2200h.

### 3. Baseline noise data

A site walkover was undertaken and unattended measurements of environmental noise carried out between 17 and 24 March 2025. These measurements were undertaken to define the typical acoustic environment representative of the closest identified noise sensitive dwellings.

All measurements were made using a 01dB Duo sound level meter (serial number 10251) fitted with a Cirrus acoustic calibrator (serial number 88364) which had itself been calibrated against a reference system traceable to national and international standards; no drift in calibration occurred.

Weather conditions during the surveys were suitable for the monitoring of environmental noise, being cold with wind speeds below 5 m/s and no precipitation.

All measurements were taken in the free field at a height of approximately 1.6m above local ground height. The measurement location was at the rear boundary of the beer garden, closest to the dwellings.

The following table summarises the results of the baseline measurements at times relevant to the Application.

*Table 1: Summary of baseline noise measurements*

Date	Average LAeq,T (dB) (1200-2200h)	Average LA90,1h (dB) (1200-2200h)
18/03/25	55	42
19/03/25	53	41
20/03/25	55	44
21/03/25	51	45
22/03/25	51	45
23/03/25	48	40

The beer garden was operational on 20, 21 and 22 March during the survey. The analysis of the data shows that any current operational noise does not significantly contribute to overall levels of ambient sound attributable to other sources.

*Source data for amplified sound*

Predictions of amplified sound levels have been undertaken using library data for the spectral shape of typical amplified popular music. The following Table 2 presents spectral data corresponding to a total A-weighted value of 85dB LAeq,15min at 5m from source within the outdoor seating area.

*Table 2: Source data for amplified sound (popular music)*

Octave band centre frequency (Hz) (dB lin)							dBA
63Hz	125Hz	250Hz	500Hz	1000Hz	2000Hz	4000Hz	
97	87	83	83	80	76	71	85

**4. Noise impact assessment**

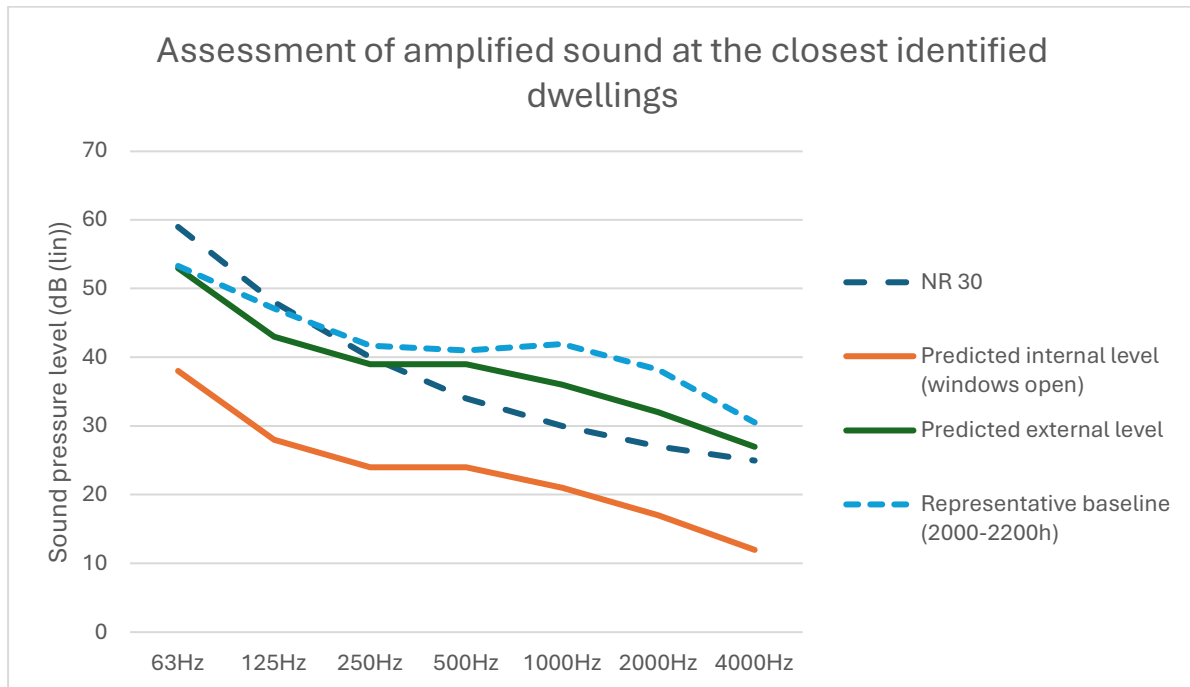
Levels of amplified sound have been predicted inside the closest identified habitable rooms with windows partially open for ventilation. A correction of -15dB has been applied in this respect. Corrections have also been applied for the partial line of sight on to the source of amplified sound, and the directionality of the PA relative to the receiver.

