

Cunninghame House
Irvine
KA12 8EE

31 May 2024

North Ayrshire Licensing Board

You are requested to attend a Meeting of the North Ayrshire Licensing Board to be held in the Council Chambers, Ground Floor, Cunninghame House, Irvine on **Monday 17 June 2024 at 10.00 A.M.** to consider the undernoted business.

Yours faithfully

Clerk to the Licensing Board

1. **Declarations of Interest**
2. **Minutes**
Submit Minutes of the Board Meeting held on 18 March 2024.
3. **Licences and Applications under the Licensing (Scotland) Act 2005**
Submit report by the Clerk to the Licensing Board on applications under the Licensing (Scotland) Act 2005. (copy enclosed)
4. **Any Other Business**

Licensing Board

Sederunt: Eleanor Collier (Convenor)
Nairn McDonald (Vice-Convenor)
John Bell
Cameron Inglis
Christina Larsen
Matthew McLean
Jean McClung
Donald L Reid
Ronnie Stalker
Angela Stephen

Chair:

Apologies:

Meeting Ended:

DRAFT
North Ayrshire Licensing Board
18 March 2024

This Minute is published in draft a few days after the Meeting to which it related. It should be regarded as provisional until it has been approved, with or without revisions, by the Licensing Board at a future meeting.

Irvine, 18 March 2024 - 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), John Bell, Christina Larsen, Jean McClung, Cameron Inglis and Donald L Reid.

In Attendance

R Lynch, Clerk, G Cullen, Licensing Standards Officer, D Grier, Solicitor (Legal Services), C Pollock, Licensing Administration Officer and M Champion, Admin Assistant

Convenor

Councillor Eleanor Collier.

Apologies for Absence

Councillors Nairn McDonald and Matthew McLean.

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 11 December 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 0535 32A Bank Street, Irvine

The Board considered an Application for the grant of a Provisional Premises Licence made by Sukhvinderjit Sangha. Mrs Sangha was present.

The Board considered:

- the Summary Report prepared by the Clerk which is published on the Council website;
- submissions from Mrs Sangha

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 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 C.

The Convenor 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 0320 Kilwinning Bowling Club, 12 Howgate, Kilwinning

The Board considered an Application for the grant of a Variation of a Premises Licence made by the Licence Holder, Kilwinning Bowling Club. The Licence Holder was represented by Pauline Cassidy, Main Committee Finance Director.

The Board considered:

- the Summary Report prepared by the Clerk which is published on the Council website;
- submissions from Ms Cassidy,

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.

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 0035 The George, 17/19 Main Street, Largs

The Board considered an Application for the grant of a Variation of a Premises Licence made by the Licence Holder, Colin Grant. Mr Grant was present and was represented by Robert Honeyman, Solicitor.

The Board considered:

- the Summary Report prepared by the Clerk which is published on the Council website;

- submissions from Mr Grant and his Solicitor, Mr Honeyman,

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

Councillor Inglis moved as a Motion that the Board should Grant the Variation Application.

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.4 Occasional Licence Application 116/24 The Windy Ha, 31 Bradshaw Street, Saltcoats

The Board considered an Application for the grant of an Occasional Licence, which was out with North Ayrshire Licensing Board Policy. The Applicant, Sean Conaghan, was present.

The Board considered:

- the Summary Report prepared by the Clerk which is published on the Council website;

- the report prepared by the LSO, and

- submissions from Mr Conaghan

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

AGENDA ITEM 2

Councillor McClung moved as a Motion that the Board should make an exception to their Policy in this case, Grant Occasional Licence Application 116/24 and authorise the Clerk to determine subsequent Applications, should no adverse issues arise.

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.

4. Any Other Business

There was no other business to consider.

The meeting ended at 10.30 am

Agenda Item 3

17 June 2024

North Ayrshire Licensing Board

Title: Applications for Licences and other matters arising under the Licensing (Scotland) Act 2005.

Purpose: To advise the Board of the Law and the factual background.

Recommendation: That the Board determines whether or not to grant the Applications listed.

1. Executive Summary

- 1.1 The Licensing Board is responsible for determining Applications for Licences and other matters arising under the Licensing (Scotland) Act 2005 (such as Review Hearings involving holders of Premises Licences and Personal Licences).
- 1.2 The Board has approved a Scheme of Delegation whereby certain matters can be delegated to the Clerk and other licensing staff. Matters which cannot be delegated, or where the officers have declined to exercise the delegation, are referred to the Board.

2. Background

- 2.1 The Applications and other matters before the Board are detailed in the attached summaries. Each summary contains details of the application for each individual case before the Board. These summaries set out the particular factual and legal issues which the Clerk considers arise in each case.
- 2.2 Where relevant, any reports have been copied to the Applicants or Licence-Holders. Where objections or representations are competent, these have been copied to the Applicant so that a response might be made at the Board Hearing.

3. Proposals

- 3.1 In each case, after considering the Application and after hearing any submissions for the Applicant and persons making objections or representations, the Board should determine whether or not to grant the Application or take appropriate action.

4. Implications/Socio-economic Duty

Financial:	There are possible financial implications in relation to any Licensing decision.
Human Resources:	None.
Legal:	There are possible legal implications in relation to any licensing decision. Many Board decisions may be appealed against, but not all, and not all parties to a case have a right of appeal.
Equality/Socio-economic Duty:	<p>Equality Act 2010 imposes duties on the Council: Section 1(1) (“Public sector duty regarding socio-economic inequalities”): the Council:</p> <p>“must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage”.</p> <p>Section 149(1) (“Public sector equality duty”) the Council:</p> <p>“must, in the exercise of its functions, have due regard to the need to-</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under [that Act]; (b) advance equality of opportunity between persons who share a “Relevant Protected Characteristic” and persons who do not share it; (c) foster good relations between persons who share a “Relevant Protected Characteristic” and persons who do not share it.” <p>The “Relevant Protected Characteristics” are age; disability; gender reassignment, pregnancy and maternity; race; religion or belief; sex; and sexual orientation.</p> <p>The Clerk has considered these Duties in preparing this Report and any specific impacts will be evaluated where appropriate. Unless the Clerk advises the Board otherwise in a particular case, there are no significant impacts to be considered.</p>

Climate Change and Carbon:	None
Key Priorities:	An effective licensing system, for example monitoring the 'fit and proper' status of licence-holders and the suitability of premises, helps progress towards one Priority Outcome of the draft North Ayrshire Council Plan 2019-2024: "North Ayrshire's residents and communities are safe".
Community Wealth Building:	There are no Community Wealth Building issues.

5. Consultation

5.1 Consultation has taken place in line with statutory requirements. The requirements vary depending on the particular issue raised, and where appropriate these are detailed in the report for each case.

Raymond Lynch
Clerk

For further information please contact **Raymond Lynch, Clerk**, on licensing@north-ayrshire.gov.uk.

Background Papers

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APPENDIX A

Premises Licence Applications or any other Applications requiring a Hearing

	Case No.	Licence No.	Applicant/Licence Holder	Premises	Comments
Page 12	1.	0536	Sean Conaghan	The Windy Ha 31 Bradshaw Street Saltcoats KA21 5HR	Application for Grant of Premises Licence – Section 20
Page 34	2.	0537	Alliance Property Holdings Limited	Morrisons Daily 97 High Street Irvine KA12 0AL	Application for Grant of Premises Licence – Section 20
Page 54	3.	0539	Marks & Spencer Simply Foods Ltd	Marks & Spencer 123-125 Main Street Largs KA30 8JL	Application for Grant of Provisional Premises Licence – Section 45
Page 69	4.	0540	KC Panesar Ltd	Moka 46 Princes Street Ardrossan KA22 8DF	Application for Grant of Provisional Premises Licence – Section 45
Page 87	5.	0541	KC Panesar Ltd	Moka 59 Main Street Largs KA30 8AQ	Application for Grant of Provisional Premises Licence – Section 45
Page 105	6.	0508	Metro Reloaded Limited	Metro Reloaded 2A Hamilton Street Saltcoats KA21 5EN	Application for Variation of Premises Licence – Section 29
Page 129	7.	0207	Manorview Hotels Limited	The Brisbane Hotel 10/16 Greenock Road Largs KA30 8NF	Application for Variation of Premises Licence – Section 29
Page 150	8.	0230	CJ Lang & Son Limited	Spar Convenience Store 2C Orchard Street West Kilbride KA23 9PL	Application for Variation of Premises Licence – Section 29
Page 172	9.	0487	NWD LIC Ltd	The Tartan Bar 32 North Street Dalry KA24 5DW	Application for Variation of Premises Licence – Section 29

	Case No.	Licence No.	Applicant/Licence Holder	Premises	Comments
Page 194	10.	0081	Hawthorn Leisure Scotco Limited	Abbey Gate 88 Main Street Kilwinning KA13 6EF	Application for Variation of Premises Licence – Section 29

THE LICENSING (SCOTLAND) ACT 2005**Application for Premises Licence**

Premises Licence Reference:	0536
Name and Address of Premises:	The Windy Ha 31 Bradshaw Street Saltcoats KA21 5HR
Applicant:	Sean Conaghan
Type of Premises:	Public House
Proposed Application:	On-sales licensed hours sought: Sunday to Wednesday 10am until Midnight; Thursday to Saturday 10am until 1am. Off-licenced hours sought: Monday to Sunday 10am until 10pm. Looking to operate a darts and pool area. Children and Young Persons will be allowed entry only when food is being served and when accompanied by a person over the age of 18 between the hours of 10am until 8pm. Children and Young Persons will be permitted in the main seating area.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No objection
Community Council Comments:	No Community Council
Health Board Comments:	No comments
Additional Comments:	Hours sought are out with the Board's Policy hours. The normal operating hours permitted in terms of the commencement for the sale of alcohol are 11am Monday to Sunday. The Board's standard conditions prohibits darts, pool, snooker or any game in an area of the premises where children are permitted (C.10.3). The Board will require to consider the terms of its Policy when considering applications before them. 2 objections received

Section 50 Certificates:

Building Standards Certificate not yet received

CASE 1APPLICATION FOR PREMISES LICENCE
or
APPLICATION FOR PROVISIONAL PREMISES LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, sections 20 & 45

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Question 1 - Applicant Information

Name, address and postcode of premises to be licensed.

The windy ha
31 Bradshaw Street
Saltcoats
KAZI SHR

Question 2 - Particulars of Applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

Sean Conaghan
[REDACTED]
[REDACTED] [REDACTED]

CASE 1

2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number.

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of 'Connected Persons'. The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a Company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control.

CASE 1**Question 3 - Previous Licences**

Has the Applicant or any other Connected Person ever held a licence under the Licensing (Scotland) Act 1976 for Premises anywhere in Scotland? YES / NO*

If YES, please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned and Licence reference number (if known), and the name of the Licence-holder; if the Premises were not in North Ayrshire, give the name of the Licensing Board and the date when the Licence was granted or last renewed.

yes
Victoria inn
23 The Square, Cumnock KA18 1AU
Personal licence, Hawthorn leisure (Premises LH)
Sean Conaghan (personal LH) East Ayrshire, 13.10.23

Question 4 - Previous Applications

Has the Applicant or any Connected Person ever applied for a licence under the Licensing (Scotland) Act 2005 for Premises anywhere in Scotland? YES/NO*

If YES – please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned, and the name of the Licensing Board and the date when the Licence was granted or last renewed.

no

CASE 1Question 5 - Previous convictions

Has the applicant or any 'Connected Person' ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

*If YES – provide full details

Name of person & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty
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Notes:

1. The terms 'Relevant Offence' and 'Foreign Offence' are defined by Section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences' and this means that convictions in the rest of the United Kingdom, or abroad, might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, section 178 (taking motor vehicle without authority)'.
3. In addition to any convictions held at the time of the Application, Applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in relation to any convictions which they may receive during the period beginning with the making of the Application and ending with determination of the Application.

CASE 1

Question 6 - Description of Premises

Description of premises (where application is submitted by a Members' Club, please also complete question 7)

The windy ha is a community style Pub on the corner of a residential and commercial street in Saltcoats town.

Question 7

To be completed by Members' Clubs only. You should send a copy of the Constitution and Rules with your Application.

Do the Club's constitution and rules conform to the requirements of Regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
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* Delete as appropriate

DECLARATION BY APPLICANT, OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

I have enclosed the relevant documents with this application (please tick the relevant boxes)	
Operating Plan	✓
Layout Plan	✓
Planning Certificate / Provisional Planning Certificate	✓
Building Standards Certificate	✓
Food Hygiene Certificate	✓

AWAITING

CASE 1

Signature	[REDACTED]
Name in BLOCK CAPITALS	SEAN CONAGHAN
Postal address	[REDACTED]
Telephone number	[REDACTED]
Email address	[REDACTED]
Date	23.01.24
Capacity	APPLICANT / AGENT

Certificates

1. Planning Certificates: a 'certificate of lawful use' issued by the NAC Planning Dept is not sufficient for Licensing.
2. A Provisional Premises Licence only needs a Provisional Planning Certificate. If the PPL is granted, it is not permission to operate. Within 4 years the Board can 'confirm' it. When Confirmation is asked for, the holder of the PPL will need both a Building Standards Certificate and (if appropriate) a Food Hygiene Certificate.
3. a Food Hygiene Certificate is needed if food is to be supplied on the Premises. 'Food' is defined by the Food Safety Act 1990, and includes substances of no nutritional value which are used for human consumption (so includes sweets and crisps).

Premises which need a FHC include:

- (a) shops where food is sold for off-sales consumption, e.g. a shop selling only sealed packages or tins containing food, without the staff ever directly handling the food;
- (b) hot food shops (e.g. chip shops or kebab shops) where the food is prepared and served on the Premises, but the food is then taken away by customers and consumed elsewhere;
- (c) restaurants and other eat-in Premises where food is prepared, served and consumed on the Premises.

Data Protection Act 1998

The information on this form may be held on a public register, which may be available to members of the public.

Audit Scotland

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

For further information, see <http://www.north-ayrshire.gov.uk/UsefulLinks/FraudInitiative.aspx> or contact William O'Brien, Solicitor to North Ayrshire Licensing Board, Cunninghame House, Irvine KA12 8EE, Tel. 01294-324305.

CASE 1**OPERATING PLAN**

Licensing (Scotland) Act 2005, section 20(2)(b)(i) and 20(4), and Schedule 5 of the Premises Licence (Scotland) Regulations 2007 No.452

Note that in addition to the Operating Plan, Section 20(2)(b)(ii) also requires a Layout Plan. The form of the Layout Plan is specified in Regulation 5 of the Premises Licence (Scotland) Regulations 2007 No.452.

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	YES /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES /NO*
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	YES/ NO *
*Delete as appropriate	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES. USE THE 24-HOUR CLOCK.

Day	ON Consumption	
	Opening time	Closing time
Monday	10 : 00	00 : 00
Tuesday	10 : 00	00 : 00
Wednesday	10 : 00	00 : 00
Thursday	10 : 00	01 : 00
Friday	10 : 00	01 : 00
Saturday	10 : 00	01 : 00
Sunday	10 : 00	00 : 00

CASE 1**Question 3**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES. USE THE 24-HOUR CLOCK.

Day	OFF Consumption	
	Opening time	Closing time
Monday	10:00	22:00
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:00
Saturday	10:00	22:00
Sunday	10:00	22:00

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES /NO*
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*If YES – provide details

CASE 1

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	N/A	N/A
Restaurant facilities	yes	yes	no
Bar meals	yes	yes	no
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	yes	yes	no
Club or other group meetings etc.	yes	yes	no
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	yes	yes	no
Live performances – see 5(g)	yes	yes	no
Dance facilities	no	n/a	n/a
Theatre	no	n/a	n/a
Films	no	n/a	n/a
Gaming	yes	yes	no

CASE 1

<i>Indoor/outdoor sports</i>	no	n/a	n/a
<i>Televised sport</i>	yes	yes	no
<i>5(d) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours - please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Outdoor drinking facilities</i>	no	n/a	n/a
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours - please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment</i>	no	n/a	n/a

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

CASE 1

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

We look to have Karaoke, Quiz nights, Dominoes, Darts, Pool.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85 dB LA90(5)?	YES/NO *
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When fully occupied, are there likely to be more customers standing than seated? If YES, what percentage of the total number of customers do you expect to be standing?	YES/NO *
---	---------------------

*Delete as appropriate	
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Question 6

CHILDREN AND YOUNG PERSONS

The 2005 Act, section 147(1) defines a 'child' as a person under the age of 16, and a 'young person' as a person aged 16 or 17.

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO *
	*Delete as appropriate	

CASE 1

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Only when food is being served and when accompanied by a person over the age of 18.

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

0 - 17

6(d) Provide statement regarding the **TIMES** during which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.

Between the hours of 10am to 8pm.

CASE 1

- 6(e) Provide statement regarding the **PARTS** of the premises to which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.

Children and young persons will be Permitted in the main seating area.

- 6(f) Where will the Statement as to under-age supply of alcohol, required by Section 110 and the Sale of Alcohol to Children and young Persons (Scotland) Regulation 2007 No.93 and 313, be placed?

Behind the bar and on the main notice board.

Question 7**CAPACITY OF PREMISES**

- 7(a) What is the total capacity of the Premises?

100

- 7(b) Of the total, how many customers are expected to be standing?

60

CASE 1

7(c) Of the total, how many customers are expected to be seated?

40

Question 8

PREMISES MANAGER

(NOTE: not required where the Application is by a Club or is for the grant of a Provisional Premises Licence. Here 'Club' means a Club which is within the Licensing (Clubs) (Scotland) Regulations, 2007 No. 76.)

Sec 20(4)(g) includes information about the premises manager, but (g) does not apply to clubs [125(2)], or to 'provisional premises licence application' [45(10)].

Personal details

8(a) Name

Sean Conaghan

8(b) Date of birth

[Redacted]

8(c) Contact address

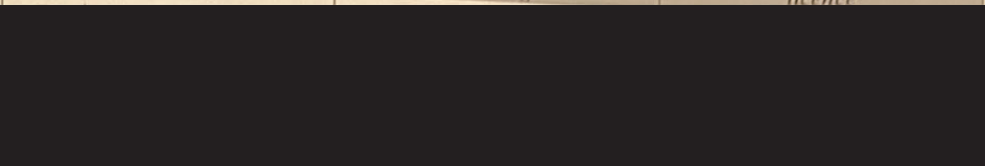
[Redacted]

8(d) Email address

[Redacted]

CASE 1

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
		

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

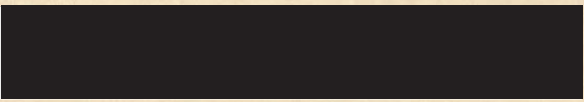
The contents of this operating plan are true to the best of my knowledge and belief.

Signature  (see note below)

Date .. 23.01.24

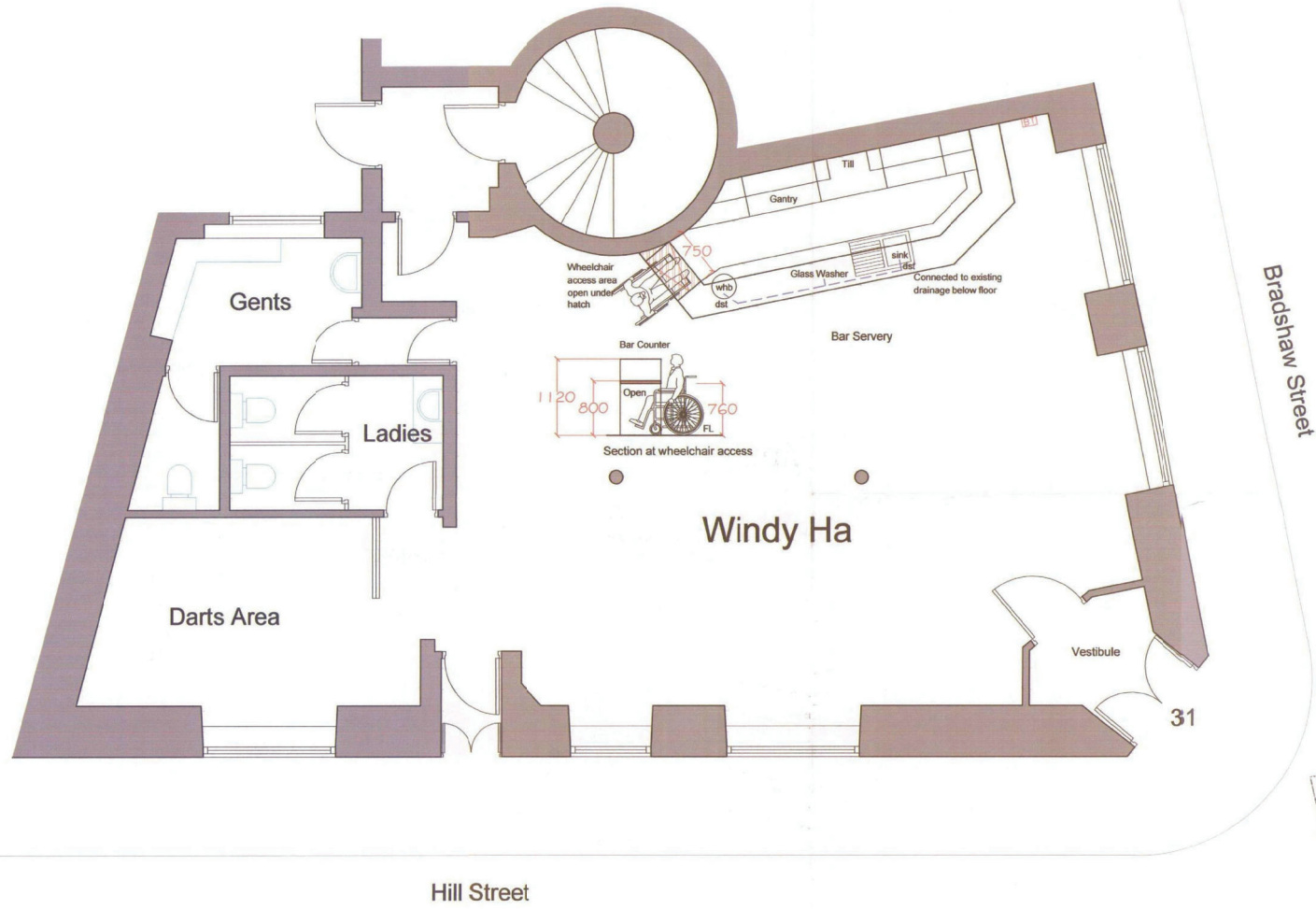
Capacity APPLICANT/AGENT (delete as appropriate).

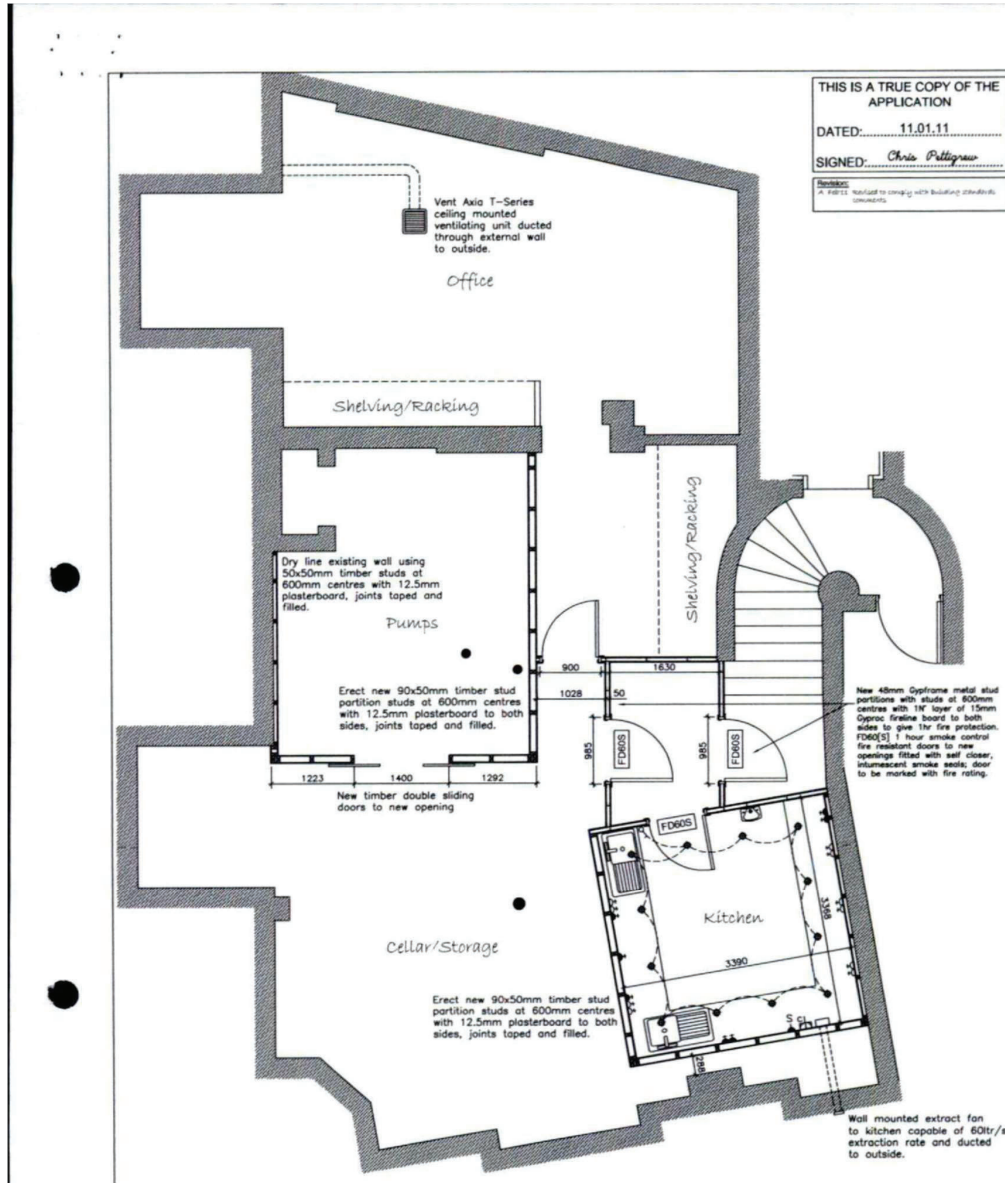
Address 

Telephone number and email address of signatory .. 

*** Data Protection Act 1998**

The information on this form may be held on a public register which may be available to members of the public.





