

Application for Occasional Licence

Applicant	Premises	Event	Dates Requested	Times Requested
Peter Boyle Bowling Club	Peter Boyle Bowling Club	Scottish Grand National	21 st to 22 nd April 2023	Friday 21 st April 11:00 – 00:00 Saturday 22 nd April 11:00 – 00:00 Licensing Standards Report
Ross Donald	Ayr Racecourse 2 Whitletts Road Ayr	Scottish Grand National	21 st April 2023	11:00 – 20:00 Licensing Standards Report
Ross Donald	Ayr Racecourse 2 Whitletts Road Ayr	Scottish Grand National	22 nd April 2023	11:00 – 20:00 Licensing Standards Report
Steven Mackie	Festival Site Ayr Low Green Ayr	Music Festival	29 th and 30 th April 2023	12:00 – 22:30* Outwith Board Policy Licensing Standards Report
Fraser MacIntyre	Nile Court Ayr	Rock the Nile Event Pop up bar in Nile Court	8 th April 2023	On sale – 12:00 – 22:00 Off sale – 12:00 – 22:00 Licensing Standards Report

Peter Boyle Bowling Club, Craigie Road, Ayr
Occasional Licence Application – 21st & 22nd April 2023
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by Peter Boyle Bowling Club for an occasional licence to allow non-members at the premises for the Scottish Grand National Racing festival on Friday 21st and Saturday 22nd April 2023, which is taking place at Ayr Racecourse.

The application requests a licence from 11am until Midnight on both days and advises there will be karaoke between the hours of 5.30pm and 10pm on both the Friday and Saturday.

In addition to this, the Occasional licence request includes Children and Young persons (aged 0 to 17) access throughout the licensed hours.

I welcome this application which has been made following an oversight in 2022 by the club who failed to apply for an Occasional Licence for this event and as a result operated in breach of their 'members club' licence. Additionally, I am aware that the premises are in the process of making an application to 'vary' their operating plan to make it a closer reflection of how the premises operates now and its plans for the future.

In 2022 the Board were made aware of a number of concerns reported by residents in the area regarding the behaviour of racegoers at the Scottish Grand National. As a result of this the Occasional licences requested for the Ayr Gold Cup in September were considered at a Board meeting instead of being dealt with under delegated powers, to allow the Board to consider all aspects of the application. Board members attended the Ayr Gold Cup meeting which was very quiet in relation to the Scottish National and were able to see the practices and procedures and changes that had been put in place at Ayr Racecourse.

It should be noted that due the Licensing Standards Officer report and the Boards own concerns, the Occasional Licence granted to Peter Boyle Bowling Club for the Ayr Gold cup did not permit access to under 18's.

I would therefore ask members to consider again if the request for children and young persons to be on the premises for the duration of this licence is in keeping with the licensing objective;

- Protecting children and young people from harm.

There is no bowling event happening during this time and there is karaoke being provided from 5.30pm until 10pm.

During normal trading circumstances, these premises have permission for under 18's to attend for the purpose of participating in or watching bowling until 9pm or attending a function until the terminal hour.

I would remind the Board that the grant of this Occasional Licence as requested would allow children and young persons aged from birth to 17 years to attend the premises until midnight. South Ayrshire Licensing Board historically has generally not permitted access to under 18's to a venue or event where it is simply a venue serving alcohol with music or entertainment which is not aimed at a family audience. With this in mind and for the purpose of consistency I would ask the Board to consider this when deliberating the grant of this request.

Catrina Andrew, Licensing Standards Officer
10th January 2023

Ross Donald – Personal Licence Holder
Occasional Licence Application – 21st & 22nd April 2023
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by Ross Donald, who is a personal licence holder (and Premises Manager for venues at Ayr Racecourse) for the additional bar and outside drinking areas at Ayr Racecourse on Friday 21st and Saturday 22nd April 2023.

Although the application simply refers to 'afternoon racing', I am aware that these dates are in fact Ladies Day and the Scottish Grand National Race Day, the biggest annual event of the Scottish Racing calendar.

The application requests a licence from 11am until 8pm each day and advises that horse racing will take place between the hours of 12noon and 7pm.

In addition to this, the Occasional licence request includes Children and Young persons (aged 0 to 17) access throughout the licensed hours.

