

EAST AYRSHIRE LICENSING BOARD

Minute of the meeting of East Ayrshire Licensing Board held within Crookedholm Community Centre on Tuesday 27 April 2010 at 10am

SEDERUNT : Councillor J Buchanan, Councillor J Campbell, Councillor H Coffey, Councillor R Cunninghame, Councillor N McGhee, Councillor J MacKay and Councillor H Ross

ATTENDING : Mr S McCall (Depute Clerk to the Licensing Board), Mr C Tannock, Building Standards, Mr B Campbell, Environmental Health, Mrs P Duncan and Ms S Gillies (Licensing Board Administrators).

Councillor G Cree, Councillor E Dinwoodie and Councillor J McGhee submitted their apologies that they were unable to attend the meeting.

1. SEDERUNT

2. MINUTES OF MEETINGS

2.1 Minute of the Licensing Board meeting held on 30 March 2010 was approved and noted.

3. REVIEW OF PREMISES LICENCE

3.1 Review of premises licence for premises at Premier Store, 65 High Street, Stewarton following receipt of a notice in terms of Section 38 of the Licensing (Scotland) Act, 2005 from Strathclyde Police.

The Depute Clerk advised Members that this Review would require to be continued to a future meeting of the Licensing Board as Strathclyde Police were unable to attend the meeting.

4. APPLICATIONS

Consider applications received under the Licensing (Scotland) Act 2005, Licensing (Scotland) Act, 1976, as amended and the Gambling Act, 2005 – Appendix I.

There being no further business the meeting ended at 10.20am.

APPLICATION FOR VARIATION OF PREMISES LICENCE

Rifat Bibi
3 Kyle Court
Cumnock

Saferite Stores
34-36 Craighens Road
Cumnock

Details of the variation are as follows:-

Alteration to alcohol display area following re-fit to accommodate post office terminal.

The Depute Clerk advised that Building Standards had reported that the premises had been inspected on 15 March 2010 and the following issues were identified:-

- 1. The rear door requires to be upgraded to a Fire Exit.**
- 2. Fire exits require emergency light fittings and signage.**

The Depute Clerk further advised that the variation reduced the alcohol display area.

As there had been no objections or representations in respect of the application, the Board agreed to grant the variation.

APPLICATION FOR VARIATION OF PREMISES LICENCE

Messrs Brunton Miller
Solicitors
22 Herbert Street
Glasgow

The Wheatsheaf Inn
72 Portland Street
Kilmarnock

Details of the variation are as follows:-

Amendment of core licensing hours.

<u>Current Licensing Hours:</u>	<u>On-Sale</u>	<u>Off-Sale</u>
Monday - Wednesday	11am – 12 Midnight	11am – 10pm
Thursday - Saturday	11am – 1am	11am – 10pm
Sunday	12.30pm – 12 Midnight	12.30pm – 10pm
<u>Licensing Hours Applied For:</u>	<u>On-Sale</u>	<u>Off-Sale</u>
Sunday – Wednesday	11am – 12 Midnight	11am – 10pm
Thursday - Saturday	11am – 1am	11am – 10pm

The Depute Clerk advised Members that the variation was to allow the premises to open from 11.00am on a Sunday.

As there had been no objections or representations in respect of the application, the Board agreed to grant the variation.

APPLICATION FOR VARIATION OF PREMISES LICENCE

Belhaven Brewery Co Ltd
Atrium House
6 Bank Walk
Stirling

Jollys Sports Bar
8 Langlands Street
Kilmarnock

Details of the variation are as follows:-

To include an outdoor drinking facility during the core hours and increase the occupant capacity to 228 to include this area.

The Depute Clerk advised that following an inspection by one of the Licensing Standards Officers it was noted that there was a beer garden at the premises which was not covered by the premises licence which resulted in an application for variation to include this area.

The Depute Clerk advised that Building Standards had inspected the premises on 12 March 2010 and the following issues were identified:-

1. **Emergency lighting test certificate required.**
2. **The store below the escape stair from the first floor should maintain the 60minutes fire protection required by the protected zone.**
3. **Timber linings require to be treated to achieve class 1 surface spread of flame.**
4. **Changes in level to bar area should be clearly highlighted to avoid trip hazards.**
5. **It should be noted that multiple layers when applied to the face of a wall or ceiling surface can increase the spread of fire and can add to the fire growth rate. eg football shirts, posters etc in ground floor area.**
6. **Provide Management Statement for exit doors and rear gate.**
7. **Escape route lighting and signage required from external terrace/outdoor drinking area.**
8. **The external terrace/outdoor drinking area is only ancillary to the main use of this premise and as such the building occupancy should not be extended. The occupancy should remain at 176 persons as the original operating plan.**

The Depute Clerk stated that the applicant had confirmed that the occupant capacity should remain at 176 persons as on the original operating plan.

As there had been no objections or representations in respect of the application, the Board agreed to grant the variation to include the beer garden subject to the occupant capacity remaining at 176 and no alcohol be consumed within the beer garden after 9.00pm in accordance with the Board’s policy.

Councillor J Campbell and Councillor R Cunninghame joined the meeting at 10.10am.

APPLICATION FOR VARIATION OF PREMISES LICENCE

Joanna Templeton
Catrine House
Mauchline

Catrine House Coffee Shop & Ice Cream Parlour
Catrine House
Mauchline

Details of the variation are as follows:-

New extension to form additional seating area and increase in occupant capacity.

The applicant Joanne Templeton was present at the meeting.