From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Ref: RL/MC/0536 The Windy Ha
Date: 05 May 2024 15:45:49

[REDACTED]

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Dear Licensing Board,

We respectfully object to the application for a premises license for The Windy Ha at 31 Bradshaw Street, Saltcoats on the grounds of excessive noise. Excessive noise, loud music, has been an issue in the past. Surely the music doesn't have to be so loud that you hear it in all of the flats in the building and the floors literally vibrate. We feel sure that the patrons can't even hear one another speak over the volume of the music. This excessive noise creates a miserable environment for the residents attempting to get any sleep and can adversely affect the health of [REDACTED] residents.

Additionally, The Windy Ha's emergency exit egresses into the common residential area of 29 Bradshaw Street which introduces serious safety and security concerns. If there was a fire at The Windy Ha, the residents of 29 Bradshaw St would also be in jeopardy as fire can spread quickly in an old building. The operating plan states total capacity at 100 patrons. Imagine a fire that would necessitate those 100 people exiting via the emergency exit that puts people in into the small residential common area of 29 Bradshaw Street where they then have to go down a few steps then exit another door. It would quickly become bottlenecked and the residents of 29 Bradshaw Street would not be able to exit or get through the 100 patrons panicking and pushing through. Those residents include [REDACTED]. Additionally, there is the concern that patrons could access the emergency exit and enter 29 Bradshaw Street at any time. Note that The Windy Ha does not pay any maintenance or upkeep on the common residential area of 29 Bradshaw Street.

We respectfully ask you to decline the application and ask The Windy Ha to satisfactorily address the concerns above with agreed upon decibel levels, sound proofing, and an agreed upon solution for emergency egress before resubmitting.

Thank you in advance for your consideration [REDACTED],

[REDACTED]

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Ref: RL/MC/0536 - Windy Ha, 31 Bradshaw Street, Saltcoats
Date: 09 May 2024 20:01:41

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

To: The Licensing Board

I am emailing with regards to the Premises Licence application of Windy Ha at 31 Bradshaw Street, KA21 5HR. Please see below the objections and/or representations regarding this:

1. This is a block of flats, and the extremely loud music from this pub has a negative effect on the quality of life and sleep of residents (which include [REDACTED]). The level of noise is so high that the floors literally vibrate, and it can be heard from even the rooms which are the farthest from the pub. The application mentions a level of 85dB, but when we measured it one evening (using a phone app), it was 81dB [REDACTED], which means the level in the pub was much higher.
2. The Applicant has direct access to [REDACTED] common close through a fire emergency door and there is a risk of their customers entering [REDACTED] common close. They have also been using it for deliveries, which a) is not the purpose of a fire exit, and b) it creates an inconvenience to the residents at 29 Bradshaw Street, c) it is not permitted under the title deeds which stipulates that only the flats at 29 have access to the common close (Burden 3 (FIRST) in the title deed).
I would also like to point out that their business should not have access to [REDACTED] private property (they pay nothing towards any maintenance or repair costs of the common close).
Moreover, this most likely breaches Building and Fire regulations.
3. The owner of the pub is not a responsible member of the community, as they have failed to comply with their Duty to maintain the building and thus putting the health and safety of the general public (including of their customers) in danger. A Simple Procedure claim against them is active, and a Notice of potential liability has been registered against the pub.
4. Considering there are already at least 4 pubs less than 150m away from the premises selling alcohol, there is no need to have another one.
5. There is smell from their kitchen pervading our building, including our flat. This is something that needs to be addressed.
6. The pub's punters smoke outside and that affects those living above it.
7. Their bins are always outside, in front of the building, which I believe is against council rules. They lower the kerb appeal of the whole building and are a hazard when left outside at all times.
8. The pub has failed to put the application notice up in a prominent place outside the premises so as to inform people about it. There has been nothing regarding this (we have pictures to prove, which can be provided upon request). So, apart from the immediate neighbours that received the notice directly from the council, no one else could send objections by 10th May 2024, since they would not have known about the

application.

If there are any additional details you require, please do not hesitate to let me know.

Thank you.

[REDACTED]

THE LICENSING (SCOTLAND) ACT 2005**Application for Premises Licence**

Premises Licence Reference:	0537
Name and Address of Premises:	Morrisons Daily 97 High Street Irvine KA12 0AL
Applicant:	Alliance Property Holdings Limited
Type of Premises:	Convenience store (off-sales)
Proposed Application:	This is an (off-sales) application for the display and sale of alcohol. The display area is 6.89m ² . The application may include a home delivery shopping service via a third-party delivery company.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No comments
Community Council Comments:	No comments
Health Board Comments:	No comments
Additional Comments:	The Board's Policy on Overprovision has to be considered. One objection has been received.
Section 50 Certificates:	Received

APPLICATION FOR PREMISES LICENCE/PROVISIONAL
PREMISES LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Applicant Information *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Morrisons Daily
97 High Street
IRVINE
KA12 0AL

Question 2

Particulars of Applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

ALLIANCE PROPERTY HOLDINGS LIMITED

HILMORE HOUSE

GAIN LANE

BRADFORD

BD3 7DL

00907499 per email 3/4/24 MC

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

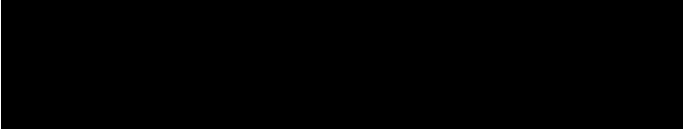
2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. "The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:*

- (a) for a Partnership, a Partner;*
- (b) for a company, a Director, or a person who has control of the Company;*
- (c) for a Club, an office-bearer of the Club; and*
- (d) for any other organisation, any person concerned in its management or control."*

Joseph Daniel Sutton



Mohammed Atheeq Akbar



Richard Clive Nichols



Question 3

Previous Licences

3 *Has the Applicant or any other Connected Person ever held a licence under the Licensing (Scotland) Act 1976 for Premises anywhere in Scotland? YES / NO**

If YES, please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned and Licence reference number (if known), and the name of the Licence-holder; if the Premises were not in North Ayrshire, give the name of the Licensing Board and the date when the Licence was granted or last renewed.

Numerous premises licences throughout Scotland.

Question 4

Previous Applications

4 *Has the Applicant or any Connected Person ever applied for a licence under the Licensing (Scotland) Act 2005 for Premises anywhere in Scotland? YES/NO**

If YES – please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned, and the name of the Licensing Board and the date when the Licence was granted or last renewed.

Question 5

Previous convictions

4 *Has the applicant or any connected person ever been convicted of a ‘Relevant Offence’ or ‘Foreign Offence’ (see Notes)*

**If YES – provide full details*

<i>Name & position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>

Notes:

- The terms ‘Relevant Offence’ and Foreign Offence’ are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to ‘Relevant Offences’ are ‘Foreign Offences’ and this means that convictions in the rest of the United

Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.

2. Although the Act refers to convictions becoming 'spent' under the Rehabilitation of Offenders Act 1974, the 1974 Act allows a licensing authority to take into account convictions which would otherwise be regarded as 'spent', so you should include all convictions.
3. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, section 178 (taking motor vehicle without authority)'.
4. In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for Relevant or Foreign Offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

Description of Premises *Licensing (Scotland) Act 2005, section 20(2)(a)*

Question 6

- 6 *Description of premises (where application is submitted by a members' club, please also complete question 7)*

Convenience store located on the High Street in Irvine.

Question 7

- 7 *To be completed by members' clubs only. You should send a copy of the Constitution and Rules with your Application.*

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature ...



..... * (see note below)

Date ...22/02/2024.....

Capacity ...Solicitors on behalf of applicant..... AGENT (delete as appropriate)

Telephone number and email address of signatory




61 Queens Gardens

Hull

HU1 3DZ

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	<i>x</i>
<i>Layout plan</i>	<i>x</i>
<i>Planning certificate</i>	<i>x</i>
<i>Building standards certificate</i>	<i>x</i>
<i>Food hygiene certificate</i>	<i>x</i>

*** Data Protection Act 1998**

The information on this form may be held on a public register, which may be available to members of the public.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	22 February 2024
Fee amount	£1100
Receipt number	BACS ADWS00284056
Received by (<i>INITIALS</i>)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	Y
Layout plan	Y
Planning certificate	Y issued 26/1/24
Building standards certificate	Y issued 18/1/24
Food hygiene certificate	Y issued 19/1/24

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i) and 20(4), and Schedule 5 of the Premises Licence (Scotland) Regulations 2007 No.452

Note that in addition to the Operating Plan, Section 20(2)(b)(ii) also requires a Layout Plan. The form of the Layout Plan is specified in Regulation 5 of the Premises Licence (Scotland) Regulations 2007 No.452.

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>NO</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>YES</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>NO</i>
<i>*Delete as appropriate</i>	

Question 2

*STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES. USE THE 24-HOUR CLOCK.*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES. USE THE 24-HOUR CLOCK.

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>	10:00	22:00
<i>Tuesday</i>	10:00	22:00
<i>Wednesday</i>	10:00	22:00
<i>Thursday</i>	10:00	22:00
<i>Friday</i>	10:00	22:00
<i>Saturday</i>	10:00	22:00
<i>Sunday</i>	10:00	22:00

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO*</i>
--	------------

**If YES – provide details*

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	NO	NO	NO
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	NO	NO	NO
<i>Club or other group</i> <i>meetings etc.</i>	NO	NO	NO
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> 5(g)	NO	NO	NO
<i>Live performances –</i> see 5(g)	NO	NO	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO

<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
5(d) Activity	<i>Please confirm YES/NO</i>	To be provided during core licensed hours – please confirm <i>YES/NO</i>	Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Outdoor drinking facilities</i>	NO	NO	NO
5(e) Activity	<i>Please confirm YES/NO</i>	To be provided during core licensed hours – please confirm <i>YES/NO</i>	Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

A home delivery shopping service may be operated from the store. This will be via third party delivery companies and may contain alcohol.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85 dB LA90(5)?</i>	<i>N/A</i>
---	------------

<i>When fully occupied, are there likely to be more customers standing than seated? If YES, what percentage of the total number of customers do you expect to be standing?</i>	<i>N/A</i>
--	------------

<i>*Delete as appropriate</i>	
-------------------------------	--

Question 6

CHILDREN AND YOUNG PERSONS

The 2005 Act, section 147(1) defines a 'child' as a person under the age of 16, and a 'young person' as a person aged 16 or 17.

<i>6(a)</i>	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	<i>YES/NO*</i>
	<i>*Delete as appropriate</i>	

6(b) *Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry*

6(c) *Provide statement regarding the AGES of children or young persons to be allowed entry*

6(d) *Provide statement regarding the TIMES during which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.*

6(e) Provide statement regarding the **PARTS** of the premises to which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.

6(f) Where will the Statement as to under-age supply of alcohol, required by Section 110 and the Sale of Alcohol to Children and young Persons (Scotland) Regulation 2007 No.93 and 313, be placed?.

Question 7

CAPACITY OF PREMISES

7(a) What is the total capacity of the Premises?

6.89M2

7(b) Of the total, how many customers are expected to be standing?

7(c) *Of the total, how many customers are expected to be seated?*

Question 8

PREMISES MANAGER

(NOTE: not required where the Application is by a Club or is for the grant of a Provisional Premises Licence. Here 'Club' means a Club which is within the Licensing (Clubs) (Scotland) Regulations, 2007 No. 76.)

Sec 20(4)(g) includes information about the premises manager, but (g) does not apply to clubs [125(2)], or to 'provisional premises licence application' [45(10)].

Personal details

8(a) *Name*

ALISON STEWART

8(b) *Date of birth*

8(c) *Contact address*

8(d) Email address

[Empty rectangular box for email address]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
[Redacted content]		

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature:

Goschals

Dae ...22/02/2024

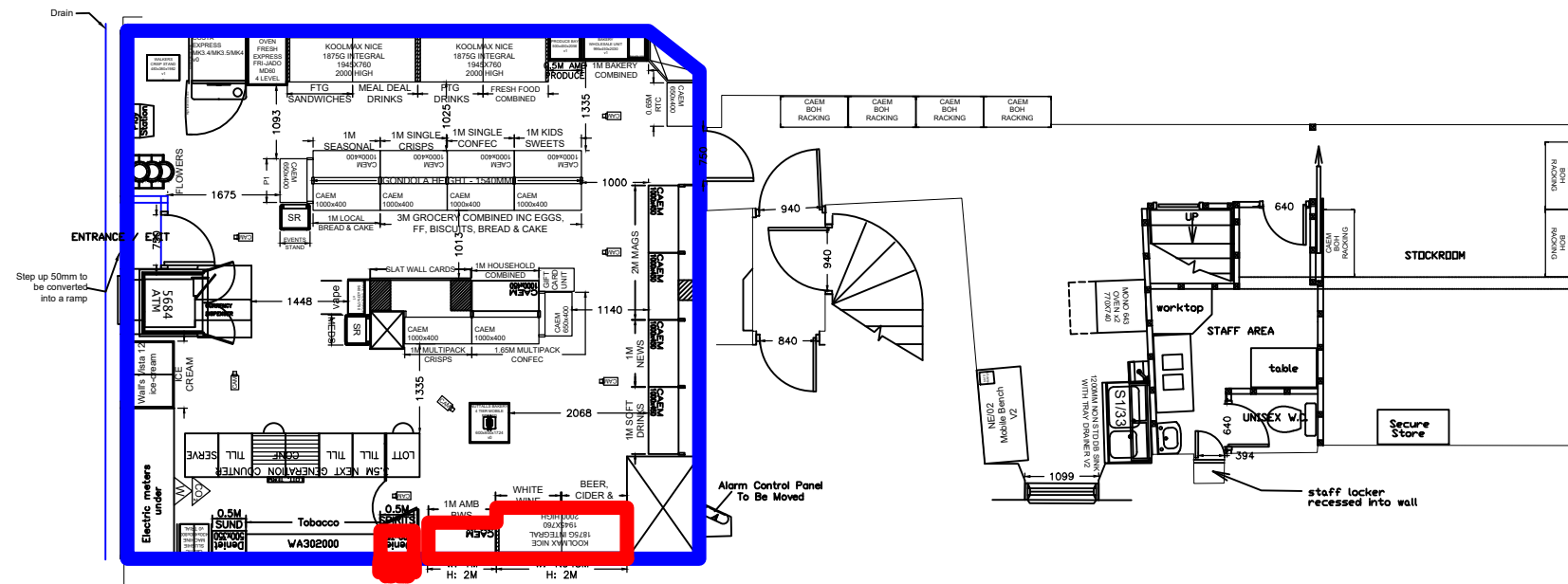
Capacity ...Solicitors on behalf of applicant..... AGENT (delete as appropriate).

Address ...61 Queens Gardens, Hull, HU1 3DZ.....

Telephone number and email address of signatory ... [Redacted]

*** Data Protection Act 1998**

The information on this form may be held on a public register which may be available to members of the public.



PROPOSED LAYOUT
 EXISTING GONDOLA HEIGHT 1540mm
 PROPOSED GONDOLA HEIGHT 1540mm

FIRE SIGNAGE:

- EMERGENCY LIGHTING
- FIRE ACTION SIGNAGE
- FIRE EXIT WITH DIRECTIONAL ARROW
- WATER FIRE EXTINGUISHER
- CARBON DIOXIDE FIRE EXTINGUISHER
- FOAM FIRE EXTINGUISHER
(FIRE EXTINGUISHER SIGNAGE TO BE PROVIDED AT EACH LOCATION)
- FIRE BELL
- SMOKE DETECTOR
- RED BREAK GLASS BOX
- CCTV CAMERA

- NOTES:
1. FIRE FIGHTING EQUIPMENT & ALL OF THE REQUIREMENTS OF THE FIRE SERVICE WILL BE INCORPORATED & WILL BE PROVIDED TO COMPLY WITH THE EUROPEAN STANDARDS
No. BSEN3 & BS7863.
 2. ALL WALL PERIMETER FIXTURES TO A HEIGHT OF 2.1M
 3. ALL FLOOR DISPLAYS TO A HEIGHT OF 1.5M
 4. COUNTER HEIGHT 965MM
- FIRE STANDARDS:
1. FIRE SAFETY RELATED SIGNS AND NOTICES ARE TO THE HEALTH AND SAFETY (SAFETY SIGNS & SIGNALS) REGULATIONS ACT 1996. THOSE THAT COMPLY TO BS 5499, PART 1, 1990 ALSO COMPLY.
 2. ILLUMINATED "EXIT" SIGNS ARE TO CONFORM TO BS2590
 3. FIRE FIGHTING EQUIPMENT IS TO COMPLY WITH EUROPEAN STANDARDS BS EN3 AND BS 7863

NOTE:
 TOTAL ALCOHOL DISPLAY AREA: 6.89000m²
 15.28 LINEAR METRES

IRVINE HIGH STREET
 97 High Street, Irvine, KA12 0AL

1244-SK3-BWSL-001

SALES FLOOR

RETAIL SALES AREA 701 Sq. Ft.

Scale: 1:100 only scaled on **A3**

Morrisons Daily

Wm MORRISON SUPERMARKETS LTD
 Property & Development Division
 Hilmore House, Gain Lane, Bradford, BD3 7DL

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: License Objection
Date: 20 April 2024 12:27:54

[REDACTED]

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

I strongly object to Liquor License for Morrisons Daily, 97 High Street Irvine.

[REDACTED]

The noise of the youths hanging around will only become worse if alcohol is included.

There is a Premier shop 100 yards away, so we do not need another Liquor premises.

--

Kind Regards
[REDACTED]

THE LICENSING (SCOTLAND) ACT 2005**Application for Provisional Premises Licence**

Premises Licence Reference:	0539
Name and Address of Premises:	Marks & Spencer 123-125 Main Street Largs Ayrshire KA30 8JL
Applicant:	Marks & Spencer Simply Foods Ltd
Type of Premises:	Retail Unit (Off-sales)
Proposed Application:	This is an application for display and off sales. There may be additional activities which includes alcohol sample tasting and product promotions may take place on occasion. The store may open until midnight on the week prior to Christmas.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	N/A
Protective Services Comments:	No comments
Community Council Comments:	No comments
Health Board Comments:	No comments
Additional Comments:	The Board's Policy on Overprovision has to be considered.
Section 50 Certificates:	Received

APPLICATION FOR PROVISIONAL PREMISES LICENCE

Licensing (Scotland) Act 2005, section 20

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Applicant Information *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Marks & Spencer

123-125 Main Street, Largs, Ayrshire KA30 8JL

Question 2**Particulars of Applicant**

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Marks & Spencer Simply Foods Ltd
 Waterside House, 35 North Wharf Road London N2 1NW
 04739922

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. "The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control."

Nick James **Folland** [REDACTED]

Alexander **Freudmann** [REDACTED]

Jeremy Charles Douglas **Townsend** [REDACTED]

William Francis **Smith** [REDACTED]

Emma **Harris** [REDACTED]

Question 3

Previous Licences

3 Has the Applicant or any other Connected Person ever held a licence under the Licensing (Scotland) Act 1976 for Premises anywhere in Scotland? YES

If YES, please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned and Licence reference

number (if known), and the name of the Licence-holder; if the Premises were not in North Ayrshire, give the name of the Licensing Board and the date when the Licence was granted or last renewed.

Marks & Spencer operate a number of stores throughout Scotland

Within this Board there is the store at Marks & Spencer Irvine Premises Licence number 0160

Question 4

Previous Applications

4 Has the Applicant or any Connected Person ever applied for a licence under the Licensing (Scotland) Act 2005 for Premises anywhere in Scotland? YES

If YES -- please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned, and the name of the Licensing Board and the date when the Licence was granted or last renewed.

Marks & Spencer operate a number of stores throughout Scotland for which a list can be provided if required.

Question 5

Previous convictions

4 Has the applicant or any connected person ever been convicted of a 'Relevant Offence' or 'Foreign Offence' (see Notes)

*If YES -- provide full details

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

Notes:

- The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences' and this means that convictions in the rest of the United Kingdom might be required.

If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.

2. Although the Act refers to convictions becoming 'spent' under the Rehabilitation of Offenders Act 1974, the 1974 Act allows a licensing authority to take into account convictions which would otherwise be regarded as 'spent', so you should include all convictions.
3. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, section 178 (taking motor vehicle without authority)'.
4. In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for Relevant or Foreign Offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

Description of Premises *Licensing (Scotland) Act 2005, section 20(2)(a)*

Question 6

- 6 *Description of premises (where application is submitted by a members' club, please also complete question 7)*

Self-contained retail unit selling a range of fresh foods and other items including but not limited to, fresh and frozen prepared meals, baked goods, confectionery, fresh flowers, cleaning products, tinned goods, alcoholic and non-alcoholic beverages. The store is located on an open-air retail park with customer parking provided for the development as a whole.

Question 7

- 7 *To be completed by members' clubs only. You should send a copy of the Constitution and Rules with your Application.*


Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

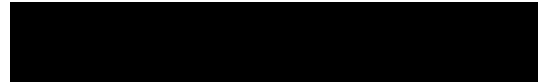
Signature John Gaunt & Partners (see note below)



Date 21st February 2024

Capacity Agent

Telephone number and email address of signatory



<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	X
<i>Layout plan</i>	X
<i>Planning certificate</i>	X
<i>Building standards certificate</i>	
<i>Food hygiene certificate</i>	

*** Data Protection Act 1998**

The information on this form may be held on a public register, which may be available to members of the public.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	21 February 2024
Fee amount	£200
Receipt number	bacs ADWS00284048
Received by (INITIALS)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	Y issued 7/11/23
Operating plan	Y
Layout plan	Y

North Ayrshire Licensing Board
OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

Statement regarding alcohol being sold on premises/off premises or both

1(a) Will alcohol be sold for consumption solely ON the premises?	NO
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	NO
*Delete as appropriate	

Question 2

Statement of **core** times when alcohol will be sold for consumption **on** premises

Day	ON Consumption	
	Opening time	Terminal hour
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Question 3

Statement of **core** times when alcohol will be sold for consumption **off** premises.

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	1000	2200
Tuesday	1000	2200
Wednesday	1000	2200
Thursday	1000	2200
Friday	1000	2200
Saturday	1000	2200
Sunday	1000	2200

Question 4

Seasonal Variations

Does the applicant intend to operate according to seasonal demand	NO
---	----

*If Yes – provide details

--

Question 5

Please indicate the other activities or services that **will** be provided on the premises in addition to supply of alcohol

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	NO	NO

Conference facilities	NO	NO	NO
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	NO	NO	NO
Club or other group meetings etc.	NO	NO	NO
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO
Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO

5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Outdoor drinking facilities	NO	NO	NO
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Adult entertainment	NO	NO	NO

Where you have answered Yes in respect of any entry in column 4 above, please provide further details below.

Recorded music at background level only may be provided within and outwith core hours.

Live music events may be provided within and outwith core hours on an occasional basis for special events for example Christmas or other festive/retail occasions in conjunction with a promotional event e.g. Christmas carolling during the festive season.

Record or Live Music is ancillary to people doing their food grocery shopping

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The sale of food, non-food items and other household goods and the provision of ancillary customer services/activities within and outwith licensed hours.

Additional activities including sample alcohol tastings and product promotions may take place from time to time.

The week prior to Christmas the store may open to midnight.

5(g) Late night premises opening after 1.00am **NA**

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	N/A
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A
--	-----

*Delete as appropriate	
------------------------	--

Question 6 (On-sales only) NA

Children and Young Persons

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	N/A
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **Terms** under which they will be allowed entry

6(c) Provide statement regarding the **Ages** of children or young persons to be allowed entry

6(d) Provide statement regarding the **Times** during which children and young persons will be allowed entry

6(e) Provide statement regarding the **Parts** of the premises to which children and young persons will be allowed entry

CASE 3**Question 7**

Capacity of Premises

What is the proposed capacity of the premises to which this application relates?

