south AYRSHIRE LICENSING BOARD

Bòrd-ceadachaidh Siorrachd Àir a Deas

County Buildings
Wellington Square
AYR KA7 1DR
Telephone No. 01292 612724

9 October 2025

To:- Councillors Grant (Chair), Bell, Brennan-Whitefield, Kilbride, Pollock, Scott and Townson.

Dear Councillor

SOUTH AYRSHIRE LICENSING BOARD

You are requested to participate in the meeting of the above Board to be held on **Thursday 23 October 2025 at 10.00 a.m**. for the purpose of considering the undernoted business.

This meeting will be held on a hybrid basis in County Hall for Elected Members with a remote option, will be live-streamed and available to view at https://south-ayrshire.public-i.tv/

Please note that a briefing meeting will take place for all Board Members at 9.15 a.m., online and in the Prestwick Committee Room.

Yours sincerely

CATRIONA CAVES
Clerk to the Licensing Board

B U S I N E S S

1. Declarations of Interest.

2. Date of Next Board Meeting – Thursday 20 November 2025 at 10:00 a.m.

3. Minutes of previous meeting of 21 August 2025. (copy herewith). Pages 4 to 10

4. Report by Licensing Standards Officer.

5. Chief Constables Annual Report (Copy herewith Pages 11 to 17)

6. Personal Licences Revoked – Submit report by the Clerk to the Board (copy herewith) (Members Only). Pages 18 to 19

7. Transfers granted under delegated powers – Report by Clerk to the Licensing Board Pages 20 to 21

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

   (a) Application for Grant of Premises Licence (copy herewith). Pages 22 to 26

   (b) Application for Variation of Premises Licence (copy herewith) Pages 27 to 67

   (c) Application for Occasional Licence (copy herewith) Pages 68 to 69

   (d) Application for Extended Hours (copy herewith) Pages 70 to 76

9. Any Other Business

For more information on any of the items on this agenda, please telephone June Chapman, Committee Services, at 01292 272015 at Wellington Square, Ayr or e-mail: committee.services@south-ayrshire.gov.uk
www.south-ayrshire.gov.uk

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SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 21 August 2025 at 10.00 a.m.

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

Apologies: Councillors Kenneth Bell and Bob Pollock

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; B. Seditas, Co-ordinator - Trading Standards and Environmental Health; J. Chapman, 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 Wednesday 17 September 2025 at 10.00 a.m.

3. Minutes of Previous Meeting

The **Minutes** of the Meeting of South Ayrshire Licensing Board of 24 April 2025 (issued), 12 June 2025 (issued) and 15 July (issued) were submitted.

Decided: to approve the Minutes of the previous meetings.

4. Review of Premises Licences currently suspended

There was submitted a report (issued) by the LSO.

Decided: to note the revocation of premises licences: -

Kings Arms Hotel, 1 Stinchar Road, Barr
Geordie's Byre, 103 Main Street, Ayr
Harbour Bar, 46 North Harbour Bar, Ayr

to note the premises licence has "ceased to exist".

Manor Park Hotel, 48 Kilmarnock Road, Monkton
The Village Store, Kennedy Drive, Dunure
The Waterfront Bar and Restaurant, 4 South Harbour Street, Ayr

L and M's, 1a Bath Place, Ayr
Douneburn Stores, 29 Kirkpatrick Street, Girvan

5. Personal Licences Revoked

There was submitted a **report** (issued – Members only) of 7 August 2025 by the Clerk to the Licensing Board advising of the revocation of fourteen Personal Licences.

The Board

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

6. Transfers Granted Under Delegated Powers

There was submitted a **report** (issued) of 7 August 2025 by the Clerk to the Licensing Board advising of the determination of application for Transfer of licences for the period between the last Board and the present one.

The Board

Decided: to note the report.

7a. Licensing (Scotland) Act 2005

(a) Application for Variation of Premises Licence

The Board considered the following applications:

Applicant

(1) Daedalius Properties Ltd

Premises

Golf-X Ayr (formerly Arthur Street Kitchen)
11-13 Arthur Street
Ayr

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	11:00 – 00:30	11:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Tuesday	11:00 – 00:30	11:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Wednesday	12:00 – 01:30	11:00 – 22:00	11:00 – 01:30	11:00 – 22:00
Thursday	12:00 – 02:00	11:30 – 22:00	11:30 – 02:00	11:00 – 22:00
Friday	12:00 – 02:00	11:30 – 22:00	11:30 – 02:00	11:30 – 22:00
Saturday	12:00 – 02:00	11:30 – 22:00	11:30 – 02:00	11:30 – 22:00
Sunday	12:30 – 02:00	12:00 – 22:00	10:00 – 00:30	10:00 – 22:00

Change to core hours as above.
Change to the activities provided on the premises and when they are able to be provided – inclusion of indoor sports.
Change to the activities provided in the external area / beer garden of the premises.
Allow young persons on the premises without adult supervision and for the purpose of work.
Variation to the Layout Plan to take account of changes to the internal layout for the inclusion of indoor sports and change to the external area / beer garden layout and curtilage.
Change to the name of the premises from Arthur Street Kitchen to Golf-X Ayr.

The Board heard from the Licensing Standards Officer and a representative for the licence holder and, following questions, the Board paused the meeting for discussions to be undertaken in private.

Upon reconvening, the Board

Decided: to continue the application until 23 October 2025 to allow for a site visit to take place.

Applicant

(2) Whitbread Group Limited

Premises

Monkton Lodge
Kilmarnock Road
Monkton

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

Remove ‘Accommodation’ as a permitted activity.
Amend Children Statement to read:
“Children aged 14 years and under are permitted on the premises for a meal or a snack until 10pm and must be accompanied by an adult.
Children aged 15 and young people aged 16 and 17 may attend for a meal or a snack unaccompanied until 10pm.
Children and young persons attending a function may attend until the end of the function.”
“Children and young persons will be permitted in the premises until 10pm except in the event of function where they may attend until the end of the function.”
“All public parts but will not sit or stand at bar counter.”
Remove reference to ‘Residential Occupancy’.

Having heard from the applicant’s representative,

The Board

Decided: to grant the above application.

Applicant	**Premises**
(3) Prestwick Bowling Club	Prestwick Bowling Club 6 Midton Road Prestwick

Existing Licensed Hours			Proposed Licensing Hours	
On Sales	Off Sales		On Sales	Off Sales
Monday	10:00 – 00:00	n/a	09:30 – 00:00	10:00 – 22:00
Tuesday	10:00 – 00:00	n/a	09:30 – 00:00	10:00 – 22:00
Wednesday	10:00 – 00:00	n/a	09:30 – 00:00	10:00 – 22:00
Thursday	10:00 – 00:00	n/a	09:30 – 00:00	10:00 – 22:00
Friday	10:00 – 00:00	n/a	09:30 – 00:00	10:00 - 22:00
Saturday	10:00 – 00:00	n/a	09:30 – 00:00	10:00 – 22:00
Sunday	10:00 – 00:00	n/a	09:30 – 00:00	10:00 – 22:00

Alcohol to be sold both on and off the premises
Change core hours to 9.30am to Midnight, every day.
Add off sales every day.
Change to seasonal variations to remove restrictions and include festive hours.
Add conference facilities, restaurant, bar meals, recorded music and televised sports.
Add activities out-with core hours from 8am.
Add list of other activities which may take place and update children and young persons statement to allow for functions.
Definition of the outside drinking area as shown on plan
Remove reference to “Members Club” and removal of premises from this category under the Licensing (Scotland) Act 2005.
Appointment of a Premises Manager

Having heard from the applicant’s representative,

The Board

Decided: to grant the above application.

(7b) **Application for Occasional Licence**

The Board considered the following applications: -

Applicant	**Premises**
Helen Murray Hamilton	Maybole Town Hall
Date Requested: 31 December 2025	Time Requested: 18:00 – 01:30

Having heard from the Applicant, Licensing Standards Officer, Police Scotland and following questions from Members at 12:00 the Board paused the meeting for discussions to be undertaken in private.

Decided: to grant the above application with conditions: -

(1) Grants delegated powers to the Depute Clerks to grant the application on the condition that there is no Breach of the Premises Safety Certificate by the use of the concourse area for a bar.
(2) The event is restricted to 60 persons.
(3) The event is restricted to those aged 18 years and over.
(4) All alcohol is to be decanted and not served in glassware or bottles; however, cans are permitted.
(5) A refusals record should be kept at the bar areas and token sales booth/s as proof of diligence.
(6) Training records should be available for all bar staff and each staff member should wear a badge to identify themselves to the police or LSO.
(7) Drinking water should be available free of charge at identifiable areas.

Applicant	**Premises**
Samantha Finnie	Pavillion Food Village and Bar Ayr Pavillion Pavillion Road Ayr

Dates Requested: 22 August 2025 – 4 September 2025
5 September 2025 – 18 September 2025
19 September 2025 – 2 October 2025
2 October 2025 – 15 October 2025
16 October 205 – 29 October 2025

Times Requested: Everyday from 10:00 – 22:00

Having heard from the Applicant, Licensing Standards Officer, the Board

Decided: to grant the above application with conditions: -

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.

7c. Applications for Extended Hours

Applicant	**Premises**
(1) Christopher Morrison	Number Forty Seven

Ayr Gold Cup – 18/9/25 – 20/9/25.
Friday – 02:30 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant	**Premises**
(2) Christopher Morrison	Number Forty Seven

Troon Hosting the Annual Ayrshire Real Ale Festival – 02/10/25 – 04/10/25.
Friday – 02:30 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant	**Premises**
(3) Christopher Morrison	Number Forty Seven

Halloween – 01/11/25
Friday – 02:30 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant	**Premises**
(4) Christopher Morrison	Number Forty Seven

Winterstorm Rock Weekender Music Festival – 27/11/25 – 29/11/25
Friday – 02:30 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant	**Premises**
(5) Buzzworks Property Limited	The Buf

Ayr Gold Cup Weekend – 19/9/25 – 20/9/25
Friday – 02:30 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

Applicant	**Premises**
(5) Buzzworks Property Limited	The Buf

Halloween – 31 October 2025
Friday – 02:30 a.m. to 03:30 a.m.

Having heard from the Licensing Standards Officer, the Board

Decided: to grant the above application.

8a. Application for Variation

The Board considered the following application:

Applicant	**Premises**
Haven Leisure Limited	Atlantic Showbar Craig Tara Holiday Park Ayr

To change the name of the premises to 'Live Lounge'
To vary the layout of the premises in accordance with the provided plan

Having heard from the Depute Clerk to the Board and the applicant's representative, the Board

Decided: to grant the above application.

9. Closing Remarks

The Chair thanked officers and the Board for their hard work and concluded the meeting.

The meeting ended at 12:32 p.m.

South Ayrshire Licensing Report 2024-2025

POLICE
SCOTLAND
Keeping people safe

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2024/25, in accordance with Section 12(A) of the Licensing (Scotland) Act 2005.

Throughout the last year I have been committed to improving confidence amongst our communities by working in partnership with a focus on prevention, early intervention and proactivity. This supports our broader 2030 vision of safer communities, less crime, supported victims and a thriving work force.

In respect of Licensing, I recognise that success can only be achieved in collaboration with the 32 local authorities across Scotland. Along with contribution from many other associated national and local partners, this collaborative working ensures support for the licensed trade while also preventing alcohol fuelled violence, disorder and anti-social behaviour. Our joint campaigns which aim to protect children and young persons from harm will continue.

In the year ahead, our approach will remain focused on prevention and collaboration to ensure high standards of service delivery. I will continue to encourage officers and staff to engage with licensed premises and take relevant and proportionate action where appropriate to ensure licensing standards are maintained in the interest of the safety of the people of Scotland.

I would like to take this opportunity to once again thank our local partnerships for their contribution to maintaining high standards and driving improvement where necessary within the Licensed Trade for the benefit of the communities we all serve.

Chief Constable Jo Farrell

Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within the National Policing Together Division and have staff based across the force. The department has overall responsibility for determining and delivering national licensing strategy and policy, providing advice, guidance and support to divisional licensing teams and undertaking other specialist functions.

The VPLCU is a specialist department which consists of a small team of officers. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2024/2025, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.

- Delivering and promoting campaigns which seek to address issues arising from the consumption of alcohol, particularly in relation to young persons and in the context of the night-time economy.

- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland continue to work on upgrading the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

LICENSING BOARD AREA

The Licensing Board area is policed by South Ayrshire Sub-Division

Chief Superintendent Suzanne Chow is the Local Police Commander who has the responsibility for all day-to-day policing functions.

Senior Officers

Chief Inspector Stuart Dougan	Area Commander
Inspector Gail Fitzpatrick	Head of Ayrshire Licensing Department
Sergeant David Markin	Ayrshire Licensing Department

Local Policing Priorities

Following our public consultation process, the policing priorities for South Ayrshire Division, as set out in our Local Policing Plan are as follows:

- Serious Crime
- Safer Communities
- Community Wellbeing
- Road Safety

Description of Board Area

There are a total of 388 licensed premises in South Ayrshire, and the breakdown as of March 2025 was as follows:

- 101 On-Sales
- 163 On/Off Sales
- 124 Off-Sales

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Alcohol pervades across a wide range of issues in our society, and is often a factor in incidents of violence, domestic abuse, and anti-social behaviour.

Therefore, licensed premises are carefully monitored with all incidents in and around such premises scrutinised to ensure compliance with the local and national licensing objectives to understand potential problematic premises and provide the appropriate policing response.