At the time of writing, an initial meeting has taken place with representatives from Ayr Racecourse and officers from various Council Departments and partner agencies regarding the overall event and the varying plans for the two day racing festival. However, a further specific meeting has also been scheduled with Ross Donald with regards to the Occasional Licence and the alcohol sales in respect of the premises licence at the Princess Royal Stand at Ayr Racecourse which benefits from a full premises licence.

Members will recall that the Scottish Grand National Festival in 2022 did attract a number of comments and concerns from neighbours and the local community and that an LSO report was submitted to a subsequent Board meeting to highlight areas of concern in relation to the sale of alcohol and the effects this had on the licensing objectives.

As a result of this a clear plan was put in place for the Ayr Gold Cup race meeting which took place in September 2022 and there was considerable dialogue between representatives from Ayr Racecourse and various council departments and partner agencies. Board members visited the event on the Friday and whilst it was acknowledged that attendance numbers were considerably lower than the large race day earlier in the year it gave members the opportunity to see the bars in operation.

With the amount of pre-planning and consideration of best practice that has been learned from other similar events, I am confident that the applicant Ross Donald and his team at Ayr Racecourse have put in place a number of practices and procedures that will ensure the Scottish Grand National Festival 2023 is not a repeat of the challenges faced in 2022.

However, I would like to draw to the Boards attention that the Occasional Licence applications for both 21st and 22nd April for 'afternoon racing' request operating times of 11am until 8pm and state that horse racing will take place between the hours of 12pm and 7pm (therefore the liquor licence is requested for one hour before and one hour after this). On the Ayr Racecourse website however, it advises patrons who wish to purchase a ticket that on Friday 21st April the first race is at 1.15pm and the last race is at 4.45pm and on the Saturday the first race is at 1.15pm and the last race is at 5.20pm.

For this reason the applicant may wish to clarify that the Occasional Licence request is for afternoon racing at the Scottish Grand National Festival and that the times applied for are accurate.

The application also requests that Children and young persons aged 0 to 17 are permitted access between the hours of 11am and 8pm with the exclusion of the Cree Lodge and Be Friendly bars and the Champagne Bar (but will have access to the champagne lawns).

Given my concerns about the appropriateness of under 18's being at last years event (and the fact that the Board did NOT grant permission for under 18's on the Occasional Licence for the Gold Cup in September), I would ask members to consider if the request for children and young persons to be on the 'premises' for the duration of this licence is in keeping with the licensing objective;

- Protecting children and young people from harm.

Again, whilst I am aware that there are many family race days and fun days at the Racecourse throughout the year and these are well received and I would have no objections to under 18's attending these, I would ask the Board to consider the previous reports and feedback from last year's race meeting and the large numbers expected to attend and consider if this particular event is aimed at a 'family' audience.

I would remind the applicant that he personally agreed during discussion with the LSO that the two large race days are not suitable for children and young people.

Additionally, I would remind the Board of their current policy statement which refers to family-friendly environments and the main purpose of children and young people being on a licensed premises for consumption of a meal or attending a family function or event. An example being that the same group of two adults and two children that may be permitted to attend the races of which the environment is horse racing, gambling and drinking, would not be able to attend a licensed premises in Ayr town centre if the same was on offer.

I also note that the Ayr Racecourse website advises that under 18's are admitted free of charge with a paying adult.

In particular, I would ask the Board to consider specifically children under the age of 5. The Licensing (Scotland) Act 2005 requires premises who permit children aged 5 years and under to provide changing facilities accessible to both male and female patrons. It has been well documented that toilet facilities are extremely busy and queues can be considerable on the large race day and I would ask if the Racecourse are able to fulfil this requirement on that day.

South Ayrshire Licensing Board historically has generally not permitted access to under 18's to a venue or event where it is simply a venue serving alcohol with music or entertainment or indeed gambling, which is not aimed at a family audience. With this in mind and for the purpose of consistency I would ask the Board to consider this when deliberating the grant of this request.

In the interests of consistency in South Ayrshire in relation to other Occasional Licences granted previously and in the future, and to reflect the practice implemented by the Board at other large capacity outdoor venues, I would ask the Board to consider the following, which they may wish to include as conditions on the Occasional Licence:

- All alcohol is to be decanted and not served in glassware, bottles or cans (with the exception of the champagne bar/lawn)
- A refusals record should be kept at the bar areas as proof of diligence

- 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
- Drinking water should be available free of charge at identifiable areas

The Board may also wish to instruct that the bar areas, bar staff and event area are checked during a visit by designated persons (such as Police Scotland or LSO) during the event and that a report is provided to the Clerk following these inspections as failure to adhere to the above mentioned (should they be added as conditions) would result in non-compliance with the Occasional Licence and may affect future applications.

