

EAST AYRSHIRE LICENSING BOARD

Minute of the Meeting of East Ayrshire Licensing Board held within the Council Chambers, Council Headquarters, London Road, Kilmarnock, and digitally through Microsoft Teams, on Tuesday 18 March 2025 at 10am.

SEDERUNT: Councillor Drew Filson (Chair), Councillor Stephen Canning, Councillor June Kyle, Councillor Claire Leitch, Councillor Linda Mabon, Councillor Clare Maitland and Councillor David Richardson.

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

APOLOGIES: Councillor Elaine Cowan, Councillor William Crawford and Councillor Kevin McGregor.

1. SEDERUNT

Noted.

2. DECLARATIONS OF INTEREST

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

3. MINUTE OF MEETING

3.1 The Minute of the meeting of East Ayrshire Licensing Board, held on 18 February 2025, was approved and noted.

The Clerk to the Licensing Board referred to the Premises Licences Review Hearing in respect of Day to Day, 17 High Street, Stewarton. He advised that the licence holder had instructed a firm of Solicitors based in England, who had intimated their intention to appeal to Board's decision.

The Clerk confirmed that the Statement of Reasons had been issued during the week after the Board meeting and undertook to update the Board on any potential appeal.

4. APPLICATIONS CONSIDERED UNDER DELEGATED AUTHORITY

The Clerk reported on the applications discharged under delegated authority between 10 February and 10 March 2025, namely:-

Minor Variation : 13

S33 Transfer	:	2
Variation on S33 Transfer	:	1
Grant of Personal Licence	:	8
Renewal of Personal Licence	:	1
Renewal of Small Lotteries Registration	:	4
Grant of Small Lotteries Registration	:	1
Extended Hours	:	1
Occasional Licences	:	52

The Clerk reported that of the 52 Occasional Licences granted, 18 were granted to Personal Licence holders, 19 to Club Premises, 12 to Voluntary Organisations and 3 to Premises Licence holders.

It was noted that, as of the date of the report, there are 879 Personal Licences in force, a reduction of 154 since the last report and 290 Premises Licences in force, no change from the last report.

5. APPLICATIONS

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

There being no further business, the meeting ended at 10.05am.

LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATION TO VARY A PREMISES LICENCE

The Smacks Group Ltd.

Macks Bar
51 Grange Street
Kilmarnock

Details of variation:-

To amend the operating plan to permit children and young persons access to the premises as follows:-

Children from 0 – 15 years and young persons aged 16 & 17 years will be permitted access to the premises to attend a private function, for the duration of the function.

Children from 0 – 15 years and young persons aged 16 & 17 years will be permitted access to the premises for one hour prior to any football supporters bus leaving from the premises.

Stuart Mair, Director of The Smacks Group Ltd., appeared before the Board to speak in support of the application.

The Clerk outlined the application and advised that no objections or representations had been received.

The Clerk noted the applicant's request to permit children from birth to 15 years access to the premises. He then referred to the mandatory condition which would be attached to the licence, that premises to which children under the age of 5 are to be admitted will require to have facilities for baby changing which are to be accessible to persons of either gender.

Mr Mair requested that the application be amended to show children from 5 to 15 be permitted access to the premises.

The Clerk referred to the request to allow children and young persons access to the premises for one hour prior to any football supporters bus leaving from the premises. He asked if this was in relation to Kilmarnock FC home and away games.

Mr Mair advised that the request was mainly for buses leaving the premises for Scotland home matches, however may include Kilmarnock FC away football matches in the future.

The Board agreed unanimously to grant the variation, as amended, and to include the condition that Children from 5 – 15 years and young persons aged 16 & 17 years will be permitted access to the premises for one hour prior to a football supporters bus leaving from the premises for Scotland home matches or Kilmarnock FC away matches.

McKendry Properties Limited

16 Titchfield Street (First Floor)
Kilmarnock

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

Licensed hours applied for:-

On Sale

Monday – Sunday : 12 Noon – 10pm

The premises will be a restaurant.

It is intended to provide restaurant facilities and to cater for receptions including weddings, funerals and birthdays within the premises, all within the core licensed hours; it is intended to provide recorded music within the core licensed hours.

The premises will operate according to customer demand at quiet times of the year. A takeaway service will be provided during open times.

Children aged 0 – 15 years will be permitted access to the premises during the core licensed hours, when accompanied by an adult, for the consumption of a meal.

Young Persons aged 16 & 17 years will be permitted access to the premises during the core licensed hours, unaccompanied by an adult, for the consumption of a meal.

The proposed occupant capacity of the premises is 54.

The Clerk advised that a request had been received, from the Agent for the applicant, to continue consideration of the application to the next meeting of the Board.

The Board agreed unanimously to continue consideration of the application to the next meeting of the Board.
