

## **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 30 April 2019 at 10am.**

- SEDERUNT:** Councillor Tom Cook (Chair), Councillor John Campbell, Councillor William Crawford, Councillor Ian Grant, Councillor Lillian Jones and Councillor Claire Leitch.
- ATTENDING:** Mr S McCall (Depute Clerk to the Licensing Board), Mr I Hiles (Licensing Standards Officer) and Ms S Duncan (Licensing Board Administrator).
- APOLOGIES :** Councillor Fiona Campbell, Councillor Drew Filson, Councillor George Mair 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 12 March 2019 was approved and noted.

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

The Depute Clerk provided details on the following applications, which were discharged by the Clerk under delegated authority from 4 March 2019 until 18 April 2019 :-

Confirmation of Provisional Licence	:	1
Minor Variation	:	26
S33 Transfer	:	1
Grant of Personal Licence	:	18
Renewal of Personal Licence	:	35
Small Lottery – Renewals	:	10
Small Lottery – Grants	:	2
Transfer of Betting Premises Licence	:	4
Extended Hours	:	2
Occasional Licences	:	100

The Depute Clerk reported that of the 100 Occasional Licences granted, 40 were granted to Club premises, 31 to Personal Licence holders, 17 to Voluntary Organisations and 12 to Premises Licence holders.

The Depute Clerk advised that as of the date of the report, there were 1220 Personal Licences in force and 310 Premises Licences.

The Depute Clerk advised the Board Members that the Scottish Government had commenced a consultation on reviewing the fee for occasional licences and considering a limit on the number and duration of occasional licences. The suggested increase could be either £50, £75 or £100. The Depute Clerk advised that the occasional licence process would be quantified

and a reported submitted to a future meeting of the Board to enable a response to be submitted to the Scottish Government prior to July when the consultation period ended.

The Depute Clerk reminded the Members that in terms of the Licensing (Scotland) Act 2005, 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. East Ayrshire Licensing Board were expecting 376 renewal applications but as at 30 April 2019 only 112 had been received, 30% of expected applications. This was a reflection of the percentage being received across Scotland. The Depute Clerk pointed out that the LSO's and Licensing Board administrative staff had been working for a number of months to ensure that all personal licence holders within East Ayrshire were aware of the timescale for renewing their personal licence, especially Designated Premises Managers, to ensure that there was no impact on the operation of licensed premises.

The Chair asked if Police Scotland were part of the occasional licence consultation and this was confirmed by the Depute Clerk.

The Chair thanked the LSOs and licensing administrative staff for their work involved in the personal licence renewal process.

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

#### **4. APPLICATIONS**

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

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

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

Santokh Singh  
c/o Jas Campbell & Co  
57 Dockhead Street  
Saltcoats

Indian Accent  
21 Portland Street  
Kilmarnock

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

The premises will operate as an Indian Restaurant.

Licensed hours applied for :-

On sale -        Monday – Saturday     :    12 Noon - 11pm  
                         Sunday                                 :    2pm - 11pm

The premises will provide restaurant facilities and will cater for weddings, funerals, birthdays, group meetings, etc. all within the core licensed hours. Recorded music may be provided.

Children from birth to 15 years will be permitted access to the restaurant area within the premises during the core hours when accompanied by a responsible adult. Young persons aged 16 and 17 years will be permitted access to the restaurant area within the premises during the core hours unaccompanied by an adult.

The proposed occupant capacity of the premises is 40.

The premises have disabled access – the premises are all at ground level, the entrance to the premises is wide, there are accessible tables within the premises and disabled toilet facilities.

Mr Bruce Hunter, Solicitor, appeared on behalf of the applicant. Mr Hunter submitted apologies from Mr Singh that he could not attend the meeting.

The Depute Clerk advised that the premises had been operating without an alcohol licence for a number of months and that there were no objections or representations in respect of the application.

Mr Hunter submitted that the premises were a family run business and that the application for a premises licence was to further develop the business and create job opportunities. Mr Hunter requested that the Board Members grant the premises licence as sought.

The Chair asked if Mr Singh was to be the Designated Premises Manager and that if he had a current Personal Licence. Mr Hunter confirmed that Mr Singh was to be the DPM and that he had a current Personal Licence.

Councillor Leitch pointed out that she was East Ayrshire Council's Champion for children and young people and asked Mr Hunter for assurance that as children and young persons were to be permitted to the premises, that the Challenge 25 policy be adhered to and that children and young persons were not exposed to excessive consumption of alcohol by adults frequenting the premises.

Mr Hunter confirmed that the Challenge 25 policy would be followed and that no alcohol would be sold to persons under the age of 18 years and that all appropriate signage would be displayed.

The Board Members unanimously agreed to grant the premises licence as sought.

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GAMBLING ACT 2005  
APPLICATION FOR RENEWAL OF CLUB MACHINE PERMIT

Lodge St. John Catrine No. 497 Social Club  
65 Sorn Street  
Catrine

The Depute Clerk advised that no objections or representations had been received in respect of this application.

The Board agreed unanimously to grant the permit.  
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