

**North Ayrshire Licensing Board
26 June 2023**

Irvine, 26 June 2023 - At a meeting of the North Ayrshire Licensing Board at 10.00 am in the Council Chambers, Cunninghame House, Irvine.

Present

Councillors Eleanor Collier (Convenor), Nairn McDonald, John Bell, Cameron Inglis, Christina Larsen, Matthew McLean, Jean McClung and Donald L Reid.

In Attendance

R Lynch, Clerk, W O'Brien, Solicitor Licensing, G Cullen, Licensing Standards Officer, C Pollock, Licensing Administration Officer, M Champion, Admin Assistant and R Davidson, Resourcing Assistant.

Convenor

Councillor Eleanor Collier.

Apologies for Absence

Councillors Ronnie Stalker and Angela Stephen.

1. Declarations of Interest

There were no Declarations of Interest.

2. Minutes

The Board were asked to confirm the Minutes of the Board meeting held on 27 March 2023. The Board unanimously agreed to confirm and adopt the Minutes.

3. Licences and Applications under the Licensing (Scotland) Act 2005.

The Board considered a report by the Clerk to the Licensing Board on matters under the Licensing (Scotland) Act 2005. The report, on this occasion, contained 1 Appendix;

- A. Premises Licence applications or any other applications requiring a Hearing.

The Licensing Board agreed to dispose of the matters as follows;

A. Premises Licence applications or any other applications requiring a Hearing

A.1 0529 Ravenspark Service Station, 50 Kilwinning Road, Irvine

The Board considered an Application for the grant of a Provisional Premises Licence made by Highland Fuels Limited. The Applicant was represented by Andrew Hunter, Solicitor and he was accompanied by Colin Begg, Retail Manager, Highland Fuels Limited.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Applicants Agent, Mr Hunter

and retired to consider the case.

Councillor McDonald moved as a Motion that the Board should Grant the Provisional Premises Licence subject to Standard Conditions (Edition 5, made on 1 September 2009, as read with later amendments of the statutory mandatory conditions) Parts A and B.

Councillor McLean seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

A.2 Premises Licence 0144 The Station Inn, 4 Main Street, Glengarnock

The Board considered an Application for the grant of Variations of a Premises Licence made by the Licence Holder, Susan Margaret Williamson. Ms Williamson was present.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Licence-Holder

and decided that there was no need to retire to consider the case.

Councillor Bell moved as a Motion that the Board should grant the Variation Application to allow Children and Young Persons access to the dining room and outdoor area when food is being served, between 12.30pm and 7.30pm, and must be accompanied by an adult.

Councillor McLean seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

A.3 Premises Licence 0293 Irvine Winton Bowling Club, 108 East Road, Irvine

The Board considered an Application for the grant of a Variation of a Premises Licence made by the Licence Holder, Irvine Winton Bowling Club. The Premises Licence Holder was represented by William Rae Beattie, Bar Convenor.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Licence-Holder

and decided that there was no need to retire to consider the case.

Councillor Reid moved as a Motion that the Board should Grant the Variation Application to extend the Outdoor Drinking Area.

Councillor McDonald seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

A.4 Premises Licence 0077 Binning Stores, 39 Sharon Street, Dalry

The Board considered an Application for the grant of Variations of a Premises Licence made by the Licence Holder, Partnership of Binning Stores. The Premises Licence Holder was represented by Stephen McGowan, Solicitor and he was accompanied by Inderjit Binning, Director, and his son Charanjit Binning.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Licence-Holder's Agent, Mr McGowan
- written submissions from 2 interested parties

and decided that there was no need to retire to consider the case.

Councillor Reid moved as a Motion that the Board should Grant the Variation Application to add Recorded Music, amend 'other activities' description in the Operating Plan, allow Home Deliveries and increase alcohol capacity from 11.39m2 to 23.38m2.