Catrina Andrew
Licensing Standards Officer
21st February 2023

Steven Mackie – Personal Licence Holder
Occasional Licence Application – 29th & 30th April 2023
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by Steven Mackie, who is a personal licence holder, for the event being described as a 'two day music festival' on the Low Green in Ayr on Saturday 29th and Sunday 30th April 2023.

The application requests a licence from 12noon until 10.30pm each day for this outdoor site and can therefore not be granted under delegated powers.

In addition to this, the Occasional licence request includes the consumption of alcohol throughout the identified site, which again is an irregular occurrence in South Ayrshire.

Members will be aware that the organising of the two day music event at the low green has been in the planning and consultation stage with other Council departments and partner agencies for some months now and that the Public Entertainment licence for this is being dealt with separately by a larger organised group. However, whilst the Occasional Licence application for the liquor licence was lodged in December 2022, it was not possible for this to be granted at the time as the location, capacity, timing and exact content of the event had not been confirmed and this information has only recently become available.

The application site for this event is a fenced off area of the Low Green at Ayr, directly behind the Ayr Pavilion (currently trading as Pirate Pete's) and beside the public playpark, extending in the direction towards Blackburn Drive. The area does not cover the entire low green and is intended to cater to a crowd of 7500 a day. The event is an over-18's only music concert with two bar areas (one within a VIP compound) and the other in the main area to the side of the stage. There will also be merchandise stalls, food units and a big wheel.

The Occasional Licence application requests that the Board grant a licence to the entire event space, which is contrary to licences previously granted by South Ayrshire Board, however given the capacity and type of event, Members may feel that this is the most effective and sensible way to manage the liquor licence and the free flow of those in attendance. Following discussion with the applicant, I have requested that the area surrounding the 'big wheel' is omitted from the licensed area as this would not be in keeping with the licensing objective; Securing public safety. Additionally I have been able to confirm that the 'fencing' surrounding the event is of a height and type that will not permit passers-by to see inside the compound area and thus whilst the remainder of the low green, the esplanade and beach and the playpark will remain open to the public, anyone under 18 using these public areas will not be able to view the large capacity crowd drinking alcohol and this may satisfy some of the Board's concern regarding the licensing objective 'Protecting Children and Young People from harm'. In addition, this is an event restricted to over-18's and an 'alcohol management plan' has been provided by the events company and I have had a discussion with the applicant who has advised he will be operating using 'agency' staff who will all have a briefing prior to opening.

With regards to 'Preventing Public Nuisance' and 'Preventing Crime and Disorder' I would suggest that on this occasion the Board may wish to make an exception to their usual curfew of 10pm for an outdoor liquor licence as due to the music acts at this event not concluding until 10.30pm, not extending the licence to match would, in my opinion, cause a breach of

these objectives. It was therefore at my suggestion that the applicant amended the Occasional Licence application to request a terminal hour of 10.30pm.

As Members will be aware there is a Byelaw in South Ayrshire which prevents an individual in a 'public place' being in possession of an 'open container of alcohol'. The grant of an Occasional Licence for a 'space' during a period of time prevents any breach taking place. If the Board were to only grant the 10pm licence as standard, it would be sensible to assume that there would still be a large number of the 7500 crowd in possession of alcohol whilst they watched the end of the entertainment and prepared to leave. It would also be a reasonable assumption that an attempt to remove alcohol from individuals who had just purchased it with the intention of it lasting to the end of the event time may result in conflict and/or indeed the instant consumption of alcohol (rather than disposal) and this should not be encouraged in terms of the licensing objective; Protecting and Improving Public Health.

Therefore on this occasion I would support the application for the terminal hour of the Occasional Licence to extend until 10.30pm to ensure that those attending the event would not be in breach of our local byelaw beyond 10pm and I understand that the applicant may be willing to give an undertaking that the bars would close at 10pm, thus allowing the final 30 mins to be used as 'drinking up time'.

