

## **EAST AYRSHIRE LICENSING BOARD**

**Minute of the Meeting of East Ayrshire Licensing Board held within The Council Chambers,  
Council Headquarters, London Road, Kilmarnock on Tuesday 23 October 2018 at 10am.**

**SEDERUNT:** Councillor Tom Cook (Chair), Councillor Fiona Campbell, Councillor John Campbell, Councillor William Crawford, Councillor Ian Grant, Councillor Claire Leitch, Councillor George Mair and Councillor Jacqui Todd.

**ATTENDING:** Mr S McCall (Depute Clerk to the Licensing Board), Chief Inspector G Docherty and Sergeant D Dougan (Police Scotland), Mrs C McEwan (Licensing Standards Officer) and Mrs P Duncan and Ms S Duncan (Licensing Board Administrators).

**APOLOGIES :** Councillor Drew Filson and Councillor Lillian Jones.

### **1. SEDERUNT**

Noted.

### **2. MINUTE OF MEETING**

2.1 The Minute of the meeting of East Ayrshire Licensing Board held on 25 September 2018 was approved and noted.

### **3. APPLICATIONS CONSIDERED UNDER DELEGATED AUTHORITY**

The Clerk provided details on the following applications, which were discharged by the Clerk under delegated authority from 18 September until 12 October 2018:-

Minor Variation	:	3
Variation on Transfer	:	1
Grant of Personal Licence	:	11
Small Lottery – Renewals	:	2
Small Lottery – Grant	:	1
Occasional Licences	:	56
Extended Hours	:	1

The Board noted the content of the report for information purposes.

### **4. APPLICATIONS**

Applications considered under the Licensing (Scotland) Act 2005 – See Appendix I.

### **5. STATEMENT OF LICENSING POLICY**

The Depute Clerk reminded Members that at a meeting on 26 June 2018, the Board approved a draft statement of licensing policy and authorised the Depute Clerk to the Licensing Board to embark on the formal consultation exercise in relation thereto.

At a meeting of the Board on 25 September 2018, the Depute Clerk provided details of the responses received from the draft statement of licensing policy consultation process, which were taken into account by the Board.

The Depute Clerk requested that paragraph 3 of Section 4.6 of the Policy Statement be amended to include the wording 'For all applications, other than grant applications' at the beginning of the paragraph. The Board accepted the amendment.

After a full discussion the Board:-

- a) Approved the Statement of Licensing Policy, as amended;
- b) Authorised the Clerk to the Licensing Board to proceed with the publication of the Policy; and
- c) Noted the content of the report.

There being no further business, the meeting ended at 11.50am.

LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR VARIATION OF PREMISES LICENCE

RAD Ltd.  
c/o The Royal Hotel  
1 Glaisnock Street  
Cumnock

The Royal Hotel  
1 Glaisnock Street  
Cumnock

Details of the variation:-

To incorporate the adjacent Mercat Hotel with The Royal Hotel, to expand the facilities and remodel the premises in phases.

To increase the occupant capacity of the premises from 310 to 500.

**Mr Robert Kyle, Director of RAD Ltd. appeared before the Board, together with Tom Stevenson, Finance Director.**

**The Depute Clerk pointed out that the application was to join the Mercat Hotel and The Royal Hotel and increase the occupant capacity to 500. He advise that the current occupant capacity of The Royal Hotel is 310 and the occupant capacity of the Mercat Hotel was 150.**

**The Depute Clerk advised that Building Standards had commented in respect of the application that the premises were suitable for an increased occupant capacity of 500. Works were ongoing within the premises and should be ready for temporary occupation next week.**

**The Chair asked if the premises would be renamed and Mr Kyle advised the premises would remain as The Royal Hotel and that the restaurant bar would be named 1906 Restaurant Bar.**

**As no objections had been received in respect of the application, the Board agreed unanimously to grant the variation.**

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LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR GRANT OF PROVISIONAL PREMISES LICENCE

The Co-operative Group Food Ltd.  
c/o Hill Brown Licensing  
RWF House  
5 Renfield Steet  
Glasgow

Co-op  
14 Henrietta Street  
Galston

Brief overview of nature of the business proposed to be carried on in the premises:-

Proposed licensed hours :-

Sunday to Saturday : 10am – 10pm

The premises will be a licensed convenience store, part of a national chain, selling a broad range of products for consumption off the premises. Recorded music may be played within the premises both

within and outwith the core hours. Products other than alcohol will be sold and ancillary consumer services will be provided. The proposed alcohol display area will be 25.515m2.

Disabled Access and Facilities Statement

Level access to the premises is available via the main entrance doors. This provides level access throughout the premises. The internal space within the unit is all located on one level. There are no other internal floor level changes or other storey heights. Both staff and public are able to fully access and utilise any part of the premises. Access doors (1200mm) are automatic and internal compartment doors are greater than 850mm clear.

There is one disabled compliant toilet facility located to the rear of the premises, fitted in accordance with the Technical Standards Scotland Regulations including alarms. The premises also incorporate induction loops at kiosk locations and a disabled service shelf recess.

Staff colleagues are trained in further assistance measures including description of goods and services and upper or high shelf retrieval as required. Assistance dogs are welcome in the store.

**Ms McGuire, Solicitor appeared before the Board to speak in support of the application, together with Michael McGuinness, Area Manager with The Co-operative Group Food Ltd.**

**Ms McGuire submitted that The Co-operative Group Food Ltd. were well known to the Board and had established procedures in place in other stores within East Ayrshire. She advised that these same procedures would be in place within this store.**

**Ms McGuire explained that the premises were to be constructed on the site of Barr Castle Social Club and so there was a history of licensed premises on the site. She advised that, should be Board be minded to grant the licence, the licence would be a replacement for the stores in Polwarth Street and Cross Street, Galston.**

**Ms McGuire concluded that the company were committed to the area that the 1% of sales from the premises go to community initiatives. As no objections or representations were received in respect of the application, Ms McGuire moved that the licence be granted.**

**The Board agreed unanimously to grant the provisional licence.**

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