

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 15 June 2022 at 10.00 a.m.

Present: Councillors Brennan-Whitefield, Ferry, Kilbride, Scott and Townson.

Apology: Councillors Grant and Pollock.

Attending: K. Briggs, Service Lead – Legal and Licensing and Depute Clerk to the Licensing Board; C. Andrew, Licensing Standards Officer; C McMenamin, Co-ordinator (Legal Services Litigation) Legal Services; Gordon Lauder, Team Leader (Environmental Health); C. Buchanan, Committee Services Officer; J. McClure, Lead Committee Services Officer; A. Gibson, Committee Services Officer and C. McCallum, Clerical Assistant.

Also Attending: Sergeant Sheryl Syme, Police Scotland.

Opening Remarks

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

1. Appointment of Chair

The Depute Clerk to the Board invited nominations for the appointment of Chair of the Licensing Board.

Decided: unanimously, that Councillor Grant be appointed Chair of the Licensing Board.

The Depute Clerk to the Board then advised that, in the absence of Councillor Grant at today's meeting, the members of the Board present required to elect one of their members to act as Chair for today's meeting, and invited nominations.

Decided: unanimously, that Councillor Brennan-Whitefield be appointed as Chair for today's meeting.

Councillor Brennan-Whitefield then took the Chair.

2. Declarations of Interest

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

3. Date of Next Board Meeting

The Chair advised that the next Board meeting would be held on Thursday 25 August 2022 at 10.00 a.m.

4. Scottish Grand National 2022 Report by Licensing Standards Officer

There was submitted a report (issued) of 21 May 2022 by the Licensing Standards Officer to the Licensing Board advising the Board of her experience of the Scottish Grand National Festival held on Saturday 2nd April 2022 at Ayr Racecourse. The Licensing Standards Officer gave a verbal update of her experience and recommended that;

- 1) Children and Young Persons access should be reviewed so that only patrons of 18 years and over are permitted access to such events.

- 2) The Board endorse a request for an Alcohol Management Plan to be provided by the Racecourse.
- 3) That an Occasional Licence for the Ayr Gold Cup in September is considered at a Board meeting rather than being granted under delegated powers.

The Board, having thanked the Licensing Standards Officer for her update on the event,

Decided: to agree the recommended objectives set out by the Licensing Standards Officer with the addition of a site visit for Board Members to Ayr Racecourse. Members also requested a further update from the Licensing Standards Officer regarding Ayr Racecourse in August.

5. **Revocation of Personal Licences**

There was submitted a report (issued) of 1 June 2022 by the Clerk to the Licensing Board advising the Board of revocation of personal licences.

Decided: to note the terms of the report.

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

There was submitted a report (issued) of 1 June 2022 by the Clerk to the Licensing Board advising of the following determination of an application for the Transfer of a Licence between the last Board meeting and this Board:-

- (1) Anchorage Hotel, 147-149 Templehill, Troon - transferred to Troon Leisure Investments Ltd on 25 May 2022;

Decided: to note the transfer granted under delegated powers.

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

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

| <u>Applicant</u> | <u>Premises</u> |
|-----------------------------------|--|
| Select Service Partner UK Limited | McIntryres Bar Prestwick International Airport Prestwick |

Retail Sale of Alcohol (On Premises) – Monday to Saturday 08:00* a.m. – 00:30 a.m.
Sunday – 08:00* a.m. - 00:00 a.m.

Retail Sale of Alcohol (Off Premises) – Every day 10:00 a.m. to 22:00 p.m.

* Outwith Board Guidelines

The applicants intend to provide: - restaurant facilities, bar meals, receptions, club meetings, recorded music, live performances, gaming, indoor/outdoor sports, televised sport and outdoor drinking facilities.

Children and Young Persons will be allowed access to the premises during opening times. Children must be accompanied by a responsible adult at all times. Children aged under 14 will not be allowed access to the bar area.

The capacity requested is 303 and this has been agreed with Building Standards.