34.68m²**Question 8**Premises Manager (**NOTE: not required where application is for grant of provisional premises licence**)

Personal details

8(a) Name

To be advised at the Confirmation stage

8(b) Date of birth

8(c) Contact address

8(d) Email address

8(e) Personal licence

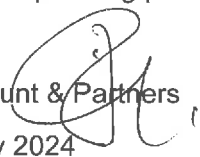
Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

Declaration by applicant or agent on behalf of applicant

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature John Gaunt & Partners



Date 21st February 2024

Capacity Agent

Telephone number and email address of signatory (



*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

NOTE
This drawing is the copyright of G1 Architects and the contents shall not be reproduced or used for any other purpose without their written permission. Do not use scaled dimensions from this drawing. All dimensions are to be verified and checked on site by the main contractor before the commencement of any work whatsoever, either on his behalf or for subcontractors or suppliers. Shop drawings to be presented to the architect for approval prior to fabrication. All discrepancies are to be reported to the architect immediately. Drawing to be read in conjunction with all other architects, engineers and specialists drawings + specifications
If in doubt ASK

FIRE STRATEGY LEGEND:

- 60min Compartment Wall
- - - Fire Escape Route
- FD60** Door, frame and glazing to have 1HR FR to BS476
- SC** Door to be self closing
- SVB** Smoke Vent Break Glass
- SVCP** Smoke Vent Control Panel

FIRE SAFETY EQUIPMENT:

- FAP** Fire Alarm Panel
- F.A** Fire alarm break glass point
- Fire alarm sander - 2100mm above floor level to centre of unit. Sander to BS 5839: Part 1 2002; Sander position shown only as indicative and to be positioned to comply with Section 9.4 of BS 5839:Part 1 1988 "Audibility of Alarms"

SIGNAGE & EMERGENCY LIGHTING:

- Illuminated Signage
- Illuminated Signage - Arrow left or right (To indicate left or right direction of travel)
- Luminous Adhesive Signage
- Luminous Adhesive Signage (Arrow to shown left or right as applicable)
- Luminous Sign applied to all doors with Push Bars
- Adhesive Sign applied to all final exits
- Fire Action Sign
- Emergency 3hr self-contained maintained battery back-up light fitting to BS 5266 part 1: 2005

FIRE STRATEGY NOTES

Escape Distances: Maximum 32m in multiple directions of escape

Occupancy Capacity:

- Ground Floor
- Sales Area: 418
- Warehouse GF: 3
- Coldroom: 2
- Freezer: 1
- Ground Floor Total: 424

First Floor

- Warehouse: 4
- Staff Room: 36
- Office: 3
- Meeting Room: 8
- First Floor Total: 51

Total: 475 Persons

No. of Exits required: 2 (OC 61-600 persons and less that 60 person on FF)

No. of Exits provided: 4

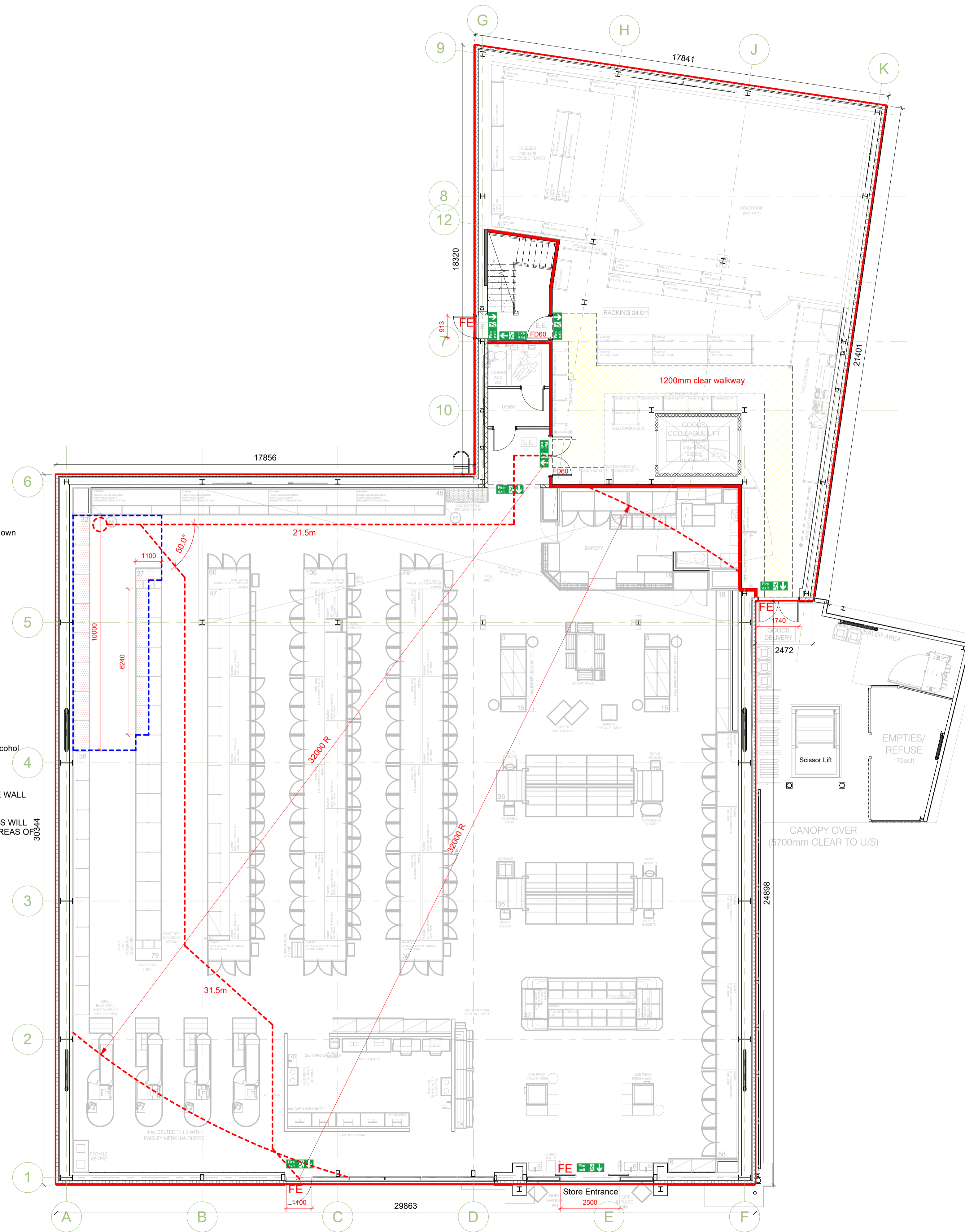
Sale Floor

Escape Width required: 5.3mm x 418 (persons) = 2215mm

Escape width provided: 1100+1740 = 2840mm (not including largest escape door of 2500mm)

STEELWORK FIRE PROTECTION

All steelwork up to and including the eaves level is to be intumescentally coated.
60 minute fire resistance
Colour: TBC



Area to be used for the display of Alcohol shown outlined in blue

The capacity of the units shown are:

WALL UNITS-
Total Length 10.00m
Maximum Height 2.00m
Capacity of counters 20.00 m2

MID FLOOR UNITS -
Total Length 6.24m
Maximum Height 2.00m
Capacity of counters 12.48m2

END ISLE UNIT -
Maximum Width 1.10m
Maximum Height 2.00m
Capacity of counters 2.20m2

TOTAL 34.68m2

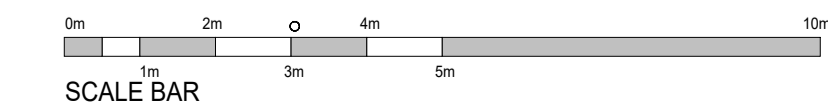
--- Area to be used for the display of Alcohol

--- Boundary of Store

NOTE:
• ALL FIRE EXTINGUISHERS TO BE WALL MOUNTED

• CHILDREN AND YOUNG PERSONS WILL HAVE ACCESS TO ALL PUBLIC AREAS OF THE PREMISES

Public Access from A78 Main Street & Townhead Close



4	External dimensions added	10/01/24
3	Additional information added for licensing	05/01/24
2	Dims and Areas added to BWS plan	29/08/23
1	Layout amended to reflect latest 099 drawing Rev9	23/08/23
No	Description	Date

Revision Notes



G1 Architects
3rd Floor West
211 Dumbarton Road
Glasgow G11 6AA

Drawing Status Suitability

Project
M&S Foodhall
Main Street
Largs
KA30 8JJ

Drawing Title
BWS Licensing
Plan

Scale	Size	Drawn	Checked	Date
1 : 100	A1	AW	RM	06/15/21

Drawing No
UPM: Original Zone Level Type Rate Number Revision
719-G1-B1-00-DR-A-PL07-P4

THE LICENSING (SCOTLAND) ACT 2005**Application for Provisional Premises Licence**

Premises Licence Reference:	0540
Name and Address of Premises:	Moka 46 Princess Street Ardrossan KA22 8DF
Applicant:	Trading as Moka, company name KC Panesar Ltd
Type of Premises:	Café
Proposed Application:	This is an on-sales application. Consumption from 10am Monday to Sunday. Children and young persons are allowed entry until 9pm when accompanied by an adult and refused entry thereafter if not accompanied.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No comments
Community Council Comments:	No Community Council in this area
Health Board Comments:	No comments
Additional Comments:	Hours sought are out with the Board's Policy hours. The normal operating hours permitted in terms of the commencement for the sale of alcohol are 11am Monday to Sunday.
Section 50 Certificates:	Received

APPLICATION FOR PREMISES LICENCE/PROVISIONAL
PREMISES LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Applicant Information *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Trading Name: Moka

Company Name: KC Panesar LTD

Trading Address: 46 Princes Street, Ardrossan, North Ayrshire

Postcode: KA22 8DF

Question 2

Particulars of Applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Company Name: KC Panesar LTD

Company Number: SC651466

Company Address: 1B Kirkalnds 100 Greenock Road, Largs KA30 8PG

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. "The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:*

- (a) *for a Partnership, a Partner;*
- (b) *for a company, a Director, or a person who has control of the Company;*
- (c) *for a Club, an office-bearer of the Club; and*
- (d) *for any other organisation, any person concerned in its management or control."*

1. **Joanne Panesar,** [REDACTED]
[REDACTED]

2. Anmol Panesar, [REDACTED]
[REDACTED]

Question 3

Previous Licences

3 Has the Applicant or any other Connected Person ever held a licence under the Licensing (Scotland) Act 1976 for Premises anywhere in Scotland? YES / NO*

If YES, please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned and Licence reference number (if known), and the name of the Licence-holder; if the Premises were not in North Ayrshire, give the name of the Licensing Board and the date when the Licence was granted or last renewed.

No

Question 4

Previous Applications

4 Has the Applicant or any Connected Person ever applied for a licence under the Licensing (Scotland) Act 2005 for Premises anywhere in Scotland? YES/NO*

If YES – please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned, and the name of the Licensing Board and the date when the Licence was granted or last renewed.

No

Question 5

Previous convictions

4 Has the applicant or any connected person ever been convicted of a 'Relevant Offence' or 'Foreign Offence' (see Notes)

**If YES – provide full details*

<i>Name & position applicable</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>

Notes:

1. The terms 'Relevant Offence' and 'Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences' and this means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Although the Act refers to convictions becoming 'spent' under the Rehabilitation of Offenders Act 1974, the 1974 Act allows a licensing authority to take into account convictions which would otherwise be regarded as 'spent', so you should include all convictions.
3. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, section 178 (taking motor vehicle without authority)'.
4. In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for Relevant or Foreign Offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

Description of Premises *Licensing (Scotland) Act 2005, section 20(2)(a)***Question 6**

- 6 *Description of premises (where application is submitted by a members' club, please also complete question 7)*

Moka Ardrossan is a vegetarian and plant-based café conveniently located just a short stroll away from the Arran Ferry terminal in the centre of Ardrossan. Our mission is to serve a wide array of customers seeking delectable vegetarian and plant-based dining choices. Our menu encompasses Breakfast, Brunch, and Lunch, complemented by a delightful assortment of pastries and cakes. Furthermore, we provide an extensive selection of both hot and cold beverages to enhance your dining experience. Additionally, we are planning to extend our trading hours to include dinner service.

Question 7

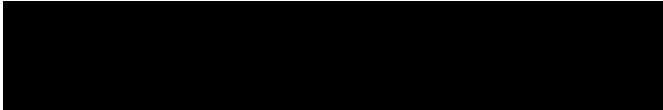
7 To be completed by members' clubs only. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

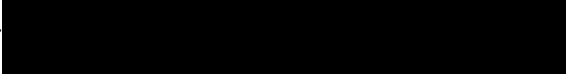
If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature 

Date04/04/24.....

Capacity APPLICANT (delete as appropriate)

Telephone number and email address of signatory ... 

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	✓
<i>Layout plan</i>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	N/A
<i>Food hygiene certificate</i>	N/A

*** Data Protection Act 1998**

The information on this form may be held on a public register, which may be available to members of the public.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	10 April 2024
Fee amount	£200 bacs
Receipt number	ADWS00296060
Received by (<i>INITIALS</i>)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	Yes issued 8/4/24
Operating plan	Yes
Layout plan	Yes

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i) and 20(4), and Schedule 5 of the Premises Licence (Scotland) Regulations 2007 No.452

Note that in addition to the Operating Plan, Section 20(2)(b)(ii) also requires a Layout Plan. The form of the Layout Plan is specified in Regulation 5 of the Premises Licence (Scotland) Regulations 2007 No.452.

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>YES</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>NO</i>
<i>*Delete as appropriate</i>	

Question 2

*STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES. USE THE 24-HOUR CLOCK.*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>	10:00	22:00
<i>Tuesday</i>	10:00	22:00
<i>Wednesday</i>	10:00	22:00
<i>Thursday</i>	10:00	22:00
<i>Friday</i>	10:00	22:00
<i>Saturday</i>	10:00	22:00
<i>Sunday</i>	10:00	22:00

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES. USE THE 24-HOUR CLOCK.

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
--	-----------

**If YES – provide details*

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 <i>5(a)</i> Activity	COL. 2 <i>Please confirm</i> YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	N/A	N/A
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	YES
<i>5(b) Activity</i> Social functions including:	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
<i>5(c) Activity</i> Entertainment including:	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performances – see 5(g)</i>	NO	N/A	N/A
<i>Dance facilities</i>	NO	N/A	N/A
<i>Theatre</i>	NO	N/A	N/A
<i>Films</i>	NO	N/A	N/A
<i>Gaming</i>	NO	N/A	N/A

<i>Indoor/outdoor sports</i>	NO	N/A	N/A
<i>Televised sport</i>	NO	N/A	N/A
5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	NO	N/A	N/A
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	NO	N/A	N/A

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

5a- Restaurant facilities- meals are provided/offered before alcohol serving time -eg. 8am Breakfast meals.

-Bar meal- meals are provided/offered before alcohol serving time

5b. Receptions; Birthdays, Funerals, Christmas Parties, Retirements- Customers can hold a reception/function before alcohol serving time. E.g- 9am Christmas Breakfast for local medical practice.

5b. Clubs and other groups- local clubs can meet before alcohol serving time. E.g local knitting group, open water swim group.

5g. recorded music- light music will be played in the background during trading hours to create a nice atmosphere.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

Quiz night- on occasion we will a quiz night. All customers will be seated.

Charity functions- on occasion we will support a charity and raise funds through quiz night/bingo/auction/coffee morning/raffle.

Craft workshops-e.g Christmas wreath class

Cooking class & coffee skills class

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85 dB LA90(5)?	NO
--	----

When fully occupied, are there likely to be more customers standing than seated? If YES, what percentage of the total number of customers do you expect to be standing?	NO
---	----

*Delete as appropriate	0%
------------------------	----

Question 6

CHILDREN AND YOUNG PERSONS

The 2005 Act, section 147(1) defines a 'child' as a person under the age of 16, and a 'young person' as a person aged 16 or 17.

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
------	--	-----

*Delete as appropriate	
------------------------	--

6(b) *Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry*

Under 18's will be allowed to enter unaccompanied by an adult, until 9pm. After 9pm, Children under 18 years will be refused entry if not accompanied by an adult.
As we are a café, we offer milkshakes, cold and hot drinks and meals for all ages. Currently, Children between 14-17 years old like to come into the café for lunch, unaccompanied by an adult.

6(c) *Provide statement regarding the AGES of children or young persons to be allowed entry*

All ages

6(d) *Provide statement regarding the TIMES during which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.*

Children and young people (under 18years) will be allowed entry from open until 9pm, unaccompanied by an adult.

Children and young people (under 18years) will be allowed entry from open until 10pm, accompanied by an adult.

Children and young people (under 18 years) will be refused entry from 9pm until close, if not accompanied by an adult.

- 6(e) Provide statement regarding the **PARTS** of the premises to which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.

Children and Young people (under 18 years) will be allowed full premises access.

- 6(f) Where will the Statement as to under-age supply of alcohol, required by Section 110 and the Sale of Alcohol to Children and young Persons (Scotland) Regulation 2007 No.93 and 313, be placed?.

At the front counter and entry vestibule.

Question 7

CAPACITY OF PREMISES

- 7(a) What is the total capacity of the Premises?

32

- 7(b) Of the total, how many customers are expected to be standing?

NONE

- 7(c) Of the total, how many customers are expected to be seated?

32

Question 8*PREMISES MANAGER*

(NOTE: not required where the Application is by a Club or is for the grant of a Provisional Premises Licence. Here 'Club' means a Club which is within the Licensing (Clubs) (Scotland) Regulations, 2007 No.76.)

Sec 20(4)(g) includes information about the premises manager, but (g) does not apply to clubs [125(2)], or to 'provisional premises licence application' [45(10)].

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

8(d) Email address

8(e) Personal licence

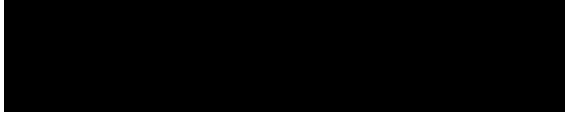
<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature

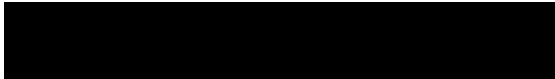


Date04.04.24.....

Capacity APPLICANT (delete as appropriate).

Address ..1B Kirklands, 100 Greenock Road, Largs, North Ayrshire, KA30 8PG, ...

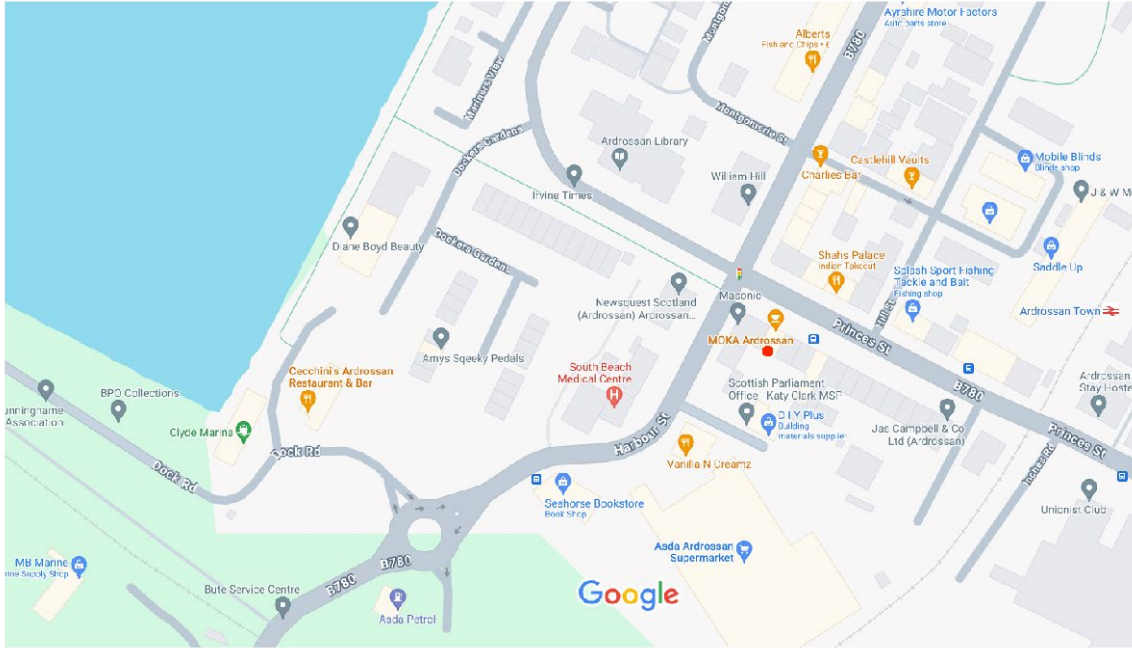
Telephone number and email address of signatory ...



*** Data Protection Act 1998**

The information on this form may be held on a public register which may be available to members of the public.









Moka
46 Princes Street
Ardrossan
North Ayrshire
KA22 8DF

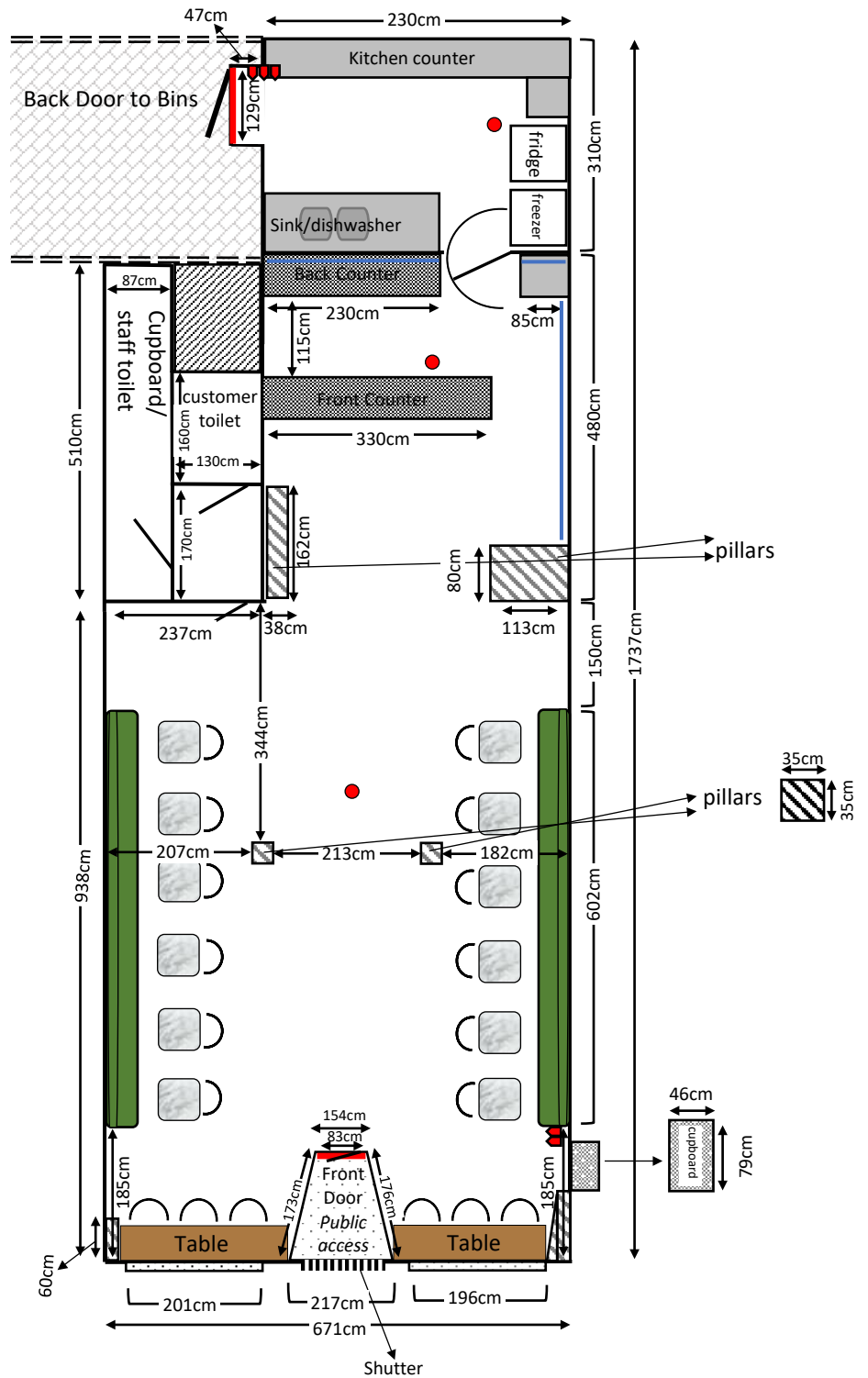


Map data ©2024 20 m

Moka
 46 Princes Street
 Ardrossan
 North Ayrshire
 KA22 8DF

Scale= 1mm:100m

-  Sofa
-  Table
-  Chair
-  Door
-  Smoke & Heat detector
-  Emergency Exit
-  Fire extinguisher
-  Display of alcohol
3.15m x 1.5m
3.4m x 1.5m



-Princes Street-
 Ardrossan

THE LICENSING (SCOTLAND) ACT 2005**Application for Provisional Premises Licence**

Premises Licence Reference:	0541
Name and Address of Premises:	Moka 59 Main Street Largs KA30 8AQ
Applicant:	Trading as Moka, company name KC Panesar Ltd
Type of Premises:	Café
Proposed Application:	This is an on-sales application. Consumption from 10am Monday to Sunday. Children and young persons are allowed entry until 9pm when accompanied by an adult and refused entry thereafter if not accompanied.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No comments
Community Council Comments:	No comments
Health Board Comments:	No comments
Additional Comments:	Hours sought are out with the Board's Policy hours. The normal operating hours permitted in terms of the commencement for the sale of alcohol are 11am Monday to Sunday.
Section 50 Certificates:	Received

APPLICATION FOR PREMISES LICENCE/PROVISIONAL
PREMISES LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Applicant Information *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Trading name: Moka

Company Name: KC Panesar Ltd

Trading address: 59 Main Street, Largs, North Ayrshire

Postcode: KA30 8AQ

Question 2

Particulars of Applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Company Name: KC Panesar Ltd

Company Number: SC651466

Company Address: 1B Kirklands, 100 Greenock Road, Largs, KA30 8PG

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. "The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:*

- (a) *for a Partnership, a Partner;*
- (b) *for a company, a Director, or a person who has control of the Company;*
- (c) *for a Club, an office-bearer of the Club; and*
- (d) *for any other organisation, any person concerned in its management or control."*

1. Joanne Panesar, [REDACTED]

[REDACTED]

2. Anmol Panesar, [REDACTED]
[REDACTED]

Question 3

Previous Licences

3 Has the Applicant or any other Connected Person ever held a licence under the Licensing (Scotland) Act 1976 for Premises anywhere in Scotland? YES / NO*

If YES, please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned and Licence reference number (if known), and the name of the Licence-holder; if the Premises were not in North Ayrshire, give the name of the Licensing Board and the date when the Licence was granted or last renewed.

NO

Question 4

Previous Applications

4 Has the Applicant or any Connected Person ever applied for a licence under the Licensing (Scotland) Act 2005 for Premises anywhere in Scotland? YES/NO*

If YES – please provide full details of the Licence, including the name and address of the Premises concerned, the type of Licence concerned, and the name of the Licensing Board and the date when the Licence was granted or last renewed.

NO

Question 5

Previous convictions

4 Has the applicant or any connected person ever been convicted of a 'Relevant Offence' or 'Foreign Offence' (see Notes) [REDACTED]

**If YES – provide full details*

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

Notes:

1. The terms 'Relevant Offence' and 'Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences' and this means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Although the Act refers to convictions becoming 'spent' under the Rehabilitation of Offenders Act 1974, the 1974 Act allows a licensing authority to take into account convictions which would otherwise be regarded as 'spent', so you should include all convictions.
3. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, section 178 (taking motor vehicle without authority)'.
4. In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for Relevant or Foreign Offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

Description of Premises *Licensing (Scotland) Act 2005, section 20(2)(a)***Question 6**

- 6 *Description of premises (where application is submitted by a members' club, please also complete question 7)*

Moka Largs is a vegetarian and plant-based café conveniently located in the centre of Largs. Across from the train station, beside bustling shops and a short walk from bus stops and the ferry terminal.

Our Mission is to serve a wide array of customers seeking delectable vegetarian and plant-based dining choices. Our menu encompasses Breakfast, Brunch and Lunch, complemented by a delightful assortment of pastries, cakes and . Furthermore, we provide an extensive selection of both hot and cold beverages to enhance your dining experience.

Additionally, we are planning to extend our trading hours to include dinner service.

--

Question 7

7 To be completed by members' clubs only. You should send a copy of the Constitution and Rules with your Application.

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	YES/NO*
<i>* Delete as appropriate</i>	

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature ... [REDACTED]

Date08.04.24.....

Capacity APPLICANT (delete as appropriate)

Telephone number and email address of signatory... [REDACTED]

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	✓
<i>Layout plan</i>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	N/A
<i>Food hygiene certificate</i>	N/A

*** Data Protection Act 1998**

The information on this form may be held on a public register, which may be available to members of the public.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	16 April 2024
Fee amount	£200
Receipt number	bacs
Received by (<i>INITIALS</i>)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	Yes - issued 16/4/24
Operating plan	Yes
Layout plan	Yes

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i) and 20(4), and Schedule 5 of the Premises Licence (Scotland) Regulations 2007 No.452

Note that in addition to the Operating Plan, Section 20(2)(b)(ii) also requires a Layout Plan. The form of the Layout Plan is specified in Regulation 5 of the Premises Licence (Scotland) Regulations 2007 No.452.