The Depute Clerk advised that Building Standards had inspected the premises on the 14 April 2010, where it was calculated that the occupant capacity should be 60 persons.

Colin Tannock, Building Standards, advised that an amendment to Building Warrant was required. The applicant was liaising with Building Standards in this respect.

As there had been no objections or representations in respect of the application, the Board agreed to grant the variation and set the occupant capacity at 60 persons.

APPLICATION FOR GRANT OF PREMISES LICENCE

Glen Vorlich Leisure Ltd.
257 Dumbarton Road
Glasgow

The Wheatsheaf
29 Main Street
Kilmaurs

The sale of alcohol shall be for consumption both on and off the premises.

<u>Licensing Hours Applied For:</u>	<u>On-Sale</u>	<u>Off-Sale</u>
Sunday – Wednesday	10am – Midnight	10.00am – 10.00pm
Thursday - Saturday	10am – 1.00am	10.00am – 10.00pm

Seasonal Variations: No

Activities/Services to be Provided:

It is intended to provide conference facilities and bar meals. It is intended to cater for social functions including weddings, funerals, birthdays, retirements and club/group meetings. It is intended to provide recorded music, live performances, dance facilities, theatre and films, as well as gaming, indoor/outdoor sports and televised sport. It is also intended to allow D.J.'s, magicians, casino nights, auctions, themed events, face painters, psychic nights, quiz nights, pool, darts, quiz machine, juke box, bands, karaoke, disco, cabaret, hypnotist, race nights and charity fundraising nights.

Children and Young Persons:

It is intended to permit Children and Young Persons from birth to 17 years entry to the premises during the core hours for the consumption of a meal or to attend a function or organised event. Children will be allowed in all public areas, however must be accompanied by an adult.

Mr Vindas of Glen Vorlich Leisure Ltd was present at the meeting.

The Depute Clerk advised Members that the premises were currently closed and the application for a Premises Licence was to allow the premises to re-open. The Depute Clerk pointed out that the applicant had requested that the premises open from 10.00am for both on and off-sales and asked the applicant if he wished this amended to 11.00am for both on and off-sales in accordance with the Board's policy. Mr Vindas agreed to the change to 11.00am for both on and off-sales.

Bryan Campbell, Environmental Health, advised that the Section 50 Certificate had been granted for the provision of bar snacks in the bar area only as the premises currently had no kitchen.

Colin Tannock, Building Standards, advised that the premises were inspected on 15 March 2010 where the following issues were identified:-

- 1 Remove all defective roughcast from the external walls.**

Note that this may prove far in excess of the roughcast obviously hanging off at various locations and will require a thorough survey of the entire external fabric to confirm exactly the extent to which the roughcast has detached from its background.
- 2 Replace broken gas meter box at car park side.**
- 3 Clear out and fit a cover to the open manhole at car park side.**
- 4 Repair all broken windows throughout as required.**
- 5 Reinstate all collapsed ceilings throughout as required.**
- 6 Cement point gaps around two boiler flues (inside and outside) passing through the external wall at the road side.**
- 7 Fire door separating flat from 1st floor lounge to be fitted with smoke seals and sorted so that it self closes.**
- 8 All penetrations in walls between flat (including stair well) and the bar and 1st floor lounge to achieve 30 mins fire resistance. As discussed this may require boxing in with 2 layers of 12.5mm plasterboard and/or fire collars as appropriate.**
- 9 The roof void requires inspection to ensure that it does not pass over the flat and the 1st floor lounge without acceptable fire separation.**
- 10 Clad out the stairs to the flat from the underside within the cupboard to the left of the bar and again ensure that no holes or penetrations exist between the bar area and the stairwell which could allow the passage of fire or smoke.**
- 11 The door from the bar leading out the rear hall at the ladies toilets requires a glazed vision panel.**
- 12 All surface mounted electrical cabling throughout the premises and on the outer walls of the building should be housed within protective trunking/conduit.**
- 13 Emergency lighting to be extended to cover all areas of the bar/lounge including inside and outside all three final exit doors.**
- 14 Emergency lighting still to be tested.**
- 15 All three final exit doors to provided with appropriate emergency signage to both sides.**
- 16 A Management Statement is required to include the removal of slip bolts, padlocks, bars etc from all escape doors during all periods of occupation. Provide a copy of how this is to be managed and as discussed may require the fitting of panic bars to maintain security whilst allowing for escape.**

- 17 All exposed timber throughout should be treated with intumescent varnish and Building Standards provided with evidence.
- 18 Confirm the existing fire alarm and detection system is operational, is inter connected between the bar/lounge/flat and provide a copy of the latest service document.
- 19 Provide a copy of electrical certificate covering not only the works underway but the inspection of the entire electrical systems within.
- 20 Provide a copy of the latest annual gas safety certificates covering both the bar/lounge and the flat.

Mr Tannock requested a completion date for these works.

Mr Vindas requested that the premises licence be granted subject to an undertaking that the outstanding works would be completed within 1 month.

The Depute Clerk pointed out that children and young persons were permitted entry to the premises for the consumption of a meal and attend a private function or organised event but as there were currently no kitchen facilities they should only be permitted entry to the premises to attend a private function or organised event until kitchen facilities were available.

As there had been no objections or representation in respect of the application, the Board agreed to grant the premises licence subject to the outstanding works being completed within one month and children and young persons only being permitted to attend a private function.

GAMBLING ACT 2005

APPLICATION FOR CLUB MACHINE PERMIT

Doon Valley Golf Club
1 Hillside
Patna

Granted

Barr Castle Social Club
14-18 Henrietta Street
Galston

Granted
