

Notice – Variation of Licence Conditions

In terms of Section 27 of the Licensing (Scotland) Act, 2005 a Licensing Board may vary conditions attached to a premises licence where they consider it necessary or expedient for the licensing objectives. Accordingly, notice is given in terms of Section 27A of the Act that East Ayrshire Licensing Board intends to amend the following conditions, in accordance with their Statement of Licensing Policy:-

Outdoor Drinking Area – Beer Garden

Current condition

1. The permitted use of the outside drinking areas are restricted to 9pm each evening.
2. That any noise generated by patrons in these areas should be inaudible within the nearest noise sensitive dwelling.
3. The areas should be suitably monitored at all times.

Proposed condition

1. The permitted use of the area is restricted to 9pm each evening for the consumption of alcohol.
2. In relation to noise control and in pursuance of the licensing objective of preventing public nuisance generally, the Licensing Board will not permit amplified sound or music to be played within, or relayed to, outdoor drinking areas, nor permit live music to be played within those areas.
3. The area should be suitably monitored at all times to ensure that the use of the area by patrons does not have an adverse impact on the locality, particularly neighbouring properties.
4. All bottles and glasses must be cleared from the tables at frequent intervals throughout the day. The beer garden must be totally cleared of all bottles and glasses by 9pm.

Outdoor Drinking Area – Public Footpath

Current condition

Tables and Chairs on Public Footpath

1. The outside seating area shall be clearly defined and shall not cause an obstruction.
2. The tables and chairs should be light in colour, of a firm construction with rounded edges and shall be located clear of all pedestrian entrance and exit routes.
3. The area should be kept free of litter at all times.
4. All drinks to be decanted into plastic/paper containers.
5. The area should be swept thoroughly following the removal of the tables.
6. The permitted use of the outside drinking area is restricted to 9pm each evening.

7. Any noise generated by patrons in these areas should be inaudible within the nearest noise sensitive dwelling.
8. No alcohol to leave the licensed area.
9. The areas should be suitably monitored at all times.

Proposed condition

1. The outside seating area shall be clearly defined and shall not cause an obstruction, the existing footway to be kept clear at all times.
2. No alcohol to leave the licensed area.
3. The tables and chairs should be of a firm construction with rounded edges and shall be located clear of all pedestrian entrance and exit routes.
4. All drinks to be decanted into plastic/paper containers.
5. The area should be suitably monitored and kept free from litter.
6. The area shall be swept thoroughly following removal of tables.
7. The permitted use of the area is restricted to 9pm each evening.
8. Should the tables and chairs be sited outside for more than 28 days in any one calendar year, planning permission should be obtained.

Off Sales

Additional condition:-

An effective CCTV system must be installed, covering the interior of the premises, and must be kept in proper working order at all times. Staff on the premises must be able to operate the system and images should be kept for at least one month and made available to Police or LSOs on request.

Representations

Any representations in respect of these amendments should be submitted **no later than 5 November 2025**.

How to respond

Responses should be sent to the Clerk to the Licensing Board at the undernoted address or by e-mail to licensing@east-ayrshire.gov.uk

Clerk to the Licensing Board
East Ayrshire Council
Council HQ
London Road
Kilmarnock
KA3 7BU