

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 28 May 2019 at 10am.

SEDERUNT: Councillor Tom Cook (Chair), Councillor William Crawford, Councillor Ian Grant, Councillor Claire Leitch and Councillor George Mair.

ATTENDING: Mr D Mitchell (Clerk to the Licensing Board), Mr I Hiles (Licensing Standards Officers) and Mrs P Duncan (Licensing Board Administrator).

APOLOGIES : Councillor Fiona Campbell, Councillor John Campbell, Councillor Drew Filson, Councillor Lillian Jones and Councillor Jacqui Todd.

1. SEDERUNT

Noted.

2. MINUTE OF MEETING

2.1 The Minute of the meeting of East Ayrshire Licensing Board held on 30 April 2019 was approved and noted.

3. APPLICATIONS CONSIDERED UNDER DELEGATED AUTHORITY

The Chair noted the applications discharged by the Clerk under delegated authority from 19 April 2019 until 22 May 2019 :-

Minor Variation	:	9
Variation on Transfer	:	1
S33 Transfer	:	1
Grant of Personal Licence	:	13
Renewal of Personal Licence	:	38
Small Lottery – Renewals	:	1
Extended Hours	:	8
Occasional Licences	:	93

With regards to the 93 Occasional Licences granted, 30 were granted to Club premises, 38 to Personal Licence holders, 17 to Voluntary Organisations and 8 to Premises Licence holders.

The Chair noted that as of the date of the report, there were 1298 Personal Licences in force and 310 Premises Licences.

The Clerk reminded the Members that personal licence holders who were due to renew their personal licences by the 1 September 2019, only had until the 31 May 2019 to submit their renewal applications. He advised that of the 376 renewal applications expected by East Ayrshire Licensing Board, 173 had been received (46% of expected applications), which was in line with the number of renewal applications being received across Scotland.

The Clerk explained that the Scottish Government had introduced legislation to extend the timescale for Licensing Boards to deal with applications, however had not amended the deadline for licence holders to submit the applications.

The Clerk advised that the LSO's and Licensing Board administrative staff had been working to ensure that all personal licence holders within East Ayrshire were aware of the timescale for renewing their personal licence.

The Chair asked what the procedure would be for personal licences that lapsed. The Clerk explained that, as there was no national database, the Board's records would be updated to allow the LSO's to have up to date information when inspecting premises and checking licences.

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

4. EXTENSION OF PROVISIONAL PREMISES LICENCE

The Clerk advised that a request had been made in terms of Section 45(7) of the Licensing (Scotland) Act 2005 to extend the provisional period of the Premises Licence for Aldi, Rigg Street, Stewarton.

Mr Michael McDougall, Solicitor, appeared before the Board together with George Anderson, Area Manager for Aldi.

Mr McDougall explained that the units within the industrial estate at the site location had now been demolished. As the site was small, the standard store design normally used by Aldi could not be used. The design of the single storey unit would be determined in June, construction would commence in June 2020, with the store being ready to open by autumn 2020. Given the timescales, Mr McDougall requested that the period of the provisional licence be extended for a further two years.

Mr McDougall reminded Members that an extension to the period of the provisional licence had been granted in respect of the Aldi store in Titchfield Street, Kilmarnock in August 2016 and that the store had opened within the period granted.

The Chair noted the short period between construction starting and the store opening. Mr McDougal advised that once construction started, the store would be completed quickly, however there might be some slippage due to weather etc.

The Board agreed unanimously to extend the provisional period of the premises licence for Aldi, Rigg Street, Stewarton for a further two years.

5. APPLICATIONS

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

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

Portland Bowling Club
7-9 South Hamilton Street
Kilmarnock

Portland Bowling Club
7-9 South Hamilton Street
Kilmarnock

Details of the variation:-

To amend the seasonal variation from “the first Thursday in July” to “the first Friday in July”. The premises may open from 9.30am during the bowling season for bowling tournaments. A fixture list of the tournaments included will be provided prior to the commencement of the bowling season.

Bowling matches will take place outwith core hours, however no alcohol will be available unless with prior agreement of the Licensing Board.

The variation is also to amend the terms children and young persons are permitted to the premises, as follows:-

Youth members aged 14 and over and Junior members aged 16 and over will also be permitted entry to the Lounge Bar during core hours when participating in an adult bowling competition.

The Clerk advised that the variation application had been lodged to change the date of the Glasgow -v- Ayrshire bowling tournament detailed within the operating plan of the premises, as the date of the tournament had recently changed from the first Thursday in July each year to the first Friday in July each year.

Mr Stewart Christie, Secretary of Portland Bowling Club, was present at the meeting and explained that the variation was sought to ‘tidy up’ the operating plan.

As no objections or representations had been received, the Board agreed unanimously to grant the variation.

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GAMBLING ACT 2004
APPLICATION FOR VARIATION OF ALCOHOL LICENSED PREMISES GMP

The Garage
36-40 Grange Street
Kilmarnock

Details of the variation:-

Increase in number of gaming machines

Current machines
Category C : 2 machines
Category D : 1 machine

Proposed machines
Category C : 5 machines
Category D : 1 machine

As the applicants were not present or represented at the meeting, the Board agreed to continue consideration of the application to the next meeting of the Board.

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