

## **SOUTH AYRSHIRE LOCAL LICENSING FORUM.**

Minutes of meeting of South Ayrshire Local Licensing Forum in County Buildings, Ayr  
on 3rd June 2011 at 2.00 p.m.

Present: R. Russell (Chair), Councillor D. Campbell, Sergeant U. Menzies, C. Andrew, M. Caird, E. Caldow, A. Monkhouse, S. Horne, R. Rennie, R. Campbell and M. McFadyean.

Apologies: M. Ankers and S. Bradford.

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

Also Attending: Councillor M. Low and Constable J. McDonagh, Strathclyde Police.

### **1. Chair's Remarks.**

The Chair welcomed Elaine Caldow, Robert Campbell and Mary McFadyean to their first meeting of South Ayrshire Local Licensing Forum as new members.

### **2. Minutes of previous meeting.**

The Minutes (issued) of the Local Licensing Forum of 4th February 2011 at 1.00 p.m. and 4th February 2011 at 2.00 p.m. (joint meeting with South Ayrshire Licensing Board) were submitted.

E. Caldow outlined that, should the Forum wish to consider and progress any of the matters raised in her presentation on 4th February 2011, she could obtain information and statistics in relation to public health; C. Andrew advised that, as E. Caldow's presentation had provided data on alcohol consumption and the cost of alcohol misuse in Scotland, etc., it would be useful to obtain details on where South Ayrshire was placed Scotland-wide in the statistics in relation to these matters which would be a good starting point for the Forum when considering Over Provision; and E. Caldow advised that she would request statistics, hot spots, etc. from the Alcohol and Drugs Partnership.

C. Andrew further advised that she would also liaise with the four local trade groups to obtain their views on Over Provision and Sergeant Menzies reported that she would liaise with colleagues in other areas to ascertain which statistics they had taken into account when their local Licensing Boards and Forums had considered Over Provision.

The Licensing Policy Officer advised that the Board had received more new applications than anticipated, that the Over Provision Statement was presently under revision and the Forum could highlight areas it wished the Board to consider as part of the Board's consultation process in relation to Over Provision.

The Chair then requested that Forum members prepare a statement on their views with regards to Over Provision for discussion at the next Forum meeting.

**Decided:**

- (1) to approve the Minutes as a correct record;
- (2) that Forum members prepare a statement on their views with regards to Over Provision for discussion at the next Forum meeting;
- (3) that E. Caldow request statistics, hot spots, etc. from the Alcohol and Drugs Partnership;
- (4) that C. Andrew liaise with the four local trade groups to obtain their views on Over Provision; and
- (5) that Sergeant Menzies liaise with colleagues in other areas to ascertain which statistics had been taken into account when their local Licensing Boards and Licensing Forums had considered Over Provision.

**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. Matters Arising.****Licensing (Scotland) Act 2005.**

The Clerk to the Board advised that the judicial review against South Ayrshire Licensing Board was being heard at the Court of Session in Edinburgh on 16th and 17th June 2011 and that when the decision was announced this might provide guidance for the Board on how to proceed in relation to Over Provision and for the method by which the Board would assess how to grant licences.

Councillor Campbell outlined

- (a) that the Board had received numerous applications for variation of licences over the previous few Board meetings and also various hearings had taken place following requests for review due to under-age sales and that some licences had been suspended for a period of time while some premises had received written warnings; and
- (b) the two review hearings which had taken place at the Board meeting on 2nd June 2011 and the decisions taken on these reviews.

A discussion then followed on the number of occasional licences permitted to apply for per year; the kick-off time of football matches being brought forward to reduce the amount of alcohol consumed by supporters; premises closing early on the days of certain football matches; how Policing of premises changed when football matches were being shown; whether stewarding was compulsory at members' clubs; and whether the new legislation was working in the way the Board would have hoped.

**Decided:** to note the present position.

**5. Level the Playingfield Campaign.**

There was submitted correspondence (copy herewith) on the Level the Playingfield Campaign requesting that Forum members contact the Scottish Parliament outlining

- (1) that the Licensing (Scotland) Act 2005 required to be applied to all licences and not just the on-trade;
- (2) that irresponsible price promotions by the off-trade should be curtailed; and
- (3) that concessions granted to members' clubs that sold alcohol should be restricted.

The Licensing Policy Officer outlined that the Campaign Group had asked her to bring this correspondence to the attention of the Forum and that the Forum could return the post card to the Scottish Parliament to show their support of this campaign.

**Decided:** that C. Andrew compile a response in liaison with the Chair to return to the Scottish Parliament as South Ayrshire Local Licensing Forum's response.

**6. Any Other Business.**

**(1) Over Provision.**

M. Douglas advised, further to the earlier discussion,

- (a) that West Dunbartonshire Licensing Board, as a result of gathering information from various sources, had agreed a policy whereby they would not approve any new licences, which was yet to be challenged;
- (b) that there were five licensing objectives and Over Provision to be considered in relation to new applications and one issue for the Board was the extent to which Over Provision required to be linked to the five Licensing Objectives; and
- (c) that South Ayrshire Licensing Board was intending to consult further on Over Provision with a view to reconsidering its Policy Statement on this.

**Decided:** to note the present position in relation to Over Provision.

**(2) Distribution of Local Licensing Forum Papers.**

**Decided:** that those members of the Forum who had access to a computer should be e-mailed all future Local Licensing Forum papers.

**7. Date of Next Meeting.**

**Decided:** to agree that the next meeting of the Local Licensing Forum would take place on Friday, 26th August 2011 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 3.00 p.m.