A problem-solving approach is implemented in conjunction with the Premises Licence Holder and Designated Premises Managers. Premises that continue to fall

below expected standards can be subject of formal police interventions and in some cases, a review being submitted to the Licensing Board.

Ayrshire Divisional Licensing Department utilises the Inn keeper database to highlight monitored and problematic premises, this allows our officers to focus their attention on the premises requiring the most support and attention.

Board Decisions

Application for a Premise Licence

During the reporting year we have received five applications and there have been no premises licence objection or representation letters submitted to the South Ayrshire Licensing Board by Police Scotland.

Application for Review of Licence

During the reporting year there has been one premises licence review submitted to the South Ayrshire Licensing Board by Police Scotland.

Variation/Transfer to a Premise Licence

During the reporting year we have received thirty-four applications and there have been no objection or representation letters to a variation or transfer of a licenced premise licence submitted to South Ayrshire Licensing Board by Police Scotland.

Personal Licences

Personal licences are carefully considered by Ayrshire Division Licensing in line with policy and legislation before being returned to the local authority. In the reporting year we have received 187 applications and there has been one personal licence objection submitted to South Ayrshire Licensing Board by Police Scotland.

Personal Licence Reviews

During the reporting year, there has been one Personal Licence review submitted to South Ayrshire Licensing Board by Police Scotland.

Formal Police Interventions

Our focus is to improve the safety and wellbeing of people, places, and communities in South Ayrshire by focusing on keeping people safe. This is done by local officers

who are proactively identifying and addressing concerns regarding licensed premises at an early stage. Through early intervention and working in partnership with Designated Premise Managers and Premise Licence Holders, areas of concern have been successfully resolved without the requirement for a premises or personal licence review.

No premises within the South Ayrshire Board Area have been subject of a formal intervention agreement in the reporting year. Such agreements are entered into between Premises Licence Holders and Police Scotland and set out areas in which improvement could be made. Each agreement is monitored and reviewed within a specific timescale to ensure that the necessary improvements have been implemented.

The formal intervention process should result in an improvement in standards and practices. The process also ensures that Police Scotland utilises a fair and evidence-based approach prior to pursuing a formal review of a premises licence if agreed terms are not being complied with or if there are recurring issues.

PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

In South Ayrshire there has been one report submitted to the Procurator Fiscal for contravention of Section 102 of the Licensing (Scotland) Act 2005, which relates to the sale of alcohol to a child or young person.

TACKLING SERIOUS AND ORGANISED CRIME

Serious and Organised Crime (SOCG) presents a clear threat to the Ayrshire Licensing trade and legitimate economy. As a result, Ayrshire Division continues to target known criminality in this area as well as attempting to reduce the opportunity for individuals to exploit legitimate licensing opportunities for their own illegitimate means.

Licensing staff work closely with divisional intelligence teams to explore intervention opportunities against Serious and Organised Crime Groups.

At this current time, there are four Serious and Organised Crime Groups being managed by Ayrshire Division with some of these groups having a known interest in a business requiring some form of licence to operate. One of the groups are based in South Ayrshire, however, all operate on a pan-Ayrshire basis.

This involvement in the licensing trade is often a direct result of the expertise or experience of an individual from their group in that business sector, and/or the chosen business, providing an ability to launder criminal proceeds.

Officers in South Ayrshire continue to carry out targeted premises visits to ensure that all license conditions are being complied with. Such visits will also involve a range of partner agencies including, HMRC, DVSA, DVLA, Scottish Power, SEPA, South Ayrshire Council, SIA and others.

Within South Ayrshire, such continued scrutiny of problematic premises has had positive results. Licensed premises throughout Ayrshire continue to positively engage with police by not only reporting incidents that occur within the licensed premise, but incidents that occur out with the premises, ensuring public safety.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

South Ayrshire Sub-Division will continue to focus on “Keeping People Safe” and will work collaboratively with the licensed trade, partners and local communities to improve standards and compliance across the licensed trade, actively targeting.

- excess alcohol consumption
- vulnerability due to excess alcohol consumption
- sale and supply of alcohol to children and young people
- incidents of crime and offending connected to sale of alcohol

To conclude we would like to thank you for your continued support during what has been a challenging year for all. We have all had to adapt to a new way of working and ever-changing circumstances which has been embraced by all.

We look forward to a safe and healthy 2025/2026.

south AYRSHIRE LICENSING BOARD

Bòrd-ceadachaidh-Siorrachd-Àir-a-Deas¶

Agenda Item No 6

SOUTH AYRSHIRE COUNCIL

REPORT BY THE CLERK TO THE LICENSING BOARD OF 23 OCTOBER 2025

Subject: Revocation of Personal Licences

1. Purpose

To advise members on the revocations of personal licences.

2. Recommendation

To note the terms of the report

3. Background

The Licensing (Scotland) Act 2005 introduced personal licences. It is a condition of the personal licence that (a) the applicant undertakes refresher training within five years of the date of issue of the licence and (b) no later than 3 months after the expiry of five years from the date of issue produces evidence of the training to the Board. Failure to complete either part of the process means that the Board must revoke the personal licence. (Licensing (Scotland) Act 2005 section 87(3)

4. Current Position

Since the last report to the Board, a further 3 personal licences have been revoked under delegated powers. All licence holders affected have been advised by post to their last known address of the revocation of their licences. Revoked licence holders can still take refresher training and then reapply for another personal licence although there is a cost of £50 for the new application. (There is no fee payable if the refresher training is completed and intimated to the Board on time.)

Author and Person to Contact. Laura McChristie, Depute Clerk, County Buildings, Wellington Square, Ayr, KA7 1DR
Tel. (01292) 612475

Date. 9th October 2025

CONFIDENTIAL

Agenda Item No 7

REPORT BY CLERK TO THE LICENSING BOARD
TO LICENSING BOARD OF 23 OCTOBER 2025

SUBJECT: APPLICATIONS FOR TRANSFER GRANTED BETWEEN AND 21 AUGUST 2025 and 23 OCTOBER 2025

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1. Purpose.

To advise Board Members of the determination of applications for Transfer of licences for the period between the last Board meeting and the present one.

2. Recommendations.

The Board are requested to note the report.

3. Background.

Applications for transfer are now dealt with under delegated powers except if any of the parties or connected persons have a relevant offence.

4. Considerations.

(1) The Carrick Bar, 15 Whitehall, Maybole
The above premises licence was transferred to Maybole Sports Bar on 30th September 2025.

(2) The Athletic Tavern, 120 Dalrymple Street, Girvan
The above premises licence was transferred to Christopher O'Donnell on 7th October 2025.

(3) Enterkine House Hotel, Annbank
The above premises licence was transferred to Manpinder Kaur on 7th October 2025.

5. Resource Implications.

None

6. Results of Public Consultation.

None

Background Papers. Nil

Author and Person to Contact. Laura McChristie, Depute Clerk, County Buildings, Wellington Square, Ayr, KA7 1DR
Tel. (01292) 612475

Date. 9th October 2025

Agenda Item No 8a

Application for Premises Licence

1.	Cathcart Fine Food & Drink Ltd	Brodies Deli 37 Ayr Street Troon	
	Off Sale	Every Day	10.00 – 17.00

south AYRSHIRE LICENSING BOARD

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REPORT BY THE CLERK TO THE

LICENSING BOARD OF 23rd October 2025

SUBJECT: APPLICATION FOR PREMISES LICENCE	**BRODIES DELI** **37 AYR STREET** **TROON** **KA10 6EB**
APPLICANT	**CATHCART FINE FOOD AND DRINK** **7 TAY ROAD** **TROON** **KA10 7DU** **COMPANIES HOUSE REG – SC 580715**

APPLICATION REPORT

1 Background:

An application for a premises licence for a delicatessen shop

The core hours sought are 10:00- 17:00 daily for off sales only.

The delicatessen shop will provide premium food and drink for sale to the general public.

The applicant advises the alcohol display area is 2.47sq m.

2 Reports

There have been no objections or representations.

The relevant Section 50 Certificates from Planning, Building Standards and Environmental Health have been lodged along with the application.

3 Board Options

The Board should establish what it considers to be locality. Generally, in this area the Board has considered a radius of 500 metres. The premises in that area are:-

Address	Capacity
The Fox 18 West Portland Street Troon	137 persons
Lido 11-17 West Portland Street Troon	210 persons
Nisa Day To Day 16 West Portland Street Troon	34.68m2

Maharani 42-46 West Portland Street Troon	60 persons
Morrisons Dukes Road Troon	187.84m2
Anchorage Hotel 149 Templehill Troon	288 persons
Number 47 47 Templehill Troon	120 persons
Links 11 Templehill Troon	95 persons
The Jar 33 Ayr Street Troon	28.08m2
Brodies Deli 39 Ayr Street Troon	2m2
3 Idiots 39 Portland Street Troon	55 persons
Spar 12/14 Portland Street Troon	38.99m2
Spar 127 Deveron Road Troon	33.3m2
The Harbour Bar 159-173 Templehill Troon	120
Harbour Shop 175 Templehill Troon	9.46m2
Blueberrys 3 South Beach Troon	36 persons
Keystore 55 Central Avenue Troon	31.8m2
The Portland 91 Portland Street Troon	128 persons

The Board must, in considering and determining the application consider whether any of the grounds for refusal applies and-

(A) if none of them applies, the Board must grant the application, or
(B) if any of them applies, the Board must refuse the application.
The grounds for refusal are—

(a) that the subject premises are excluded premises. Excluded premises are defined as premises used as a garage or which form part of premises which are so used. Premises are used as a garage if they are used for one or more of the following-
(b) the sale by retail of petrol or derv
(c) the sale of motor vehicles, or
(d) the maintenance of motor vehicles
However, premises used for the sale by retail of petrol or derv, or which form part of premises so used, are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become , reliant to a significant extent on the premises as the principal source of –
(i)petrol or derv, or

(ii)groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

(C) that the application must be refused under section 25(2), 64(2) or 65(3),

(D) that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives,

(E) that, having regard to—

(i) the nature of the activities proposed to be carried on in the subject premises,

(ii) the location, character and condition of the premises, and

(iii) the persons likely to frequent the premises,

the Board considers that the premises are unsuitable for use for the sale of alcohol,

(e) that, having regard to the number and capacity of—

(i) licensed premises, or

(ii) licensed premises of the same or similar description as the subject premises,

in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of that description, in the locality.

Person to Contact:

Laura McChristie
Depute Clerk
County Buildings
Wellington Square, Ayr
Telephone (01292) 617475
Date 8th October 2025

SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

Licensing (Scotland) Act 2005, section 20(2)(b)(iia)

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	*YES*
1(b)	Do you have facilities for those with a disability	*YES*
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	*NO*
**Delete as appropriate*		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

The premises are located on street level and are accessible via the front door which is 800mm wide. There is no raised threshold on the front door and any wheelchair users can access the premises directly from the street.

Within the premises all space in the shop can accommodate a wheelchair to be able to use the premises in the same manner as anyone without a disability.

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

The premises are a high street retail shop. There is no provision required for disabled toilets or accessible tables as no food or drink is served on site.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

We welcome assistance dogs within the premises and provide water if requested.

Agenda Item No 8b

Application for Variation of Premises Licence

1. Daedalus Properties Ltd — Golf X, 11-13 Arthur Street, Ayr

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	11:00 - 00:30	11:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Tuesday	11:00 - 00:30	11:00 – 22:00	10:00 – 00:30	10:00 – 22:00
Wednesday	11:00 -- 01:30	11:00 – 22:00	11:00 – 01:30	11:00 – 22:00
Thursday	11:30 - 02:00	11:30 – 22:00	11:30 – 02:00	11:30 – 22:00
Friday	11:30 - 02:00	11:30 – 22:00	11:30 – 02:00	11:30 – 22:00
Saturday	11:30 - 02:00	11:30 -22:00	11:30 – 02:00	11:30 – 22:00
Sunday	11:00 - 00:00	12:00 – 22:00	10:00 – 00:30	10:00 – 22:00

Change to core hours as above.
Change to the activities provided on the premises and when they are able to be provided – inclusion of indoor sports.
Change to the activities provided in the external area / beer garden of the premises.
Allow young persons on the premises without adult supervision and for the purpose of work.
Variation to the Layout Plan to take account of changes to the internal layout for the inclusion of indoor sports and change to the external area / beer garden layout and curtilage.
Change to the name of the premises from Arthur Street Kitchen to Golf-X Ayr.

2. Rajkumar Balasubramanayam — Basra Stores, 102 Dalmellington Road, Ayr

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	N/A	10:00 – 21:00	N/A	10:00 to 22:00
Tuesday	N/A	10:00 – 21:00	N/A	10:00 to 22:00
Wednesday	N/A	10:00 – 21:00	N/A	10:00 to 22:00
Thursday	N/A	10:00 – 21:00	N/A	10:00 to 22:00
Friday	N/A	10:00 – 21:00	N/A	10:00 to 22:00
Saturday	N/A	10:00 – 21:00	N/A	10:00 to 22:00
Sunday	N/A	10:00 – 21:00	N/A	10:00 to 22:00

Change core hours from 10am – 9pm to 10am to 10pm every day

3. Brownmill Limited — USave, 46 Main Road, Whitletts, Ayr

The Installation of a beer cave

Report for South Ayrshire Licensing Board from L.S.O

Non Minor Variation – GOLF X, AYR

The Premises Licence for the venue at 11-13 Arthur Street in Ayr has been held by Daedalus Properties Ltd since 2017, although it previously traded with a different operator as the tenant. In March 2025, Nicole McLaughlan was nominated as premises manager and the premises subsequently began trading as Golf X.