Levels have been assessed against the set of values set out in Noise Rating (NR) curve 30. These are conservative values for daytime hours (0700 – 2200h) reflecting the sensitive nature of the receivers.

Each chart also presents baseline noise levels for comparison. These have been derived from the period between 2000 and 2200h on 22 March 2025.

The following Chart presents the results of the assessment.

*Figure 1: Predicted levels of amplified sound outside and inside the closest noise sensitive receptors (windows partially open)*



Results indicate that internal levels of amplified sound are unlikely to exceed NR30 at the closest dwellings, even when assessed with windows partially open for ventilation. Predictions also illustrate that the conservative baseline noise levels adopted for the purposes of contextualising this assessment are above the predicted levels of amplified sound, especially in the mid and high frequencies. This suggests that the overall sound levels experienced at the receivers is unlikely to significantly change with the introduction of amplified sound.

Care will however be required to manage any low frequency amplified sound content (bass beat), as this is the element most likely to draw complaint.

A robust approach to PA design and noise management will be required. These elements are discussed in the following section.

## 5. Noise Management Plan

This section describes the noise management measures and procedures to which The Pavilion is committed in relation to outdoor amplified sound. These are central to the protection of the amenity of nearby residents. The Pavilion takes its responsibilities as a good neighbour seriously and will endeavour to minimise any adverse impacts, in so far as is reasonably practicable.

It includes:

- Control of music and entertainment noise transfer from amplified sound
- Community liaison

### *PA design in the external area and level setting*

A single in-house PA design will be adopted for use in the outdoor area. This will be set up in such a way as to minimise noise break-out from the area.

Specific measures include the use of a distributed system and highly directional loudspeaker components orientated to face west and provide adequate cover for the outdoor seating area. Sub speakers are unlikely to be required and will not form part of the installed in-house system.

Stage source sound levels will be kept to a minimum. Any requirement for monitors should employ minimal PA located in close proximity to the DJ or performing artist. No subs shall be permitted on stage as part of the monitors system at any time. Where live music is included, all artists must be made aware in advance that stage levels must be minimised and front of house levels maintained to satisfy the noise management requirements.

Prior to commencement of operations, a level setting exercise shall be carried out. Levels of off-site sound from the front of house system will be correlated with off-site levels representative of the closest dwellings to ensure that acceptable levels are achieved. Particular attention will be paid to low frequency sound (63 and 125Hz octave band centres) to minimise the potential for complaint. The venue audio engineer will be present during tests and instructed on the maximum levels of sound, including any frequency specific limits. These shall be adhered to at all times during which amplified sound is in use in the space.

Where required, sound management hardware and software can be introduced to facilitate real time monitoring of levels in the Application area and to allow on and off-site access to data by staff and management. The purpose of such a system is to ensure consistency in offsite noise profile at all times, thereby limiting the potential for adverse impacts at sensitive receptors.

All audio settings must be checked daily prior to trading commencing. Any requisite adjustments shall be made to ensure that levels are regularised and meet off-site limits. Regular off-site listening exercises should be carried out to ensure that levels are within acceptable parameters and as expected. It should be remembered that meteorological conditions may have a positive or negative effect on sound propagation from the outdoor area.

