

EAST AYRSHIRE LICENSING BOARD

Minute of the Meeting of East Ayrshire Licensing Board, held within the Council Chambers, East Ayrshire Council Headquarters, London Road, Kilmarnock and digitally through Microsoft Teams, on Tuesday 10 October 2023 at 10am.

SEDERUNT: Councillor Drew Filson (Chair), Councillor Graham Barton, Councillor Stephen Canning, Councillor Elaine Cowan, Councillor William Crawford, Councillor June Kyle, Councillor Claire Leitch, Councillor Kevin McGregor and Councillor David Richardson.

ATTENDING: Stuart McCall (Depute Clerk to the Licensing Board), Mr Ian Hiles and Ms Carolyn McEwan (Licensing Standards Officers) Mrs Patricia Duncan and Mrs Alison Hewitson (Licensing Board Administrators).

APOLOGIES: Councillor Lillian Jones.

1. SEDERUNT

Noted.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated by the Board Members.

3. APPLICATIONS CONSIDERED UNDER DELEGATED AUTHORITY

The Clerk reported on the applications discharged under delegated authority between 5 September and 4 October 2023, namely:-

Minor Variation	:	3
Grant of Personal Licence	:	12
Renewal of Small Lotteries Registration	:	4
Extended Hours	:	1
Occasional Licences	:	41

The Clerk reported that of the 41 Occasional Licences granted, 16 were granted to Personal Licence holders, 15 to Club premises, 7 to Premises Licence holders and 3 to Voluntary Organisations.

It was noted that, as of the date of the report, there were 1011 Personal Licences in force, an increase of 8 since the last report and that there were 295 Premises Licences in force, the same number as the last report.

The Depute Clerk advised that this was a busy time for Licensing staff, who were busy ingathering annual premises licence fees. He informed that any failure to pay the fee would be reported at the next meeting of the Board.

Councillor Barton enquired as to whether an administration fee could be charged for reminder letters etc. The Depute Clerk advised that licensing fees were set by statute and that Boards were not legally entitled to add charges to these fees. He continued that any changes to fees would require to be made by the Scottish Government. He then reminded Members that there had still been no increase to the £10 application fee currently charged for Occasional Licences, despite the consultation carried out by the Scottish Government sometime ago.

4. APPLICATIONS

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

5. STATEMENT OF LICENSING POLICY

The Depute Clerk reminded Members that, at a meeting on 25 April 2023, the Board approved a draft statement of licensing policy and authorised the Depute Clerk to the Licensing Board to embark on a formal consultation exercise in relation thereto.

A formal consultation was carried out between 1 May and 26 June 2023, seeking comments on the Board's draft Policy Statement.

Interested parties consulted included:-

- The East Ayrshire Local Licensing Forum (whose membership includes trade, community, health and Police Scotland representatives as well as the East Ayrshire Council Licensing Standards Officers);
- Members and Officers of East Ayrshire Council (particularly in relation to planning, building standards, environmental health and education and social services);
- The operational Community Councils within East Ayrshire;
- The East Ayrshire Community Planning Forums;
- The East Ayrshire Child Protection Committee;
- NHS Ayrshire & Arran;
- East Ayrshire Alcohol & Drugs Partnership
- Alcohol Focus Scotland;
- Scottish Fire and Rescue Service;
- Police Scotland;
- Scottish Beer & Pub Association
- Scottish Grocers Federation
- British Institute of Innkeepers
- SLTA
- Existing licence holders;
- Local faculties of solicitors; and
- The general public (by way of East Ayrshire Council's website)

The Depute Clerk reported that, despite the wide range of parties consulted during the consultation exercise, only 5 responses were received. These responses were from NHS Ayrshire & Arran, Alcohol Focus Scotland, East Ayrshire Local Licensing Forum, East Ayrshire Alcohol & Drugs Partnership and Hill Brown Licensing.

The Chair noted the good information/data provided by NHS Ayrshire & Arran.

After a full discussion and taking account of the responses received, the Board:-

- a) Unanimously approved the Statement of Licensing Policy;
- b) Authorised the Clerk to the Licensing Board to proceed with the publication of the Policy; and
- c) Noted the content of the report.

The Chair thanked Members and Licensing staff for their input in formulating the Statement of Licensing Policy.

There being no further business, the meeting ended at 10.40am.

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

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

The Garage (Ayrshire) Ltd.

The Garage
36-40 Grange Street
Kilmarnock

Details of the variation:-

Extend the licensed area to include premises adjacent to The Garage, to be used for mini golf together with a small function area.

Amend operating plan to include additional activities - adventure golf, golf simulator, dancing, themed nights, fundraising nights, race nights, video games, go karting, ten pin bowling, adventure golf, adults & children's parties and golf simulator.

Extend terms in which children and young persons are to be permitted access to the premises, to include adventure golf, golf simulator, to attend children's parties and to play pool.

The Depute Clerk advised that, on agreement with the applicant, consideration of this application would be continued to the next meeting of the Board due to some outstanding matters reported by the Scottish Fire & Rescue Service.