Internal layout changes and renovations have taken place to remove a previous restaurant seating and dance area to allow for the installation of two Golf Simulators and three dart boards to allow customers to play interactive darts. The introduction of these entertainments has changed the premises from a mainly food led premises to one which could have patrons attend to participate in interactive sports accompanied by drinks and snacks and other patrons in at the same time for a meal. With this in mind the applicant has requested that children and young persons are permitted on the premises for the purposes of a meal or attending a function or to participate in the interactive darts or golf.

During visits to the premises (including one in the company of colleagues from Environmental Health) I have expressed concerns to Scott Hannah (who represents the operators) regarding the golf clubs in particular being left unattended and in a public area where they are easily accessible to all. There is not just one club but a bag for each simulator (which I understand is required to allow the player the ability to make a number of different shots during their game), however I am mindful of the licensing objectives 'Securing Public Safety' and indeed 'Preventing Public Nuisance'. For this reason I did make my concerns known to Mr Hannah and discussed potential concerns regarding the consumption of alcohol affecting judgement and of course ultimately the clubs being used as a weapon during a disagreement where alcohol was a factor. Indeed Mr Hannah was able to give an example of an experience he had where a patron had been shouting a derogatory word regarding a particular religion and had grabbed a golf club and brandished it in a threatening manner. That particular situation was diffused and the offender ejected but it gives an example of the potential mix of challenges faced when the focus of the premises changes at a certain time of day from food led custom to evening entertainment. Additionally, it should be noted that there is seating and tables provided within the area created for the golf simulator and this means that patrons (including children and young people) could be sitting and standing in this area with alcohol whilst individuals are hitting a golf ball against the screen with a club.

For these reasons I would suggest that the Board may wish to seek further information from the applicant and operator regarding their risk assessments in relation to this and what practises have been put in place to consider compliance with the licensing objectives; Securing Public Safety, Preventing Public Nuisance and Protecting Children and Young People from Harm. I would assume that these are likely to include (but not restricted to) consideration of practises such as;

- A numbers limitation to the number of people permitted within the golf simulator area at any time
- Golf Clubs only being out and available when the simulator is being used and suitable sizes provided to suit children
- The Golf simulator having a set terminal hour to prevent any misuse when the focus of the premises changes (e.g. 11pm if this is when the food service ends)

The Board may wish to include conditions in relation to the identified practises.

The application also requests a list of additional activities and entertainments to be held on the premises, whilst this list includes descriptions such as 'live performances' I would remind the applicant and operator that they should ensure that any proposed future activities are adequately covered. There may be some activities which could be seen as contrary to the licensing objectives and particularly when engaging the services of performers it should be noted that this may temporarily reduce the capacity of the premises due to the space required or the number of people involved in the performance.

I am aware that these premises represent a new concept in the area and a new experience for the operators, however I would like to remind all involved that ALL STAFF who work within the premises must be adequately trained and training records kept to show this.

The external drinking area is also the focus of part of the application to vary the licence. Members will be aware that these premises border another who has been granted a number of activities and entertainments within the outside drinking area which has been successfully operated for the past few years. The application for Golf X is for live music, recorded music and television screens and includes a food and drink service outdoors with the ability to provide seasonal markets/stalls.

The request is consistent with what has been granted elsewhere by the Board, however I would request that for consistency purposes the acoustic consultants report and noise management plan and recommendations within are included as conditions of the licence and the applicant is aware of the need for continued compliance with these.

Investment in licensed premises in South Ayrshire is always very encouraging and there is no doubt that these premises bring some new facilities and ideas. This application has been made at the request of the LSO to ensure that the operating plan adequately reflects the premises in both layout and provision and I would advise the operator that the LSO and other officers of the Council such as Environmental Health are available to provide information and guidance, but also to ensure compliance with the legislation, regulations and local policy.

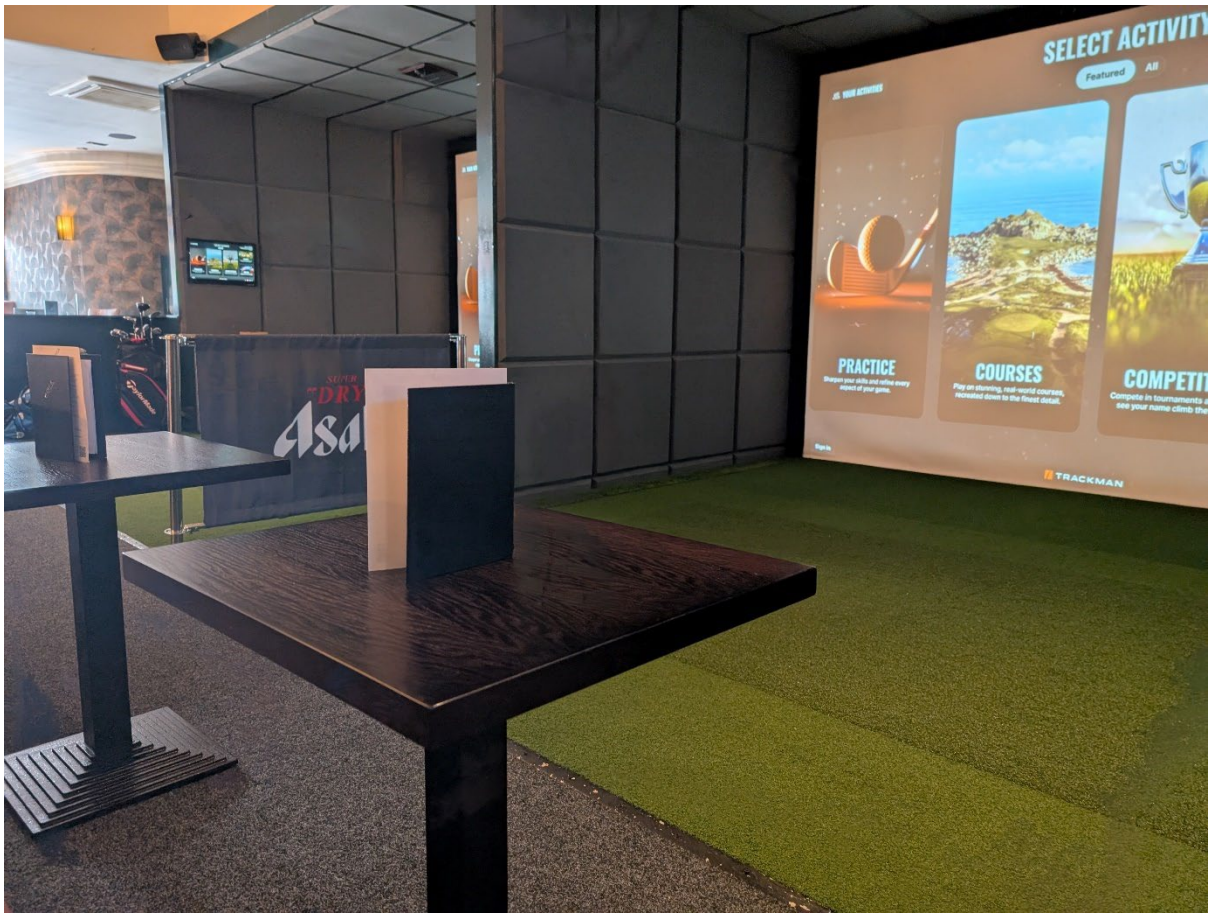
Catrina Andrew

7th August 2025

Golf X is located in Arthur Street in Ayr

There are two dining areas in the premises

There are two golf simulators

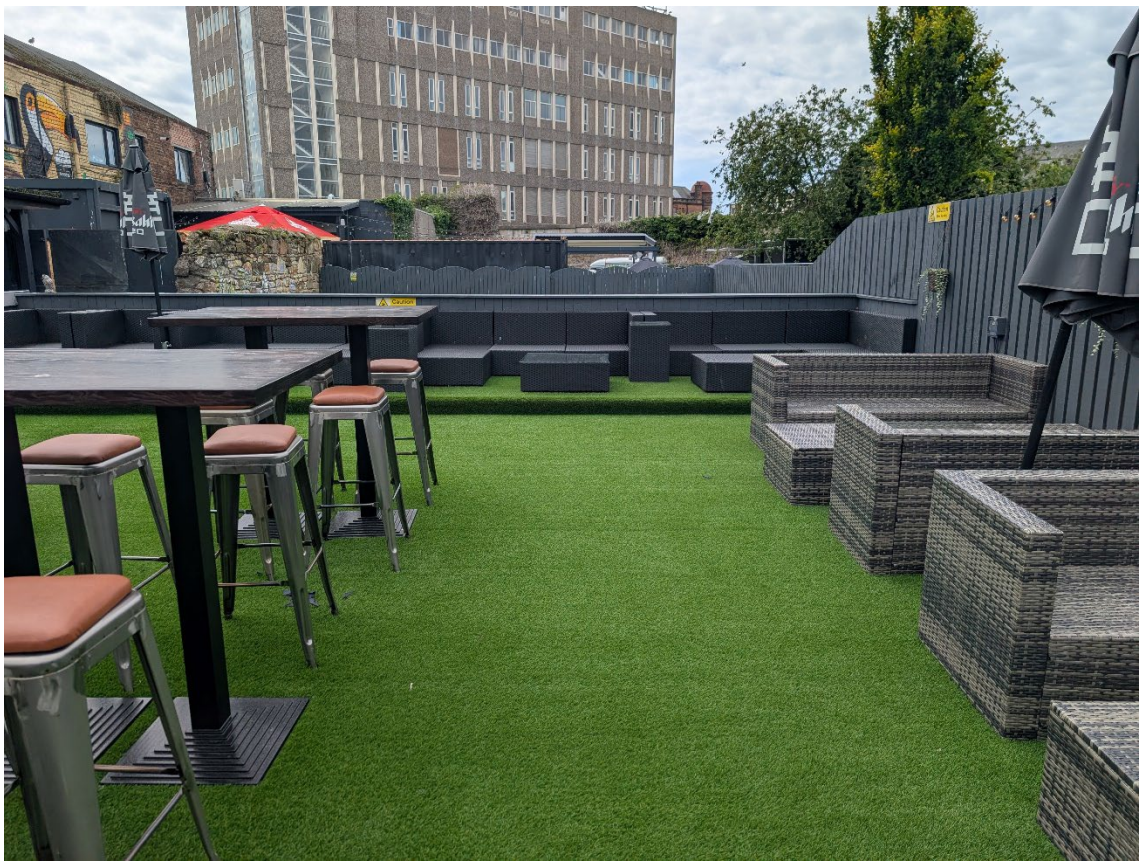


Golf Clubs and Balls are on display in the premises and accessible to the public

Customers are also able to play interactive darts

There is a mixture of fixed and moveable seating

External drinking area (looking back towards the premises)



Views of the external drinking area

Television in the external area is provided via projector and screen

Variation to premises licence for 11-13 Arthur Street, Ayr

I refer to your letter ref KB/KAB and the notice of application dated 6th June for 11-13 Arthur Street, Ayr.

Firstly. Please accept my apologies for the delay in responding. I was out of the country on business when the notice arrived and only returned last week, so have just received the notice.

I would like to lodge a note of observation for the Board to consider when determining this application.

When my company, Ultimate Leisure (Scotland) Ltd, applied to vary the permitted activities in the garden behind Mulligans (formerly part of the licence of Vinyl) to include the showing of sports, hosting markets and the controlled amplification of live and recorded music, we were required to carry out a number of assessments and applications to ensure that we complied with all relevant legislation and avoided causing any nuisance or disturbance to other properties in the area.

Since the variation to that licence was granted, we have operated our premises in accordance with the Noise Impact Assessment which we obtained and provided to the Board, complied with all other regulations of the Council's statutory bodies, and abided by all other conditions associated to the permissions granted.

We have operated successfully and, to our knowledge, without any complaints.