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each page with the address of the Premises and the type of Licence applied for, and you should sign each extra page.

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>YES</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>NO*</i>
<i>*Delete as appropriate</i>	

Question 2

*STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES. USE THE 24-HOUR CLOCK.*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>	10:00	22:00
<i>Tuesday</i>	10:00	22:00
<i>Wednesday</i>	10:00	22:00
<i>Thursday</i>	10:00	22:00
<i>Friday</i>	10:00	22:00
<i>Saturday</i>	10:00	22:00
<i>Sunday</i>	10:00	22:00

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES. USE THE 24-HOUR CLOCK.

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Closing time</i>
<i>Monday</i>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
--	-----------

**If YES – provide details*

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	N/A	N/A
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	YES
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> 5(g)	YES	YES	YES
<i>Live performances –</i> see 5(g)	NO	N/A	N/A
<i>Dance facilities</i>	NO	N/A	N/A
<i>Theatre</i>	NO	N/A	N/A
<i>Films</i>	NO	N/A	N/A
<i>Gaming</i>	NO	N/A	N/A

<i>Indoor/outdoor sports</i>	NO	N/A	N/A
<i>Televised sport</i>	NO	N/A	N/A
5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	NO	NO	NO
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	NO	N/A	N/A

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

5a- Restaurant facilities- meals are provided/offered before alcohol serving time -eg. 8am Breakfast meals.

-Bar meal- meals are provided/offered before alcohol serving time

5b. Receptions; Birthdays, Funerals, Christmas Parties, Retirements- Customers can hold a reception/function before alcohol serving time. E.g- 9am Christmas Breakfast for local medical practice.

5b. Clubs and other groups- local clubs can meet before alcohol serving time. E.g local knitting group, open water swim group.

5g. recorded music- light music will be played in the background during trading hours to create a nice atmosphere.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

Quiz night- on occasion we will a quiz night. All customers will be seated.

Charity functions- on occasion we will support a charity and raise funds through quiz night/bingo/auction/coffee morning/raffle.

Craft workshops-e.g Christmas wreath class

Cooking class & coffee skills class

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85 dB LA90(5)?	NO
--	----

When fully occupied, are there likely to be more customers standing than seated? If YES, what percentage of the total number of customers do you expect to be standing?	NO
---	----

*Delete as appropriate	0%
------------------------	----

Question 6

CHILDREN AND YOUNG PERSONS

The 2005 Act, section 147(1) defines a 'child' as a person under the age of 16, and a 'young person' as a person aged 16 or 17.

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the TERMS under which

they will be allowed entry

Under 18's will be allowed to enter unaccompanied by an adult, until 9pm. After 9pm, Children under 18 years will be refused entry if not accompanied by an adult. As we are a café, we offer milkshakes, cold and hot drinks and meals for all ages. Currently, Children between 14-17 years old like to come into the café for lunch, unaccompanied by an adult.

6(c) *Provide statement regarding the **AGES** of children or young persons to be allowed entry*

All ages are allowed entry

6(d) *Provide statement regarding the **TIMES** during which children or young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.*

Children and young people (under 18years) will be allowed entry from open until 9pm, unaccompanied by an adult.

Children and young people (under 18years) will be allowed entry from open until 10pm, accompanied by an adult.

Children and young people (under 18 years) will be refused entry from 9pm until close, if not accompanied by an adult.

6(e) *Provide statement regarding the **PARTS** of the premises to which children or*

young persons will be allowed entry. If different times are intended for 'children' and for 'young people', state this.

Children and Young people (under 18 years) will be allowed full premises access.

6(f) Where will the Statement as to under-age supply of alcohol, required by Section 110 and the Sale of Alcohol to Children and young Persons (Scotland) Regulation 2007 No.93 and 313, be placed?.

At the front counter and entry vestibule.

Question 7

CAPACITY OF PREMISES

7(a) What is the total capacity of the Premises?

50

7(b) Of the total, how many customers are expected to be standing?

NONE

7(c) Of the total, how many customers are expected to be seated?

50

Question 8*PREMISES MANAGER*

(NOTE: not required where the Application is by a Club or is for the grant of a Provisional Premises Licence. Here 'Club' means a Club which is within the Licensing (Clubs) (Scotland) Regulations, 2007 No.76.)

Sec 20(4)(g) includes information about the premises manager, but (g) does not apply to clubs [125(2)], or to 'provisional premises licence application' [45(10)].

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

8(d) Email address

8(e) Personal licence

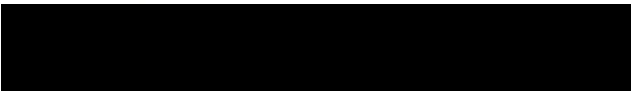
<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

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DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

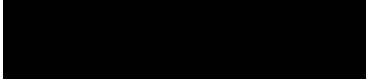
The contents of this operating plan are true to the best of my knowledge and belief.

Signature ... 

Date12.04.24.....

Capacity APPLICANT (delete as appropriate).

Address1B Kirklands, 100 Greenock Road, Largs, North Ayrshire, KA30 8PG










Telephone number and email address of signatory .. 

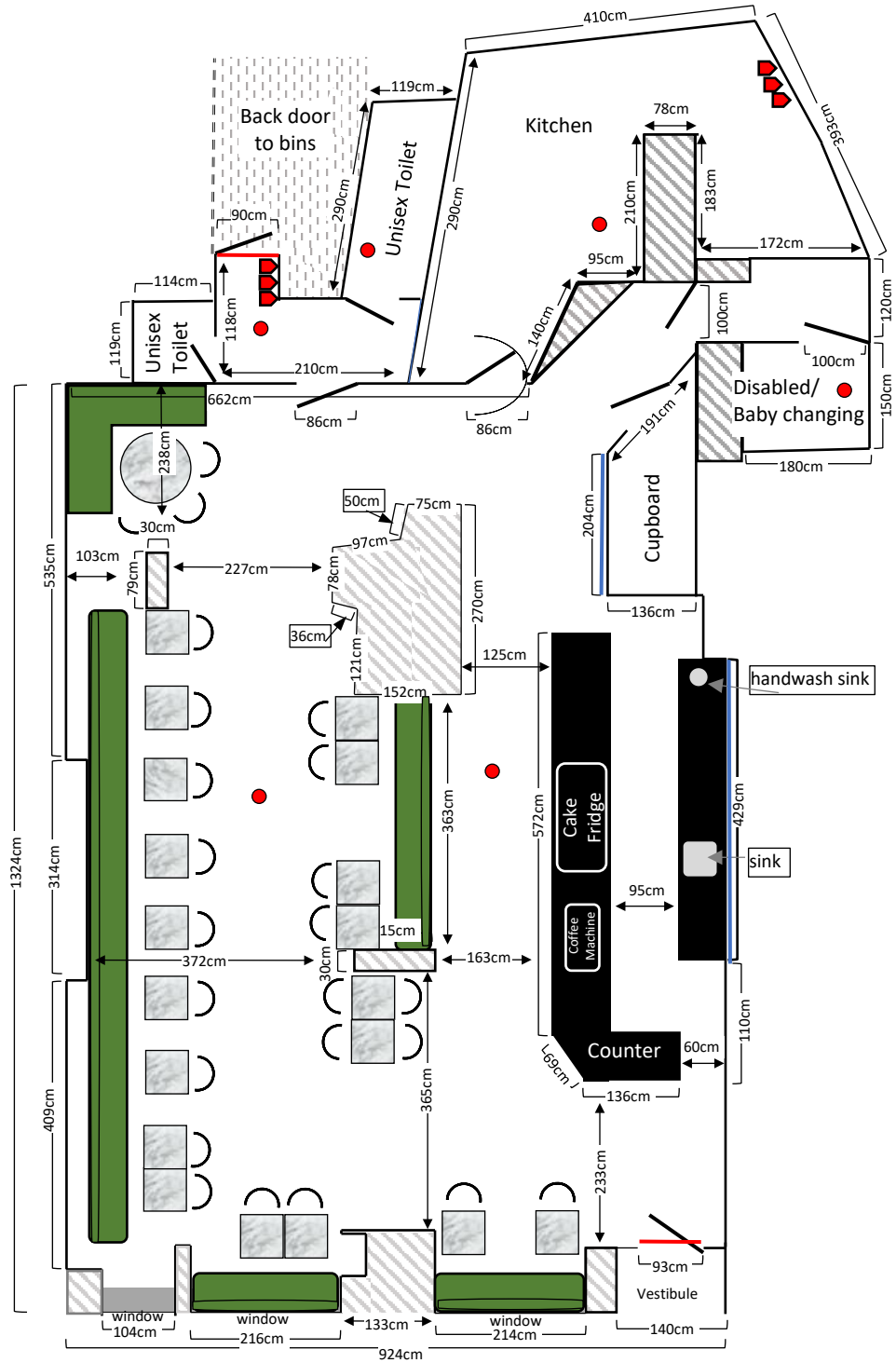
*** Data Protection Act 1998**

The information on this form may be held on a public register which may be available to members of the public.

Moka
59 Main Street
Largs
KA30 8AQ

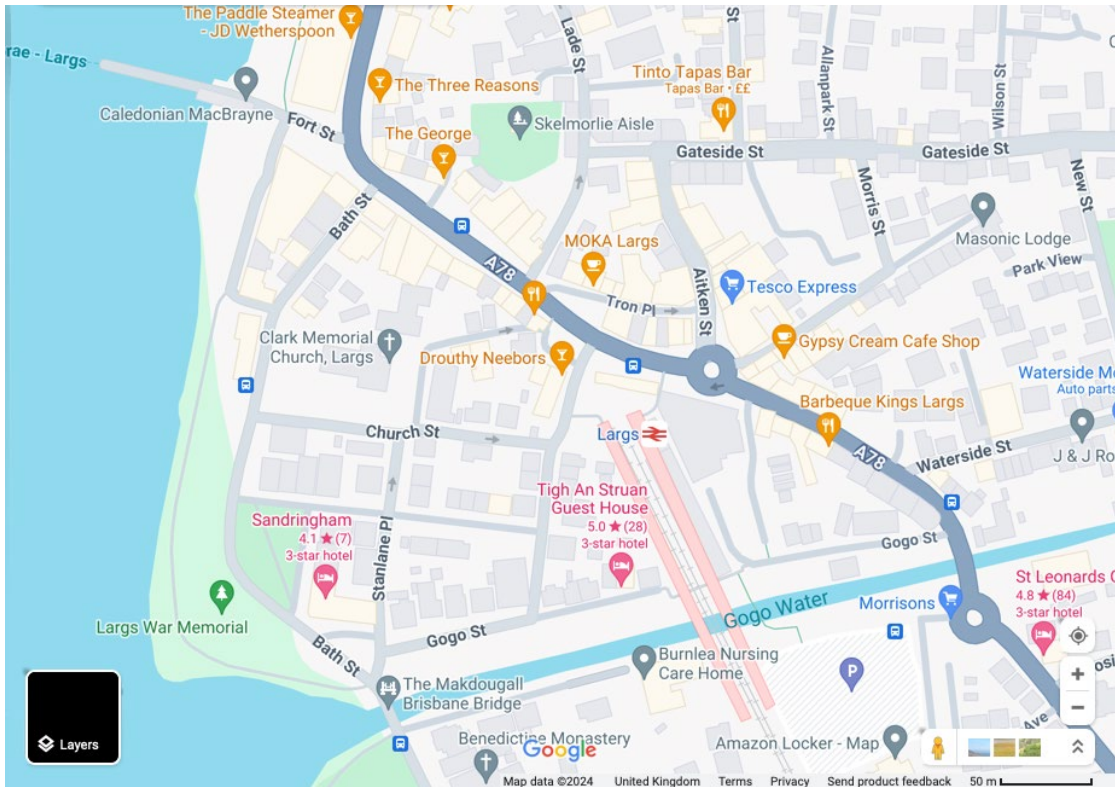
Scale= 1mm:100cm

-  sofa
-  table
-  Chair
-  Door
-  Pillar
-  Fire Alarm
-  Fire exit with lights
-  Fire extinguisher
-  Alcohol display
4.29m x1.80m
2.04m x2.50m



-Tron Place-
Largs

Moka
59 Main Street
Largs
KA30 8AQ



THE LICENSING (SCOTLAND) ACT 2005**Application for Variation of Premises Licence**

Premises Licence Reference:	0508
Name and Address of Premises:	Metro Reloaded Ltd 2 Hamilton Street Saltcoats KA21 5EN
Applicant/Licence Holder:	Metro Reloaded Ltd
Type of Premises:	Nightclub
Proposed Application:	The application seeks to extend the opening hours until 2.30am on Thursday, Friday and Saturdays. The applicant also wishes to screen boxing events, wrestling events (such as MMA) and other live sports. The applicant wishes to host family fun days as well as bingo/bongos bingo and allow for children and young persons to be permitted until 9pm when accompanied by an adult.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No comments
Community Council Comments:	No Community Council
Health Board Comments:	No comments
Section 50 Certificates:	N/A
Additional Comments:	There are 5 objections and 4 representations in this case. The Board should have consideration to its Licensing Objectives when considering this application.

NORTH AYRSHIRE LICENSING BOARD

APPLICATION FOR VARIATION and/or TRANSFER OF
PREMISES LICENCE/PROVISIONAL PREMISES LICENCE *

LICENSING (SCOTLAND) ACT 2005, Sections 29 - 35

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each extra page with the address of the Premises, the Board Reference Number, and the type of Application applied for, and you should sign each extra page.

Your Application must be accompanied by the original Premises Licence (not the Summary), or if that is not practicable, a statement of the reasons for failure to produce the Licence.

Explanatory notes are included but these are for guidance only and are no substitute for independent legal advice. They reflect the Board's understanding of the legislation.

*Delete as appropriate

PART A - GENERAL

What type of Application is this?

(tick **one** box, and complete the rest of the form as appropriate)

Variation (Complete Parts A, B, and E)

Transfer (Complete Parts A, C and E)

Variation and Transfer (Complete all parts)

✓

Note: If the Licence is being transferred to a new Licence Holder, which is not an individual person (for example, if the new Licence Holder is a Company or Partnership) then as well as applying for Transfer of the Licence you may need to Vary to include a new Premises Manager.

Board Reference number:	
Date of Board decision to grant the Premises Licence:	
Name, address and postcode of Licensed Premises:	METRO RELOADED LTD 2 HAMILTON STREET SALTCOATS KAZI SEN
Name of Licence Holder	METRO RELOADED
Name of Premises Manager	GARY BURNS

PART B - VARIATION

B.1. Type of Variation proposed

What Variation is proposed? (consider the statutory definition of 'Minor Variation' - see Note)

Tick one box:

One or more 'Minor Variations'

One or more other Variations (including where some are 'Minor Variations' but one is not)

✓

Note: 'Minor Variation' is defined by Section 29(6) of the 2005 Act and means -

- a. any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan,
- b. where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,
- c. any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager), and
- d. where the name of the premises is disclosed in the premises licence, any change in that name
- e. a temporary or permanent reduction in the licensed hours which does not result in the premises opening any earlier or closing any later than stated in the premises licence and operating plan
- f. an increase in the minimum age at which children or young persons may be allowed onto the premises
- g. a reduction in the times at which children or young persons may be allowed onto the premises
- h. a restriction to the access of children or young persons to certain parts of the premises
- i. any reduction in the capacity of the premises whether resulting from a variation to the layout plan or otherwise
- j. any variation resulting in the cessation of the provision of live or recorded music at a decibel level exceeding 85 decibels
- k. any variation to provide that, when the premises are fully occupied, more customers are likely to be seated than standing

Any Variation outside (a) – (k) is not a 'Minor Variation'. The difference is:

- a. any Application for a Variation which is not a 'Minor Variation' must be processed in a similar way to an Application for a Premises Licence. This means that your Application will be publicised on the Board's website (or in a newspaper), will be intimated to

- (i) all occupiers of land within 4 metres of the Premises;
- (ii) the Community Council;
- (iii) North Ayrshire Council;
- (iv) the Police; and
- (v) the Fire Authority.

You will also have to display a Site Notice for 21 days. The Application will then call at a meeting of the Licensing Board;

The Fee is based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

- b. a 'Minor Variation' is not processed like this. Instead, the Application is usually granted automatically by the Clerk to the Board, without a Hearing in front of the Board (depending on the actual Variation requested, the Clerk might refer the case to the Board, but this does not happen often). The Fee is fixed and is not based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

Examples of Minor Variations:

1. Changes to the Layout Plan due to rearrangement of shelves and serving areas, without:
 - a. changing the nature of the Premises or
 - b. increasing the capacity of the Premises.
2. Changes to the Operating Plan to alter the details of the Premises Manager, or to add a new Premises Manager.

Examples of Variations which are not Minor Variations:

1. any change to the Operating Plan (except those referred to as Minor Variations);
2. any change to the Conditions affecting the Licence.

Previous Application for Variation

Note: this information is needed because the 2005 Act requires the Board to refuse a Variation Application if it has refused a previous Variation Application for the same Premises and for the same Variation (Section 30(5)(a) & 32). This bars a new Variation Application made before the expiry of the period of one year beginning with the date of the earlier refusal. The bar does not apply if either or both of these situations apply:

- a. at the time of the earlier refusal, the Board directed that the bar would not apply to any subsequent Application, or
- b. the Board is satisfied that there has been a material change of circumstances since the earlier refusal.

B.2. Has there been a previous Application for Variation for these Premises in the past year (including any time before the current Licence Holder or proposed Transferee acquired them)?

Yes	No
----------------	----

If 'No', go to Question B.6.

B.3. If 'Yes', was that previous Application refused?

Yes	No
-----	----

B.4. If it was refused, give details of that previous Application:

Name of the Applicant	
Date of the Board decision	
Summarise the Variation which was then requested.	

B.5. If there has been a Board decision to refuse in the one year before the date of lodging this Application, state which of (a) or (b) above you think applies, and if (b) applies state what you think the material change of circumstances has been:

--

B.6. Does the proposed Variation affect the Premises Manager?

Yes	No
----------------	----

If 'No', go to Question B.9.

Variation to add new Premises Manager details

B.7. Supply details of the proposed Premises Manager and produce the Personal Licence (except where the Premises Licence is a "Provisional Premises Licence" which has not yet been Confirmed).

Name	
Date of birth	
Contact address	
Email address	

Personal licence	
Date of issue	
Name of Licensing Board issuing	
Reference no. of personal licence	

B.8. Do you want the proposed Variation to add new Premises Manager details to have immediate effect?

Yes No

Note: The Variation can have effect immediately from the time the Application is received by the Licensing Board until the time that the Application is either granted or withdrawn. The fee for an 'immediate effect' Variation is higher than for the ordinary Minor Variation.

This 'immediate effect' procedure only applies to Premises Manager information. Any other sort of Variation only takes effect if and when the Board grants the Application.

B.9. Variation

Is any other Variation requested, apart from one affecting the Premises Manager?

Yes No

If 'Yes', describe the Variation requested. If necessary, lodge a new Operating Plan and/or Layout Plan or a covering letter setting out the proposed Variation, as appropriate.

EXTENSION OF HOURS (2.30AM) THURSDAY, FRIDAY, SATURDAY
~~BOXING~~ (BOUTS)
 BOXING EVENTS, WRESTLING EVENTS etc eg MMA
 LIVE SPORTS SCREENING (TV)
 * FAMILY FUN DAYS, BINGO / BONGOS BINGO

* FAMILY FUN DAYS WHERE KIDS CAN BE PRESENT
 WHEN ALCOHOL IS BEING SERVED (NOT AN UNDER 18
 EVENT) ALL CHILDREN ATTENDING FAMILY FUN DAYS WILL
 BE OFF PREMISES BY 9PM AT NIGHT + ALWAYS
 accompanied by an adult

Note:

1. Where a proposed (non Minor) Variation affects the current Layout Plan, please submit seven sets of plans showing the proposed new layout of the Premises. Where the application is for a proposed Minor Variation (only) affecting the current Layout Plan, four sets of plans showing the proposed new layout of the Premises are required.
2. If the proposed Variation involves structural alterations, you should submit the relevant Section 50 certificates (Planning; Building Control; and, if relevant, Food Hygiene).

PART C - TRANSFER

C.1. Applicant

Are you the current Licence Holder?

Yes	No
-----	----

If 'Yes', go to C.4.

Note:

1. In addition to requesting a Transfer, you may also require Variation to a new Premises Manager.
2. There are two separate procedures for transfer of a Premises Licence, Section 33 and Section 34. Section 33 covers Application for Transfer by the Licence Holder. Section 34 covers Application for Transfer by others, for example, by the Executor after the death of the Licence Holder. The procedures are similar but a Section 34 Application must be lodged within 28 days of the death or other event.

C.2. Applicant not current Licence Holder

Please tick which (a) to (f) applies to you:

- | | | |
|---|---|--------------------------|
| a | The Licence Holder is deceased, and I am his Personal Representative. | <input type="checkbox"/> |
| b | The Licence Holder is incapable, and I am authorised by his Power of Attorney. | <input type="checkbox"/> |
| c | The Licence Holder is Incapable, and I am authorised to act on his behalf by virtue of the Adults with Incapacity (Scotland) Act 2000. | <input type="checkbox"/> |
| d | The Licence Holder is insolvent, and I am the Insolvency Practitioner. | <input type="checkbox"/> |
| e | The Licence Holder, being a person other than an individual, a partnership or a company, has been dissolved, and I am the person administering the dissolution. | <input type="checkbox"/> |
| f | I am the Transferee of the Business. | <input type="checkbox"/> |

Please supply the information and documentation described in (a) to (f) below:

- a
 - 1 Specify the date of death.
 - 2 Produce the Death Certificate.
 - 3 Produce the Will nominating you Executor, or (if there is no Will) specify your entitlement to act as Executor and produce supporting documentation, such as a Marriage Certificate.
- b
 - 1 State date of Incapacity.
 - 2 Produce the Power of Attorney.
- c
 - 1 State date of Incapacity.
 - 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you and giving you authority to make an Application under Section 34 of the 2005 Act.
- d
 - 1 State date of insolvency.

- 2 Produce evidence of your authority, eg a certified copy of the Court Interlocutor appointing you.
- e 1 State date of dissolution.
- 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you.
- f Produce a letter from the Licence Holder or his Solicitor confirming:
 - 1 The transfer of the Business (not solely the Premises) and
 - 2 The date of transfer

C.3. Late Transfer

Are you lodging this Application for Transfer within 28 days of the death or other event ((a) to (f))?

Yes	No
-----	----

If 'No', please attach a letter explaining why this Application was not made within 28 days.

Note:

- 1. Where the events (a) - (e) (not (f)) happen, the Premises Licence itself ceases to have effect unless, within 28 days of the occurrence of the event, an application for the Transfer of the licence is made under Section 34;
- 2. The 28 day limit on Application applies to all of (a) to (f), so the time limit applies to business Transferees too.

C.4. Details of Transferee

Complete one of (a) to (e):

- a) Where Transferee is an individual, provide full name, date and place of birth, and home address including postcode.

Full Name	
Date of birth	
Place of Birth	
Home address including postcode	
Telephone Number	
Email address	

Note: a Transfer cannot be made to a Transferee who is an individual under the age of 18.

- b) Where Transferee is a partnership, please provide full name, and postal address of partnership.

Full name of partnership	
Postal Address of partnership	

c) Where Transferee is a company, please provide name, registered office and company registration number.

Company name	
Registered office	
Company registration number	
Telephone number	
Email address	

d) Where Transferee is a club or other body, please provide full name, and postal address of club or other body.

Full name of club or other body	
Postal address of club or other body	
Telephone number	
Email address	

e) Where Transferee is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of Connected Persons.

Full name	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	
Email address	

Full name	
-----------	--

Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	
Email address	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	
Email address	

Note: The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control.

Previous Licences and Applications

C.5. Has the Transferee or any other Connected Person ever held a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s), including the name and address of the Premises concerned, the name of the Licence Holder, the type of Licence concerned, the date when the Licence was granted or last renewed, and Licence reference number (if known); if the Premises were not in North Ayrshire, give the name of the Licensing Board.

--

C.6. Has the Transferee or any other Connected Person ever been refused a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s) applied for, including the name and address of the Premises concerned, the name of the Applicant, the type of Licence concerned and Licence reference number (if known), the date of the Board decision and the reason for refusal; if the Premises were not in North Ayrshire, give the name of the Licensing Board.

--

C.7. Previous convictions

Has the Transferee or any Connected Person ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

For each Transferee or Connected Person, answer the question:

Name	Yes	No

If the answer is 'Yes' for any person, then on a separate piece of paper provide details: Name of person convicted, (if applicable) his position e.g. 'Director', and for each conviction: the date of conviction or sentence, the Court, the Offence, and the Penalty.

Notes:

1. The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences'. This means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, Section 178 (taking motor vehicle without authority)'.

C.8. Club

If the Transferee is a Members Club, complete the following question. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

Yes	No
-----	----

Note: If the Transferor Club conforms but the Transferee Club does not (or vice versa) then the Board may require to review the Conditions applying to the licence. In particular, if the Transferee Club does not conform, by Law it may require a Premises Manager.

PART D - VARIATION AND TRANSFER TOGETHER

D.1. Does the Transfer Application depend on the grant of the Variation?

Yes	No
-----	----

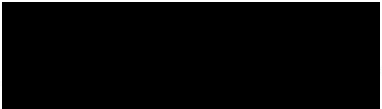
Note:

If 'Yes' the Licensing Board must determine the Variation Application before determining the Transfer Application, and if 'No', the Board must determine the Transfer Application before determining the Variation Application. In either case, if the Board refuses the first Application then the second Application automatically falls.

PART E - DECLARATION BY APPLICANT OR AGENT

If signing on behalf of the Applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature ..  (see note below)

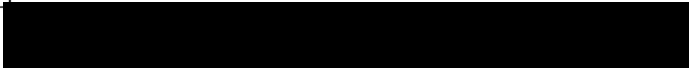
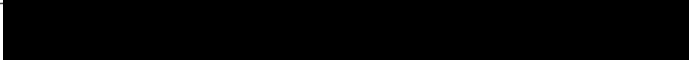
Date 18/4/24

Capacity DIRECTOR

* Data Protection Act 1998 - the information on this form may be held on a public register, which may be available to members of the public.