Councillor McLean seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

A.5 Premises Licence 0519 Curry on the Corner, 45 Jack's Road, Saltcoats

The Board considered an Application for the grant of Variations of a Premises Licence made by the Licence Holder, N & S Properties Limited. The Premises Licence Holder was represented by Stephen McGowan, Solicitor, and he was accompanied by Jagg Sandhu, Premises Manager.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Licence-Holder's Agent, Mr McGowan
- written submission from one objector

and decided that there was no need to retire to consider the case.

Councillor McDonald moved as a Motion that the Board should Grant the Variation Application to allow on and off-sales from 11am on Sunday and add Outdoor Drinking. The Board's Standard Condition C.5 in relation to Outdoor Drinking will apply.

Councillor McLean seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

A.6 Premises Licence 0204 Spar Convenience Store, 2/3 Cardow Crescent, Girdle Toll, Irvine

The Board considered an Application for the grant of a Variation of a Premises Licence made by the Licence Holder, C J Lang & Son Limited. The Premises Licence Holder was represented by Stephen McGowan, Solicitor and he was accompanied by Stuart France, Area Manager.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Licence-Holder's Agent

and decided that there was no need to retire to consider the case.

Councillor Reid moved as a Motion that the Board should Grant the Variation Application to make various changes to the Operating Plan including Home Deliveries of alcohol.

Councillor McDonald seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

A.7 Occasional Licence Application 325/23 Veronica Michaluk, Brodick Highland Games

The Board considered an application for Occasional Licence made by Veronica Michaluk. The application is for Brodick Highland Games within Ormidale Park, Brodick on Saturday 5 August 2023. The applicant, Veronica Michaluk, was present.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- the Report prepared by the LSO
- submissions from the Applicant

and decided that there was no need to retire to consider the case.

Councillor McDonald moved as a Motion that the Board should grant the Occasional Licence Application with the Board's Standard Conditions H.7.2(a) and 10(b) disapplied.

Councillor Reid seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

The Convenor advised that if this event goes by without incident or complaint future identical Occasional Licence applications for this event could be determined using Delegated Powers.

A.8 Occasional Licence Application 339/23 Yvonne Henderson, Dundonald Links

The Board considered an application for Occasional Licence made by Yvonne Henderson. The application is for the Professional Women's Golf Tournament at Dundonald Links from Wednesday 2 August to Monday 7 August 2023. The applicant, Yvonne Henderson was present, and she was accompanied by Gerard Findlay from IMG.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- the Report prepared by the LSO
- submissions from the Applicant

and decided that there was no need to retire to consider the case.

The Convenor moved as a Motion that the Board should grant the Occasional Licence Application from 10am to 10pm each day with the Board's Standard Conditions H.7.2(a) and 10(b) disapplied.

Councillor McLean seconded this Motion.

The Convenor inquired of the Board if there was any Amendment or expression of dissent.

As there was neither, the Motion was held as carried unanimously.

The Convenor advised that if this event goes by without incident or complaint future identical Occasional Licence applications for this event could be determined using Delegated Powers.

4. Licensing Policy Statement 2023-2027

Mr O'Brien explained the procedure for reviewing the Board's Licensing Policy Statement which requires to be reviewed by 5 November 2023. He explained the consultation procedure and suggested a proposal statement is added to the website with Communications arranging for Twitter and Facebook posts providing links to the website seeking public consultation. Any public comments or comments from the relevant consultees are expected to be on the Agenda for the Licensing Board Meeting on 18 September 2023.

The Board agreed to the consultation process proceeding as suggested.

The Clerk further explained that as well as engaging the public on this matter, the new Licensing Board could establish a special Policy Committee engaging with Police partners and the Health Board to collate new guidance to be looked at. He confirmed to the Convenor that if any Board Member has any views on key areas these should be submitted to the Board's Solicitor. He also noted the consultation should cover the wider area following Councillor McDonald's request to include local Trade Unions within the consultation. The Chair advised she would like to see the Local Licensing Forum re-established.

5. Any Other Business

There was no other business to consider.

The meeting ended at 12.25 pm.