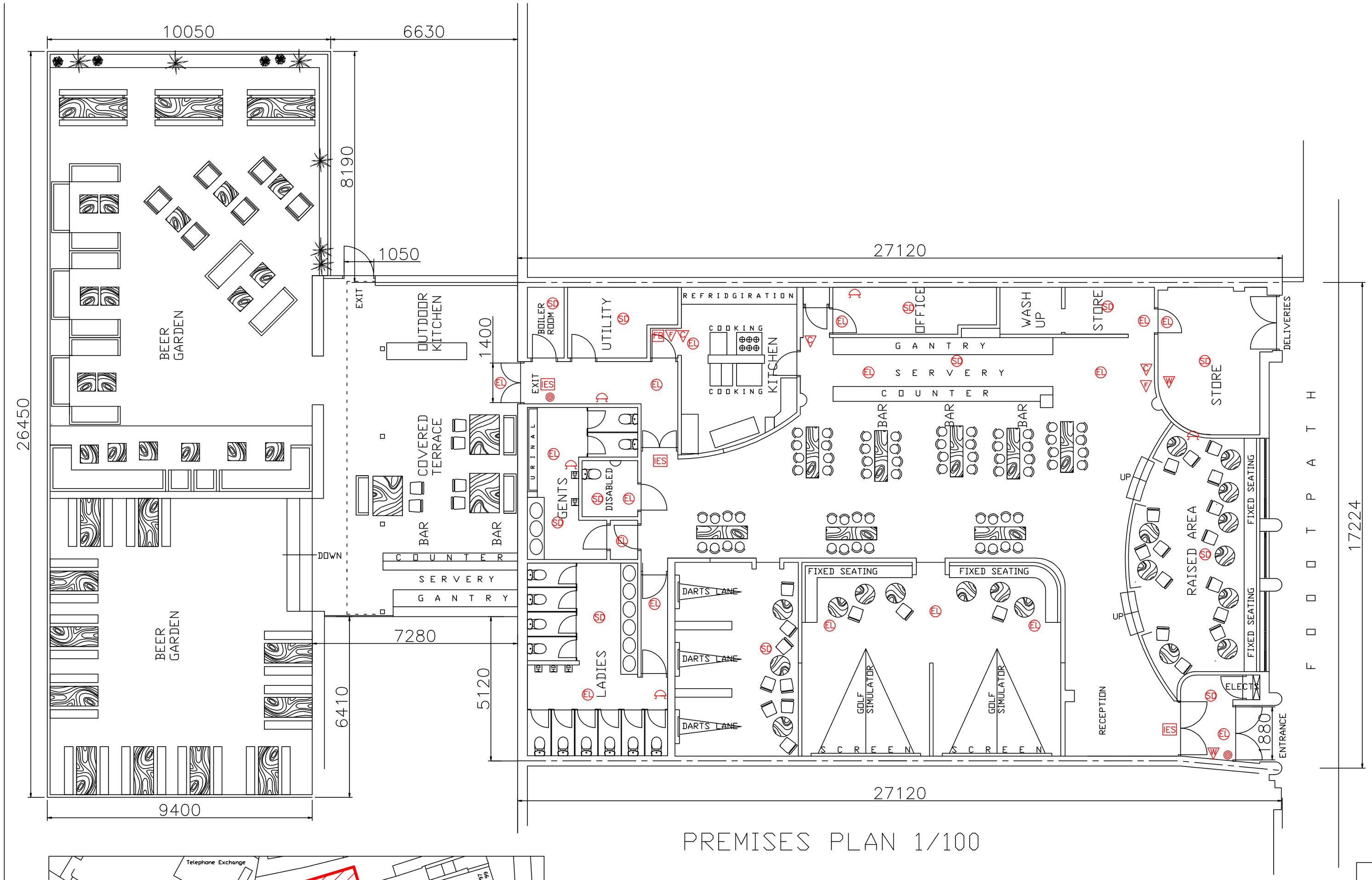
We are keen to ensure that the operation of both premises can successfully run simultaneously and without causing any issues for neighbouring properties.

We would respectfully ask that the Board consider the merits of the application currently before them with the same due diligence as was applied to our application, and in particular, would suggest the requirement for a Noise Impact Assessment to be carried out to avoid nuisance or disturbance to neighbouring properties.

Thank you in advance for consideration of this observation.

Regards

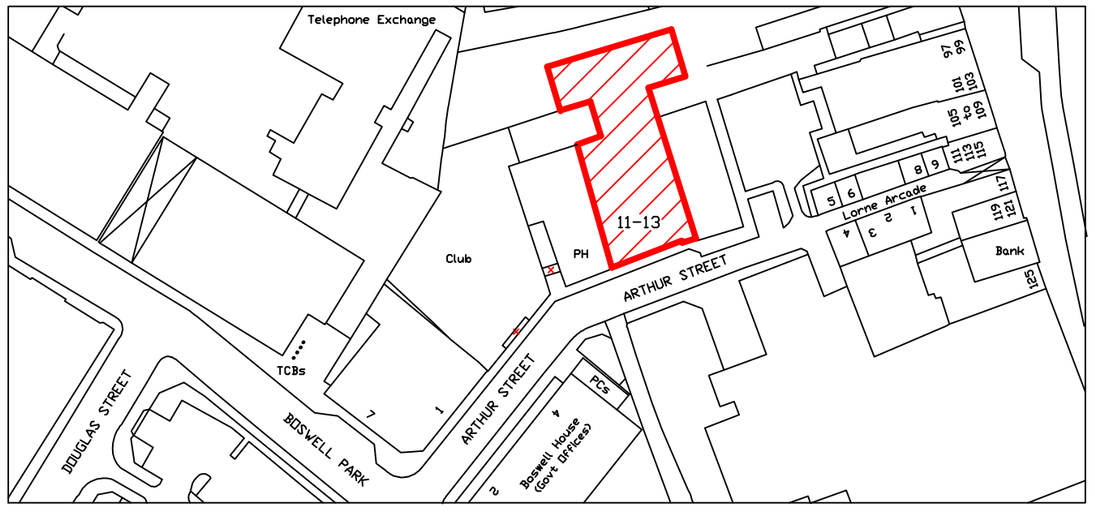
Fraser MacIntyre



PREMISES PLAN 1/100

FIRE FIGHTING / PREVENTION KEY

GENERAL FIRE ACTION NOTICE	N1
STAFF FIRE ACTION NOTICE	N2
KEEP LOCKED SHUT NOTICE	N3
EMERGENCY LIGHTING	EL
SMOKE DETECTOR	SD
HEAT DETECTOR	HD
DRY POWDER EXTINGUISHER	DP
FOAM EXTINGUISHER	F
WATER EXTINGUISHER	W
CARBON DIOXIDE EXTIGUISHER	C
FIRE BLANKET	FB
FIRE ALARM CALL POINT	
FIRE ALARM SOUNDER	
ILLUMINATED EXIT SIGN	IES



LOCATION PLAN 1/1250

PROJECT
GOLF-X
11-13 ARTHUR STREET, AYR.
KA7 1QJ

TITLE
PREMISES PLAN

SCALE	FLOOR PLAN LOCATION PLAN		
1/100 1/1250			
DATE	JOB NO.	DRG NO.	REV
MARCH 2025	SH	1	
Drawn by	Passed by	Issued for	
JAMES REID	J.R.		

M E M O R A N D U M

south AYRSHIRE COUNCIL
Comhairle Siorrachd 'Air Deas

Tel: (01292) 618222
Email: environmental.health@south-ayrshire.gov.uk
Our Ref: BS/BS25/02502/SECT29
Your Ref
Date: 5 August 2025

From: Service Lead: Trading Standards & Environmental Health
5-7 River Terrace
AYR
KA8 0BJ

To: Licensing Services
County Buildings
Wellington Square
Ayr
KA7 1DR

SUBJECT: Licensing (Scotland) Act 2005
Premises: Golf-X (AYR). 11 - 13 Arthur Street

I refer to the above Section 29 application for Variation of Premises Licence submitted to this section on **5 August 2025** and can advise as follows.

There are no objections to the issuing of this licence provided the following conditions are attached:

The premises are operated in accordance with acoustic report from MacIntyre Acoustics regarding Golf X 11-13 Arthur Street Ayr dated 1st August 2025. In particular, the following points from the report should be highlighted.

In section 2.2
The proposal is to have no amplified or background music played in the external drinking area after 9.30pm. Any occasional semi-acoustic music performances (which will generally take place in the afternoons) will in all cases cease by 8.30pm. Drinks will not be served in this area from 9.30pm. The area has installed CCTV, will be stewarded throughout, and cleared of customers by 10pm.

In section 5.1

i) The installed sound system has a simply controlled power capacity and the small 6.5" speakers negate any potential low frequency noise issues – best practice by design. Any future changes to the system should ensure similar controls and low frequency response characteristics are part of the inherent design / purchasing criteria. (Comprises four small 6.5" speakers in the outside area which are IP56 rated)

ii) To ensure amplified music is not played at louder volumes, music must only be played through the installed system (at volume control setting '5' or below) or via a single small (15W) travel amp.

iii) Noise from customers using the premises is often the most difficult type of noise to control. However, standard management procedures can be employed to control customers inside and

on leaving their licensed premises i.e. • providing signage on exit doors and at the beer garden area asking customers to be considerate to neighbours and keep the noise down; • provide an outside presence to ensure customers do not become overly loud; and • delegating additional staff to maintain vigilance over the external areas during busy periods.

iv) Time restriction of certain activities: use of the external area is restricted to daytime use only (i.e. vacated by 22:00). Our experience shows that neighbours' tolerance levels drop sharply if noise occurs after a publicised finishing time.

v) Time restriction of other noise generating activities: emptying of bottles / delivery of supplies should not take place at night (i.e. after 23:00) or before 08:00 due to the proximity of nearby residents.

vi) Finally, Management should have a procedure in place to deal with any noise issues (including complaints) that may arise. Someone in authority to quickly respond to any public complaints is essential in maintaining good neighbour relations

……

GOLF-X, ARTHUR STREET, AYR

Noise impact assessment for the playing of amplified music in the outside drinking area to the rear of 'Golf-X' Bar & Restaurant, 11-13 Arthur Street, Ayr KA7 1QJ

Report date: 01 August 2025

Prepared by ……..

Jim McIntyre
BSc (Hons) Env Health, BSc (Hons) Chem, PG Dip Env Health,
PG Diploma Acoustics, FIOA, Ch.EHO MREHIS

Job No: 00375
Reference: Golf-X, Ayr
Created: August 2025

Mob: 07919436256

5 Eglinton Terrace
Ayr
Ayrshire
KA7 1JJ

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Executive Summary

McIntyre Acoustics were commissioned by Mr Robert Honeyman (Agent) on behalf of Daedalus Properties Ltd (the Licence Holder) to provide an assessment of potential noise impact from the playing of low-level amplified music within the outside drinking area to the rear of Golf-X Bar & Restaurant 11-13 Arthur Street, Ayr.

The premises has been licenced since the late 1990's with permission for a beer garden first approved in 2001; the premises has an excellent reputation as a friendly town centre bar and restaurant. The previous noise impact assessment (2019) for the outside drinking area noted that low-level amplified background recorded music, sports events (with audio played through the same premises speaker system), and occasional semi-acoustic live performances (via an independent 15W travel amp) could be undertaken without leading to any adverse impact upon the closest residential receptors on Newmarket Street. Since 2019 there has been no history of noise complaint associated with the playing of amplified music in the external drinking area of 11-13 Arthur Street, Ayr.

Since the previous noise impact assessment in 2019 the premises refurbishment has included an upgraded sound system (multi-channel Garden Area sound level controller via Cloud CX263 mixer and CVA4250 4-channel power amp). This system allows more control of music amplification in all external areas of the premises. Typically, the sound level for low-level background music will operate at standard setting '4' (see Photo 4.3c) – at this level, amplified music is barely audible outside the boundary walls of the closest residential receptors.

McIntyre Acoustics assessed noise impact from each of the following scenarios:

- residual sound levels with no music playing;
- ambient sound levels from recorded music at standard operating volume setting '4', volume '5' setting, and briefly up to maximum red-limit volume setting '8';
- ambient sound levels from acoustic music, through 15W amp; and
- ambient sound levels with TV sports playing through the amplification system.

All scenarios at volume setting '5' and below noted **no noise nuisance** potential from the playing of low-level amplified music at this location (see Section 4).

There are four small (6.5") speakers mounted on the roof support pillars of the semi-enclosed, stewarded, CCTV covered, outside drinking area. Low level background music will play until 9.30pm (at volume level '4' setting, subjectively this is inaudible at the closest residential flats). Occasional semi-acoustic sets will cease at 8.30pm. Outside drinks are served only until 9.30pm so that the area can be cleared by 10pm. There will be no amplified music or occupancy of the outside drinking area at night.

At the standard operating volume '4' setting, the noise impact inside the closest residential receptors (with windows open for ventilation) is ~L_{Aeq} 31dB during daytime.

At operating volume '5' setting, the noise impact inside the closest residential receptors (with windows open for ventilation) is ~L_{Aeq} 35dB during daytime.

Summary: Background amplified music has been played at the outside drinking area of 11-13 Arthur Street, Ayr since 2019 with no history of noise complaint. The newly installed sound amplification and speaker system allows for simpler control of sound levels in the external drinking area and at levels below volume setting '5' can be operated without causing a nuisance to neighbouring properties. Most noise nuisance complaints about amplified music from pubs and clubs originate from the transmission of low frequency sound into homes - the small 6.5" speakers installed in the outside drinking area of 11-13 Arthur Street are there to provide low-level background music and are not capable of generating significant levels of bass sound.

- **Section 4 of this report demonstrates that South Ayrshire Council's target noise levels for internal and external areas will be met. There will be no noise nuisance potential from the playing of low-level amplified music through the current sound system and there will be no occupancy of the external beer garden area at night.**

McIntyre Acoustics recommend that a noise management plan incorporating the basic measures to minimise operational (and customer) noise, as described at Section 5.1, should be implemented. This will ensure current and future compliance with the target noise impact levels.

1 Introduction

The premises management are keen to invest and upgrade the customer experience at Golf-X, 11-13 Arthur Street, Ayr by upgrading the low-level background music and modest sports TV watching area of the existing partially enclosed (roofed) outside drinking area at the rear of the premises. The owners are particularly mindful of the necessity to control noise impact as part of this proposal. McIntyre Acoustics were commissioned to provide advice on best practice acoustic design and options to reduce the potential noise impact on nearby residential properties.

Golf-X's opening hours are restricted under licence by South Ayrshire Council Licensing Board. There will be no amplified music played in the external drinking area after 21:30, and no consumption of alcohol or significant occupancy of the external drinking area at night after 22:00.

1.1 Scope

This report identifies the main noise sources and outlines options for acoustic control to reduce noise impact below typical licensing / planning / noise nuisance target levels to the rear of Golf-X, 11-13 Arthur Street, Ayr.