Signatory

Type or use BLOCK CAPITALS: Please give full name, address, post code, telephone number and email address:

Full name.	GARY BUNNS
Postal Address (including postcode)	METRO RELOADED 2 HAMILTON STREET SALTCOATS KAZI SEN
Telephone number	
Email address	

I have enclosed the relevant documents with this Application:

(Please tick the relevant boxes in the column marked 'Applicant' - the column marked 'Board' is for internal use).

Document	Applicant	Board
Premises Licence		
Summary of Premises Licence (To be returned to the Licensing Office on issue of the new Premises Licence)		
New Operating plan		
New Layout plan		
Planning Certificate		
Building Control Certificate		
Food Hygiene Certificate		
Personal Licence of proposed Premises Manager (B8)		
Documentation to show entitlement to apply for a Transfer (C2)		
Where necessary, a separate piece of paper giving details of Previous convictions (C7)		
Copy of Transferee Club Constitution and Rules (C8)		
Letter explaining why 1. The Premises Licence is not produced 2. Transfer Application is late (C3)		
Fee		✓

Application checklist (For use by the Licensing Board only)

Date received	18/4/24
Fee amount	£500
Receipt number	Tel. ADWS 00297554
Received by (INITIALS)	mc
Consideration date	3 May 2024
Last date for consideration	24 May 2024
Date of initial hearing	17 June 2024
Date granted/refused	

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Metro
Date: 15 May 2024 06:52:11

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Hi

I think metro should be approved for later opening times. What the business is trying to do for the local community is amazing and have been a great support to a local asn group. It's bringing a buzz back to the town that's been missing for so long

Thanks

[REDACTED]

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Metro late license
Date: 23 May 2024 19:17:22

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/ Madam,

Im writing on behalf of Gary and Steven, who have opened the Metro nightclub in Saltcoats.

I am a dance music promoter who shall be bringing a regular night to the club later in the year and a late license would be essential to promote a nightclub experience and obviously to bring in revenue to make it a sustainable business.

The program that the boys want to put in the club during the week days and evenings is so endearing to the local community. The charity day events, kids activities, , disabled kids and carers days , mens mental health is just a small fraction of things.

I personally will be running a recovery program for addicts and alcoholics on a weekly basis.

Hope this all helps as without the actual nightclub being profitable, then the community misses out on so much

Best regards

[REDACTED]

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: In respect of metro application.
Date: 14 May 2024 23:01:35

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Hi my name is [REDACTED] I'm one of the admins for local parent kids Irvine three towns group on Facebook. I seen the article in adrossan hearld about applicant in for plans for the metro. I would like to say this is amazing and they should be granted the application. Throughout the Easter holidays I got talking to Steven about their being nothing within our local community for ASN families and instantly we got working together to make these changes and on the 12th April and 14th April we held two asn discos within the metro and can I just say It was an absolute amazing day for everyone. Steven went all out ensuring everything went smoothly for us he was also standing having a look at nightclub on the lead up to disco and felt something was missing he went out and bought a wheel chair ramp so wheelchair users could join everyone else on the dance floor his words why shouldn't they be able to dance on the dance floor like everyone else. We had a few wheelchair users which attended the discos and wow what a heart warming moment seeing them have the best time they didn't want to leave. Our group is now working closey with Steven and the metro staff so we can continue to provide asn discos within the metro and hoping to keep it going every two months so that it is within the childrens routine. If the metro were granted the licence I feel this would open up so many amazing opportunities for the community as its what our community has been missing. Steven wanting to also make it a safe place for everyone to enjoy which I think is absolutely amazing. If you need any further information feel free to contact me. We are also having our next asn disco within the metro on 24th may which everyone is looking forward to. Thank you

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Metro Saltcoats (late license)
Date: 24 May 2024 09:17:31

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

I am writing to express my full support for Metro Nightclub's application for a late license. As the founder and director of Kickin' On, a dedicated mental health and suicide prevention group, I have had the privilege of working closely with Metro Nightclub these last few months. In past years, the club has not only become a cornerstone of Saltcoats' nightlife but the work they have carries our have revitalised a historic part of the town.

The team have worked tirelessly to bring vibrancy and life back to Saltcoats institution .Their commitment to creating a safe, welcoming, and dynamic environment for all patrons has been exemplary. Through their efforts, they have successfully transformed the nightlife scene, making it a vibrant hub that attracts both locals and visitors, significantly contributing to the local economy and community spirit.

Our partnership with Metro Nightclub has been particularly meaningful in the context of mental health and suicide prevention. We firmly believe that socialising, nightlife, and music are essential elements in promoting mental well-being. Nightclubs like Metro provide a critical space where individuals can relax, socialise, and connect with others in a positive and supportive environment. This social interaction is crucial in combating feelings of isolation and loneliness, which are often precursors to mental health issues.

Furthermore, Metro Nightclub has consistently demonstrated their commitment to the well-being of their patrons by supporting mental health initiatives and creating awareness around these issues. Their proactive approach in creating a safe and inclusive environment aligns perfectly with our mission to support and improve mental health in our community.

Granting Metro Nightclub a late license will not only enhance their ability to continue providing exceptional service and entertainment but will also support the mental and emotional well-being of countless individuals who rely on such spaces for social interaction and relaxation. The extension of their operating hours will allow for more comprehensive and varied programming, further cementing their role as a vital community asset.

In conclusion, I strongly urge you to consider the immense positive impact that Metro Nightclub has on Saltcoats and its residents. Their dedication to rejuvenating the town's nightlife and their partnership with our mental health initiatives make them an invaluable part of our community. Supporting their application for a late license is an investment in the well-being and vibrancy of Saltcoats.

Thank you for your time and consideration.

Sincerely,

[REDACTED] | Founder+Director
[REDACTED]

Kickin' On Community C.I.C - SC771252

www.kickinon.co.uk

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Metro late opening
Date: 15 May 2024 11:52:09

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Hi i think before you give the go ahead for later opening hours for the metro they need to consider the neighbours around them! The boom boom until 1pm is bad enough. While the metro has been a success, the music is too loud.

The worst thing is the people who go out the back for a cigarette! All you hear is arguing and swearing it's a nightmare. I would propose they sort the smoking area out! The boom boom you can eventually get used to but people outside arguing and swearing is just too much. I usually shut my windows until 1am. Then re open them once the metro shuts. They need a better place for smokers to go instead of just standing outside in a group.
JUST MY OPINION!

THANKS.

[REDACTED].

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Metro Saltcoats
Date: 15 May 2024 15:53:15

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir

I wish to object to the Metro in Saltcoats having its license extended.

[REDACTED] hear this loud music every weekend

The noise since it reopened is not acceptable to the local people, if the owners only walked round the back at midnight they would hear it themselves, if is louder then as most local traffic has stopped and we have to endure this until 1am as it is.

Please do not extend this.

Thank you
[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Objection to extended licensing
Date: 18 May 2024 18:23:37

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Please accept this as a formal objection to the extended licensing application made by The Metro. The basis for this opposition is that granting an extended license for these premises will not promote the prevention of crime, disorder and antisocial behaviour.

[REDACTED] I have already lodged a noise complaint relating to the levels of noise from The Metro during evening/night opening hours and when people are leaving the nightclub. This process is more complicated than it needs to be! There is no way I can record every 15/30 mins noise on an app late a night!

A few of the reasons why I object to the extended hours are a follows:

- Residents in the area already suffer noise nuisance and some antisocial behaviour at all hours. The opening hours are not just those advertised and until the existing licensed time of 1am. The excessive noise has also occurred during days when there may be themed events on and when staff/DJs etc are rehearsing. So mid afternoon on a Saturday until 1am, but extending that to 2:30am, almost 12 hours of excessive and relentless noise is not acceptable in a residential area.
- The excessive noise continues beyond The Metro's opening times. The noise from the disposal of glassware is unbelievable and not acceptable.
- As visitors to The Metro leave (1am or 2:30am) they do not leave quietly. Unfortunately, some become a public nuisance. I have witnessed fights in Eglinton Street, litter dumped in gardens [REDACTED] cars damaged, street signs vandalised. If the hours were extended and later hours of alcohol sales, then there is more chance of public disorder, potential crime and antisocial behaviour. More so than there is just now.

I sincerely hope North Ayrshire Council considers this objection in the hearing. Extended hours and later hours of alcohol sales are likely to increase the cumulative stress of noise and nuisance in neighbouring streets.

Many thanks for your time and consideration of these points.

[REDACTED]

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Metro Extended hours
Date: 15 May 2024 00:15:44

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Sirs

I live in [REDACTED] and the noise from the music is already too much until 1am but worse is people stood outside smoking and arguing then making noise at closing time so would be against this extending to 2.30am

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Objections to Metro opening hours
Date: 23 May 2024 23:01:35

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Having been a resident in [REDACTED] for nearly 10 years I have come to expect a certain level of noise from commercial premises during their operating hours, being unable to access the rear of my property due to delivery trucks and such like or even being unable to park in front of my property due to the various parking restrictions that have recently been put in place in surrounding streets.

However since the Metro has reopened it has significantly impacted on my quality of life as well as the quality of life of my wife.

There have been a number of weekends where from Friday to Sunday the noise from the Metro has been excessive. On more than 1 occasion I have been unable to watch television without having to turn up the volume to try and drown out the constant thump, thump of the base from the music played at the Metro.

The excessive noise is not only during the licensed operating hours of the premises. There have been a number of occasions since its opening that there have been events on which have contributed to the excessive noise. Music getting played at excessive levels on weekdays. Some of these events have started in the early afternoon and have continued all night.

The noise issues have also been raised to the council/ licensing department by my wife however due to the lengthy complaints process/ procedures it has not been feasible to progress the complaint. The noise complaint team could park at the rear of my property to listen to the excessive noise without having to place noise listening equipment in my property.

There has been a considerable rise in pedestrian foot traffic in Eglinton Street during the early hours of the morning since the re-opening of the Metro which has led to a rise in littering and anti-social behaviour. Whilst this might not be exclusively linked to the Metro re-opening there has been a very noticeable rise.

Being a shift worker and already struggling to obtain the required levels of rest at the weekends due to the levels of noise from the Metro I cannot emphasise enough how the thought of an extended license fills me with dread.

Does the local area really need another licensed premises supplying alcohol to the community and fueling anti-social behaviour when there are another 10 licensed premises in close proximity?

I also feel that the way the whole objection process has been cascaded to the local residents has been quite underhanded as not all of them will have access to the internet or read the local news papers.

Your sincerely a worried resident

THE LICENSING (SCOTLAND) ACT 2005**Application for Variation of Premises Licence**

Premises Licence Reference:	0207
Name and Address of Premises:	The Brisbane Hotel 10/16 Greenock Road Largs KA30 8NF
Applicant/Licence Holder:	Manorview Hotels Limited
Type of Premises:	Hotel with function suites
Proposed Application:	The variation deletes the current description and substitutes, "the premises comprise a 19 bedroom hotel with function suites in an area of mixed residential and commercial properties". Further variations refer to tying in with the Board's policy for operating hours during the festive period, allowing for children and young people in residence (24 hours) or attending a function (duration of the function) if they are accompanied by an adult and is to apply to all public parts. The capacity of the premises is to be amended to 724 for on-sales and 0 for off-sales.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No comments
Community Council Comments:	No comments
Health Board Comments:	No comments
Section 50 Certificates:	N/A
Additional Comments:	The Board should consider the variations to the operating plan at questions 4, 5(g), 6(b), 6(c), 6(d), 6(e) and 7 as per pages 4 and 5.

NORTH AYRSHIRE LICENSING BOARD

APPLICATION FOR VARIATION and/or TRANSFER OF
PREMISES LICENCE/PROVISIONAL PREMISES LICENCE *

LICENSING (SCOTLAND) ACT 2005, Sections 29 - 35

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each extra page with the address of the Premises, the Board Reference Number, and the type of Application applied for, and you should sign each extra page.

Your Application must be accompanied by the original of the Premises Licence (not the Summary), or if that is not practicable, a statement of the reasons for failure to produce the Licence. The Summary is not an acceptable substitute but (if the Application includes a Transfer) you should deliver the Summary to the Board.

Explanatory notes are included but these are for guidance only and are no substitute for independent legal advice. They reflect the Board's understanding of the legislation.

Do not use this form for the Transfer of an Application under Article 10 of the Transitional Order. Contact the Board.

***Delete as appropriate**

PART A - GENERAL

What type of Application is this?

(tick **one** box, and complete the rest of the form as appropriate)

Variation (Complete Parts A, B, and E)

✓

Transfer (Complete Parts A, C and E)

Variation and Transfer (Complete all parts)

Note: If the Licence is being transferred to a new Licence-holder, which is not an individual person (for example, if the new Licence-holder is a Company or Partnership) then as well as applying for Transfer of the Licence you may need to Vary to include a new Premises Manager.

Board Reference number:	0207
Date of Board decision to grant the Premises Licence:	24 th June 2022
Name, address and postcode of Licensed Premises:	The Brisbane Hotel, 10/16 Greenock Road, Largs KA30 8NF
Name of Licence Holder	Manorview Hotels Limited
Name of Premises Manager	Lesley Smith

PART B - VARIATION

B.1. Type of Variation proposed

What Variation is proposed? (consider the statutory definition of 'Minor Variation' - see Note)

Tick one box:

One or more 'Minor Variations'

One or more other Variations (including where some are 'Minor Variations' but one is not)

✓

Note: 'Minor Variation' is defined by Section 29(6) of the 2005 Act and means -

- a. any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan,
- b. where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,
- c. any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager), and
- d. any other Variation of such description as may be prescribed.

Any Variation outside (a) – (d) is not a 'Minor Variation'. The difference is:

- a. any Application for a Variation which is not a 'Minor Variation' must be processed in a similar way to an Application for a Premises Licence. This means that your Application will be publicised on the Board's website (or in a newspaper), will be intimated to
 - (i) all occupiers of land within 4 metres of the Premises;
 - (ii) the Community Council;
 - (iii) North Ayrshire Council;
 - (iv) the Police; and
 - (v) the Fire Authority.

You will also have to display a Site Notice for 21 days. The Application will then call at a meeting of the Licensing Board;

The Fee is based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

- b. a 'Minor Variation' is not processed like this. Instead, the Application is usually granted automatically by the Clerk to the Board, without a Hearing in front of the Board (depending on the actual Variation requested, the Clerk might refer the case to the Board, but this does not happen often). The Fee is fixed and is not based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

Examples of Minor Variations:-

1. Changes to the Layout Plan due to rearrangement of shelves and serving areas, without changing:
 - a. the nature of the Premises (e.g. "it will still be a pub"); or
 - b. the capacity of the Premises.
2. Changes to the Operating Plan to alter the details of the Premises Manager, or to add a new Premises Manager.

Examples of Variations which are not Minor Variations:

1. any change to the Operating Plan (except where the change only relates to the details of the Premises Manager, or the change reduces the access by under-18s);
2. any change to the Conditions affecting the Licence.

Previous Application for Variation

Note: this information is needed because the 2005 Act requires the Board to refuse a Variation Application if it has refused a previous Variation Application for the same Premises and for the same Variation (Section 30(5)(a) & 32). This bars a new Variation Application made before the expiry of the period of one year beginning with the date of the earlier refusal. The bar does not apply if either or both of these situations apply:-

- a. at the time of the earlier refusal, the Board directed that the bar would not apply to any subsequent Application, or
- b. the Board is satisfied that there has been a material change of circumstances since the earlier refusal.

B.2. Has there been a previous Application for Variation for these Premises in the past year (including any time before the current Licenceholder or proposed Transferee acquired them)?

	NO
--	----

If 'No', go to Question B.6.

B.3. If 'Yes', was that previous Application refused?

YES	NO
-----	----

B.4. If it was refused, give details of that previous Application:

Name of the Applicant	
Date of the Board decision	
Summarise the Variation which was then requested.	

B.5. If there has been a Board decision to refuse in the one year before the date of lodging this Application, state which of (a) or (b) above you think applies, and if (b) applies state what you think the material change of circumstances has been:

B.6. Does the proposed Variation affect the Premises Manager?

	NO
--	----

If 'No', go to Question B.9.

Variation to add new Premises Manager details

B.7. Supply details of the proposed Premises Manager and produce the Personal Licence (except where the Premises Licence is a "Provisional Premises Licence" which has not yet been Confirmed).

Name	
Date of birth	
Contact address	
Email address	

Personal licence	
Date of issue	
Name of Licensing Board issuing	
Reference no. of personal licence	

B.8. Do you want the proposed Variation to add new Premises Manager details to have immediate effect?

YES	NO
-----	----

Note: The Variation can have effect immediately from the time the Application is received by the Licensing Board until the time that the Application is either granted or withdrawn. The fee for an 'immediate effect' Variation is higher than for the ordinary Minor Variation.

This 'immediate effect' procedure only applies to Premises Manager information. Any other sort of Variation only takes effect if and when the Board grants the Application.

B.9. Variation

Is any other Variation requested, apart from one affecting the Premises Manager?

YES	
-----	--

If 'Yes', describe the Variation requested. If necessary, lodge a new Operating Plan and/or Layout Plan or a covering letter setting out the proposed Variation, as appropriate.

The current description of the premises is deleted and there is substituted therefore "The premises comprise a 19 bedroom hotel with function suites in an area of mixed residential and commercial properties".

In Q4 of the Operating Plan the answer to "seasonal variations" is amended to "Yes" and in the expansion box relative thereto there is inserted the words "The premises may operate additional

hours from time to time in accordance with the North Ayrshire Licensing Board’s Policy in particular during the festive period”. The current wording is deleted.

In the expansion box after Q5 (g) of the Operating Plan the current wording is deleted and there is substituted therefore “In column 4 of the answers above the answer “Yes” is given the activities referred to may be available during the trading hours of the premises”

In Q6b of the Operating Plan the current wording is deleted and there is substituted therefore “Children and Young Persons are admitted to the premises if they are either residence in the premises or are attending a function taking place within the premises, in both instances they are to be accompanied by a responsible adult over the age of 18 years”.

In Q6c of the Operating Plan the current wording is deleted and there is substituted therefore “0-17 Years”.

In Q6d of the Operating Plan the current wording is deleted and there is substituted therefore “Children and Young Persons who are resident in the premises are admitted to the premises on a 24hour basis. Children and Young Persons attending a private function being held in the premises are entitled to remain for the duration of the function”.

In Q6e of the Operating Plan the current wording is deleted and there is substituted therefore “All Public Parts”.

In Q7 of the Operating Plan the current wording is deleted and there is substituted therefore “ON SALES - 724 OFFSALES - 0”.

Note:

1. Where the proposed Variation affects the current Layout Plan, please submit seven sets of plans showing the proposed new layout of the Premises.
2. If the proposed Variation involves structural alterations, you should submit the relevant Section 50 certificates (Planning; Building Control; and, if relevant, Food Hygiene).

PART C - TRANSFER

C.1. Applicant

Are you the current Licence Holder?

N/A	
-----	--

If 'Yes', go to C.4.

Note:

1. In addition to requesting a Transfer, you may also require Variation to a new Premises Manager.
2. There are two separate procedures for transfer of a Premises Licence, Section 33 and Section 34. Section 33 covers Application for Transfer by the Licence Holder. Section 34 covers Application for Transfer by others, for example, by the Executor after the death of the Licence Holder. The procedures are similar but a Section 34 Application must be lodged within 28 days of the death or other event.

C.2. Applicant not current Licenceholder

Please tick which (a) to (f) applies to you:

a The Licenceholder is deceased, and I am his Personal Representative.

- b The Licenceholder is incapable, and I am authorised by his Power of Attorney.
- c The Licenceholder is Incapable, and I am authorised to act on his behalf by virtue of the Adults with Incapacity (Scotland) Act 2000.
- d The Licenceholder is insolvent, and I am the Insolvency Practitioner.
- e The Licenceholder, being a person other than an individual, a partnership or a company, has been dissolved, and I am the person administering the dissolution.
- f I am the Transferee of the Business.

Please supply the information and documentation described in (a) to (f) below:

- a
 - 1 Specify the date of death.
 - 2 Produce the Death Certificate.
 - 3 Produce the Will nominating you Executor, or (if there is no Will) specify your entitlement to act as Executor and produce supporting documentation, such as a Marriage Certificate.
- b
 - 1 State date of Incapacity.
 - 2 Produce the Power of Attorney.
- c
 - 1 State date of Incapacity.
 - 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you and giving you authority to make an Application under Section 34 of the 2005 Act.
- d
 - 1 State date of insolvency.
 - 2 Produce evidence of your authority, eg a certified copy of the Court Interlocutor appointing you.
- e
 - 1 State date of dissolution.
 - 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you.
- f Produce a letter from the Licence Holder or his Solicitor confirming:
 - 1 The transfer of the Business (not solely the Premises) and
 - 2 The date of transfer

C.3. Late Transfer

Are you lodging this Application for Transfer within 28 days of the death or other event ((a) to (f))?

YES	NO
-----	----

If 'No', please attach a letter explaining why this Application was not made within 28 days.

Note:

- 1. Where the events (a) - (e) (not (f)) happen, the Premises Licence itself ceases to have effect unless, within 28 days of the occurrence of the event, an application for the Transfer of the licence is made under Section 34;

2. The 28 day limit on Application applies to all of (a) to (f), so the time limit applies to business Transferees too.

C.4. Details of Transferee

Complete one of (a) to (e):

- a) Where Transferee is an individual, provide full name, date and place of birth, and home address including postcode.

Full Name	
Date of birth	
Place of Birth	
Home address including postcode	

Note: a Transfer cannot be made to a Transferee who is an individual under the age of 18.

- b) Where Transferee is a partnership, please provide full name, and postal address of partnership.

Full name of partnership.	
Postal Address of partnership.	

- c) Where Transferee is a company, please provide name, registered office and company registration number.

Company name.	
Registered office.	
Company registration number.	

- d) Where Transferee is a club or other body, please provide full name, and postal address of club or other body.

Full name of club or other body.	
Postal address of club or other body	

--	--

e) Where Transferee is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of Connected Persons.

Full name.	
Postal Address	
Date of Birth	
Place of Birth	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	

Note: The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control.

Previous Licences and Applications

C.5. Has the Transferee or any other Connected Person ever held a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s), including the name and address of the Premises concerned, the name of the Licence-holder, the type of Licence concerned, the

date when the Licence was granted or last renewed, and Licence reference number (if known); if the Premises were not in North Ayrshire, give the name of the Licensing Board.

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C.6. Has the Transferee or any other Connected Person ever been refused a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	NO
-----	----

If 'Yes', please provide below full details of the other Licence(s) applied for, including the name and address of the Premises concerned, the name of the Applicant, the type of Licence concerned and Licence reference number (if known), the date of the Board decision and the reason for refusal; if the Premises were not in North Ayrshire, give the name of the Licensing Board.

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C.7. Previous convictions

Has the Transferee or any Connected Person ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

For each Transferee or Connected Person, answer the question:

Name	Yes	No

If the answer is 'Yes' for any person, then on a separate piece of paper provide details: Name of person convicted, (if applicable) his position e.g. 'Director', and for each conviction: the date of conviction or sentence, the Court, the Offence, and the Penalty.

Notes:

1. The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences'. This means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.

2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, Section 178 (taking motor vehicle without authority)'.

C.8. Club

If the Transferee is a Members Club, complete the following question. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

YES	NO
-----	----

Note: If the Transferor Club conforms but the Transferee Club does not (or vice versa) then the Board may require to review the Conditions applying to the licence. In particular, if the Transferee Club does not conform, by Law it may require a Premises Manager.

PART D - VARIATION AND TRANSFER TOGETHER

D.1. Does the Transfer Application depend on the grant of the Variation?

N/A	
-----	--

Note:

If 'Yes' the Licensing Board must determine the Variation Application before determining the Transfer Application, and if 'No', the Board must determine the Transfer Application before determining the Variation Application. In either case, if the Board refuses the first Application then the second Application automatically falls.

PART E - DECLARATION BY APPLICANT OR AGENT

If signing on behalf of the Applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature *Brunton Miller* * (see note below)

Date Tuesday, 23rd January 2024.....

Capacity Agent – Brunton Miller, Solicitors

* Data Protection Act 1998 - the information on this form may be held on a public register, which may be available to members of the public.

Signatory

Type or use BLOCK CAPITALS: Please give full name, address, post code, telephone number and email address:

Full name.	Archie Maciver, Brunton Miller, Solicitors
Postal Address (including postcode)	22 Herbert Street, Glasgow G20 6NB
Telephone number	[REDACTED]
Email address	[REDACTED]

I have enclosed the relevant documents with this Application:

(Please tick the relevant boxes in the column marked 'Applicant' - the column marked 'Board' is for internal use).

Document	Applicant	Board
Premises Licence		
Summary of Premises Licence		
New Operating plan		
New Layout plan		
Planning Certificate		
Building Control Certificate		
Food Hygiene Certificate		
Personal Licence of proposed Premises Manager (B8)		
Documentation to show entitlement to apply for a Transfer (C2)		
Where necessary, a separate piece of paper giving details of Previous convictions (C7)		
Copy of Transferee Club Constitution and Rules (C8)		
Letter explaining why 1. The Premises Licence is not produced 2. Transfer Application is late (C3)		
Fee		

Application checklist (For use by the Licensing Board only)

Date received	25 January 2024
Fee amount	£700
Receipt number	bacs ADWS00276668
Received by (INITIALS)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date granted/refused	

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises	NO
1(b) Will alcohol be sold for consumption solely OFF the premises	NO
1(c) Will alcohol be sold for consumption both ON and OFF the premises	YES
*Delete as appropriate	

Question 2STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES

Day	ON Consumption	
	Opening time	Terminal hour
<i>Monday</i>	11.00am	midnight
<i>Tuesday</i>	11.00am	midnight
<i>Wednesday</i>	11.00am	midnight
<i>Thursday</i>	11.00am	01.00am
<i>Friday</i>	11.00am	01.00am
<i>Saturday</i>	11.00am	01.00am
<i>Sunday</i>	11.00am	midnight

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10.00am	10.00pm
<i>Tuesday</i>	10.00am	10.00pm
<i>Wednesday</i>	10.00am	10.00pm
<i>Thursday</i>	10.00am	10.00pm
<i>Friday</i>	10.00am	10.00pm
<i>Saturday</i>	10.00am	10.00pm
<i>Sunday</i>	12.30pm	10.00pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	Yes
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**If YES – provide details*

The premises may operate additional hours from time to time in accordance with the North Ayrshire Licensing Board’s Policy in particular during the festive period.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

5(a) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	YES	N/A	N/A
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	YES

5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>(Weddings funerals,,</i> <i>birthdays, retirements</i> <i>etc)</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc</i>	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Music – see 5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	YES	YES	YES
<i>Dance facilities –</i> <i>see 5(g)</i>	YES	YES	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	YES	YES	YES
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor</i> <i>sports</i>	NO	NO	NO
<i>Televised sport</i>	YES	YES	YES

5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	YES	YES	YES
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment – see 5(g)</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide h

In column 4 of the answers above the answer “Yes” is given the activities referred to may be available during the trading hours of the premises.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

QUIZ NIGHTS

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing either live or recorded music, dancing or adult entertainment, any combination of these or all please provide the following details

Will the music level exceed 85dB?	N/A
When fully occupied, are there likely to be more customers standing than seated?	N/A
*Delete as appropriate	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Children and Young Persons are admitted to the premises if they are either residence in the premises or are attending a function taking place within the premises, in both instances they are to be accompanied by a responsible adult over the age of 18 years.

