

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 28 March 2023 at 10am.

SEDERUNT: Councillor Drew Filson (Chair), Councillor Graham Barton, Councillor Stephen Caning, Councillor Elaine Cowan, Councillor June Kyle, and Councillor Kevin McGregor.

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

APOLOGIES: Councillor William Crawford, Councillor Lillian Jones, Councillor Claire Leitch and Councillor David Richardson.

1. SEDERUNT

Noted.

2. DECLARATIONS OF INTEREST

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

3. MINUTE OF MEETING

The Minute of the meeting of East Ayrshire Licensing Board held on 28 February 2023 was approved and noted.

4. APPLICATIONS CONSIDERED UNDER DELEGATED AUTHORITY

The Depute Clerk reported on the applications discharged under delegated authority between 20 February and 20 March 2023, namely:-

Minor Variation	:	8
S33 Transfer of Premises Licence	:	1
Grant of Personal Licence	:	6
Renewal of Small Society Lottery Registration	:	3
Automatic Entitlement to Gaming Machine	:	1
Occasional Licences	:	38

The Depute Clerk reported that of the 38 Occasional Licences granted, 7 were granted to Club premises, 14 to Personal Licence holders, 7 to Premises Licence holders and 10 to Voluntary Organisations.

It was noted that, as of the date of the report, there were 971 Personal Licences and 292 Premises Licences in force.

5. 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 VARIATION OF PREMISES LICENCE

Bucks Head Taverns Ltd.

The Buck's Head
8-10 Bridge Street
Galston

Details of the variation:-

Children and Young Persons are currently permitted access to the premises, when accompanied by an adult, for the purpose of consuming a meal from 11am until 5pm. Permission is requested to amend the times children and young persons will have access to 9am until 8pm.

To increase the occupant capacity of the premises from 88 to 100.

The Depute Clerk to the Licensing Board outlined the proposed variation and advised Members that no objections or representations had been received in respect of the application.

Mr Ross Gilmour, Director of Bucks Head Taverns Ltd. appeared before the Board to speak in support of the application.

Mr Gilmour submitted that the licensed trade was struggling at the moment and that, as he had a background in food, he intended to focus more on providing food within the premises. The proposed increase in times for children and young persons to be within the premises is to allow for breakfasts etc.

Mr Gilmour explained that a phychic night had recently been held within the premises and the increase in occupant capacity was requested to allow more ticket sales for such events.

The Licensing Standards Officers had no comments to make in respect of the application.

The Depute Clerk asked Mr Gilmour if he was involved in the operation of any other licensed premises in East Ayrshire.

Mr Gilmour advised that he previously operated The Clansman in John Finnie Street, Kilmarnock, however he was no longer involved with the premises. He continued that he had recently taken over the Rock Hard Café, which was currently being refurbished. When the premises re-open, he intended to trade as The Riverside, which would be a carvery with a family atmosphere.

The Chair asked if food was currently offered at The Bucks Head. Mr Gilmour advised that food was not currently offered at the premises.

The Depute Clerk reminded Mr Gilmour that he should request an inspection of the premises from East Ayrshire Council's Environmental Health Service once the kitchen within the premises was ready, and prior to offering food.

The Board agreed unanimously to grant the variation.

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

The Garage (Ayrshire) Limited

The Garage
36-40 Grange Street
Kilmarnock

Details of the variation:-

Seasonal variation currently permits premises to remain open until 3am on 24 and 31 December, the Saturday before Christmas and the Saturday before New Year. Amend dates to the two Saturdays prior to Christmas, 26 and 31 December.

Amend core licensed hours:-

Current Hours

Sunday – Thursday : 11am – 2am
Friday & Saturday : 11am – 2.30am

Proposed Hours

Sunday – Wednesday : 11am – 2am
Thursday - Saturday : 11am – 2.30am

The Depute Clerk outlined the proposed variation and advised Members that no objections or representations had been received in respect of the application.

Mr James Mackenzie, Director of The Garage (Ayrshire) Limited appeared before the Board to speak in support of the application.

Mr Mackenzie explained that The Garage was currently the only operational nightclub in Kilmarnock and that the request to open to 2.30am on Thursdays was to bring the premises in line with other nightclub type premises which operated in East Ayrshire. He reminded Members that pub type premises closed at 1am and, in his opinion, an addition one hour trading was not enough to attract patrons to the nightclub.

The Licensing Standards Officers had no comments to make in respect of the application.

The Board agreed unanimously to grant the variation.
