

SOUTH AYRSHIRE LOCAL LICENSING FORUM.

Minutes of meeting of South Ayrshire Local Licensing Forum in Town Hall, Ayr
on 19th November 2010 at 2.00 p.m.

Present: R. Russell (Chair), Councillor D. Campbell, Constable I. Jamieson,
C. Andrew, A. Kelly, R. Rennie, P. Robertson, M. Ankers, A. Monkhouse and
S. Horne.

Apologies: Sergeant U. Menzies; M. Caird, A. Bradford and J. Kerr.

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

1. Membership of Forum.

The Chair reminded all Forum members that, should they fail to attend three consecutive meetings of the Forum, they may be voted off and replaced with a new member as agreed by South Ayrshire Council.

Decided: to note the position in relation to Forum meetings.

2. Minutes of previous meeting.

The Minutes (issued) of the Local Licensing Forum of 20th August 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 of 24th June, 3rd August (Special), 2nd September and 30th September 2010.

4. Further Consultation on Licensing Policy Statement.

Reference was made to the Minutes of 20th August 2010 (Page 2, paragraph 4) when the Forum had decided to agree with the Board's proposals with the exception of

- (1) Question 6 regarding extended hours applications, when the Forum wished the Board to consider not imposing duty to trade as the Forum had concerns regarding the implications on licenceholders of duty to trade being imposed in relation to extended hours; and
- (2) Question 8 regarding beer gardens when the Forum requested that the Board reword this to "outside drinking", and

the Clerk to the Board advised

- (a) that the Board had agreed to re-issue the Licensing Policy Statement for further consultation and that responses to the Board's proposals should be submitted to the Licensing Policy Officer by end December 2010 with opening hours and over provision being the main areas where comments were being sought;
- (b) that the Board had examined extended hours and occasional licences with extended hours applications being for premises which already held a licence and were requesting earlier/later opening hours and occasional licences being for premises such as village halls which did not hold a licence and required a licence for a function; and
- (c) that the Board had also considered what would constitute special circumstances where premises would be granted additional hours.

Councillor Douglas Campbell advised that the Licensing Board had decided to amend the philosophy behind the hours that premises could trade and were proposing to allow premises to open for 15 hours with 10.00 a.m. being the earliest that premises could open and 2.30 a.m. being the latest time premises could close, however, the Board's Policy had been re-issued for further consultation and it was hoped that the Board would be in a position to adopt the Policy in February 2011, following the further consultation.

A question was then asked by a member of the Forum on 'duty to trade' and the Licensing Standards Officer and D. Campbell responded accordingly.

Decided: that a Special Meeting of this Forum should be held on Friday, 10th December 2010 at 2.00 p.m. in the Girvan Room, County Buildings, Ayr to reconsider the Licensing Policy Statement and provide any further comments.

5. Over Provision.

The Chair advised that he had included this item on the agenda due to the recent local press coverage following an off-sales licence being granted in Maybole and an on-sales licence being granted in Prestwick at the Licensing Board meeting of 11th November 2010, despite objectors stating that over provision would exist should these licences be granted.

A full discussion then took place regarding over provision; area statements on over provision which the Board would consider on receipt of a new application; competition; capacities of premises; premises closing but retaining a liquor licence; numbers of licences surrendered since implementation of the Licensing (Scotland) Act 2005; varying an Operating Plan; and grandfather rights granted during the transitional period.

Decided: that the Licensing Standards Officer would provide figures on how many licences had been surrendered since the inception of the Licensing (Scotland) Act 2005 to the next Forum meeting.

6. A.O.C.B.

A member of the Forum expressed concerns regarding alcohol promotions within supermarkets and circulated the leaflets which had been hand delivered to homes and the Licensing Standards Officer advised that the Act did not provide her with as much control over off-sales promotions, however, there was a proposal to restrict where alcohol could be advertised to the alcohol aisle only, no alcohol promotions would be allowed at the front of the shop and advertising within newspapers would also be restricted.

Decided: that the Licensing Standards Officer compile a briefing note for Forum members outlining the main changes which had occurred since the implementation of the Licensing (Scotland) Act 2005.

7. Date of Next Meeting.

Decided:

- (1) that a Special Meeting be arranged for Friday, 10th December 2010 at 2.00 p.m. in the Girvan Room, County Buildings, Ayr; and
- (2) that the date of the next Forum meeting should be agreed at that Special meeting of the Forum.

8. Closing Remarks.

The Chair thanked the members of the Forum for their attendance and contribution and recommended to all members of the Forum that they attend a future meeting of South Ayrshire Licensing Board as he had found it most interesting and informative.

Decided: that future Licensing Forum agendas should include the dates of the upcoming Licensing Board meetings.

The meeting ended at 3.15 p.m.