

EAST AYRSHIRE LICENSING BOARD

Minute of the Meeting of East Ayrshire Licensing Board, held within the Council Chambers, East Ayrshire Council Headquarters, London Road, Kilmarnock and digitally through Microsoft Teams, on Tuesday 12 September 2023 at 10am.

SEDERUNT: Councillor Drew Filson (Chair), Councillor Elaine Cowan, Councillor June Kyle, Councillor Claire Leitch and Councillor David Richardson.

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

APOLOGIES: Councillor Graham Barton, Councillor William Crawford, Councillor Lillian Jones and Councillor Kevin McGregor.

1. SEDERUNT

Noted.

2. DECLARATIONS OF INTEREST

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

3. MINUTE OF MEETING

The Minute of the meeting of East Ayrshire Licensing Board held on 20 June 2023 was approved and noted.

4. APPLICATIONS CONSIDERED UNDER DELEGATED AUTHORITY

The Clerk reported on the applications discharged under delegated authority between 13 June and 4 September 2023, namely:-

Minor Variation	:	10
S33 Transfer of Premises Licence	:	3
S34 Transfer of Premises Licence	:	1
Confirmation of Provisional Licence	:	1
Grant of Personal Licence	:	25
Renewal of Small Lotteries Registration	:	11
Extended Hours	:	9
Occasional Licences	:	137

The Clerk reported that of the 137 Occasional Licences granted, 64 to Personal Licence holders, 30 were granted to Club premises, 26 to Voluntary Organisations and 17 to Premises Licence holders.

It was noted that, as of the date of the report, there were 1003 Personal Licences in force, an increase of 1 since the last report and 295 Premises Licences in force, an increase of 1 since the last report.

5. ANNUAL LICENSING REPORT 2022-2023

The Chief Constable's Annual Licensing Report for 2022-2023, outlining the work carried out by Police Scotland over the past year, was presented by Sergeant Syme.

Sergeant Syme advised that, since the production of the report, Chief Constable, Sir Iain Livingstone QPM had retired from Police Scotland and that Chief Constable Jo Farrell would take up post on 9 October 2023.

Sergeant Syme also advised that Inspector Barry McNaught would soon be moving on from Licensing and that a new Inspector would be appointed soon.

The Chair noted that only one premises licence review request had been made by Police Scotland in the last year, which showed that the close working relationship between Police Scotland, the Local Authority and Licensing Section worked well.

6. APPLICATIONS

Applications considered under the Licensing (Scotland) Act 2005 – Appendix I.

There being no further business, the meeting ended at 10.30am.

LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR VARIATION OF PREMISES LICENCE

Lodge Thistle Stewarton No 127
10 Springwell Place
Stewarton

Lodge Thistle Stewarton No 127
10 Springwell Place
Stewarton

Details of the variation:-

Remove the following Seasonal variation from operating plan – The premises will remain open until 4am on the last Friday before Christmas each year to cater for the annual installation of the lodge.

Amend core licensed hours:-

Current Hours

Monday - Wednesday : 8pm – 12 Midnight
Thursday - Closed
Friday & Saturday : 8pm – 12 Midnight
Sunday - Closed

Proposed Hours

Sunday – Thursday : 12 Noon – 12 Midnight
Friday & Saturday : 12 Noon – 1am

The Clerk outlined the proposed variation and advised that the request to increase the licensed hours was within the Board's policy.

The Clerk advised that an objection to the variation had been received from Linda Papoff and Francesco Papoff, residents of a neighbouring property.

Mr Ian Hamilton appeared on behalf of Lodge Thistle Stewarton No 127 to speak in support of the application.

The objectors were not present or represented at the meeting.

Mr Hamilton confirmed that there were no procedural issues and the hearing proceeded in accordance with the agreed hearing procedure.

The objection letter, which was made available to Members, read as follows:- Except for the Lodge, it is a residential street with a children's playground at the end of the street. The Lodge is beside our property and a licensed premises would impact on our quality of life. During the day it is a route for school children and elderly with almost zero football at night. The Old Mill pub and restaurant is 0.2 miles away on Dean Street and The Smugglers Inn on High Street is 300 ft. from the top of Springwell Place.

Mr Hamilton explained that the main reason for the variation was to allow the premises to open on a Sunday to cater for quiz nights, which would be held once per month and

end way before the hours requested. Maximum hours had been sought to allow more flexibility.

In Mr Hamilton's opinion, the objectors had seen the notice displayed at the premises and had thought that it was intended to open the premises every day, to operate like a pub. He advised that the premises currently opened only two days per week.

The Chair asked how long the premises had operated as Lodge Thistle Stewarton No 127.

Mr Hamilton advised that the Lodge had operated for approximately thirty years and that there was no intention of changing how the Lodge operated. The only change proposed was to hold a monthly quiz on a Sunday. He continued that a quiz night had recently been held within the premises on a Saturday, which was a success with approximately 80 attending. Members had requested that a monthly quiz be held on a Sunday, possibly ending around 10pm.

Councillor Leitch asked if Members of the Lodge were aware of Challenge 25 and their responsibilities towards children and young persons. Mr Hamilton confirmed that Members were aware of their responsibilities.

Councillor Cowan moved that the variation be granted, which was seconded by the Chair. The Board agreed unanimously.

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