1.2 Competency of author

Jim McIntyre is a Chartered Environmental Consultant and Fellow of the Institute of Acoustics with over 30 years' experience of undertaking and assessing health & safety and environmental noise / vibration reports. Specific areas of expertise include industrial, transportation and planning noise assessments. Jim is also a member of the influential British Standards Institute overseeing the development and publication of British and International noise standards, sits on the Scottish Government's Environmental Noise Directive project steering group and lectures on best practice in noise monitoring techniques at Strathclyde University.

Jim McIntyre carried out the initial site visits and prepared this report.

1.3 The effect of noise on people

The effects of noise can be divided into two broad categories; physiological damage to hearing, and annoyance. However, it is only the annoyance impacts that need to be considered in detail when addressing environmental noise impacts on the wider community. Aspects of annoyance include the immediate effects of activity interference; for example, speech interference, interference with legitimate use of property, and sleep disturbance (which can increase the risk of certain stress related health effects in the long term).

2 Site details

2.1 Description of site

Golf-X Bar & Restaurant is located in the heart of Ayr town centre; whilst the vast majority of neighbouring premises are commercial, there are also a limited number of residential flats in the town centre. All upper floor flats on Newmarket Street are of solid stone / brick construction and double glazed. There are no outside amenity spaces associated with these flats as all ground floors are occupied by commercial premises.

The closest residential properties on Newmarket Street are ~60m distant from the sound sources at the external drinking area. The distance from the partially covered external drinking area to the closest rear facades of the marked residential property is taken from the calculation tool on google maps (see site plan below, and Appendix B).

Due to the proximity of residential receptors; ground and air absorption will have negligible effect on sound propagation. The focus is therefore on minimising noise emissions at source and employing good design and management control measures to ensure noise breakout is minimised and does not become an issue for nearby residents.

Background amplified music has been played at the outside drinking area since 2019 with no history of noise complaint.

Site map showing environs of Arthur Street Kitchen, Ayr:

Sandgate

High Street

Closest residential property on Newmarket Street

Larger open beer garden area

Partially enclosed outside area - proposed low level background music

The external drinking area to the rear of Golf-X is nominally split into three areas; a larger open area laid to tables and couch seating (see Photo 1b), a 2nd area (earmarked for additional external seating – see Appendix B), and a smaller partially enclosed area (roofed and 3-sided – see Photo 1a) where low-level background music is played. This area has a pull-down white projector type TV screen (see photos below). It is envisaged this 'screen' could be used for very occasional high-profile sporting events (Ryder Cup, Scottish Open, Wimbledon, World Cup football). The low-level amplified sound for this (and more general background recorded music) will be provided by four small (6.5") K-Gear GG6 post mounted speakers. The speakers are IP56 rated for outdoor environments and are volume controlled via a Garden speaker sound controller, Cloud CX263 mixer, and CVA4250 4-channel power amplification unit (see Photos 1a and 1b). Whilst the frequency balance is controlled through the mixer unit, inherently the small 6.5" speakers are not large enough to generate significant levels of low frequency sound.

In addition, the ability to have occasional acoustic music amplified by a small travelling 12-15W amp (or via the installed garden area speakers) is requested.

To cover all possibilities; McIntyre Acoustics assessed sound levels from each of the following scenarios:

- residual sound levels with no music playing;
- ambient sound levels from recorded music at standard setting '4' volume;
- ambient sound levels from recorded music at volume settings '5' to '8';
- ambient sound levels from acoustic music, through 15W amp (no change in principle since 2019); and
- ambient sound levels with TV at standard setting '4' system volume.

Photo 1(a) view of the partially enclosed outside drinking area 25/07/25

Projector

Small 6.5" speaker (there are 4 x 6.5" speakers, 2 facing into semi-enclosed area and 2 facing out towards outside drinking area)

Pull down projector screen

Photo 1(b) view of the partially enclosed outside drinking area 25/07/25

Small 6.5” speaker

Projector

Small 6.5” speaker

There are 4 x 6.5” speakers, 2 facing into semi-enclosed area and 2 facing out towards the outside drinking area)

Photo 1(c) view of the partially enclosed outside drinking area 25/07/25

Small 6.5” speaker

Small 6.5” speaker

mcintyre acoustics
Principal Acoustician: Jim McIntyre *BSc Hons (Chem), BSc Hons (Env Health), PG Dip Env Health, PG Dip Acoustics, FIOA, Ch.EHO MREHIS*

2.2 Operational hours and amplified music

There have been no recorded complaints from operation of the previously installed system, and this new system enables more accurate control of sound emissions in the outside area.

The system will not operate until determination of the licence variation request has been finalised.

The proposal is to have no amplified or background music played in the external drinking area after 9.30pm. Any occasional semi-acoustic music performances (which will generally take place in the afternoons) will in all cases cease by 8.30pm. Drinks will not be served in this area from 9.30pm. The area has installed CCTV, will be stewarded throughout, and cleared of customers by 10pm.

There will be no significant occupancy of the rear external areas at night.

The four small 6.5” speakers in the outside area are IP56 rated (indicating the equipment is suitable for outdoor installations where dust and water are potential hazards). Most noise nuisance complaints about amplified music from pubs and clubs originate from the transmission of low frequency sound into homes - the small 6.5” speakers installed in the outside drinking area of 11-13 Arthur Street are there to provide low-level background music and are not capable of generating significant levels of bass sound.

3 Legislation, guidance and target noise levels

3.1 Legislation and guidance

The Licensing (Scotland) Act 2005
South Ayrshire Licensing Board's Statement of Licensing Policy 2023
Environmental Protection Act 1990 – Part 3: Statutory Nuisance

The above legislation has been referenced to inform the discussion and conclusions below. In addition, the following standards and guidance documents are also of relevance to varying extents:

The World Health Organisation – Guidelines for Community Noise 1999
The World Health Organisation – Environmental Noise Guidelines for the European Region 2018
BS 7445: 2003 Description and Measurement of Environmental Noise
BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings
DEFRA Noise from Pubs and Clubs (Phase 2) Final report – May 2006
Scottish Building Standards Technical Handbook for Domestic and Non-Domestic Dwellings

With reference to the above; this report provides a description of best practice measures to minimise noise impact, prevent noise nuisance, and comply with legislative and best practice requirements.

3.2 Typical target noise levels

A raft of standards and guideline values for noise are available; however, ultimately each Local Authority sets its own target noise levels and can vary these according to local circumstances.

The text below outlines some common issues and target values for protecting residents from excessive noise impact. However, all guidance documents must be seen in context of how they were developed and what they are trying to achieve.

The World Health Organisation set a series of community noise guidelines in 1999 (revisited and confirmed in 2018); advising that, during the daytime a guidance level to prevent annoyance is set at $L_{Aeq16hr}$ 55dB for outdoor living areas, $L_{Aeq16hr}$ 35dB for indoor living areas during the day / evening, and L_{Aeq8hr} 30dB for bedrooms at night. It should also be borne in mind that these are only guidance levels and Court decisions have already made clear that noise levels above the WHO guideline values do not mean that a nuisance exists.

Note: WHO levels to protect against annoyance and sleep disturbance relate to average impact over a 16hr daytime period (07:00 - 23:00) or 8hr night time period (23:00 – 07:00).

Some regulatory authorities use NR Curves (which rate noise over an octave frequency spectrum) as a benchmark of acceptability. NR curves are an internal standard and incorporate noise levels over a range of frequencies. Typically, NR 25-30 may be used for bedrooms at night. In practice (provided there is no strong tonal component) an NR Curve roughly equates to the L_{Aeq} -6dB (i.e. NR 25-30 ≈ L_{Aeq} 31-36dB). Assuming 15dB attenuation across an open window this equates to an external noise level of L_{Aeq} 46-51dB.

BS 8233 recommends a reasonable level of amenity to be provided by internal noise levels of $L_{Aeq,\ 16hr}$ 35-40dB within living rooms, and $L_{Aeq,\ 16hr}$ 35dB (daytime) or $L_{Aeq,\ 8hr}$ 30dB (night time) for sleeping in bedrooms. An internal bedroom L_{Aeq} of 30-35dB equates to an external façade level of 45-50dB(A), assuming a transmission loss of 15dB across an open window.

Note: BS 8233 states that levels are based on annual average data and do not have to be achieved in all circumstances. For example, it is normal to exclude occasional events.

BS 4142 relates the sound under consideration to the prevailing background noise level (measured as the L_{A90} of the residual noise) and includes character correction penalties to "rate" the level of noise impact. However, BS 4142 specifically excludes the assessment of entertainment noise and people; it is therefore not an appropriate standard for this type of assessment.

It is recognised that many of the above target noise levels relate to the impact of steady state sound and not music or voices (which have a character that can make them more intrusive). It is sometimes argued that a character correction penalty (similar to that applied in BS 4142) should be applied in these types of situation. However, the scope of most standards are clearly defined; and any amendments to the application of those standards (to fit a particular assessment) would need to be fully justified.

Whilst the subjective differences between the impact of steady state noise and music / voices are noted above; the internal target level for reasonable amenity of 35dB(A) at night bears comparison to that stated in DEFRA's Noise from Pubs and Clubs (Phase 2) Final report – May 2006. The DEFRA report found that for infrequently occurring entertainment noise after 23.00 hours, the threshold of acceptability was around 34dB $L_{Aeq,\ 5min}$. The figure of 35dB $L_{Aeq,\ 5min}$ (proposed for reasonable amenity) may therefore be fairly close to an acceptable level for entertainment noise occurring on weekends only.

We therefore have a range of criteria on which to judge the acceptability of noise impact (L_{Aeq}) ~50-55dB daytime and ~45-46dB at night. However, for the purposes of this discussion, typical target external noise levels (Planning Advice Notes, BS8233, World Health Organisation) for reasonable amenity are taken to be:

- $L_{Aeq,16h}$ 55dB daytime (07:00 – 23:00); and $L_{Aeq,8h}$ 45dB night time (23:00 – 07:00).

3.3 Specific target noise levels

Notwithstanding the foregoing discussion on typical noise protection levels; the correct amenity standard applicable to this proposal is that laid down in Section 7 of South Ayrshire Licensing Board's Statement of Licensing Policy (October 2023):

- *7.2 Entertainment noise is one of the principle causes of complaint regarding licensed premises. Entertainment noise levels should not give rise to nuisance within nearby noise sensitive properties or gardens.*

- *Robust management controls are fundamental to ensure that suitable internal and external noise levels are not exceeded*

- *7.3 The Board does not expect amplified music or television screens in outdoor drinking areas unless this has been specifically agreed by the Board. All applicants seeking outdoor drinking areas will be expected to address noise nuisance in their operating plans. This may include a noise consultant's report."*

The Licence holder will therefore need to clearly establish that their proposed activities will not result in a noise nuisance.

As stated at Section 2.1 - there are no outside amenity areas associated with the nearby residential flats as all ground floor areas are occupied by commercial properties. In addition, Section 2.2 confirms there will be no occupancy of the proposed external drinking area between 23:00 and 07:00; so, the critical noise target level is:

- *$LA_{eq,16hrs}$ 35-40dB (0700-2300) internal noise level*

  (with no strong 'music' type character)

Note: "no strong music type character" means that the sound should not be readily distinguishable e.g. the lyrics should not be readily distinguishable or the bass sound not obviously intrusive.

- *$LA_{eq,16hrs}$ 50-55dB (0700-2300) external noise level*

Note: WHO daytime guidance level to prevent serious annoyance is set at $L_{Aeq16hr}$ 55dB for outdoor living areas.

4 Noise impact assessment

4.1 Voices

Whilst the following sections address impact from amplified music, it is recognised that noise from customers (conversations, cheering at televised sport events, applause for acoustic performances) may also have an impact.

If we consider commonly accepted relative noise (sound pressure) levels in the decibel scale, we move systematically from 0db (the perception of hearing) through to ~140dB (the threshold of pain). Of more use is the mid-ground where we find the following:

- 50dB at 1m, typical conversation at home (no raised voices)
- 60dB at 1m, loud conversation, laughter in busy office or restaurant
- 65dB noise level near the carriage way of an urban 30mph road
- 70dB at 1m, typical noise from vacuum cleaner

Newmarket Street

If we assume worst case (constant loud conversation, 60dB at 1m) at the covered rear drinking area then by simple distance attenuation we get at Newmarket Street rear facades:

$SPL_2 = SPL_1 - 20 \log (D_2/D_1)$
$= 60 – 20 \log (60/1)$
$= 24db$

Where D_2 equals the distance from covered drinking area to closest part of the rear facade (60m).

This is 26dB below the lowest specified target daytime external noise level (50dB) and already compliant with the target internal noise level (35dB) before any reduction for transmission loss over a façade with open windows.

Assuming the SAC approved sound reduction of 13dB over an open window – we get an internal daytime impact of 11dB (24-13dB). **This is 24dB below the specified target internal noise level.**

Customers cheering at sporting events may be louder than 60dB (a reasonable estimation could be 70-80dB at source); however, even a 20dB increase at source still meets the internal and external target noise levels at 60m. In addition, this increased level from cheering at sports events, or applause for live music, would be during the early to late afternoon, in a town centre, and over a very limited duration (a few minutes at a time).

4.2 Sound level tests

Equipment and calibration
An attended monitoring survey (as per BS 7445) was carried out between the hours 11:05-14:20 on Wednesday 30th July 2025. The time was chosen to represent the most likely period when customers would be using the beer garden according to the manager.

All sound level monitoring equipment was Class 1 (as per IEC 61672-1).