### *Communications and community liaison*

The Pavilion will provide dedicated means of contact in order that any community concerns can be dealt with immediately. Methods for community communication will be monitored consistently and a log kept of complaints, including timing and detail. Where willing, complainants will be asked to identify their location.

The Pavilion will investigate immediately upon receipt of a complaint to ensure that all noise management mechanisms described in this plan are functioning. Where the complaint is justified, adjustments will be made as necessary and the situation will be reviewed for improvement. The actions taken will be relayed back to the complainant.

Any complaints received directly to SAC should also be shared through this mechanism, allowing The Pavilion the opportunity to respond quickly and effectively.

Management will establish contact with the Community Council to provide another channel for sharing information on upcoming events, and addressing any comments or concerns.

## 6. Conclusions

KSG Acoustics has carried out a noise impact assessment in relation to the introduction of amplified sound to the outdoor area at The Pavilion Café and The Piv Bar and Grill.

Based on conservative calculation methodology, results indicate that acceptable levels can be achieved inside the closest habitable rooms, even with windows partially open for ventilation. Predicted levels are likely to be similar to existing baseline levels from other sources. Nonetheless, care will be required to ensure that low frequency amplified sound is carefully controlled and managed.

It is considered that, providing the measures set out in the NMP are implemented rigorously, the outdoor space can be used as required with minimal risk of significant adverse impact on the local community.

The Pavilion undertakes to implement the NMP recommendations and will regularly review operations to ensure that amplified sound is minimised off-site.

## Appendix A: Limitations of the report

This report has been prepared for the titled project or named part thereof and should not be used in whole or part and relied upon for any other project without the written authorisation of KSG Acoustics Limited. KSG Acoustics Limited accept no responsibility or liability for the consequences of this document if it is used for a purpose other than that for which it was commissioned. Persons wishing to use or rely upon this report for other purposes must seek written authority to do so from the owner of this report and/or KSG Acoustics Limited and agree to indemnify KSG Acoustics Limited for any and all loss or damage resulting therefrom. KSG Acoustics Limited accepts no responsibility or liability for this document to any other party other than the person by whom it was commissioned, subject to our standards Terms & Conditions. The findings and opinions expressed are relevant to the dates of the site works and should not be relied upon to represent conditions at substantially later dates. Opinions included therein are based on information gathered during the study and from our experience. If additional information becomes available which may affect our comments, conclusions or recommendations KSG Acoustics Limited reserve the right to review the information, reassess any new potential concerns and modify our opinions accordingly.

Helen Murray-Hamilton – Maybole Town Hall, Maybole .  
Occasional Licence Application – 31st December 2025  
Report by Licensing Standards Officer

I refer to the Occasional Licence application made for a Hogmanay Hoolie.

The application is for an event on New Year's Eve and is organised to follow on from last years event held in the Town Hall in the high street in Maybole.

As the application requests a terminal hour of 1.30am it is out with what can currently be granted under delegated powers, however due to the time of year the Board have previously granted later hours to other applicants as it is accepted that the majority of people in Scotland will have an expectation of hours beyond midnight.

This event was granted a 1am licence last year and this year the applicant has requested 1.30am due to demand and to try to encourage crowd dispersal over time. Additionally, last years event was an 'over 18' only, however following feedback from attendees the organiser has requested that children and young persons of all ages are permitted until the end. Due to the specific nature of this event the Board may view this as a family occasion similar to a wedding and be comfortable with children of all ages in attendance throughout.

If however members had reservations in relation to the licensing objective 'Protecting Children and Young People from Harm' they may wish to introduce a terminal hour for younger children as the licence has been requested from 6pm which would be a total of 7.5 hours.

If Members would prefer the introduction of a terminal hour, I would suggest the following:  
Children aged 10 years and under are permitted until 11pm, Children and young persons aged 11 years upwards are permitted until terminal hour.

The applicant contacted the LSO earlier in the year to discuss various events and has lodged applications early to allow discussion and ensure the grant of the licence prior to advertising the event.

Catrina Andrew  
Licensing Standards Officer  
24th July 2025