

## **EAST AYRSHIRE LICENSING BOARD**

**Minute of the Meeting of East Ayrshire Licensing Board held digitally through VScene, on Tuesday 23 September 2020, at 2.00pm**

**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), Ms S Duncan (Licensing Board Administrator).

**APOLOGIES :** Councillor Fiona Campbell, Councillor George Mair, Councillor Drew Filson and Councillor Jacqui Todd.

### **1. SEDERUNT**

Noted.

### **1.1 EXCLUSION OF PRESS AND PUBLIC**

The Licensing Board resolved that the press and public be excluded from the meeting for the following items of business on the grounds that if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination with coronavirus.

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

2.1 Minute of the meeting of East Ayrshire Licensing Board held on 23 June 2020 was agreed and noted.

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

The Chair noted the applications discharged under delegated authority by the Clerk to the Licensing Board between 7 March and 13 September 2020:-

Confirmation of Provisional Licence	:	1
Minor Variation	:	17
Variation on Transfer	:	1
S33 Transfer	:	3
Grant of Personal Licence	:	26
Renewal of Personal Licence	:	2
Small Society Lottery Renewals	:	14
Small Society Lottery Grants	:	1

The number of Occasional Licence applications considered had not been included in this report as, due to the COVID-19 restrictions, many Occasional Licence applications were withdrawn or could not be granted.

The Chair noted that as of the date of the report, there were 1140 Personal Licences in force and 302 Premises Licences.

The Depute Clerk pointed out that due to the COVID-19 restrictions there had been a decrease in Licensing Board business and that to date the income received was £20,000 less than the same time in the previous year. The Depute Clerk also pointed out that the premises licence annual fees were currently being collected and an update on income would be given at the next Licensing Board meeting.

The Depute Clerk advised Members that there had been an outbreak of COVID-19 connected to one licensed premises in Auchinleck. The licence holder voluntarily closed the premises. The Depute Clerk advised that there had been a problem with the track and trace due to poor record keeping by the premises licence holder. The Depute Clerk confirmed that the Licensing Standards Officers had provided all the relevant guidance to all licensed premises in respect of the revised regulations. The Depute Clerk advised that further visits to all licensed premises by Environmental Health Officers, LSOs and Police Scotland would now be undertaken to reinforce the importance of good record keeping and compliance with the guidance.

The Chair asked if the premises affected in Auchinleck would be subject to a Premises Licence Review. The Depute Clerk confirmed that if the Premises Licence holder had not closed voluntarily then a Prohibition Notice would have been issued and in those circumstances a Premises Licence Review would have been appropriate.

Councillor John Campbell joined the vscene meeting at 2.40pm.

Councillor Jones asked if it was the premises licence holder who had tested positive for COVID-19 and if they had self-isolated. The Depute Clerk advised that it was the premises licence holder who had tested positive and that they hadn't self-isolated due to the advice given to them by the NHS helpline. This advice was inaccurate and the details of the advice had been passed to the Director of Environmental Health and Director of Public Health.

#### **4. OUTDOOR DRINKING AREAS**

The Depute Clerk outlined the Report submitted by the Clerk to the Licensing Board requesting that Members extend for a further three months, the delegation to the Clerk to the Licensing Board to permit the relaxation of the 9pm curfew up to 10.30pm, for suitable premises during Phase Three of the Scottish Government's approach to easing restrictions during the current COVID-19 crisis.

A full discussion took place and it was agreed by the Members to continue the delegation to the Clerk to the Licensing Board for a further 3 months, subject to any legislation issued by the Scottish Government and UK Government in respect of the current COVID-19 crisis.

#### **5. LICENSING BOARD MEETINGS**

Proposed dates for Licensing Board meetings in 2021 were noted and agreed.

**6. APPLICATIONS**

Consider applications received under the Licensing (Scotland) Act 2005 – See Appendix I.

There being no further business the meeting ended at 2.55pm

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

Heather Young

The Burns Tavern  
18-20 Titchfield Street  
Galston

Details of the variation:-

Amendment of operating plan to include restaurant facilities and to permit bar meals to be provided within the premises.

**The Depute Clerk advised that the applicant had requested a continuation of this application to a future meeting as they premises licence holder was currently experience ill-health and wasn't sure whether they wished the application to be considered.**

**The Board Members unanimously agreed to continue the application to a future Board Meeting.**

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

Annanhill Golf Club

Annanhill Golf Club  
Irvine Road  
Kilmarnock

Details of the variation:-

Creation of an outdoor drinking area to the side of the premises.

**The Depute Clerk outlined the application and advised that there were no adverse comments of objections in respect of the application.**

**Councillor Ian Grant declared a non-pecuniary interest in respect of the premises.**

**The Members agreed unanimously to grant the application as sought, subject to the restriction to 9pm for the outdoor drinking area in accordance with the Licensing Board's Policy Statement.**

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GAMBLING ACT 2005  
APPLICATION FOR RENEWAL OF CLUB GAMING MACHINE PERMIT

Ballochmyle Golf Club  
Ballochmyle  
Mauchline

**The Depute Clerk advised that there were no adverse comments or objections in respect of this application.**

**The Board Members unanimously agreed to grant the application.**

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GAMBLING ACT 2005

APPLICATION FOR RENEWAL OF CLUB GAMING MACHINE PERMIT

Riccarton Bowling Club  
18 Craigie Avenue  
Kilmarnock

**The Depute Clerk advised that there were no adverse comments or objections in respect of this application.**

**The Board Members unanimously agreed to grant the application.**

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