The following equipment was used during the noise monitoring survey:

Table 4.2 Equipment and calibration details

Manufacturer	Item	Serial number	Last Lab Calibration
Bruel & Kjaer	2260 Class1 Sound Level Meter	2466942	18/12/2024
Bruel & Kjaer	4189 microphone	2470280	18/12/2024
Bruel & Kjaer	4231 Sound Level Calibrator	2465610	17/12/2024
Nielsen-Kellerman	Kestrel 1000 Anemometer resolution to 0.1ms^{-1} / accurate to ±3%	-	Purchased August 2023
Jessops	Atlantic 325 field tripod	-	-

Both the sound level meter and the field calibrator have been calibrated in accordance with the manufacturer's recommendations to standards traceable to the National Physical Laboratory. Sound level meters and their associated microphones are calibrated every two years and calibrators are tested and accredited annually.

Field calibration results
In line with best practice guidelines, field calibration results were obtained before and after monitoring sessions as noted below. No drift in calibration was observed:

Table 4.2(a) Field calibration details

Date / Time	Calibration level (at 1000Hz)	Deviation from last field calibration
30 July / 11:05	Pre-monitoring: 94.0 dB	0
30 July / 14:20	Post-monitoring: 94.0 dB	0

Meteorological conditions
Whilst national weather forecast noted a nominal light west-south-west wind; due to the sheltered nature of the area provided by tall town centre buildings on all sides, the monitoring location and propagation path to the receptor point (closest residential window) were largely sheltered from the influence of wind. Never-the-less wind direction and speed were recorded 4 times during the survey period and varied between 0 and 2.2 ms^{-1}, with a WSW wind direction. There was little to no visible movement of vegetation (ivy and shrubs).

The temperature varied between 17-18°C, humidity~80%, 1017mb pressure, ~75% cloud cover, with no rain during the monitoring periods and dry roads.

These weather conditions are acceptable for monitoring.

Monitoring location
Due to access restrictions (we were unable to secure access to Newmarket Street residential properties, attempts were made on 4 separate occasions, day time and evenings, weekdays and weekend); monitoring was carried out at an intermediate position (corner of the Golf-X open beer garden) in direct line between the sound source under investigation and the closest windowed housing façade to the outside drinking area. The location is ~15m from the closest speaker system and marked on Appendix B.

The outdoor microphone (90mm windshield) was located at a height of ~1.5m, beside the rear wooden wall of the premises (façade monitoring position), the mic facing directly towards the sound source see Photo 4.2 below.

Photo 4.2: intermediate monitoring position (15m from speaker system) 30/07/25

4.3 Monitoring results and discussion

The following data may be used to establish the underlying residual and ambient sound levels under the operating scenarios noted at Section 2.1:

1. residual sound levels with no music playing;
2. ambient sound levels from recorded music at standard setting '4' volume;
3. ambient sound levels with TV at standard setting '4' system volume;
4. ambient sound levels from recorded music at volume settings '5', '6', and red-limit setting '8'; and
5. ambient sound levels from acoustic music, through 15W amp (no change in principle since 2019).

Measurements durations were set at 30mins as this was found to be more than sufficient for the readings to become steady and representative of the prevailing noise climate for each scenario. For the installed system – signal inputs and outputs were set to either standard setting '4', or red-limit maximum setting '8'. Similarly, the Peavey amp for the semi-acoustic set was set to max on the small 15W travel amp. Measurements were taken in the absence of any unusual activity (e.g. construction work, or other local influences) and may be considered representative of the underlying noise climate. Table 4.3 below confirms the residual and ambient sound levels.

Table 4.3: Summary of recorded sound levels

Date	Time	$L_{Aeq,15mins}$	$L_{A90,15mins}$	Comment
Wed 30th July 2025	11:11	51.2	44.6	Scenario 1: no amplified music or tv from premises. Sound measurement taken in rear of adjacent car park. Seagull activity and intermittent noise from vehicles using car park and on Arthur Street were predominant sources. L_{Amax} ~75dB from seagulls
Wed 30th July 2025	11:26	52.1	44.1	Scenario 1: no amplified music or tv from premises. Sound measurement taken in rear of adjacent car park. Seagull activity and intermittent noise from vehicles using car park and on Arthur Street were predominant sources.
Wed 30th July 2025	11:41	54.6	43.8	Scenario 1: no amplified music or tv from premises. Sound measurement taken in rear of adjacent car park. Seagull activity and intermittent noise from vehicles using car park and on Arthur Street were predominant sources.
Wed 30th July 2025	11:57	58.1	45.7	Scenario 1: no amplified music or tv from premises. Sound measurement taken in rear of adjacent car park. Seagull activity and intermittent noise from vehicles using car park and on Arthur Street were predominant sources. Helicopter noise was clearly audible for last 5 mins of measurement.
Scenario 1: $L_{Aeq,15mins}$ range 51-58dB, $L_{Aeq,1hr}$ ~53dB				

Date	Time	$L_{Aeq,15mins}$	$L_{A90,15mins}$	Comment
Wed 30th July 2025	12.22	56.4	49.2	Scenario 2: recorded music at standard volume setting '4'. Music and seagull noise predominant in beer garden. At car park monitoring location, the music was just audible at a low level but noise from seagulls was predominant.
Wed 30th July 2025	12:40	56	49	Scenario 2: recorded music at standard volume setting '4'. Music and seagull noise predominant in beer garden. At car park monitoring location, the music was just audible at a low level but noise from seagulls was predominant.
Scenario 2: $L_{Aeq,30mins}$ ~56dB				
Wed 30th July 2025	13:45	57.6	51.2	Scenario 3: TV (sky sports F1 Highlights of Belgian Grand Prix) at standard volume setting '4'. TV and seagull noise predominant in beer garden. At car park monitoring location, the TV was audible at a low level, commentary was just audible (though unable to discern what was being said). In car park noise from seagulls was predominant.
Wed 30th July 2025	14:01	57.1	49	Scenario 3: as above
Scenario 3: $L_{Aeq,30mins}$ ~57dB				
Wed 30th July 2025	12:58	66 (1 min)		Scenario 4a: recorded music at red-limit volume setting '8'. Music predominant.
Wed 30th July 2025	13:00	61.6dB (1 min)		Scenario 4b: recorded music at garden volume setting '6'. Music predominant.
Both scenarios measured above 60dB so not pursued as this could result in an impact >35dB at flats.				
Wed 30th July 2025	13:05	59.5	51.3	Scenario 4c: recorded music at garden volume setting '5'. Music and seagull noise predominant in beer garden. At car park monitoring location, the music was audible at a low level. In car park noise from seagulls was predominant.
Wed 30th July 2025	13:21	59.6	51.7	Scenario 4c: recorded music at garden volume setting '5'. Music and seagull noise predominant in beer garden. At car park monitoring location, the music was audible at a low level. In car park noise from seagulls was predominant.
Scenario 4c: $L_{Aeq,30mins}$ ~60dB				
17/03/19	13:34-14:04	64.1 (30 min)	52.0	Scenario 5: acoustic set through 15W Peavey travel amp. L_{Amax} 75.4dB seagulls. Music was audible at the far corner of the adjacent car park (similar to a radio playing) but not dominant. Cars entering carpark masked music.

All values in above table are sound pressure levels, in dB re $2x10^{-5}$ Pa

Newmarket Street Impact

(a) If we assume worst case from the premises own installed speaker system (Scenario 4c, volume control setting '5', results in 60dB at 15m) then by simple distance attenuation we get at Newmarket Street rear facades:

$SPL_2 = SPL_1 - 20 \log (D_2/D_1)$
$= 60 – 20 \log (60/15)$
$= 60 – 12$
$= 48dB$

The Garden controller is typically set at standard operating volume '4' (see Photo 4.3b) which is 4dB quieter than setting '5' (so, ~44dB)

Where D_1 equals the distance from covered drinking area to monitoring point (15m); and D_2 equals the distance from covered drinking area to closest part of the rear facade (60m).

Setting '5' is 7dB below the WHO specified target daytime external noise level (55dB) for the onset of serious annoyance. Furthermore, it is 5dB below the existing residual sound level of L_{Aeq} 53dB. Assuming the SAC approved sound reduction of 13dB over an open window – we get an internal daytime impact of 35dB (48-13dB). **This meets the specified target internal noise level for reasonable amenity as specified in BS 8233.**

(b) If we assume overall worst case of occasional semi-acoustic sets played through an independent travel amp (Scenario 3, 64dB at 15m) then by simple distance attenuation we get at Newmarket Street rear facades:

$SPL_2 = SPL_1 - 20 \log (D_2/D_1)$
$= 64 – 20 \log (60/15)$
$= 64 – 12$
$= 52db$

Where D_1 equals the distance from covered drinking area to monitoring point (15m); and D_2 equals the distance from covered drinking area to closest part of the rear facade (60m).

This is 3dB below the WHO specified target daytime external noise level (55dB) for the onset of serious annoyance; and 1dB below the existing residual sound level of L_{Aeq} 53dB. Assuming the SAC approved sound reduction of 13dB over an open window – we get an internal daytime impact of 39dB (52-13dB). This meets the BS 8233 internal sound level target for dining rooms and is only marginally (4dB) above the specified target internal noise level for living rooms. However, BS 8233 allows for a 5dB relaxation to target noise levels in busy urban areas (Section 7.7.3.2) – "Woods Practical Guide to Noise Control 1998" also notes that a +5dB relaxation for residential urban properties has been in common use for many years.

Note: the target amenity sound levels of BS 8233 are based on [16hr daytime] average exposure and the standard is clear that they do not have to be achieved in all circumstances. The playing of low level semi-acoustic sets will take place for a few hours on occasional weekend afternoons. If a 4hr set sound level is taken as a $L_{Aeq,16hr}$ measurement (as per BS 8233) it would drop by 6dB (to $L_{Aeq,16hr}$ 33dB) taking it below the target noise level of 35dB to prevent loss of amenity and certainly well below anything that could be considered nuisance (particularly in a town centre location).

At standard volume level '4' setting – the amplified music was barely audible at the boundary wall of the closest residential properties (there are no outside amenity spaces associated with the residential flats on Newmarket Street as ground floors are commercial units)

Noise impact was monitored at standard volume level '4' and up to maximum red-limit volume level '8'.

Photo 4.3(a): speaker system – Cloud CX263 mixer and CVA4250 4-channel power amp set-up 25/07/25

The main system set-up does not change (only the volume controller function is altered by the bar manager. Typically, the Garden volume controller sits at setting '4' to ensure no nuisance conditions can arise.

Photo 4.3(b) and (c): Garden speaker sound controller, setting '4' and '5' outputs 30/07/25

Photo 4.3(d): 15W travelling sound power amp set to max output 17/03/19

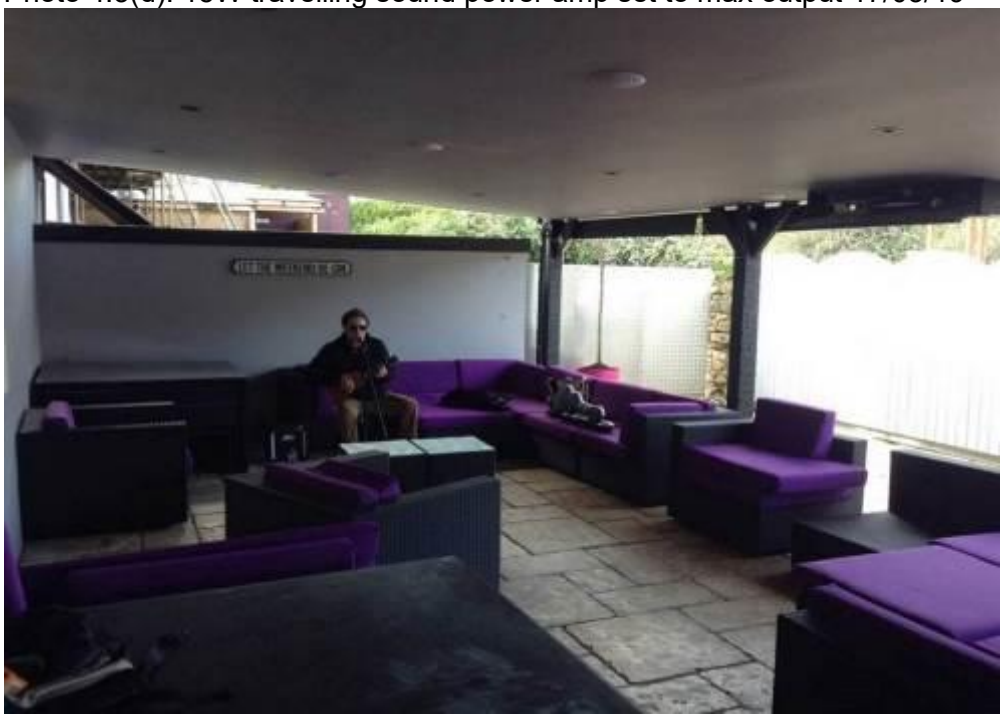


Photo 4.3(e): TV system playing through speaker system 30/07/25

5 Further noise control options

The following section details acoustic design and operational considerations to minimise transmission of customer and amplified music noise from the external drinking area to residential properties.

5.1 Control of operational noise

Sound reduction at source should be the first consideration to lessen any perceived specific noise impact – it typically affords both the best acoustic, and most cost effective, solution. The following best practice guidance can be incorporated into a noise management plan for the premises:

i) The installed sound system has a simply controlled power capacity and the small 6.5" speakers negate any potential low frequency noise issues – best practice by design. Any future changes to the system should ensure similar controls and low frequency response characteristics are part of the inherent design / purchasing criteria.

ii) To ensure amplified music is not played at louder volumes, music must only be played through the installed system (at volume control setting '5' or below) or via a single small (15W) travel amp.

iii) Noise from customers using the premises is often the most difficult type of noise to control. However, standard management procedures can be employed to control customers inside and on leaving their licensed premises i.e.

