

North Ayrshire Licensing Board
18 September 2023

Irvine, 18 September 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, Ronnie Stalker and Angela Stephen.

In Attendance

R Lynch, Clerk, W O'Brien, Solicitor Licensing, G Cullen, Licensing Standards Officer and C Pollock, Licensing Administration Officer,

Convenor

Councillor Eleanor Collier.

Apologies for Absence

Councillors Cameron Inglis, Matthew McLean and Donald L Reid.

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 26 June 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 0530 Annick Service Station, Annick Drive, Dreghorn, Irvine

The Board considered an Application for the grant of a Provisional Premises Licence made by Motor Fuel Limited. The Applicant was represented by Andrew Hunter, Solicitor and he was accompanied by Stuart Allan, Area Manager, Motor Fuel 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 Stalker 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 0531 USave, 15 Dickson Way, Irvine

The Board considered an Application for the grant of a Provisional Premises Licence made by Mrs Navneet Kaur Sandhu. Mrs Sandhu was present and was represented by Jenny Merry, Solicitor.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from the Applicants Agent, Ms Merry, and
- submissions from objectors,

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

Councillor Collier moved as a Motion that the Board should continue consideration of the case to the next scheduled meeting of the Licensing Board, and that the Applicant be directed to carry out the Site Notice display requirement again and ensure that the prescribed procedure is conducted fully in compliance with the Regulations.

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.3 0532 Shop 2A, The Grange Business Centre, Stevenston

The Board considered an Application for the grant of a Provisional Premises Licence made by Microtech Business Intelligence Ltd. The Applicant was represented by Chris McMail and Caitlin McMail, Directors of Microtech Business Intelligence Ltd.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- submissions from Mr McMail, and
- submissions from an objector,

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

Councillor McClung 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 Collier 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 0533 Edgewater, Shore Road, Brodick, Isle of Arran

The Board considered an Application for the grant of a Provisional Premises Licence made by The Partnership of Sahal Sahiri and Kim Sahiri. Mr and Mrs Sahiri were present and were represented by Robin Morton, Solicitor.

The Board considered:

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

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 and C.

Councillor Bell 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 0014 Greenbank Inn, 97 New Street, Dalry

The Board considered an Application for the grant of Variations of a Premises Licence made by the Licence Holder, Glencloy Drinks Co Ltd. The Licence Holder was not represented.

The Board considered:

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

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

Councillor Stalker moved as a Motion that the Board should grant the Variation Application.

Councillor Larsen 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 0334 Spar, 51 Skelmorlie Castle Road, Skelmorlie

The Board considered an Application for the grant of Variations of a Premises Licence made by the Licence Holder, Francis O'Neill. Mr O'Neill was not present or represented.

The Board considered:

- the Report prepared by the Solicitor (Licensing) which is published on the Council website;
- written submissions from Mr O'Neill,

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.

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.7 Premises Licence 0310 Skelmorlie Golf Club, Beithglass Road, Skelmorlie

The Board considered an Application for the grant of a Variation of a Premises Licence made by the Licence Holder, Skelmorlie Golf Club. The Licence Holder was represented by Kevin Flack, Chairman.

The Board considered:

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

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.

Councillor Larsen 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.8 Premises Licence 0129 Millport Pier Hotel, 1 Quay Head, Millport

The Board considered an Application for the grant of a Variation of a Premises Licence made by the Licence Holder, Firthport Limited. The Licence Holder was represented by Niall Hazard, Solicitor, and he was accompanied by Charmaine Murray, 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 Hazard

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.

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.9 Personal Licence 2784 Sheila Bannatyne

The Board held a Review Hearing relating to a Personal Licence. The Licence Holder, Shiela Bannatyne, was present.

The Board considered:

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

- submissions from Police Scotland,

- submissions from Ms Bannatyne

and retired to consider the case.

Councillor Larsen moved as a Motion that the Board should Endorse the Personal Licence.

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.10 Personal Licence 2602 Margaret Pollock

The Board held a Review Hearing relating to a Personal Licence. The Licence Holder, Margaret 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,

- written submissions from Ms Pollock

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

Councillor Collier moved as a Motion that the Board should continue consideration of the case to the next scheduled meeting of the Licensing Board and re-cite the Licence Holder to attend.

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.11 Occasional Licence Applications 526/23 – 528/23 Thomas McGarrigle, The Arran Gift Box

The Board considered applications for Occasional Licences which were outside North Ayrshire Licensing Board policy. The applicant, Thomas McGarrigle, was represented by Robin Morton, Agent.

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's Agent, Mr Morton

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

Councillor Collier moved as a Motion that the Board should make an exception to their policy in this case, grant Occasional Licence Application 526/23 and authorise the Clerk to determine the remaining Applications.

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.

4. Licensing Policy Statement 2023-2027

Apologies were received from Sally Amor of NHS Ayrshire & Arran who was due to deliver a Public Health Presentation to the Licensing Board as part of the Board's review of their Licensing Policy Statement.

The Clerk suggested that this matter be continued to a special meeting of the Licensing Board to be arranged for Monday 23 October 2023. This will give the NHS a further opportunity to deliver their Presentation and for the Board to consider their draft Policy Statement thereafter.

The Board agreed to continue the matter to a special meeting of the Licensing Board to be arranged for Monday 23 October 2023.

5. Any Other Business

There was no other business to consider.

The meeting ended at 12.16 pm