The Board considered the issue of locality for the purposes of this application and decided (with the agreement of the applicant's representative) that an appropriate locality for the purposes of the application would be 'Prestwick International Airport'.

Having heard from the applicant's representative and considered the other documentation lodged by the applicant's representative, the Board;

Decided: to grant the above application.

(b) Application for Variation of a Premises Licence

The Board considered the following applications:

| <u>Applicant</u> | <u>Premises</u> |
|-----------------------------|---|
| (1) CJ Lang And Son Limited | Spar 59-61 Montgomerie Street Tarbolton |

Recorded music will take place outwith licensed hours
Add the wording: "Food to Go. Click & collect. Home Deliveries. National Lottery outlet. Sampling & promotional activities." to operating plan
Increase the capacity from 19.87m² to 22.08m²

Having heard from the applicant's representative, the Board;

Decided: to grant the above application.

| <u>Applicant</u> | <u>Premises</u> |
|-----------------------------|--------------------------------|
| (2) CJ Lang And Son Limited | Spar 11 Boswell Park Ayr |

Add to operating plan - Food to Go. Click & collect. Home Deliveries. National Lottery outlet. Sampling & promotional activities.
Increase the capacity from 15.6m² to 16.16m²

Having heard from the applicant's representative, the Board;

Decided: to grant the above application.

| <u>Applicant</u> | <u>Premises</u> |
|-----------------------------|----------------------------------|
| (3) CJ Lang And Son Limited | Spar 136 Hillfoot Road Ayr |

Capacity of alcohol display to increase from 26.969m² to 27.36m². Addition of gaming to cover National Lottery outlet. Prior to commencement of core hours, premises may open

for general trade. Primary activity undertaken in the premises is general retail. Charity collection point and charitable events take place. Food to Go. Click and Collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling and promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(4) CJ Lang And Son Limited

Spar
15 Logan Drive
Troon

Amend operating plan to read - The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours."

To add Gaming as an activity to cover the use of the National Lottery outlet etc.

To amend the text at Q5(f) to read "The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities."

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(5) CJ Lang And Son Limited

Spar Convenience Store
21-25 Mount Oliphant Crescent
Ayr

The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio, prior to the commencement of core hours. This is background levels only. National Lottery tickets/cards can be purchased prior to core hours." The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

(6) CJ Lang And Son Limited

Premises

Spar Convenience Store
12/14 Portland Street
Troon

Add gaming as an activity during core hours

Amend and add the following wording - The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.

Amend and add the following wording - The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

(7) CJ Lang And Son Limited

Premises

Spar Convenience Store
21 Carradale Drive
Prestwick

Add gaming as an activity during and outwith core hours (to cover the use of the National Lottery outlet etc)

The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. National Lottery tickets/cards can be purchased prior to core hours.

The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread and cakes, crisps/snacks, non-foods, toiletries, frozen and chilled foods, fruit/vegetables/flowers, news and magazines, toys, tobacco and cigarettes, beers/wines/spirits and other alcohol products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click and collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling and promotional events.

Amend capacity from 20.56m2 to 22.18m2.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

(8) CJ Lang And Son Limited

Premises

Spar Convenience Store
21 Cornhill Shopping Centre
Kincaidston
Ayr

The primary activity undertaken in the premises is the general retail sale of groceries and the like during and outwith core licensed hours. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. Sampling & promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(9) Park Holidays UK Limited

The Ailsa Pub
Kirkoswald Road
Turnberry

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

Change the name of the Premises to “Turnberry Holiday Park” Amend Core Hours for on sales as above.