- providing signage on exit doors and at the beer garden area asking customers to be considerate to neighbours and keep the noise down;
- provide an outside presence to ensure customers do not become overly loud; and
- delegating additional staff to maintain vigilance over the external areas during busy periods.

iv) Time restriction of certain activities: use of the external area is restricted to daytime use only (i.e. vacated by 22:00). Our experience shows that neighbours' tolerance levels drop sharply if noise occurs after a publicised finishing time.

v) Time restriction of other noise generating activities: emptying of bottles / delivery of supplies should not take place at night (i.e. after 23:00) or before 08:00 due to the proximity of nearby residents.

vi) Finally, Management should have a procedure in place to deal with any noise issues (including complaints) that may arise. Someone in authority to quickly respond to any public complaints is essential in maintaining good neighbour relations.

6. Recommendations

i) A noise management plan incorporating the measures to minimise operational (and customer) noise from the premises, specified in Section 5.1, should be implemented.

ii) In the unlikely event that noise becomes an issue for adjacent neighbours in future; semi-acoustic sets could be required to play through the installed mic lines of the garden speaker system. This is not recommended at present as the maximum impact from standard small (15W) travel amps is unlikely to result in any nuisance impact.

7. Conclusions

The existing distance and barrier attenuation associated with the current roofed drinking area, combined with the controllable maximum power output of the installed sound system, and a standard element of good management control, should ensure there is no significant adverse impact on neighbouring residential properties.

Section 4 of this report demonstrates that South Ayrshire Council's target noise levels for internal and external areas will be met, and no noise nuisance will occur.

8. Uncertainty, context, and caveats

As access to residential premises was not available; estimations based on external readings have been undertaken. This is standard practice but does introduce some uncertainty. Measurement uncertainty is reduced by utilising recognised methods (BS 7445), using appropriate (Class1) kit with recorded calibration histories, and experienced monitoring personnel (see Section 1.2).

Potential noise from patrons using the area has been addressed at Section 4.1. However, there is a level of uncertainty in terms of how loud customers can be if left to their own devices. A reasonable estimation (60-80dB sound source) has been made in good faith, but there is an element of reliance on adequate stewarding to ensure good level of control at all times.

Due to the predicted low sound levels and subjective characterisation of the noise at the nearby housing; the implications of stated uncertainty are not considered to materially affect the low impact conclusions.

The context of the area is that of a vibrant town centre with very few residential premises. People living in town centres do not expect a particularly quiet ambient noise climate. In addition, the speaker system in the partially enclosed beer garden is not capable of generating significant low frequency sound (by design) and it will not operate at night. McIntyre Acoustics are therefore confident that the aforementioned site design and management procedures will ensure compliance with SAC's licensing aims.

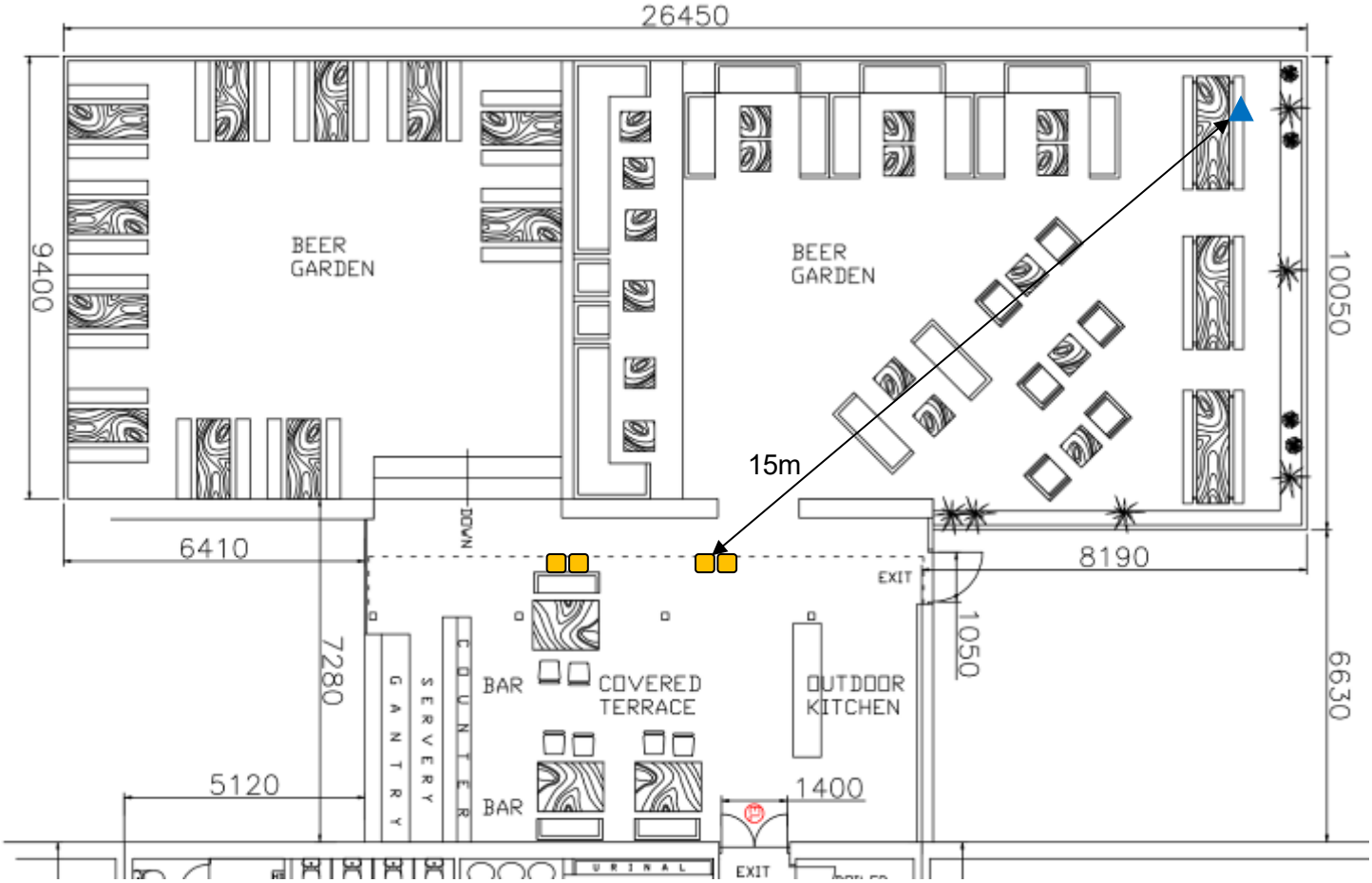
APPENDIX A

ACOUSTIC TERMINOLOGY

Ambient Noise Levels	The total encompassing noise in a given situation at a given time; it is usually composed of noise from many sources, near and far.
A-Weighting.	A frequency weighting devised to attempt to take into account the fact that the human response to sound is not equally sensitive to all frequencies. The A weighting filter in a sound level meter attempts to build in this variability into the indicated noise level reading so that it will correlate, approximately, with the human response.
Background Noise Level ($L_{A,90}$)	Defined in BS 4142, $L_{A,90}$ is the sound pressure level in dB(A) which is exceeded for 90% of the time interval T. During daytime T = 60 mins. During night time T = 5 mins.
Decibel (dB)	The logarithmic ratio of the size of pressure fluctuations caused by a sound relative to the threshold of hearing (2 x 10^{-5} Pa). The decibel range represents this scale in a more manageable form, for example 0–140 dB.
$L_{Aeq,T}$	The A-weighted continuous noise level over time period T. It is the steady sound level over the period of time under consideration which contains the same amount of energy as the time-varying noise, over the same time period.
$L_{A,max}$	The maximum sound pressure level in dB(A).
Residual Noise	The ambient noise remaining when the specific noise is suppressed, defined in BS 4142.
Specific Noise	The particular component of the ambient noise which is under investigation.
Weighted sound reduction index (R_W)	Single number quantity which characterises the airborne sound insulation properties of a building element over a range of frequencies

APPENDIX B

Site layout plan – outside drinking area



▲ = outside drinking area music level monitoring point (~15m from speaker system)
4 x small (6.5”) speakers playing low level background music and TV audio

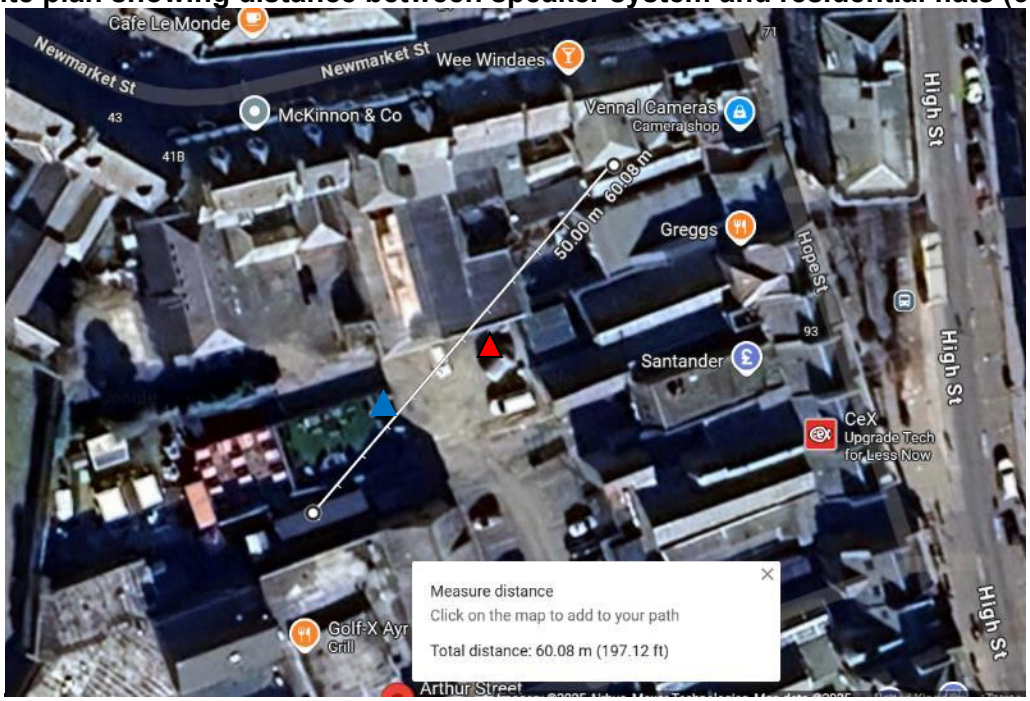
Site Plans

Site plan showing distance between speaker system and residential flats (60m)

▲ = car park subjective assessment point

Amplified music at setting '4' was barely audible in the car park area

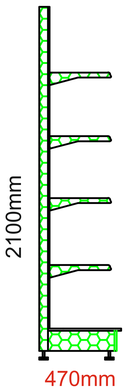
▲ = outside drinking area music level monitoring point



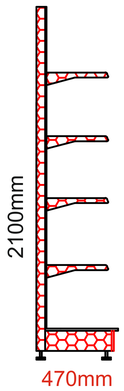
Site plan showing distance between speaker system and monitoring point (15m)

mcintyre acoustics
Principal Acoustician: Jim McIntyre *BSc Hons (Chem), BSc Hons (Env Health), PG Dip Env Health, PG Dip Acoustics, FIOA, Ch.EHO MREHIS*

Profile 1
Wall Shelving



Profile 2
Ambient
Wall Shelving



Display Area of Alcohol (Inaccessible)

Display Area of Alcohol (Accessible)

Total display Area of Alcohol (**Inaccessible**)

