

SOUTH AYRSHIRE LOCAL LICENSING FORUM.

Minutes of meeting of South Ayrshire Local Licensing Forum in County Buildings, Ayr
on 26th August 2015 at 10.00 a.m.

Present: R. Rennie (Chair), R. MacLellan, C. Andrew, Sergeant G. Griffiths,
S. Horne, A. Kelly, M. McFadyean; and A. Bradford.

Apologies: R. Russell.

Attending for South
Ayrshire Council: J. McClure, Committee Services Officer (for the minutes).

1. Chair's Remarks.

The Chair welcomed all Forum Members to the meeting.

2. Membership.

C. Andrew advised the Forum

(1) that new members had been proposed for the Forum, namely Kim Whitehead, an Educational Psychologist; Kenny Leinster, the Chair of the Alcohol and Drugs Partnership; Eddie Goodwin from the Scottish Ambulance Service; Brian Borland, a Youth Worker with South Ayrshire Council; William Mackie, a local resident and Harjit Shergill from the Ayrshire Minority Ethnic Communities Association; however, their appointment was yet to be ratified and this would be done at the next meeting of South Ayrshire Council in October; and

(2) that delegated powers being granted to the Clerk to the Board to approve future members was being considered.

3. Minutes of previous meeting.

The Minutes of the Local Licensing Forum meeting of 4th May 2015 (issued) and the minutes of the joint meeting with the Licensing Board of 4th May 2015 (issued) were submitted.

Decided: to approve both Minutes as a correct record.

4. 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 23rd April, 20th May and 17th June 2015.

5. **Matters Arising from Minutes of the Licensing Board Meetings.**

(1) **Granting of Off-Sales Licences.**

The Chair referred to the granting of two off-sales licences to chemist-type shops at the Board meeting of 23rd April 2015 and a discussion then followed on the concerns of Forum members that any type of shop could apply for and potentially be granted a liquor licence.

C. Andrew advised the Forum

- (a) that, following an adjournment to consider these applications, the Chair of the Licensing Board had outlined that the Forum's concerns on the number of off-sales licences in South Ayrshire and the subsequent increase in availability of alcohol had been taken into account; and
- (b) that when considering an application, the Board could only consider this under the appropriate legislation and could not take planning, building standards or environmental health matters into account.

Decided:

- (i) that, when gathering information for submission to the Board regarding over provision, the Forum would highlight its concerns regarding granting licences to chemist-type shops and how this may start a trend of other 'types' of shops applying for a licence as there was currently nothing in the policy statement to discourage this; and
- (ii) that C. Andrew would request information from LSOs in other Councils regarding the policies of other Boards.

(2) **Premises Licence Review.**

The Chair referred to the premises licence which had been suspended for one month following the Premises Licence Review which had taken place at the Board meeting of 23rd April 2015 and C. Andrew advised that this was due to a request for review from Police Scotland and that the licence had been suspended for one month to allow the premises licence holder to address various matters.

C. Andrew further advised that a review could be requested by Police Scotland, a Licensing Standards Officer or a member of the public if they had concerns about how a premises was being run.

Decided: to note the position in relation to the review of premises licences.

6. Off-Sales Premises - Questionnaires.

C. Andrew outlined that it had been decided at the last Forum meeting that Forum members research their local area with regards to the number of off-sales premises in their area and the most frequently used premises and report back to this meeting and that a short questionnaire had been issued along with the Forum papers.

C. Andrew then advised of an off-sales application at a recent Board meeting when the applicant's representative had presented figures on the capacity of shop per population of the area which had been an interesting argument.

Decided:

- (1) that C. Andrew collate the information from the questionnaires; and research the population numbers and numbers of off-sales in each of the towns in South Ayrshire, for consideration at the next Forum meeting and thereafter to be submitted to the Board to reinforce the Forum's concerns regarding the number of off-sales licences in South Ayrshire and the availability of alcohol; and
- (2) that a working group comprising C. Andrew, R. Rennie and S. Horne should consider all information regarding off-sales and compile a draft report for the next Forum meeting.

7. Letter to Community Councils.

C. Andrew outlined that, following a decision at the last Forum meeting that a letter be issued to all Community Councils in South Ayrshire reminding them that they had the opportunity to object to an application for a licence in their area should they deem this appropriate; and requesting comments on the number of off-sales licences at present, only one Community Council had responded stating that they had not received any notification of new licences and she had advised that this was due to there being no new licence applications in their area.

Decided: to note that there had been no responses from Community Councils regarding their entitlement to object, the number of off-sales licences at present or C. Andrew's offer to speak to Community Council members on the licensing process.

8. Training.

C. Andrew advised that Linda Bowie of Alcohol Focus Scotland was willing to provide training to new Forum Members at the end of the year which current members would be welcome to attend.

Decided: that C. Andrew would advise Forum Members of the date of the training session once arranged.

9. A.O.C.B.

Revocation of Licences.

S. Bradford referred to the amendment to the legislation regarding personal licences and C. Andrew advised

- (1) that a personal licence lasted for ten years, however, a licence holder required to undertake refresher training and submit the certificate to the Licensing Section after five years;
- (2) that prior to the legislation being amended, should a licence holder fail to undertake the refresher training and submit the certificate to the Licensing Section, the Board was required by law to revoke their licence and the licence holder could then not reapply for the licence for five years; and
- (3) that following the legislation being amended, licence holders could now reapply for their licence immediately following revocation once they had undertaken the required training.

10. Date of Next Meeting.

Decided: to note that the next meeting of the Local Licensing Forum would take place on Wednesday, 11th November 2015 at 10.00 a.m. in the County Buildings, Wellington Square, Ayr.

11. Closing Remarks.

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

The meeting ended at 11.05 a.m.