Amend off sale hours as above.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(10) Julie Martin

The Plough Inn
10 Cunningham Street
Tarbolton

| | Existing Licensed Hours | | Proposed Licensed Hours | |
|-----------|-------------------------|-----------|-------------------------|-----------|
| | On Sales | Off Sales | On Sales | Off Sales |
| Monday | 11:30 – 23:00 | N/A | 10:00 – 00:00 | N/A |
| Tuesday | 11:30 – 23:00 | N/A | 10:00 – 00:00 | N/A |
| Wednesday | 11:30 – 23:00 | N/A | 10:00 – 00:00 | N/A |
| Thursday | 11:30 – 00:00 | N/A | 10:00 – 00:00 | N/A |
| Friday | 11:30 – 01:00 | N/A | 11:30 – 01:30 | N/A |
| Saturday | 11:30 – 01:00 | N/A | 11:30 – 01:30 | N/A |
| Sunday | 11:30 – 00:00 | N/A | 10:00 – 00:00 | N/A |

Extension to open at 10am on Sunday to Thursday and close at 12 midnight Extension to open on Friday and Saturday from 11.30am and close at 1.30am Seasonal variation of one hour from the 1st of December to the 2nd of January.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application, highlighting the mandatory obligations.

(c) **Application for the Grant of a Personal Licence**

| <u>Application Number</u> | <u>Applicant</u> |
|----------------------------------|-------------------------|
| (1) SA/22/00024/LAPRS | Ronald McDowall |

Having heard from Police Scotland and also from the applicant the Board Members;

Decided: to grant the application.

| <u>Application Number</u> | <u>Applicant</u> |
|----------------------------------|--------------------------|
| (2) SA/22/00058/LAPRS | Thomas James Fitzpatrick |

In the absence of the applicant, the Board
Decided :to continue consideration of the application to the next meeting of the Board scheduled to allow the applicant to attend, and requested that a citation be hand delivered by the Licensing Standards Officer to the applicant's address:-

(d) **Application for the Grant of an Occasional Licence**

| <u>Applicant</u> | <u>Date</u> | <u>Premises</u> |
|---------------------------------------|--|--|
| (1) Costley and Costley Hoteliers Ltd | 18 th June 2022 12:00 – 01:00* | Lochgreen House Hotel Monktonhill Road Southwoods Troon |

*Outwith Board Guidelines

Board Members raised their concerns around the noise levels of the live music. The applicant explained that the intention is to letter all local neighbours in advance of the event and provide contact details should they wish to raise any issues around noise levels and said that a sound engineer would be present at the wedding to monitor sound levels.

Having heard from the Team Leader (Environmental Health), the applicant and the Licensing Standards Officer, the Board following an adjournment;

Decided: to grant the above application, to include the conditions detailed in the memorandum from the Service Lead Trading Standards and Environmental Health dated 4 May 2022 and recommended by the Licensing Standards Officer in her report dated 18 June 2022.

| | | |
|-----------------------------|---|---------------------------------|
| (2) Alistair John McClymont | 9 th July 2022 19:00 – 01:00* | The Home Shed Mossblown Farm |
|-----------------------------|---|---------------------------------|

*Outwith Board Guidelines

Having heard from the Licensing Standards Officer, the Board;

Decided: to grant the above application.

| | | |
|---------------------|---|---|
| (3) Christine Deans | 20 th June 2022 – 3 rd July 2022 Every Day 10:00 – 19:00 | Heads of Ayr Caravan Park Shop Dunure Road Ayr |
|---------------------|---|---|

Having heard from the Licensing Standards Officer, the Board;

Decided: to grant the above application on the following conditions;

- 1) The applicant must comply with the mandatory conditions applicable to a full premises licence including in relation to staff training, minimum pricing and signage requirements
- 2) Any other applications for Occasional Licences for Heads of Ayr Caravan Shop between today's date and the date of the August Board can be approved under delegated powers but on the same conditions as in paragraph (1) above:
- 3) Any further applications for Occasional Licences for Heads of Ayr Caravan Park Shop for the period from the date of the August Board onwards will require to be heard by the Board and not be granted under delegated powers; and
- 4) That the applicant applies for a Premises Licence for the Heads of Ayr Caravan Park Shop.

8. Closing Remarks.

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 12:00 p.m.