Spirits:- 4250mm(w) x 2100mm (H) = 10.92m2

RED WINES: 1000mm (W) x 2100mm (H)= 3.78m2

BEER CAVE: (**Accessible**)
Wall Shelving: 10250mm(w) x 2100mm (H) = 21.525m2

Gondola Bay : 4000mm (w) x 1200mm (H) = 4.8m2

Total Display Area of Alcohol = 41m2

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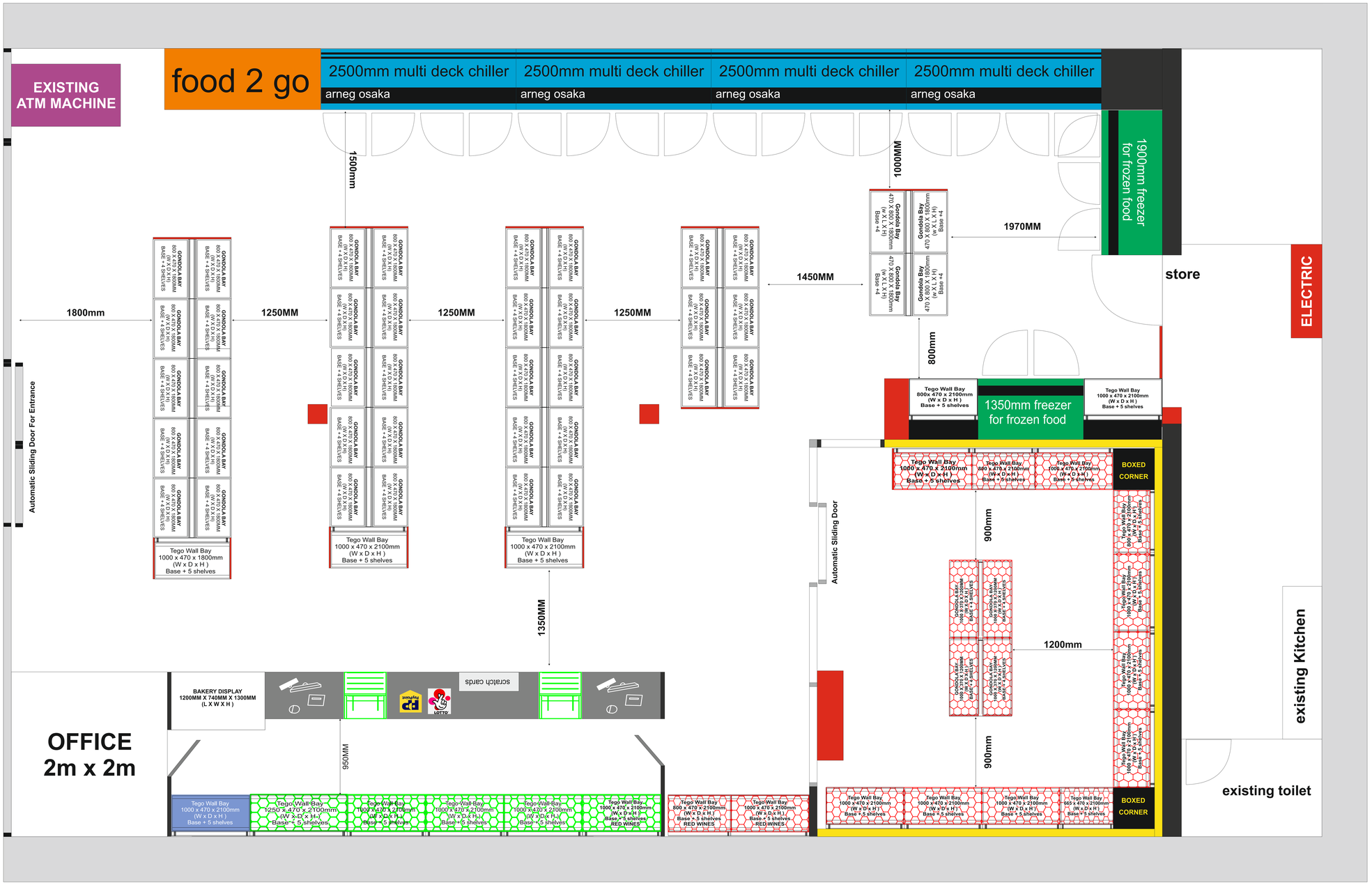

PROVISIONAL DRAWING
ALL DIMENSIONS MUST BE CHECKED ON SITE

STORE FORMAT TYPE	
STORE AREA	
CHILLED FOOD SPACE	
FROZEN SPACE	
SELF-SERVICE TILLS	
SHELVING TYPE	
GONDOLA HEIGHT	
OFF LICENCE REFRIGERATION	

THIS PLAN IS FOR SHOPFITTING PURPOSES ONLY. BUILDING AND STRUCTURAL ALTERATIONS / ADDITIONS WILL REQUIRE THE SERVICES OF AN ARCHITECT / STRUCTURAL ENGINEER.
IT IS THE RESPONSIBILITY OF THE RETAILER TO ENSURE ALL BUILDING REGULATIONS ARE MET AND PLANNING PERMISSIONS OBTAINED.

Drawing Title

Day ToDay Ayr

Scale	Drawing No	Date
NTS	PROPOSED	29-07-2025
Drawn	Revisions	

Day-Today

46 MAIN ROAD AYR KA8 0LQ

Agenda Item No 8c

Application for Occasional Licence

Applicant	Premises	Event	Dates Requested	Times Requested
Kate Henderson	Gibbsyard Courtyard Adjacent To Clocktower Café Bar 1 Gibbs Yard, Auchincruive Ayr	Hogmanay	31st December 2025	16.00 – 01.30 *Outwith Board Policy

Kate Henderson – Gibbsyard Courtyard, Auchincruive.
Occasional Licence Application – 31st December 2025
Report by Licensing Standards Officer

I refer to the Occasional Licence application made for a Hogmanay Function in a Marquee which will be situated in the courtyard adjacent to the Clocktower Restaurant at Auchincruive.

The application is for a family friendly event on New Year's Eve and will be catered to from Clock Tower restaurant which successfully operates with a liquor licence throughout the year. As the application requests a terminal hour of 1.30am it is outwith what can currently be granted under delegated powers, however the Board will be pleased to hear that this application is a result of advance planning and discussions with the Licensing Standards Officer.

The event itself will take place within a temporary marquee and is based on the successful model operated by the applicant in 2024, which was granted an occasional licence with a terminal hour of 1am.
Although the planned event includes recorded music, this location has no nearby residential neighbours so noise and disturbance are unlikely to be an issue and therefore grant of this application is unlikely to cause any issues with regards to meeting the licensing objectives.

The applicants representative contacted the LSO recently to discuss future plans for the currently licensed premises and the extended site to ensure future sustainability and development of the business and this Occasional Licence application represents those discussions. I am confident that the application meets the Boards policies and therefore have no objections to the grant of this Occasional Licence.

Catrina Andrew
Licensing Standards Officer
25th September 2025

Agenda Item 8d

Application for Extended Hours

	Applicant	Premises	Event	Date(s) Requested	Times Requested
1.	Buzzworks Inns Limited	Treehouse 67 Sandgate Ayr	Festive period	24th and 31st December 2025	01.30 – 03.30* *Outwith Board Policy
2.	Buzzworks Inns Limited	Treehouse 67 Sandgate Ayr	The Super Bowl	8th February 2026	00.00 – 03.30* *Outwith Board Policy
3.	Buzzworks Hospitality Ltd	The Fox 18 West Portland Street Troon	Festive Season	24th and 31st December 2025	Extension to festive permission 01:00 – 02:00
4.	Buzzworks Hospitality Ltd	Vic's and the Vine 132 Main Street Prestwick	Hogmanay	31st December 2025	01.30 – 03.30* *Outwith Board Policy
5.	Buzzworks Hospitality Ltd	Vic's and the Vine 132 Main Street Prestwick	The Super Bowl	8th February 2026	01.30 – 03.30* *Outwith Board Policy
6.	Clocktower Leisure Ltd	Clocktower Main Street 59 Main Street Prestwick	Hogmanay	31st December 2025	00.00 – 02.00* *Outwith Board Policy

Buzzworks Hospitality Ltd – The Fox, West Portland Street, Troon
Extended Hours Application – 24th & 31st December 2025
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in West Portland Street in Troon. -

The application requests a terminal hour of 2.00am on the evening of Wednesday 24th December (extending into the morning of Thursday 25th December 2025) and Wednesday 31st December (extending into the morning of Thursday 1st January 2026) and the application refers to the festive season which is described by the applicant as 'an event of local or national significance'.

These premises currently enjoy a terminal hour of 12 Midnight on a Wednesday and this is already extended by one hour to 1.00am throughout the month of December as built in to the operating plan. However this application requests an additional hour on top of that on Christmas Eve and New Years Eve which would take the terminal hour to 2.00am.

Therefore, the Board have already granted an additional trading hour to these premises for this date and this application is for extra time on top of this. The premises currently enjoys a terminal hour of 1.00am on a Friday and Saturday which is automatically extended to 2.00am throughout December and therefore if these dates were to fall on any of these days it would not be necessary to apply for additional trading hours. With this in mind I have no objections to the grant of this application.

Catrina Andrew
Licensing Standards Officer
24th September 2025

Buzzworks Hospitality Ltd – Treehouse, Sandgate, Ayr
Extended Hours Application – 24th & 31st December 2025
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated on the corner of the Sandgate in Ayr. -

The application requests a terminal hour of 2.30am on the evening of Wednesday 24th December (extending into the morning of Thursday 25th December 2025) and Wednesday 31st December (extending into the morning of Thursday 1st January 2026) and the application refers to the festive season which is described by the applicant as 'an event of local or national significance'.

These premises currently enjoy a terminal hour of 12.30am on a Wednesday and this is already extended by one hour to 1.30am throughout the month of December as built in to the operating plan. However this application requests an additional hour on top of that on Christmas Eve and New Years Eve which would take the terminal hour to 2.30am.

Therefore, the Board have already granted an additional trading hour to these premises for this date and this application is for extra time on top of this. The premises currently enjoys a terminal hour of 2.30am on a Friday and Saturday which is automatically extended to 3.30am throughout December and therefore if these dates were to fall on any of these days it would not be necessary to apply for additional trading hours. With this in mind I have no objections to the grant of this application.

Catrina Andrew
Licensing Standards Officer
24th September 2025

Clocktower Leisure Ltd – Clocktower Main Street, Prestwick
Extended Hours Application – 1st to 31st December 2025
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in Main Street, Prestwick -

The application requests a terminal hour of 1.00am for each night from Monday 1st to Tuesday 30th December, which would, if granted, be the equivalent of an additional trading hour in the 'seasonal variations' section of the operating plan.
Currently the trading hours for these premises allow alcohol sales from 11am until12 midnight each day and therefore the grant of this application would be consistent with what has been granted to other premises in the area and can be granted under delegated powers in line with the Boards current policy.
Additionally, the application requests a terminal hour of 2am on the evening of Wednesday 31st December (extending in to the morning of Thursday 1st January 2026) for the celebration of new year.
This request is consistent with what has been granted to other premises in South Ayrshire for this specific date, however as it equates to an additional two hours it is unable to be granted under delegated powers.

Members will be pleased to note that these premises are soon to re-open after having been purchased and re-furbished by the applicant and I can confirm that I have been working with them on a future variation of their operating plan to cover all of the required updates which will include the seasonal variations required in future.

Considering the above, I have no objections with the extended hours requested which I can confirm are consistent with the Boards policy.

Catrina Andrew
Licensing Standards Officer
8th October 2025

Buzzworks Hospitality Ltd – Treehouse, Ayr
Extended Hours Application – Sunday 8th February 2026
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated on the corner of the Sandgate in Ayr -

The application requests a terminal hour of 3.30am for one night/morning on Sunday 8th February (extending in to the early hours of Monday 9th February 2026), which would, if granted, permit the sale of alcohol from 11am on that day allowing a total of 16.5 hours. The request is made to accommodate customers who are keen to watch the final of the Superbowl, which is being shown live on television from America and there is a 5 hours time difference. The applicant has provided information within their application to explain their intention to operate a themed event with the Superbowl being shown on large TV screens.

Currently the trading hours for these premises allow a terminal hour of 12 midnight on a Sunday and therefore this application requests an additional 3 1/2 hours trading which is out with what can be granted under delegated powers.

Members will be aware that additional hours were granted to these premises for the Superbowl event in February 2025 and this event ran successfully with no negative reports to licensing as a result.
This application is a mirror of what was previously granted and members will recall that the South Ayrshire Local Licensing Forum provided feedback to the Board in support of their decisions to support events such as these with the grant of additional hours.
With the above in mind and being aware that the applicant is an experienced operator, I have no objections to the extended hours as requested.

Catrina Andrew
Licensing Standards Officer
24th September 2025

Buzzworks Hospitality Ltd – Vic's and The Vine, Prestwick
Extended Hours Application – Sunday 8th February 2026
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in Main Street, Prestwick -

The application requests a terminal hour of 3.30am for one night/morning on Sunday 8th February (extending in to the early hours of Monday 9th February 2026), which would, if granted, permit the sale of alcohol from 11am on that day allowing a total of 16.5 hours. The request is made to accommodate customers who are keen to watch the final of the Superbowl, which is being shown live on television from America and there is a 5 hours time difference. The applicant has provided information within their application to explain their intention to operate a themed event with the Superbowl being shown on large TV screens.

Currently the trading hours for these premises allow a terminal hour of 1.30am on a Sunday and therefore this application requests an additional 2 hours trading which is out with what can be granted under delegated powers.

Members will be aware that additional hours were granted to these premises licence holders at one of their other venues for the Superbowl event in February 2025 and this event ran successfully with no negative reports to licensing as a result.
This application is a mirror of what was previously granted and members will recall that the South Ayrshire Local Licensing Forum provided feedback to the Board in support of their decisions to support events such as these with the grant of additional hours.
With the above in mind and being aware that the applicant is an experienced operator, I have no objections to the extended hours as requested.

Catrina Andrew
Licensing Standards Officer
24th September 2025

Buzzworks Hospitality Ltd – Vic's & The Vine, Main Street, Prestwick
Extended Hours Application – 31st December 2025
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated on the Main Street in Prestwick. -

The application requests a terminal hour of 3.30am on the evening of Wednesday 31st December (extending into the morning of Thursday 1st January 2026) and the application refers to the festive season which is described by the applicant as 'an event of local or national significance'.

These premises currently enjoy a terminal hour of 12.30am on a Wednesday and this is already extended by one hour to 1.30am throughout the month of December as built in to the operating plan. However this application requests two additional hours on top of that on New Years Eve which would take the terminal hour to 3.30am.

Therefore, the Board have already granted an additional trading hour to these premises for this date and this application is for extra time on top of this. The premises currently enjoys a terminal hour of 2.30am on a Thursday, Friday and Saturday which is automatically extended to 3.30am throughout December and therefore if New year were to fall on any of these days then there would be no need to apply for additional hours.

Considering the above and having received no negative reports in relation to a 3am terminal hour granted for the same date last year, I have no objections to the grant of the extended hours requested.

Catrina Andrew
Licensing Standards Officer
3rd September 2025