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

0-17 Years.

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

Children and Young Persons who are resident in the premises are admitted to the premises on a 24hour basis. Children and Young Persons attending a private function being held in the premises are entitled to remain for the duration of the function.

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

All public parts.

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

ON SALES - 724

OFFSALES - 0

Question 8

PREMISES MANAGER (**NOTE: not required where application is for grant of provisional premises licence**)

Personal details

8(a) Name

Lesley Smith

8(b) *Date of birth*

8(c) *Contact address*

8(d) *Email address*

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

THE LICENSING (SCOTLAND) ACT 2005**Application for Variation of Premises Licence**

Premises Licence Reference:	0230
Name and Address of Premises:	Spar Convenience Store 2c Orchard Street West Kilbride KA23 9PL
Applicant/Licence Holder:	CJ Lang & Sons Limited
Type of Premises:	Convenience Store
Proposed Application:	The variation adds gaming as an activity both with and within core hours. The premises may open for general trade prior to the commencement of core hours. Recorded music (such as Spar Radio) may play at background level prior to the commencement of core hours. National Lottery tickets/cards can be purchased prior to core hours. The primary activity undertaken in the premises are varied to include home delivery, click & collect as well as sampling and promos.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No comments
Community Council Comments:	No comments
Health Board Comments:	No comments
Section 50 Certificates:	N/A
Additional Comments:	The Board should consider its policy on core hours and also its policy on the addition of home delivery to the primary activity carried out at the premises. The Gambling Act 2005 does not apply to the National Lottery and as such, the National Lottery does not depend on licences granted by individual boards.

NORTH AYRSHIRE LICENSING BOARD

APPLICATION FOR VARIATION and/or TRANSFER OF PREMISES LICENCE/PROVISIONAL PREMISES LICENCE *

LICENSING (SCOTLAND) ACT 2005, Sections 29 - 35

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each extra page with the address of the Premises, the Board Reference Number, and the type of Application applied for, and you should sign each extra page.

Your Application must be accompanied by the original of the Premises Licence (not the Summary), or if that is not practicable, a statement of the reasons for failure to produce the Licence. The Summary is not an acceptable substitute but (if the Application includes a Transfer) you should deliver the Summary to the Board.

Explanatory notes are included but these are for guidance only and are no substitute for independent legal advice. They reflect the Board's understanding of the legislation.

Do not use this form for the Transfer of an Application under Article 10 of the Transitional Order. Contact the Board.

***Delete as appropriate**

PART A - GENERAL

What type of Application is this?
(tick **one** box, and complete the rest of the form as appropriate)

Variation (Complete Parts A, B, and E)

Y

Transfer (Complete Parts A, C and E)

Variation and Transfer (Complete all parts)

Note: If the Licence is being transferred to a new Licenceholder, which is not an individual person (for example, if the new Licenceholder is a Company or Partnership) then as well as applying for Transfer of the Licence you may need to Vary to include a new Premises Manager.

Board Reference number:	0230
Date of Board decision to grant the Premises Licence:	3 December 2018
Name, address and postcode of Licensed Premises:	Spar Convenience Store 2c Orchard Street West Kilbride KA23 9PL
Name of Licence Holder	CJ Lang & Son Limited
Name of Premises Manager	Denise Grace Burns

B.1. Type of Variation proposed

What Variation is proposed? (consider the statutory definition of 'Minor Variation' - see Note)

Tick one box:

One or more 'Minor Variations'

One or more other Variations (including where some are 'Minor Variations' but one is not)

Y

Note: 'Minor Variation' is defined by Section 29(6) of the 2005 Act and means -

- a. any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan,
- b. where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,
- c. any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager), and
- d. any other Variation of such description as may be prescribed.

Any Variation outside (a) – (d) is not a 'Minor Variation'. The difference is:

- a. any Application for a Variation which is not a 'Minor Variation' must be processed in a similar way to an Application for a Premises Licence. This means that your Application will be publicised on the Board's website (or in a newspaper), will be intimated to
 - (i) all occupiers of land within 4 metres of the Premises;
 - (ii) the Community Council;
 - (iii) North Ayrshire Council;
 - (iv) the Police; and
 - (v) the Fire Authority.

You will also have to display a Site Notice for 21 days. The Application will then call at a meeting of the Licensing Board;

The Fee is based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

- b. a 'Minor Variation' is not processed like this. Instead, the Application is usually granted automatically by the Clerk to the Board, without a Hearing in front of the Board (depending on the actual Variation requested, the Clerk might refer the case to the Board, but this does not happen often). The Fee is fixed and is not based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

Examples of Minor Variations:

1. Changes to the Layout Plan due to rearrangement of shelves and serving areas, without changing:
 - a. the nature of the Premises (e.g. "it will still be a pub"); or

2. Changes to the Operating Plan to alter the details of the Premises Manager, or to add a new Premises Manager.

Examples of Variations which are not Minor Variations:

1. any change to the Operating Plan (except where the change only relates to the details of the Premises Manager, or the change reduces the access by under-18s);
2. any change to the Conditions affecting the Licence.

Previous Application for Variation

Note: this information is needed because the 2005 Act requires the Board to refuse a Variation Application if it has refused a previous Variation Application for the same Premises and for the same Variation (Section 30(5)(a) & 32). This bars a new Variation Application made before the expiry of the period of one year beginning with the date of the earlier refusal. The bar does not apply if either or both of these situations apply:

- a. at the time of the earlier refusal, the Board directed that the bar would not apply to any subsequent Application, or
- b. the Board is satisfied that there has been a material change of circumstances since the earlier refusal.

B.2. Has there been a previous Application for Variation for these Premises in the past year (including any time before the current Licenceholder or proposed Transferee acquired them)?

	No
--	----

If 'No', go to Question B.6.

B.3. If 'Yes', was that previous Application refused?

Yes	No
-----	----

B.4. If it was refused, give details of that previous Application:

Name of the Applicant	
Date of the Board decision	
Summarise the Variation which was then requested.	

B.5. If there has been a Board decision to refuse in the one year before the date of lodging this Application, state which of (a) or (b) above you think applies, and if (b) applies state what you think the material change of circumstances has been:

--

B.6. Does the proposed Variation affect the Premises Manager?

	No
--	----

If 'No', go to Question B.9.

Variation to add new Premises Manager details

B.7. Supply details of the proposed Premises Manager and produce the Personal Licence (except where the Premises Licence is a "Provisional Premises Licence" which has not yet been Confirmed).

Name	
Date of birth	
Contact address	
Email address	

Personal licence	
Date of issue	
Name of Licensing Board issuing	
Reference no. of personal licence	

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B.8. Do you want the proposed Variation to add new Premises Manager details to have immediate effect?

Yes	No
-----	----

Note: The Variation can have effect immediately from the time the Application is received by the Licensing Board until the time that the Application is either granted or withdrawn. The fee for an 'immediate effect' Variation is higher than for the ordinary Minor Variation.

This 'immediate effect' procedure only applies to Premises Manager information. Any other sort of Variation only takes effect if and when the Board grants the Application.

B.9. Variation

Is any other Variation requested, apart from one affecting the Premises Manager?

Yes	
-----	--

If 'Yes', describe the Variation requested. If necessary, lodge a new Operating Plan and/or Layout Plan or a covering letter setting out the proposed Variation, as appropriate.

Q5) To add "Gaming" as an activity within and outwith core hours.

Q5) To amend and add the following wording - The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.

Q5f) To amend and add the following wording - The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities.

Note:

1. Where the proposed Variation affects the current Layout Plan, please submit seven sets of plans showing the proposed new layout of the Premises.
2. If the proposed Variation involves structural alterations, you should submit the relevant Section 50 certificates (Planning; Building Control; and, if relevant, Food Hygiene).

PART C - TRANSFER

C.1. Applicant

Are you the current Licence Holder?

Yes	No
-----	----

If 'Yes', go to C.4.

Note:

1. In addition to requesting a Transfer, you may also require Variation to a new Premises Manager.
2. There are two separate procedures for transfer of a Premises Licence, Section 33 and Section 34. Section 33 covers Application for Transfer by the Licence Holder. Section 34 covers Application for Transfer by others, for example, by the Executor after the death of the Licence Holder. The procedures are similar but a Section 34 Application must be lodged within 28 days of the death or other event.

C.2. Applicant not current Licenceholder

Please tick which (a) to (f) applies to you:

- a The Licenceholder is deceased, and I am his Personal Representative.
- b The Licenceholder is incapable, and I am authorised by his Power of Attorney.
- c The Licenceholder is Incapable, and I am authorised to act on his behalf by virtue of the Adults with Incapacity (Scotland) Act 2000.
- d The Licenceholder is insolvent, and I am the Insolvency Practitioner.
- e The Licenceholder, being a person other than an individual, a partnership or a company, has been dissolved, and I am the person administering the dissolution.
- f I am the Transferee of the Business.

Please supply the information and documentation described in (a) to (f) below:

- a
 - 1 Specify the date of death.
 - 2 Produce the Death Certificate.
 - 3 Produce the Will nominating you Executor, or (if there is no Will) specify your entitlement to act as Executor and produce supporting documentation, such as a Marriage Certificate.
- b
 - 1 State date of Incapacity.
 - 2 Produce the Power of Attorney.
- c
 - 1 State date of Incapacity.
 - 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you and giving you authority to make an Application under Section 34 of the 2005 Act.
- d
 - 1 State date of insolvency.
 - 2 Produce evidence of your authority, eg a certified copy of the Court Interlocutor appointing you.
- e
 - 1 State date of dissolution.
 - 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you.

f 157

Produce a letter from the Licence Holder or his Solicitor confirming:

- 1 The transfer of the Business (not solely the Premises) and
- 2 The date of transfer

C.3. Late Transfer

Are you lodging this Application for Transfer within 28 days of the death or other event ((a) to (f))?

Yes	No
-----	----

If 'No', please attach a letter explaining why this Application was not made within 28 days.

Note:

1. Where the events (a) - (e) (not (f)) happen, the Premises Licence itself ceases to have effect unless, within 28 days of the occurrence of the event, an application for the Transfer of the licence is made under Section 34;
2. The 28 day limit on Application applies to all of (a) to (f), so the time limit applies to business Transferees too.

C.4. Details of Transferee

Complete one of (a) to (e):

- a) Where Transferee is an individual, provide full name, date and place of birth, and home address including postcode.

Full Name	
Date of birth	
Place of Birth	
Home address including postcode	

Note: a Transfer cannot be made to a Transferee who is an individual under the age of 18.

- b) Where Transferee is a partnership, please provide full name, and postal address of partnership.

Full name of partnership.	
Postal Address of partnership.	

--	--

- c) Where Transferee is a company, please provide name, registered office and company registration number.

Company name.	
Registered office.	
Company registration number.	

- d) Where Transferee is a club or other body, please provide full name, and postal address of club or other body.

Full name of club or other body.	
Postal address of club or other body	

- e) Where Transferee is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of Connected Persons.

Full name.	
Postal Address	
Date of Birth	
Place of Birth	

Full name.	
Postal Address	

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Date of Birth	
Place of Birth	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	

Note: The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control.

Previous Licences and Applications

C.5. Has the Transferee or any other Connected Person ever held a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	<input type="checkbox"/>
-----	--------------------------

If 'Yes', please provide below full details of the other Licence(s), including the name and address of the Premises concerned, the name of the Licence-holder, the type of Licence concerned, the date when the Licence was granted or last renewed, and Licence reference number (if known); if the Premises were not in North Ayrshire, give the name of the Licensing Board.

CJ Lang & Son operate the Spar brand, known across the country as retail premises operators.
--

C.6. Has the Transferee or any other Connected Person ever been refused a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

	No
--	----

If 'Yes', please provide below full details of the other Licence(s) applied for, including the name and address of the Premises concerned, the name of the Applicant, the type of Licence concerned and Licence reference number (if known), the date of the Board decision and the reason for refusal; if the Premises were not in North Ayrshire, give the name of the Licensing Board.

C.7. Previous convictions

Has the Transferee or any Connected Person ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

For each Transferee or Connected Person, answer the question:

Name	Yes	No

If the answer is 'Yes' for any person, then on a separate piece of paper provide details: Name of person convicted, (if applicable) his position e.g. 'Director', and for each conviction: the date of conviction or sentence, the Court, the Offence, and the Penalty.

Notes:

1. The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences

which are similar to 'Relevant Offences' are 'Foreign Offences'. This means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.

2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, Section 178 (taking motor vehicle without authority)'.

C.8. Club

If the Transferee is a Members Club, complete the following question. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

Yes	No
-----	----

Note: If the Transferor Club conforms but the Transferee Club does not (or vice versa) then the Board may require to review the Conditions applying to the licence. In particular, if the Transferee Club does not conform, by Law it may require a Premises Manager.

D.1. Does the Transfer Application depend on the grant of the Variation?

Yes	No
-----	----

Note:

If 'Yes' the Licensing Board must determine the Variation Application before determining the Transfer Application, and if 'No', the Board must determine the Transfer Application before determining the Variation Application. In either case, if the Board refuses the first Application then the second Application automatically falls.

PART E - DECLARATION BY APPLICANT OR AGENT

If signing on behalf of the Applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature – Nicola Smith – TLT Solicitors

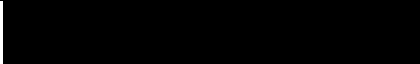
Date – 5 February 2024

Capacity – Agent

* Data Protection Act 1998 - the information on this form may be held on a public register, which may be available to members of the public.

Signatory

Type or use BLOCK CAPITALS: Please give full name, address, post code, telephone number and email address:

Full name.	NICOLA SMITH – TLT SOLICITORS
Postal Address (including postcode)	CADWORKS, FLOOR 9 41 WEST CAMPBELL STREET GLASGOW G2 6SE
Telephone number	
Email address	

I have enclosed the relevant documents with this Application:

(Please tick the relevant boxes in the column marked 'Applicant' - the column marked 'Board' is for internal use).

Document	Applicant	Board
Premises Licence		
Summary of Premises Licence		
New Operating plan		
New Layout plan		
Planning Certificate		
Building Control Certificate		
Food Hygiene Certificate		
Personal Licence of proposed Premises Manager (B8)		
Documentation to show entitlement to apply for a Transfer (C2)		
Where necessary, a separate piece of paper giving details of Previous convictions (C7)		
Copy of Transferee Club Constitution and Rules (C8)		
Letter explaining why 1. The Premises Licence is not produced 2. Transfer Application is late (C3)		
Fee		

Application checklist (For use by the Licensing Board only)

Date received	5 February 2024
Fee amount	£220
Receipt number	BACS ADWS00284314
Received by (INITIALS)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date granted/refused	

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	YES
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	NO
<i>*Delete as appropriate</i>	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10.00	22.00
<i>Tuesday</i>	10.00	22.00
<i>Wednesday</i>	10.00	22.00
<i>Thursday</i>	10.00	22.00
<i>Friday</i>	10.00	22.00
<i>Saturday</i>	10.00	22.00
<i>Sunday</i>	10.00	22.00

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	NO
--	----

**If YES – provide details*

N/A

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	NO	NO	NO
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	NO	NO	NO
<i>Club or other group</i> <i>meetings etc.</i>	NO	NO	NO
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	NO	NO	NO

<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	YES
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
5(d) <i>Activity</i>	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking</i> <i>facilities</i>	NO	NO	NO
5(e) <i>Activity</i>	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External

automated cash machine. Sampling & promotional activities.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	N/A
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A
*Delete as appropriate	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	N/A
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

N/A

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

N/A

--

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

N/A

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

N/A

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

Off sales – 20.59 m2

Question 8


PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details


8(a) *Name*

Denise Grace Burns

8(b) *Date of birth*



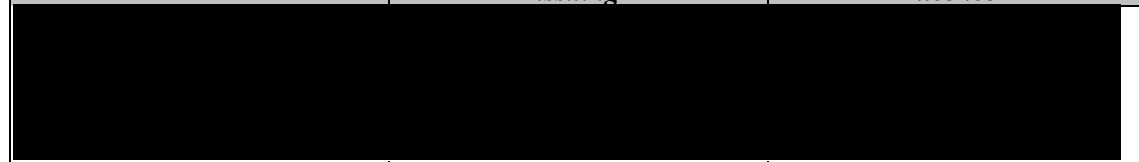
8(c) *Contact address*



8(d) *Email address*

--

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
		

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

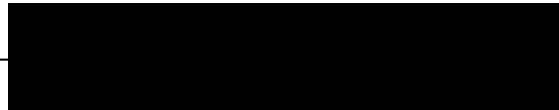
The contents of this operating plan are true to the best of my knowledge and belief.

Signature – Nicola Smith – TLT Solicitors

Date – 5 February 2024

Capacity - AGENT

Telephone number and email address of signatory –



*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

THE LICENSING (SCOTLAND) ACT 2005**Application for Variation of Premises Licence**

Premises Licence Reference:	0487
Name and Address of Premises:	The Tartan Bar 32 North Street Dalry KA24 5DW
Applicant/Licence Holder:	NWD LIC Ltd
Type of Premises:	Public House
Proposed Application:	Addition of beer garden to licensed area as per the attached layout plan.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comments
Fire Authority Comments:	No objection
Protective Services Comments:	No comments
Community Council Comments:	No Community Council
Health Board Comments:	No comments
Section 50 Certificates:	N/A
Additional Comments:	Two objections and one representation. Board will require to consider the variation request as detailed at point B9 of the application, and in addition, the Board's Standard Condition C5 for applications/variations, including outdoor areas.

NORTH AYRSHIRE LICENSING BOARD

APPLICATION FOR VARIATION and/or TRANSFER OF PREMISES LICENCE/PROVISIONAL PREMISES LICENCE *

LICENSING (SCOTLAND) ACT 2005, Sections 29 - 35

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each extra page with the address of the Premises, the Board Reference Number, and the type of Application applied for, and you should sign each extra page.

Your Application must be accompanied by the original Premises Licence (not the Summary), or if that is not practicable, a statement of the reasons for failure to produce the Licence.

Explanatory notes are included but these are for guidance only and are no substitute for independent legal advice. They reflect the Board's understanding of the legislation.

***Delete as appropriate**

PART A - GENERAL

What type of Application is this?
(tick **one** box, and complete the rest of the form as appropriate)

Variation (Complete Parts A, B, and E)

X

Transfer (Complete Parts A, C and E)

Variation and Transfer (Complete all parts)

Note: If the Licence is being transferred to a new Licence Holder, which is not an individual person (for example, if the new Licence Holder is a Company or Partnership) then as well as applying for Transfer of the Licence you may need to Vary to include a new Premises Manager.

Board Reference number:	0487
Date of Board decision to grant the Premises Licence:	n/a
Name, address and postcode of Licensed Premises:	Tartan Bar, 32 North Street Dalry KA24 5DW
Name of Licence Holder	NWD LIC Ltd
Name of Premises Manager	Simone Cockburn

PART B - VARIATION

B.1. Type of Variation proposed

What Variation is proposed? (consider the statutory definition of 'Minor Variation' - see Note)

Tick one box:

One or more 'Minor Variations'

One or more other Variations (including where some are 'Minor Variations' but one is not)

x

Note: 'Minor Variation' is defined by Section 29(6) of the 2005 Act and means -

- a. any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan,
- b. where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,
- c. any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager), and
- d. where the name of the premises is disclosed in the premises licence, any change in that name
- e. a temporary or permanent reduction in the licensed hours which does not result in the premises opening any earlier or closing any later than stated in the premises licence and operating plan
- f. an increase in the minimum age at which children or young persons may be allowed onto the premises
- g. a reduction in the times at which children or young persons may be allowed onto the premises
- h. a restriction to the access of children or young persons to certain parts of the premises
- i. any reduction in the capacity of the premises whether resulting from a variation to the layout plan or otherwise
- j. any variation resulting in the cessation of the provision of live or recorded music at a decibel level exceeding 85 decibels
- k. any variation to provide that, when the premises are fully occupied, more customers are likely to be seated than standing

Any Variation outside (a) – (k) is not a 'Minor Variation'. The difference is:

- a. any Application for a Variation which is not a 'Minor Variation' must be processed in a similar way to an Application for a Premises Licence. This means that your Application will be publicised on the Board's website (or in a newspaper), will be intimated to

- (i) all occupiers of land within 4 metres of the Premises;
- (ii) the Community Council;
- (iii) North Ayrshire Council;
- (iv) the Police; and
- (v) the Fire Authority.

You will also have to display a Site Notice for 21 days. The Application will then call at a meeting of the Licensing Board;

The Fee is based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

- b. a 'Minor Variation' is not processed like this. Instead, the Application is usually granted automatically by the Clerk to the Board, without a Hearing in front of the Board (depending on the actual Variation requested, the Clerk might refer the case to the Board, but this does not happen often). The Fee is fixed and is not based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

Examples of Minor Variations:

1. Changes to the Layout Plan due to rearrangement of shelves and serving areas, without:
 - a. changing the nature of the Premises or
 - b. increasing the capacity of the Premises.
2. Changes to the Operating Plan to alter the details of the Premises Manager, or to add a new Premises Manager.

Examples of Variations which are not Minor Variations:

1. any change to the Operating Plan (except those referred to as Minor Variations);
2. any change to the Conditions affecting the Licence.

Previous Application for Variation

Note: this information is needed because the 2005 Act requires the Board to refuse a Variation Application if it has refused a previous Variation Application for the same Premises and for the same Variation (Section 30(5)(a) & 32). This bars a new Variation Application made before the expiry of the period of one year beginning with the date of the earlier refusal. The bar does not apply if either or both of these situations apply:

- a. at the time of the earlier refusal, the Board directed that the bar would not apply to any subsequent Application, or
- b. the Board is satisfied that there has been a material change of circumstances since the earlier refusal.

- B.2.** Has there been a previous Application for Variation for these Premises in the past year (including any time before the current Licence Holder or proposed Transferee acquired them)?

Yes	No
-----	----

If 'No', go to Question B.6.

B.3. If 'Yes', was that previous Application refused? n/a

Yes	No
-----	----

B.4. If it was refused, give details of that previous Application: n/a

Name of the Applicant	
Date of the Board decision	
Summarise the Variation which was then requested.	

~~**B.5.** If there has been a Board decision to refuse in the one year before the date of lodging this Application, state which of (a) or (b) above you think applies, and if (b) applies state what you think the material change of circumstances has been:~~

--

B.6. Does the proposed Variation affect the Premises Manager?

Yes	No
-----	----

If 'No', go to Question B.9.

Variation to add new Premises Manager details

B.7. Supply details of the proposed Premises Manager and produce the Personal Licence (except where the Premises Licence is a "Provisional Premises Licence" which has not yet been Confirmed).

Name	
Date of birth	
Contact address	
Email address	

Personal licence	
Date of issue	
Name of Licensing	

Board issuing	
Reference no. of personal licence	

B.8. Do you want the proposed Variation to add new Premises Manager details to have immediate effect? n/a

Yes	No
-----	----

Note: The Variation can have effect immediately from the time the Application is received by the Licensing Board until the time that the Application is either granted or withdrawn. The fee for an 'immediate effect' Variation is higher than for the ordinary Minor Variation.

This 'immediate effect' procedure only applies to Premises Manager information. Any other sort of Variation only takes effect if and when the Board grants the Application.

B.9. Variation

Is any other Variation requested, apart from one affecting the Premises Manager?

Yes	No
-----	----

If 'Yes', describe the Variation requested. If necessary, lodge a new Operating Plan and/or Layout Plan or a covering letter setting out the proposed Variation, as appropriate.

Addition of beer garden to licensed area – see plan lodged

Note:

1. Where a proposed (non Minor) Variation affects the current Layout Plan, please submit seven sets of plans showing the proposed new layout of the Premises. Where the application is for a proposed Minor Variation (only) affecting the current Layout Plan, four sets of plans showing the proposed new layout of the Premises are required.

If the proposed Variation involves structural alterations, you should submit the relevant Section 50 certificates (Planning; Building Control; and, if relevant, Food Hygiene).

PART C - TRANSFER

C.1. Applicant

Are you the current Licence Holder?

Yes	No
-----	----

If 'Yes', go to C.4.

Note:

1. In addition to requesting a Transfer, you may also require Variation to a new Premises Manager.
2. There are two separate procedures for transfer of a Premises Licence, Section 33 and Section 34. Section 33 covers Application for Transfer by the Licence Holder. Section 34 covers Application for Transfer by others, for example, by the Executor after the death of the Licence Holder. The procedures are similar but a Section 34 Application must be lodged within 28 days of the death or other event.

C.2. Applicant not current Licence Holder

Please tick which (a) to (f) applies to you:

- | | | | | | | | |
|--|---|--|--|--|--|--|--|
| <ul style="list-style-type: none"> a The Licence Holder is deceased, and I am his Personal Representative. b The Licence Holder is incapable, and I am authorised by his Power of Attorney. c The Licence Holder is Incapable, and I am authorised to act on his behalf by virtue of the Adults with Incapacity (Scotland) Act 2000. d The Licence Holder is insolvent, and I am the Insolvency Practitioner. e The Licence Holder, being a person other than an individual, a partnership or a company, has been dissolved, and I am the person administering the dissolution. f I am the Transferee of the Business. | <table border="1" style="width: 30px; height: 100%; border-collapse: collapse;"> <tr><td style="height: 25px;"></td></tr> <tr><td style="height: 25px;"></td></tr> <tr><td style="height: 25px;"></td></tr> <tr><td style="height: 25px;"></td></tr> <tr><td style="height: 25px;"></td></tr> <tr><td style="height: 25px;"></td></tr> </table> | | | | | | |
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Please supply the information and documentation described in (a) to (f) below:

- a
 - 1 Specify the date of death.
 - 2 Produce the Death Certificate.
 - 3 Produce the Will nominating you Executor, or (if there is no Will) specify your entitlement to act as Executor and produce supporting documentation, such as a Marriage Certificate.
- b
 - 1 State date of Incapacity.
 - 2 Produce the Power of Attorney.
- c
 - 1 State date of Incapacity.
 - 2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor

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~~appointing you and giving you authority to make an Application under Section 34 of the 2005 Act.~~

- d 1 ~~State date of insolvency.~~
- 2 ~~Produce evidence of your authority, eg a certified copy of the Court Interlocutor appointing you.~~
- e 1 ~~State date of dissolution.~~
- 2 ~~Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you.~~
- f Produce a letter from the Licence Holder or his Solicitor confirming:
- 1 The transfer of the Business (not solely the Premises) and
- 2 The date of transfer

C.3. Late Transfer

Are you lodging this Application for Transfer within 28 days of the death or other event ((a) to (f))?

