

SOUTH AYRSHIRE LOCAL LICENSING FORUM.

Minutes of meeting of South Ayrshire Local Licensing Forum in County Buildings, Ayr
on 4th June 2010 at 2.00 p.m.

Present: M. Caird (Chair), Councillor D. Campbell, Sergeant U. Menzies, C. Andrew,
S. Horne, A. Kelly, A. Bradford, R. Rennie and P. Robertson.

Apologies: R. Russell, Dr. C. Lind, Sergeant A Kelly, M. Ankers, M. Anderson,
A Monkhouse and G. McIntosh.

Attending for V. Andrews, Clerk to the Board; M. Douglas, Licensing Policy Officer;
South Ayrshire and J. McClure, Committee Administrative Officer.
Council:

1. Chair.

In the absence of the Chair, M. Caird (Vice-Chair) took the Chair and welcomed those present to this meeting of the South Ayrshire Local Licensing Forum.

2. Minutes of previous meeting.

The Minutes (issued) of the Local Licensing Forum of 26th February 2010 and the South Ayrshire Licensing Board/Local Licensing Forum of 26th February 2010 were submitted.

Decided: to approve the Minutes as a correct record.

3. Minutes of previous Licensing Board meetings.

The Minutes (issued) of the meetings of South Ayrshire Licensing Board which had taken place since the previous Forum meeting were submitted.

Decided: to note the Minutes of the Licensing Board meetings.

4. Proposed Consultation on Board's Statutory Statement of Licensing Policy.

The Licensing Policy Officer advised

(1) that, since the introduction of the Licensing (Scotland) Act 2005 on 1st September 2009, Licensing Boards were required to produce a Statement of Licensing Policy to adhere to when making decisions on applications received;

(2) that the Policy was required to be prepared and published by the Licensing Board every three years and to be kept under constant review and was now due to be revised with opening hours of on-sales premises being one of the matters identified as requiring review;

- (3) that under the Licensing (Scotland) Act 1976 there had been seven different types of licence but now there was only a premises licence and that during the transitional period, premises had retained the same hours as they previously had under the previous Act and the Board now required to re-examine this;
- (4) that under the Licensing (Scotland) Act 1976, a nightclub was defined as premises where a patron paid to enter and alcohol was ancillary to the entertainment, however, the difficulty for the Board now was how to differentiate between a pub-type premises which had a dance floor and DJ and a nightclub-type premises as many pub-type premises with a dance floor and DJ were now applying for additional opening hours;
- (5) that nightclub-type premises made their income in a short period of time and, as it was not the Board's responsibility to protect nightclubs' income, these types of premises may require to utilise their premises over a longer period each day;
- (6) that the Board was seeking the views of the Forum on what the terminal hour should be as it was presently 2.30 a.m. for nightclub type premises, however, some licenceholders were requesting operating hours later than this;
- (7) that guidance from the Scottish Government had been that all premises should not normally operate more than fourteen hours in a day, however, this was only guidance;
- (8) that a number of premises were now opening from 10.00 a.m. and no problems had been experienced from this, however, late opening hours had proved more problematic with complaints from residents regarding noise; and
- (9) that the Board would again be consulting on its Policy and that the Forum should take a formal view on premises operating hours and these views would be forwarded to the Board for its consideration.

There then followed a full discussion on types of entertainment; the subsequent implications for other premises of granting late opening hours to one premises in a town; the late opening hours granted to premises at the Festive Season and the implications of this on clearing the town at the end of the evening; stewards required in premises open after 1.00 a.m.; larger premises having different opening hours for different parts of the premises; the powers of Strathclyde Police when an application was submitted; duty to trade; the possibility of the Board imposing local conditions; and Licensing Reviews.

Decided: that the members of the Forum should consider the content of the Board's Statement of Licensing Policy and that a formal response be compiled at the next meeting of this Forum for submission to the Board.

5. **Minimum Pricing.**

The Licensing Standards Officer outlined that the Chair had requested that this item be placed on the agenda due to the publicity that this matter had received recently but that he was absent from this meeting.

The Licensing Policy Officer advised that a new Health Bill was presently going through Parliament and that minimum pricing for alcohol was being discussed but the difficulty was that the Government had not revealed what the minimum price per unit of alcohol would be, therefore, individuals/political parties would not support this proposal until they were aware of the proposed minimum price.

Decided: to note the present position in relation to minimum pricing.

6. **Training for Local Licensing Forum Members.**

The Licensing Standards Officer advising that she had received a training pack from Alcohol Focus Scotland for her to train the members of the Forum on the licensing legislation.

Decided: that this training should take place on Wednesday, 14th July 2010 at 10.00 a.m. in the County Buildings, Wellington Square, Ayr and that the Licensing Standards Officer would issue the appropriate information on this training to all Forum members prior to this date.

7. **Date of Next Meeting.**

Decided: to agree that the next meeting of the Local Licensing Forum would take place on Friday, 20th August 2010 at 2.00 p.m. in the County Buildings, Wellington Square, Ayr.

8. **Closing Remarks.**

The Chair thanked the members of the Forum for their attendance and contribution.

The meeting ended at 2.50 p.m.