

North Ayrshire Licensing Board
11 December 2023

Irvine, 11 December 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, Christina Larsen, Jean McClung, Cameron Inglis and Donald L Reid.

In Attendance

R Lynch, Clerk, G Cullen, Licensing Standards Officer, C Pollock, Licensing Administration Officer and M Champion, Admin 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 18 September 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.6 Personal Licence NA2602 Margaret Pollock

The Board continued their consideration of a Review Hearing relating to a Personal Licence. Ms Pollock was not present or represented.

The Board considered:

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

- submissions from Police Scotland
- submissions from the Licence-Holder

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

Councillor Larsen moved as a Motion that the Board should Suspend the Personal Licence for 6 months.

Councillor McDonald seconded this Motion.

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

Councillor Inglis moved as an Amendment that the Board should endorse the Personal Licence.

There was no seconder to this Amendment. The Motion was held as carried unanimously, except for Councillor Inglis's dissent being noted.

A.1 0531 USave, 15 Dickson Way, Irvine

The Board continued their consideration of an Application for the grant of a Provisional Premises Licence made by Mrs Navneet Kaur Sandhu. Mrs Sandhu and her husband Bikram Singh were present and they were represented by Bruce Hunter, Solicitor.

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
- submissions from objectors,

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 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 McClung 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 0534 82 Gallowgate Street, Largs

The Board considered an Application for the grant of a Provisional Premises Licence made by Gordon Craig. Mr Craig was represented by Brian McMahon, Licensing Agent who was accompanied by Candice Craig, proposed Premises Manager.

The Board considered:

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

- submissions from the Applicants Agent, Mr McMahon

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 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, B, C and F. Standard Condition C.5.2 was amended to read: *"No drinks (alcoholic or not) shall be taken into or consumed in such areas earlier than 11.00 a.m. and later than 10.00 pm except that the consumption of tea, coffee and other non-alcoholic drinks is permitted from 9.00 am."*

Councillor Inglis 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 0119 J G Sharps, 34/36 Nelson Street, Largs

Application withdrawn by the applicant.

A.4 Premises Licence 0241 Revels, 53-59 Main Street, Kilwinning

The Board considered an Application for a Review of a Premises Licence by the Licensing Standards Officer. The Grounds for Review were a Breach of Licence Condition. The Premises Licence Holder, Revels Main Street Ltd, was not present or represented.

The Board considered:

- the Report and schedule prepared by the LSO which is published on the Council website

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

Councillor McDonald moved as a Motion that as the Grounds for Review were established the Board should Suspend the Premises Licence for 12 months, with delegation given to the Clerk the power to revoke the Suspension if all unpaid fees due in relation to the Premises are paid in full. The Suspension will take effect 14 days from the date of the Licensing Board meeting.

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.

A.5 0326 Albert's, 84 Gallowgate Street, Largs

The Board considered an Application for a Review of a Premises Licence by the Licensing Standards Officer. The grounds for Review are a Breach of Licence Condition. The Premises Licence Holder, Itelgelat Limited, was not present or represented.

The Board considered:

- the Report and schedule prepared by the LSO which is published on the Council website

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

Councillor McDonald moved as a Motion that as the Grounds for Review were established the Board should Suspend the Premises Licence for 12 months, with delegation given to the Clerk the power to revoke the Suspension if all unpaid fees due in relation to the Premises are paid in full. The Suspension will take effect 14 days from the date of the Licensing Board meeting.

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.

4. Annual Functions Report under Section 9A of the Licensing (Scotland) Act 2005 for the financial year 2022/2023

The Board considered the Annual Functions Report for the financial year 2022/23. The Board unanimously agreed to note the Financial Report.

5. Any Other Business

There was no other business to consider.

The meeting ended at 10.48 am