Yes	No
-----	----

If 'No', please attach a letter explaining why this Application was not made within 28 days.

Note:

1. ~~Where the events (a) – (e) (not (f)) happen, the Premises Licence itself ceases to have effect unless, within 28 days of the occurrence of the event, an application for the Transfer of the licence is made under Section 34;~~
2. ~~The 28 day limit on Application applies to all of (a) to (f), so the time limit applies to business Transferees too.~~

C.4. Details of Transferee

Complete one of (a) to (e):

- a) ~~Where Transferee is an individual, provide full name, date and place of birth, and home address including postcode.~~

Full Name	
Date of birth	
Place of Birth	
Home address including postcode	
Telephone Number	

Note: a Transfer cannot be made to a Transferee who is an individual under the age of 18.

b) ~~Where Transferee is a partnership, please provide full name, and postal address of partnership.~~

Full name of partnership	
Postal Address of partnership	

c) ~~Where Transferee is a company, please provide name, registered office and company registration number.~~

Company name	
Registered office	
Company registration number	
Telephone number	

d) ~~Where Transferee is a club or other body, please provide full name, and postal address of club or other body.~~

Full name of club or other body	
Postal address of club or other body	
Telephone number	

e) ~~Where Transferee is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of Connected Persons.~~

Full name	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	

Full name	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	

Note: The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) — for a Partnership, a Partner;
- (b) — for a company, a Director, or a person who has control of the Company;
- (c) — for a Club, an office bearer of the Club; and
- (d) — for any other organisation, any person concerned in its management or control.

Previous Licences and Applications

C.5. Has the Transferee or any other Connected Person ever held a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

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If 'Yes', please provide below full details of the other Licence(s), including the name and address of the Premises concerned, the name of the Licence Holder, the type of Licence concerned, the date when the Licence was granted or last renewed, and Licence reference number (if known); if the Premises were not in North Ayrshire, give the name of the Licensing Board.

--

C.6. Has the Transferee or any other Connected Person ever been refused a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s) applied for, including the name and address of the Premises concerned, the name of the Applicant, the type of Licence concerned and Licence reference number (if known), the date of the Board decision and the reason for refusal; if the Premises were not in North Ayrshire, give the name of the Licensing Board.

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C.7. Previous convictions

Has the Transferee or any Connected Person ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

For each Transferee or Connected Person, answer the question:

Name	Yes	No

If the answer is 'Yes' for any person, then on a separate piece of paper provide details: Name of person convicted, (if applicable) his position e.g. 'Director', and for each conviction: the date of conviction or sentence, the Court, the Offence, and the Penalty.

Notes:

1. The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences'. This means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, Section 178 (taking motor vehicle without authority)'.

C.8. Club

If the Transferee is a Members Club, complete the following question. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

Yes	No
-----	----

Note: If the Transferor Club conforms but the Transferee Club does not (or vice versa) then the Board may require to review the Conditions applying to the licence. In particular, if the Transferee Club does not conform, by Law it may require a Premises Manager.

PART D - VARIATION AND TRANSFER TOGETHER

D.1. Does the Transfer Application depend on the grant of the Variation?

Yes	No
-----	----

Note:

If 'Yes' the Licensing Board must determine the Variation Application before determining the Transfer Application, and if 'No', the Board must determine the Transfer Application before determining the Variation Application. In either case, if the Board refuses the first Application then the second Application automatically falls.

PART E - DECLARATION BY APPLICANT OR AGENT

If signing on behalf of the Applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature Joanna Millar, Solicitor (agent)

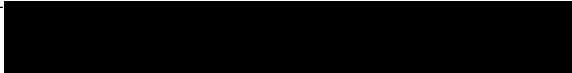
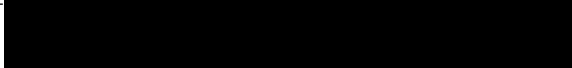
Date 19th January 2024

Capacity: solicitor/agent

* Data Protection Act 1998 - the information on this form may be held on a public register, which may be available to members of the public.

Signatory

Type or use BLOCK CAPITALS: Please give full name, address, post code, telephone number and email address:

Full name.	Joanna Millar, Solicitor/Director
Postal Address (including postcode)	Anderson Strathern LLP, George House, 50 George Square, Glasgow G1 2DH
Telephone number	
Email address	

I have enclosed the relevant documents with this Application:

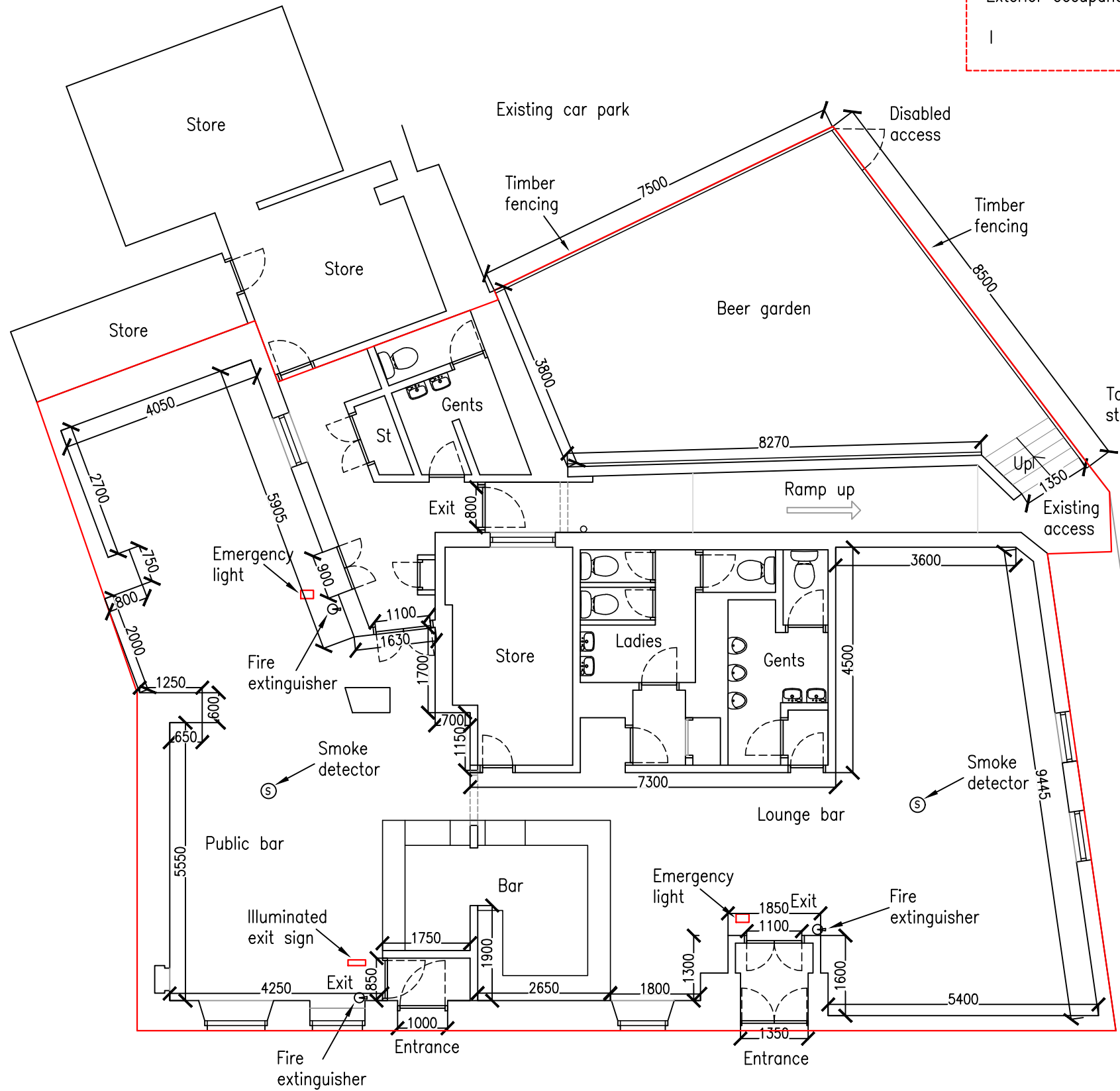
(Please tick the relevant boxes in the column marked 'Applicant' - the column marked 'Board' is for internal use).

Document	Applicant	Board
Premises Licence TO FOLLOW BY MAIL	TO FOLLOW	
Summary of Premises Licence (To be returned to the Licensing Office on issue of the new Premises Licence) TO FOLLOW BY MAIL	TO FOLLOW	
New Operating plan	X	
New Layout plan	X	
Planning Certificate	N/A	
Building Control Certificate	N/A	
Food Hygiene Certificate	N/A	
Personal Licence of proposed Premises Manager (B8)	N/A	
Documentation to show entitlement to apply for a Transfer (C2)	N/A	
Where necessary, a separate piece of paper giving details of Previous convictions (C7)	N/A	
Copy of Transferee Club Constitution and Rules (C8)	N/A	
Letter explaining why 1. The Premises Licence is not produced – TO FOLLOW BY MAIL – PLEASE PROCESS MEANTIME 2. Transfer Application is late (C3) – N/A	1. TO FOLLOW 2. N/A	
Fee	PAID BY CLIENT	

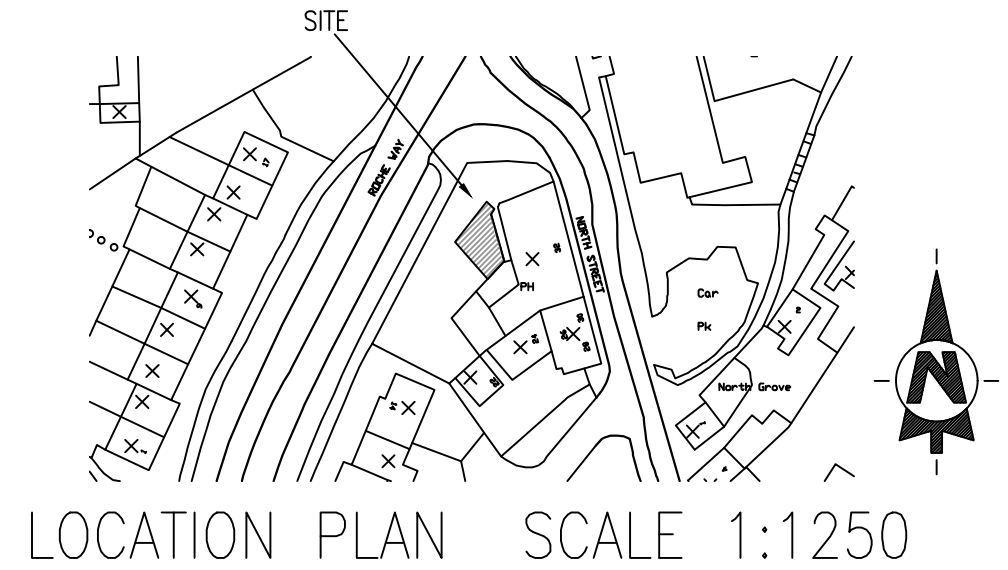
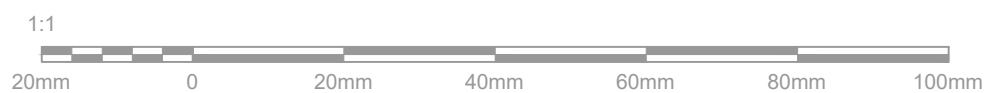
Application checklist (For use by the Licensing Board only)

Date received	25 January 2024 paid on 9/4/24
Fee amount	£220
Receipt number	BACS ADWS00295042
Received by (INITIALS)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date granted/refused	

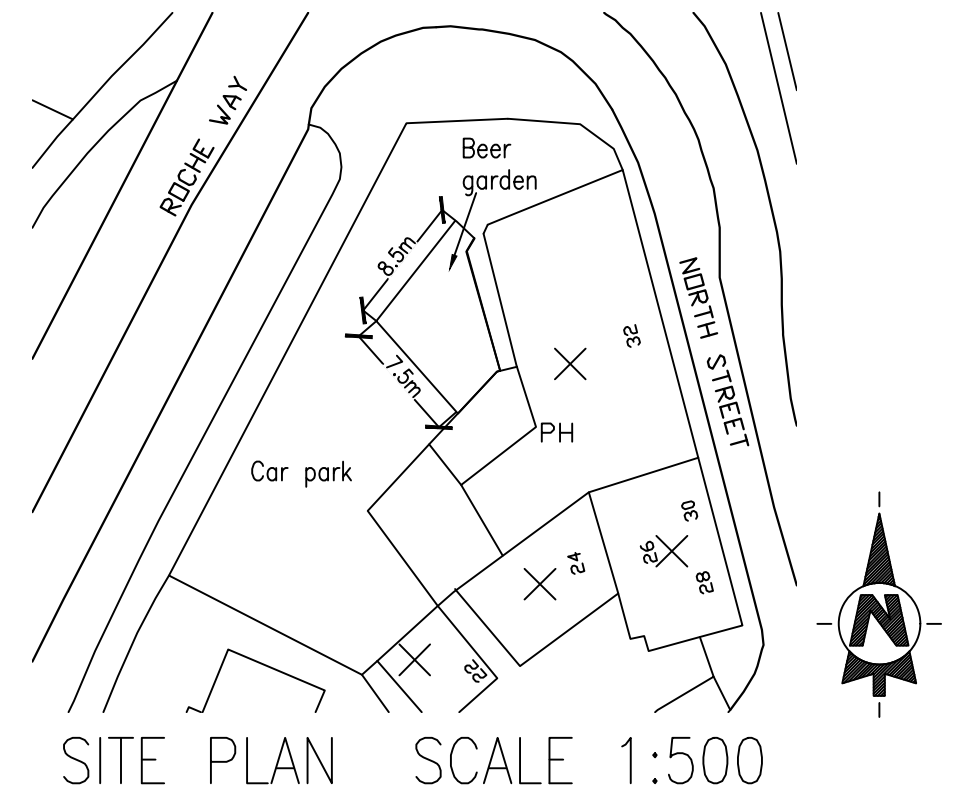
Capacity
 Interior occupancy = 154 occupants
 Exterior occupancy = 36 occupants



FLOOR PLAN SCALE 1:100



LOCATION PLAN SCALE 1:1250



SITE PLAN SCALE 1:500

REV C
 REV B
 REV A
 REVISION

FEB 24
 JAN 24
 JAN 24
 DATE

DO NOT SCALE! ALL SIZES AND LEVELS TO BE CHECKED ON SITE
 ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT
 ALL INFORMATION ON THIS DRAWING IS COPYRIGHTED ©

DRAWING No. A219-L01	PROJECT BEER GARDEN TARTAN BAR, 32 NORTH STREET DALRY
SCALE AS SHOWN @ A3	CLIENT MR & MRS COCKBURN
DATE JAN 24	DRAWN BY A.TOGNINI
CONTENT FLOOR PLAN, SITE & LOCATION PLAN	

From: [REDACTED]
To: [Licensing \(shared mailbox\)](#)
Subject: Your ref RL/MC/0487
Date: 01 May 2024 19:40:57

Caution: This is an external email and could be malicious. Do not click on links or open attachments unless you recognise the sender and know the content is safe.

Application for variation of licence - Tartan Bar, 32 north street dalry

With regards to your letter dated 19th April 2024

I believe the only place a beer garden could be is in the car park behind [REDACTED] [REDACTED] Dalry. Although this car park will be the property of the tartan bar, I would not wish the beer garden to encroach on [REDACTED].

I have been advised that planning permission may not be needed, however, this car park is on a slope and I would think for this to accommodate tables and chairs for up to 36 persons, that some building work would be required for health and safety reasons? There is no enclosed space in the car park so would the beer garden be enclosed to ensure that no visitors to the premises would be spilling over close to the residential properties next to it?

The pub is noisy coming out at closing time already, which I appreciate can't be helped, but I wouldn't like to have this at the rear as well.

If you need to speak to me I can be contacted on [REDACTED]

The occupiers

[REDACTED]
Dalry

Sent from my Galaxy



Simone Cockburn

██████████
████████████████████
████████████████
██████████

Licensing board
Licensing Department
Cunninghame House
Irvine

22nd May 2004

My name is Simone Cockburn I am the manager of the Tartan Bar, we have put in for a major variation for a beer garden for the Tartan Bar 32 North Street, Dalry, KA24 5DW. I was hoping to be at the meeting 17th June 2024, I send my apologies but I cannot make the meeting but my husband Alan Cockburn who he has the premise licence will still be attending. I thought since I can't make it, I would send you this letter instead. I am the manager and I run the day to day of the pub, most of our customers are of a younger generation. There are only a few beer gardens in Dalry but they don't cater for the younger generation. I have been dealing with the younger punters since 2018 when we took over the pub. I know most of my customers I have a very good rapport with my customers. I have ████████ children ranging from ████████ years old so I know how to handle the younger generation. I have made my pub a friendly place to drink I have worked extremely hard to get to this point and keep it a nice place for customers to go for a drink.

I feel we would benefit from a beer garden, the last few years the young ones are having to go out of Dalry to find beer gardens that will let them in. The summer months are quiet unless it is warm and you have a beer garden. We also have an issue with young children getting on our roof it is so dangerous, we have tried everything to keep them off. If we had a fence up that will stop them going on the roof. The beer garden will only be a small garden and it will take up a small part of the car park beside the pub back door.

We did want a gate going from the beer garden to the pub, so people would only get to it by coming through the pub, but we would have had to build it out slightly, where you go up onto the car park the narrowest part of the car park. I spoke to the tenant's delivery driver and he said he would not be able to reverse his wagon up if we done that. He did say the beer garden on its own would not affect them reversing up as the car park widens out at the point. If they can't get on the car park then they will have to pull up outside the pub, busses and larger vehicles would not be able to get past. The back door is also an emergency exit so I cannot have a locked gate at the end of it. We already have CCTV outside the pub and on the car park, these cameras will be getting renewed and we will be putting CCTV in the beer garden and they will be attached to the monitor being the bar which shows all the CCTV for the inside of the pub.

There will be a the garden bins put in the beer garden for any rubbish. We already used reusable plastic glasses in the pub so there will be no glass outside. There will be a fence to enclose the beer garden and I want it closed by 8pm every night. Once the gate is locked with a pad lock there will be no access to the beer garden. We also do toilet checks one of the men's toilets which are adjacent to the back door. Whoever is working will be instructed to do toilet checks then check the beer garden for empty glasses rubbish etc. Most of my customers work so I am not expecting to see the beer garden used by people through the week. It will mainly be used Saturdays and Sundays. I work 12 hour shifts every weekend so I will be supervising, if I do get a day off which is very rare my staff are all trained to my standards I want the outside to run like the inside.

My solicitor sent me the two complaints you had received regarding us opening the beer garden. I think I have answered most of the queries regarding no [REDACTED]. Yes at the moment there is a slight slope where the beer garden will be but it will be levelled off before the fence is put up. My husband does all the health and safety for [REDACTED], if you have any questions regarding health and safety then please ask him questions on the day and he will be happy to answer them for you. The beer garden will be roughly 25 to 30 meters from the back of number 22 house.

Number [REDACTED] they also complained about noise which is understandable, that is why I want it closed and locked by 8pm. I just want to point out that behind where the beer garden is planned to go, there is already a 6 foot wall which goes round the flat which is above the bar, which we also own. No 24 north street adjoins the flat [REDACTED]. I have sent you some photos to show you who owns what and where the proposed beer garden will go. There will be new CCTV, reusable plastic glasses and bins these were also mentions in complaint no [REDACTED].

I have sent you some photos of where the proposed beer garden will go, where [REDACTED] 32 north street. These photos also show the properties behind the tartan bar, hope this helps.



This shows the alleyway to the back door of the pub, which has the fire exit. The proposed beer garden will be where the grass and the white van is sitting. The white building you see is flat 32 North Street which is owned by the pub. That will be the nearest neighbour to the Beer garden.



This picture shows another angle to where this beer garden will be situated.



This picture shows how far down the carp park the beer garden will be situated. The brown building is no 24 north street [REDACTED] house is attached to [REDACTED] flat 32 north street, there is also a little court yard and some flat roofs outside [REDACTED] flat. Then there is a six foot wall.



The big white house with the one window at the back and two windows in the roof is no 22 north street. Yes [REDACTED] back onto the car park but it is the top end of the car park approximately 25 meters from the proposed beer garden.

I am so sorry I cannot make the meeting but I hope I have covered everything. My husband will be there so he will answer any questions you have.

Regards Simone Cockburn

THE LICENSING (SCOTLAND) ACT 2005

Application for Variation of Premises Licence

Premises Licence Reference:	0081
Name and Address of Premises:	Abbey Gate 88 Main Street Kilwinning KA13 6EF
Applicant/Licence Holder:	Hawthorn Leisure Scotco Limited
Type of Premises:	Public House
Proposed Application:	Addition of outdoor area to the rear of the premises and on pavement at the front of the premises, which are to both be within and out with core hours.
Police Authority Comments:	No objection
Licensing Standards Comments:	No comment
Fire Authority Comments:	No comment
Protective Services Comments:	No comment
Community Council Comments:	No comment
Health Board Comments:	No comment
Section 50 Certificates:	N/A
Additional Comments:	The Board should consider its standard conditions (C.5.2) with regards to core hours for outdoor areas and hear from the applicant on their proposal regarding their operating hours for alcohol consumption. The applicant has not yet provided a S59 roads consent.

NORTH AYRSHIRE LICENSING BOARD

APPLICATION FOR VARIATION and/or TRANSFER OF PREMISES LICENCE/PROVISIONAL PREMISES LICENCE *

LICENSING (SCOTLAND) ACT 2005, Sections 29 - 35

If the boxes are not big enough for your reply, please add a separate note at the end of the form, detailing which question your reply relates to. You should start each extra page with the address of the Premises, the Board Reference Number, and the type of Application applied for, and you should sign each extra page.

Your Application must be accompanied by the original Premises Licence (not the Summary), or if that is not practicable, a statement of the reasons for failure to produce the Licence.

Explanatory notes are included but these are for guidance only and are no substitute for independent legal advice. They reflect the Board's understanding of the legislation.

***Delete as appropriate**

PART A - GENERAL

What type of Application is this?
(tick **one** box, and complete the rest of the form as appropriate)

Variation (Complete Parts A, B, and E)

x

Transfer (Complete Parts A, C and E)

--

Variation and Transfer (Complete all parts)

--

Note: If the Licence is being transferred to a new Licence Holder, which is not an individual person (for example, if the new Licence Holder is a Company or Partnership) then as well as applying for Transfer of the Licence you may need to Vary to include a new Premises Manager.

Board Reference number:	0081
Date of Board decision to grant the Premises Licence:	23.01.23
Name, address and postcode of Licensed Premises:	Abbey Gate 88 Main Street Kilwinning Ka13 6EF
Name of Licence Holder	Hawthorn Leisure Scotco Limited
Name of Premises Manager	Amanda Walker

PART B - VARIATION

B.1. Type of Variation proposed

What Variation is proposed? (consider the statutory definition of 'Minor Variation' - see Note)

Tick one box:

One or more 'Minor Variations'

One or more other Variations (including where some are 'Minor Variations' but one is not)

x

Note: 'Minor Variation' is defined by Section 29(6) of the 2005 Act and means -

- a. any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan,
- b. where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,
- c. any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager), and
- d. where the name of the premises is disclosed in the premises licence, any change in that name
- e. a temporary or permanent reduction in the licensed hours which does not result in the premises opening any earlier or closing any later than stated in the premises licence and operating plan
- f. an increase in the minimum age at which children or young persons may be allowed onto the premises
- g. a reduction in the times at which children or young persons may be allowed onto the premises
- h. a restriction to the access of children or young persons to certain parts of the premises
- i. any reduction in the capacity of the premises whether resulting from a variation to the layout plan or otherwise
- j. any variation resulting in the cessation of the provision of live or recorded music at a decibel level exceeding 85 decibels
- k. any variation to provide that, when the premises are fully occupied, more customers are likely to be seated than standing

Any Variation outside (a) – (k) is not a 'Minor Variation'. The difference is:

- a. any Application for a Variation which is not a 'Minor Variation' must be processed in a similar way to an Application for a Premises Licence. This means that your Application will be publicised on the Board's website (or in a newspaper), will be intimated to

- (i) all occupiers of land within 4 metres of the Premises;
- (ii) the Community Council;
- (iii) North Ayrshire Council;
- (iv) the Police; and
- (v) the Fire Authority.

You will also have to display a Site Notice for 21 days. The Application will then call at a meeting of the Licensing Board;

The Fee is based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

- b. a 'Minor Variation' is not processed like this. Instead, the Application is usually granted automatically by the Clerk to the Board, without a Hearing in front of the Board (depending on the actual Variation requested, the Clerk might refer the case to the Board, but this does not happen often). The Fee is fixed and is not based on the Licensing Category of the Premises (see Table of Fees at the end of this form).

Examples of Minor Variations:

1. Changes to the Layout Plan due to rearrangement of shelves and serving areas, without:
 - a. changing the nature of the Premises or
 - b. increasing the capacity of the Premises.
2. Changes to the Operating Plan to alter the details of the Premises Manager, or to add a new Premises Manager.

Examples of Variations which are not Minor Variations:

1. any change to the Operating Plan (except those referred to as Minor Variations);
2. any change to the Conditions affecting the Licence.

Previous Application for Variation

Note: this information is needed because the 2005 Act requires the Board to refuse a Variation Application if it has refused a previous Variation Application for the same Premises and for the same Variation (Section 30(5)(a) & 32). This bars a new Variation Application made before the expiry of the period of one year beginning with the date of the earlier refusal. The bar does not apply if either or both of these situations apply:

- a. at the time of the earlier refusal, the Board directed that the bar would not apply to any subsequent Application, or
- b. the Board is satisfied that there has been a material change of circumstances since the earlier refusal.