In the interests of consistency in South Ayrshire in relation to other Occasional Licences granted previously and in the future, and to reflect the practice implemented by the Board at other large capacity outdoor venues, I would ask the Board to consider the following, some of which they may wish to include as conditions on the Occasional Licence:

- All alcohol is to be decanted and not served in glassware, bottles or cans
- A refusals record should be kept at the bar areas and token sales booth/s as proof of diligence
- 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
- Drinking water should be available free of charge at identifiable areas

The Board may also wish to instruct that the bar areas, bar staff and event area are checked during a visit by designated persons (such as Police Scotland or LSO) during the event (on one or both days) and that a report is provided to the Clerk following these inspections.

Finally, I am not aware of any enquiries or objections from members of the public or those in the local community with regards to a liquor licence for this event.

I would remind the Board and indeed the public that the grant of this Occasional Licence will only permit the consumption/possession of alcohol in the specified area of the Low Green in Ayr in relation to this event and the timings given and it will not be permitted for alcohol to be taken out with this area or out with these times. Therefore grant of this licence will not allow persons not in attendance at this event to be in possession of alcohol on the Low Green.

Catrina Andrew
Licensing Standards Officer
21st February 2023

Sprig Ltd – Premises Licence Holder
Occasional Licence Application – 8th April 2023
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by Sprig Ltd, which is the premises licence holder for Printhouse in Nile Court in Ayr. The application is for 'Rock the Nile' which is being described by the applicant as an annual event held in Printhouse.

The application requests both an on and off sales licence from 12noon until 10.00pm for this outdoor site which is described by the applicant as 'Nile Court' which is in fact a 'dead end' road outside the premises.

As LSO I am familiar with the 'Rock the Nile' event which was devised a number of years ago by the applicant and I am aware that in the years since the popularity of the event has increased and the attendance has risen.

The social media pages of the Printhouse premises shows pictures and publicity relating to the previous events.

'Rock the Nile' is billed as a 'family event' during the day and 'Bikers' are encouraged to attend and display their bikes outside the Printhouse premises in the Nile Court. Part of the event is to encourage those in attendance to view the bikes and meet up outside if the weather permits. I understand this year that some of the proceeds from the event will be donated to the crohn's and colitis charity.

Having spoken to the applicant in detail about this proposal, I understand that the purpose of the application is to allow those in attendance to walk freely from the Printhouse outside into the Nile Court with alcohol until the 10pm curfew. The applicant also believes this will make the event easier to manage as the door stewards will not be required to remove alcohol from patrons who are walking in and out of the premises throughout the day to the Nile Court and they also believe it will allow more control over the Nile Court area.

I am aware that there is a residential area at the bottom of the Nile Court which is accessed by a gate and that the Nile Court is a 'dead end' road which leads off of Ayr high street.

The applicant has provided a basic plan of the intended area and through further discussion I understand that they wish to have a 'pop up bar' in the space to make service and supervision of the outdoor space a separate task.

The hours requested are within the Board's policy regarding outdoor space and the grant of a licence until 10pm would eliminate the risk of anyone breaching the byelaw which prevents anyone having an open container of alcohol in a public space.

The operator has advised that toilet facilities will be available within the venue.

Whilst I am aware that this particular operator has recently been granted permission at their sister venue for the significant use of outdoor space for hours and entertainments that would usually be out with the Board's policy, I would ask the Board to consider if on this occasion it is appropriate to grant Off Sales. Under the licensing objectives Preventing Public Nuisance, Preventing Crime and Disorder and Securing public safety, given that many of the attendees have brought motorcycles and that leaving the premises everyone will have to exit on to the High Street, I would suggest that the ability to take an Off Sale with them may not be in keeping with the above objective. I would therefore ask the Board to consider refusal of the Off Sale aspect of this Occasional Licence.

Regarding the on sales element of the licence and following discussion with the applicant, I would ask that the Board considers adding the following as conditions for the Occasional Licence.

- A licensed steward is posted at the gate to Blackfriars Court throughout the licence to prevent patrons from entering this area and to allow residents access through Nile Court if/when required
- A licensed steward is posted at the High Street entrance to Nile Court to monitor numbers, and ensure no alcohol is taken out with the area
- Additional receptacles for rubbish are placed in Nile Court and collected in by the licence holder at the end of the licence
- All alcohol is to be decanted and not served in glassware, bottles or cans
- A refusals record should be kept at the bar area for inspection as proof of diligence
- Training records should be available for all bar staff who should be trained to a minimum of 2hrs as required on a standard premises licence and each staff member should identify themselves by name to the police or LSO if requested so that the appropriate record can be checked
- Drinking water should be available free of charge if requested

Catrina Andrew
Licensing Standards Officer
22nd February 2023