- B.2.** Has there been a previous Application for Variation for these Premises in the past year (including any time before the current Licence Holder or proposed Transferee acquired them)?

	No
--	----

If 'No', go to Question B.6.

B.3. If 'Yes', was that previous Application refused?

Yes	No
-----	----

B.4. If it was refused, give details of that previous Application:

Name of the Applicant	
Date of the Board decision	
Summarise the Variation which was then requested.	

B.5. If there has been a Board decision to refuse in the one year before the date of lodging this Application, state which of (a) or (b) above you think applies, and if (b) applies state what you think the material change of circumstances has been:

B.6. Does the proposed Variation affect the Premises Manager?

	No
--	----

If 'No', go to Question B.9.

Variation to add new Premises Manager details

B.7. Supply details of the proposed Premises Manager and produce the Personal Licence (except where the Premises Licence is a "Provisional Premises Licence" which has not yet been Confirmed).

Name	
Date of birth	
Contact address	
Email address	

Personal licence	
Date of issue	
Name of Licensing Board issuing	

Reference no. of personal licence	
-----------------------------------	--

B.8. Do you want the proposed Variation to add new Premises Manager details to have immediate effect?

Yes	No
-----	----

Note: The Variation can have effect immediately from the time the Application is received by the Licensing Board until the time that the Application is either granted or withdrawn. The fee for an 'immediate effect' Variation is higher than for the ordinary Minor Variation.

This 'immediate effect' procedure only applies to Premises Manager information. Any other sort of Variation only takes effect if and when the Board grants the Application.

B.9. Variation

Is any other Variation requested, apart from one affecting the Premises Manager?

Yes	
-----	--

If 'Yes', describe the Variation requested. If necessary, lodge a new Operating Plan and/or Layout Plan or a covering letter setting out the proposed Variation, as appropriate.

Q5 – Add outdoor drinking as an activity during and outwith core hours.

Note:

1. Where a proposed (non Minor) Variation affects the current Layout Plan, please submit seven sets of plans showing the proposed new layout of the Premises. Where the application is for a proposed Minor Variation (only) affecting the current Layout Plan, four sets of plans showing the proposed new layout of the Premises are required.
2. If the proposed Variation involves structural alterations, you should submit the relevant Section 50 certificates (Planning; Building Control; and, if relevant, Food Hygiene).

PART C - TRANSFER

C.1. Applicant

Are you the current Licence Holder?

Yes	No
-----	----

Note:

1. In addition to requesting a Transfer, you may also require Variation to a new Premises Manager.
2. There are two separate procedures for transfer of a Premises Licence, Section 33 and Section 34. Section 33 covers Application for Transfer by the Licence Holder. Section 34 covers Application for Transfer by others, for example, by the Executor after the death of the Licence Holder. The procedures are similar but a Section 34 Application must be lodged within 28 days of the death or other event.

C.2. Applicant not current Licence Holder

Please tick which (a) to (f) applies to you:

- | | | |
|---|---|--------------------------|
| a | The Licence Holder is deceased, and I am his Personal Representative. | <input type="checkbox"/> |
| b | The Licence Holder is incapable, and I am authorised by his Power of Attorney. | <input type="checkbox"/> |
| c | The Licence Holder is Incapable, and I am authorised to act on his behalf by virtue of the Adults with Incapacity (Scotland) Act 2000. | <input type="checkbox"/> |
| d | The Licence Holder is insolvent, and I am the Insolvency Practitioner. | <input type="checkbox"/> |
| e | The Licence Holder, being a person other than an individual, a partnership or a company, has been dissolved, and I am the person administering the dissolution. | <input type="checkbox"/> |
| f | I am the Transferee of the Business. | <input type="checkbox"/> |

Please supply the information and documentation described in (a) to (f) below:

- a 1 Specify the date of death.
2 Produce the Death Certificate.
3 Produce the Will nominating you Executor, or (if there is no Will) specify your entitlement to act as Executor and produce supporting documentation, such as a Marriage Certificate.
- b 1 State date of Incapacity.
2 Produce the Power of Attorney.
- c 1 State date of Incapacity.
2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor appointing you and giving you authority to make an Application under Section 34 of the 2005 Act.
- d 1 State date of insolvency.
2 Produce evidence of your authority, eg a certified copy of the Court Interlocutor appointing you.
- e 1 State date of dissolution.
2 Produce evidence of your authority, e.g. a certified copy of the Court Interlocutor

f Produce a letter from the Licence Holder or his Solicitor confirming:

- 1 The transfer of the Business (not solely the Premises) and
- 2 The date of transfer

C.3. Late Transfer

Are you lodging this Application for Transfer within 28 days of the death or other event ((a) to (f))?

Yes	No
-----	----

If 'No', please attach a letter explaining why this Application was not made within 28 days.

Note:

1. Where the events (a) - (e) (not (f)) happen, the Premises Licence itself ceases to have effect unless, within 28 days of the occurrence of the event, an application for the Transfer of the licence is made under Section 34;
2. The 28 day limit on Application applies to all of (a) to (f), so the time limit applies to business Transferees too.

C.4. Details of Transferee

Complete one of (a) to (e):

- a) Where Transferee is an individual, provide full name, date and place of birth, and home address including postcode.

Full Name	
Date of birth	
Place of Birth	
Home address including postcode	
Telephone Number	

Note: a Transfer cannot be made to a Transferee who is an individual under the age of 18.

- b) Where Transferee is a partnership, please provide full name, and postal address of partnership.

Full name of partnership	
Postal Address of partnership	

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- c) Where Transferee is a company, please provide name, registered office and company registration number.

Company name	
Registered office	
Company registration number	
Telephone number	

- d) Where Transferee is a club or other body, please provide full name, and postal address of club or other body.

Full name of club or other body	
Postal address of club or other body	
Telephone number	

- e) Where Transferee is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of Connected Persons.

Full name	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	

Full name	
Postal Address	
Date of Birth	

Place of Birth	
Telephone Number	

Full name.	
Postal Address	
Date of Birth	
Place of Birth	
Telephone Number	

Note: The term 'Connected Person' is defined by Section 147(3) of the Licensing (Scotland) Act 2005, and means:

- (a) for a Partnership, a Partner;
- (b) for a company, a Director, or a person who has control of the Company;
- (c) for a Club, an office-bearer of the Club; and
- (d) for any other organisation, any person concerned in its management or control.

Previous Licences and Applications

C.5. Has the Transferee or any other Connected Person ever held a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

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If 'Yes', please provide below full details of the other Licence(s), including the name and address of the Premises concerned, the name of the Licence Holder, the type of Licence concerned, the date when the Licence was granted or last renewed, and Licence reference number (if known); if the Premises were not in North Ayrshire, give the name of the Licensing Board.

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C.6. Has the Transferee or any other Connected Person ever been refused a licence under the Licensing (Scotland) Acts 1976 or 2005 for Premises anywhere in Scotland?

Yes	No
-----	----

If 'Yes', please provide below full details of the other Licence(s) applied for, including the name and address of the Premises concerned, the name of the Applicant, the type of Licence concerned and Licence reference number (if known), the date of the Board decision and the reason for refusal; if the Premises were not in North Ayrshire, give the name of the Licensing Board.

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C.7. Previous convictions

Has the Transferee or any Connected Person ever been convicted of a 'Relevant Offence' or 'Foreign Offence'? (see Notes)

For each Transferee or Connected Person, answer the question:

Name	Yes	No

If the answer is 'Yes' for any person, then on a separate piece of paper provide details: Name of person convicted, (if applicable) his position e.g. 'Director', and for each conviction: the date of conviction or sentence, the Court, the Offence, and the Penalty.

Notes:

1. The terms 'Relevant Offence' and Foreign Offence' are defined by section 129, and the Relevant Offences are listed in the Licensing (Relevant Offences) (Scotland) Regulations 2007 No. 513. The list includes Assault, Theft, Breach of the Peace, and many offences under the Road Traffic Act and other statutes. Convictions outside Scotland for offences which are similar to 'Relevant Offences' are 'Foreign Offences'. This means that convictions in the rest of the United Kingdom might be required. If you are in doubt as to whether or not a conviction should be included, do so. The Application will be copied to the Police and checked against their records.
2. Under the heading 'Offence', if the conviction is under a statutory provision, add an explanation of the offence; for example, 'Road Traffic Act 1988, Section 178 (taking motor vehicle without authority)'.

C.8. Club

If the Transferee is a Members Club, complete the following question. You should send a copy of the Constitution and Rules with your Application.

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

Yes	No
-----	----

Note: If the Transferor Club conforms but the Transferee Club does not (or vice versa) then the Board may require to review the Conditions applying to the licence. In particular, if the Transferee Club does not conform, by Law it may require a Premises Manager.

D.1. Does the Transfer Application depend on the grant of the Variation?

Yes	No
-----	----

Note:

If 'Yes' the Licensing Board must determine the Variation Application before determining the Transfer Application, and if 'No', the Board must determine the Transfer Application before determining the Variation Application. In either case, if the Board refuses the first Application then the second Application automatically falls.

PART E - DECLARATION BY APPLICANT OR AGENT

If signing on behalf of the Applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature*Alison Smith* – TLT Solicitors..... * (see note below)

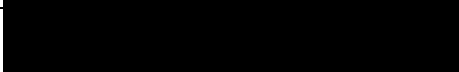
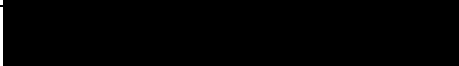
Date15.04.24.....

CapacityAgent.....

* Data Protection Act 1998 - the information on this form may be held on a public register, which may be available to members of the public.

Signatory

Type or use BLOCK CAPITALS: Please give full name, address, post code, telephone number and email address:

Full name.	Alison Smith
Postal Address (including postcode)	TLT Solicitors 9 th Floor 41 West Campbell Street Glasgow G2 6SE
Telephone number	
Email address	

I have enclosed the relevant documents with this Application:

(Please tick the relevant boxes in the column marked 'Applicant' - the column marked 'Board' is for internal use).

Document	Applicant	Board
Premises Licence		
Summary of Premises Licence (To be returned to the Licensing Office on issue of the new Premises Licence)		
New Operating plan		
New Layout plan		
Planning Certificate		
Building Control Certificate		
Food Hygiene Certificate		
Personal Licence of proposed Premises Manager (B8)		
Documentation to show entitlement to apply for a Transfer (C2)		
Where necessary, a separate piece of paper giving details of Previous convictions (C7)		
Copy of Transferee Club Constitution and Rules (C8)		
Letter explaining why 1. The Premises Licence is not produced 2. Transfer Application is late (C3)		
Fee		

Application checklist (For use by the Licensing Board only)

Date received	16 April 2024
Fee amount	£220
Receipt number	BACS
Received by (INITIALS)	MC
Consideration date	19 April 2024
Last date for consideration	10 May 2024
Date of initial hearing	17 June 2024
Date granted/refused	

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>NO</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES</i>
<i>*Delete as appropriate</i>	

Question 2

*STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10AM	12MN
<i>Tuesday</i>	10AM	12MN
<i>Wednesday</i>	10AM	12MN
<i>Thursday</i>	10AM	1AM
<i>Friday</i>	10AM	1AM
<i>Saturday</i>	10AM	1AM
<i>Sunday</i>	11AM	12MN

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10AM	10PM
<i>Tuesday</i>	10AM	10PM
<i>Wednesday</i>	10AM	10PM
<i>Thursday</i>	10AM	10PM
<i>Friday</i>	10AM	10PM
<i>Saturday</i>	10AM	10PM
<i>Sunday</i>	11AM	10PM

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	YES
--	-----

**If YES – provide details*

We would seek to take advantage of any extended period of trading granted by the Board for significant local/national events e.g. festive period, bank holidays etc.

Seasonal opening

Note that the premises licence which the Board can grant relates to the ‘core hours’ only (the usual hours of operation described in the operating plan, Sunday to Saturday). The premises licence does not authorise operation outside those times, for example operation during the festive period or events, or catering for functions (even if these have been mentioned in the operating plan).

Additional hours can be obtained in various ways:-

- a) The Board can, on the application of particular premises, granted extended hours (valid for up to one month) in connection with a special event or occasion to be catered for on the premises, or a special event of local or national significance, e.g. the festive period, because the Act requires that the Board notified the police and the licensing standards officer, it is advisable to make the application well in advance of the special event or occasion; by law the whole process from application to grant can take at least 18 days. If an application is lodged at short notice, the Board cannot, guarantee to grant the extended hours in time for the event. Section section 68;

- b) A determination by the Board applying throughout North Ayrshire , that all premises (or premises of a particular kind) may have extended hours. See section 67;
- c) Variation of the operating plan. See section 29.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 <i>5(a)</i> Activity	COL. 2 <i>Please confirm</i> YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	YES	YES	NO
<i>5(b) Activity</i> <i>Social functions including:</i>	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
<i>5(c) Activity</i> <i>Entertainment including:</i>	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performances – see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	YES	YES	NO
<i>Theatre</i>	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	NO
<i>Televised sport</i>	YES	YES	YES
5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	YES	YES	YES
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Receptions – have the facility in the lounge bar to offer a wide range of reception facility. This may include funeral purveys that require alcohol on the premises from 9am. Due to the limited time to permit an extended hours application would wish to simply advise the licensing board when such an event was taking place.

Club meetings – have the facility in lounge bar to host local community meetings. This may include events that require alcohol to be available on the premises from 9am e.g. golf day. This would be obtained through an extended hours application.

Recorded music – may be played outwith core hours for private events.

Televised sport – Anticipate that certain key sporting events (e.g. Olympics, football World Cup) may be televised outwith the core licensing hours and would wish to provide alcohol for sale on the premises at these events. This would be obtained through an extended hours application.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

May provide a range of activities during core hours, such as quiz nights, wedding fayres, children's parties, dominoes, charity nights or similar social activities appropriate to the target market.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	N/A
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A
--	-----

*Delete as appropriate	
------------------------	--

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Children and young persons will be admitted only when accompanied by an adult.

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

0-17 years.

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

Children and young persons will be admitted up until 9pm or until the end of a meal, or until the end of private function.

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

Children and young persons will be admitted to all public areas of the premises except the gaming area.

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

On sales – 169
Off sales – 14.8m2

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

8(a) Name

Amanda Williamina Walker

8(b) Date of birth

[Redacted]

[Redacted] address

--	--

8(d) Email address

--

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature*Alison Smith* – TLT Solicitors..... * (see note below)

Date 15.04.24









Capacity

Telephone number and email address of signatory

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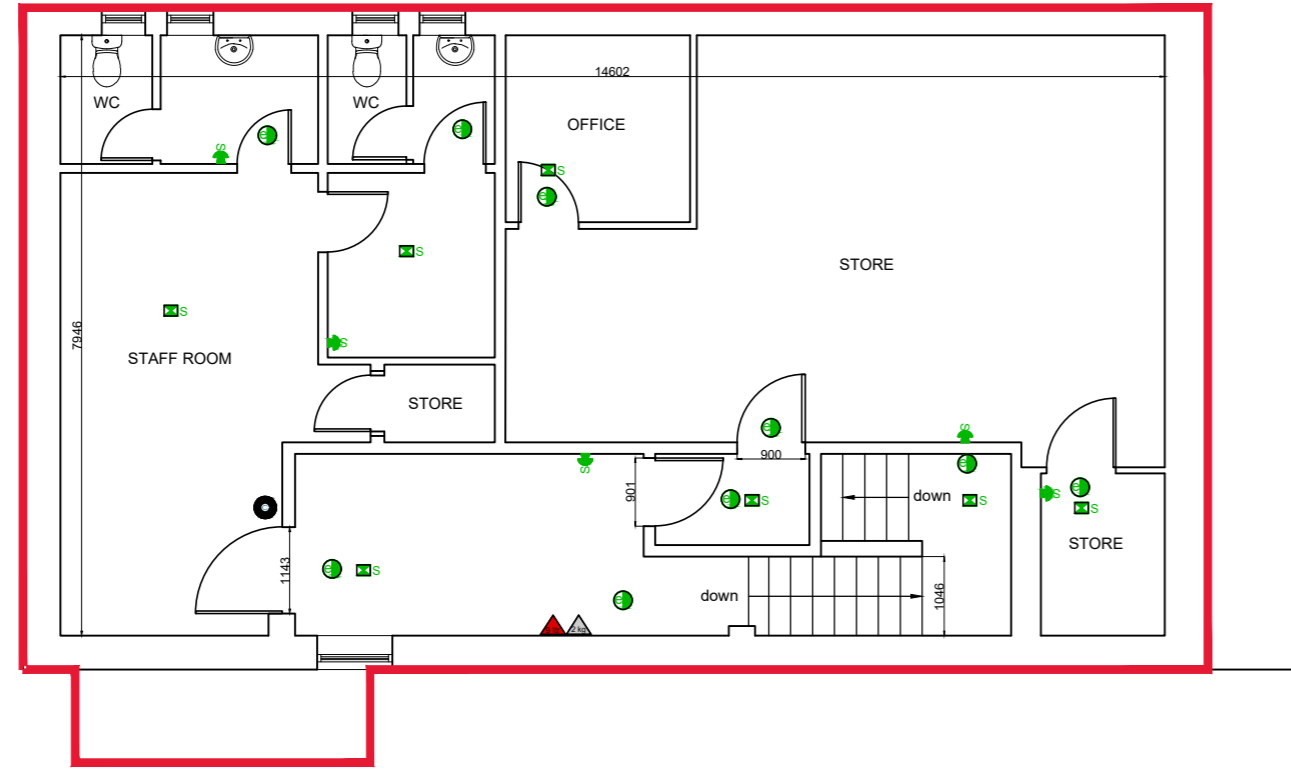
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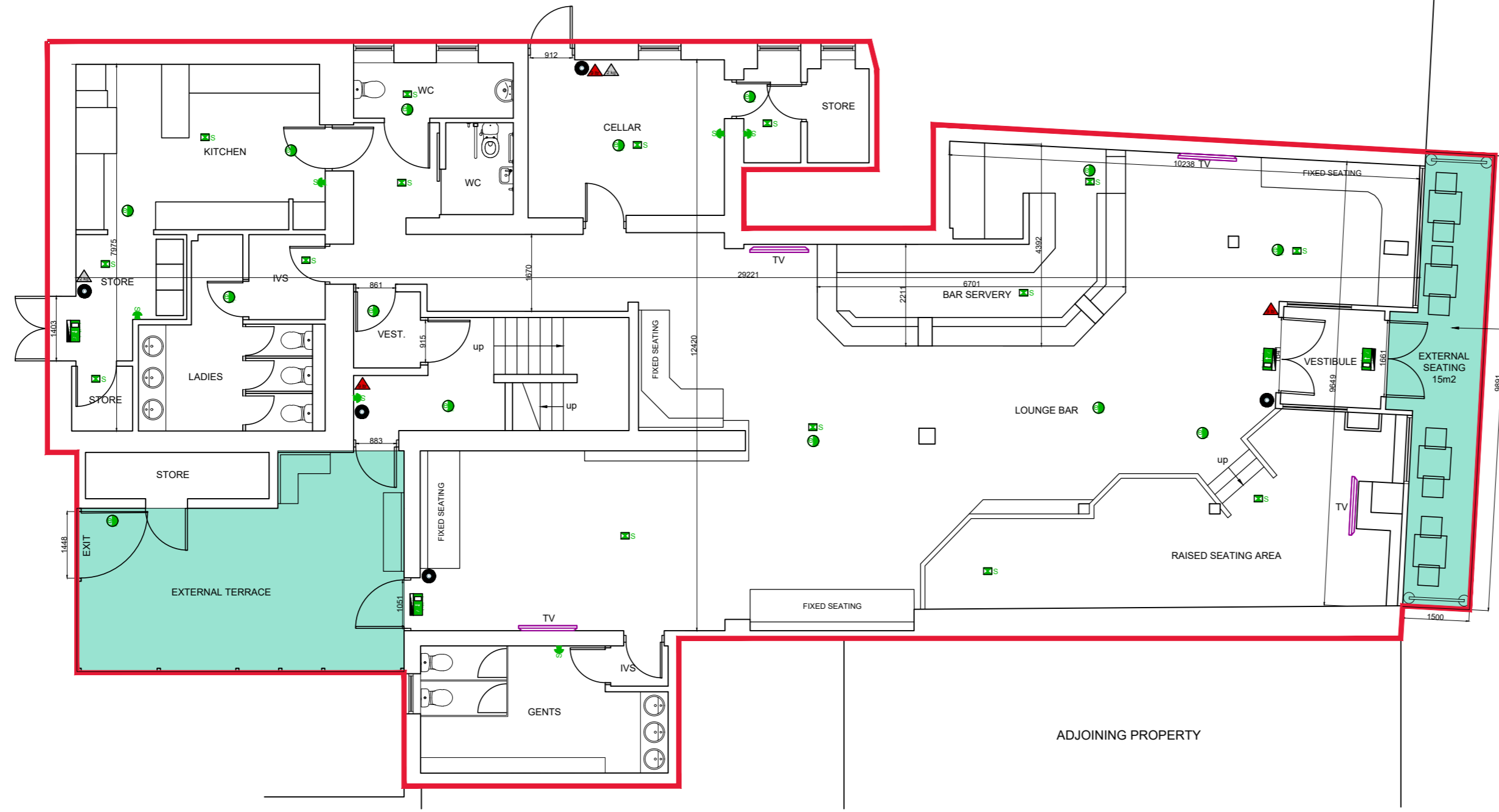
-  Television
-  Direction Emergency Exit Sign (Over Door Unit)
-  Ceiling Mounted Emergency Light
-  Smoke Detector with Battery Back-up
-  Banshee Fire Alarm Sounder
-  Fire Alarm Break Glass Call Point
-  9 ltr Water Extinguisher
-  2 kg CO2 Carbon Dioxide Extinguisher

-  TV
-  Licensed Premises
-  External Licensed Area

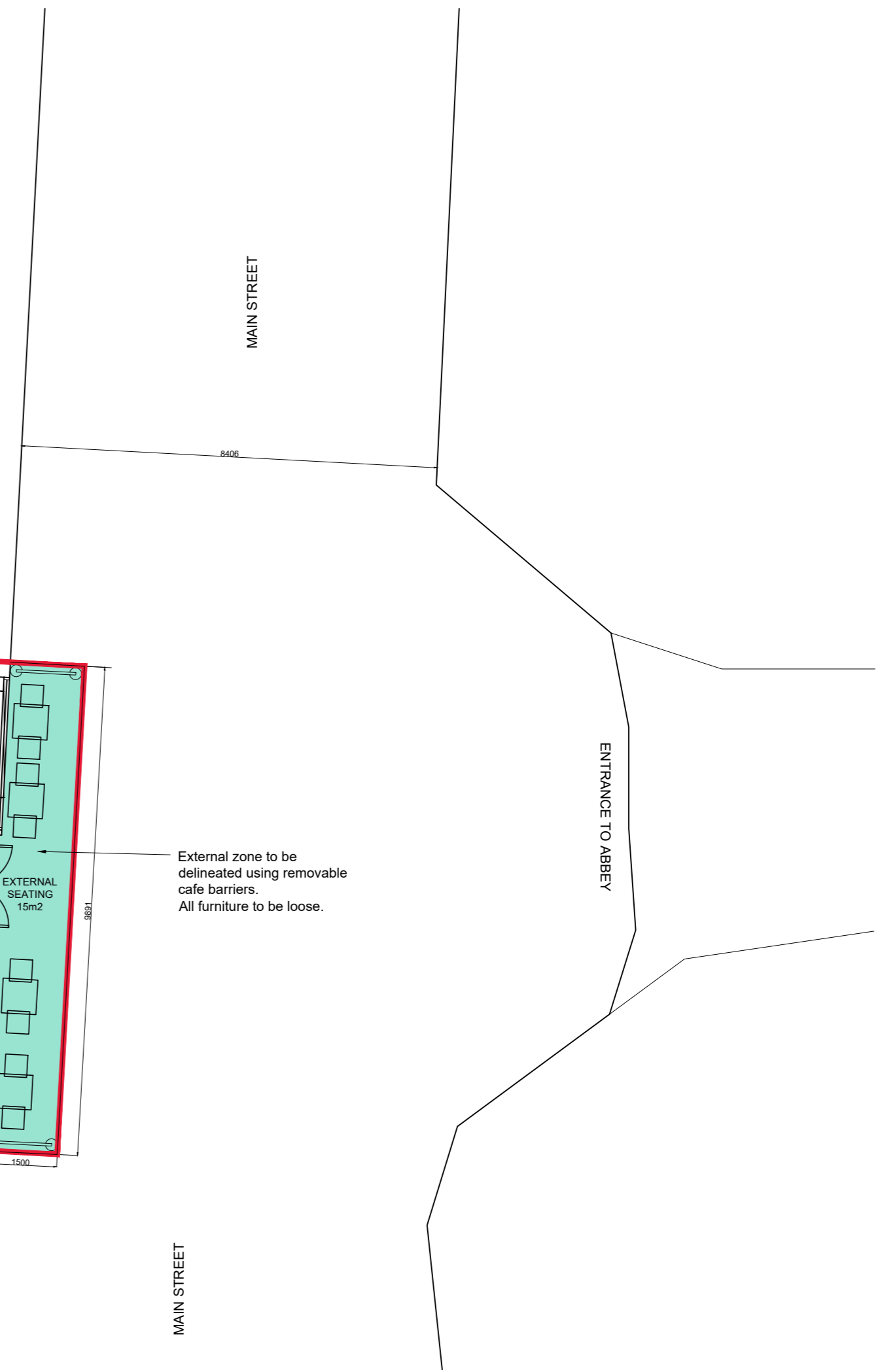
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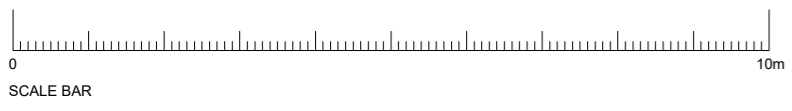
FIRST FLOOR PLAN



GROUND FLOOR PLAN



External zone to be delineated using removable cafe barriers. All furniture to be loose.



PROJECT THE ABBEYGATE, 88 MAIN ST, KILWINNING, KA13 6AG		SCALE 1:100@A2	DATE FEB 2024
CLIENT ADMIRAL TAVERNS		DRAWN GG	
TITLE LICENSING PLAN			
PROJECT No. DBC1838-24	DRAWING No. LP01	REVISION No.	