

SOUTH AYRSHIRE LOCAL LICENSING FORUM

Minutes of the meeting of South Ayrshire Local Licensing Forum in County Buildings, Ayr on 8 November 2017 at 10.00 a.m.

Present: B. Mackie (Chair of the Licensing Forum), R. MacLellan, C. Andrew, M. Ankers, S. Bradford, R Russell and P. Zive,

Attending: H. Ankers and E Munro

Apologies: A Kelly and R Rennie

Attending for South

Ayrshire Council: Alison Nelson, Co-ordinator, Democratic Services.

1. Apologies.

The Chair welcomed members to the meeting and advised that apologies had been received on behalf of A Kelly, SA Crime Prevention Panel and R Rennie, Licensee.

2. Minutes of the South Ayrshire Joint Licensing Board/Forum

The Chair requested that Item 4 of the Agenda be taken first. The minutes of the Joint Licensing Board/Forum meeting of 16 August 2017 (issued) were submitted.

Decided: to approve the minute as a correct record subject to the undernoted.

That the decision under Agenda Item 5 – Potential over Provision of Off-Sales in South Ayrshire should have read “that the Board would welcome any evidence that the Forum could provide information to assist the Board in its consideration of an overprovision policy”.

3. Matters Arising from the South Ayrshire Joint Licensing Board/Forum

The Chair acknowledged that the Joint Licensing Board/Forum was the first meeting of the newly elected Councillors; however he expressed his disappointment at, what appeared to be the Board’s lack of engagement with the Forum.

The Chair suggested that it might be worth considering different accommodation as the County Hall was a very formal setting and may have intimidated members from speaking. He also proposed that different members of the Forum spoke to different items on the Agenda, all of which could be decided upon prior to the next annual meeting.

Decided: to note the position.

4. Minutes of Previous South Ayrshire Local Licensing Forum

The Minutes (issued) of the meeting of South Ayrshire Licensing Forum held on the 18 August 2018 were submitted.

Decided: to approve the Minutes as a correct record.

5. Matters Arising from the South Ayrshire Local Licensing Forum

The Chair had clarified the situation regarding who should attend South Ayrshire Local Licensing Forum meetings.

C Andrew advised that the Legal Manager, Clerk and Depute Clerks provide legal advice to South Ayrshire Licensing Board. The Clerk/Depute Clerk attended the South Ayrshire Licensing Forum to facilitate the appointment of the Chair and Vice Chair of South Ayrshire Local Licensing Forum.

Membership of South Ayrshire Licensing Forum was written down; some members could identify substitutes but not all members. South Ayrshire Licensing Forum could invite an Officer to attend i.e. Environmental Health. Meetings of South Ayrshire Licensing Forum were open to the public, however, members of the public in attendance could not speak, unless invited to do so, and could not vote.

The Forum could seek legal advice from the Council.

The Chair advised Forum members that there was no requirement to have a separate Agenda Item on "Alcohol Sales at Airports" as the Licensing Board had no jurisdiction regarding the selling of alcohol once passengers had gone through airport security.

M Ankers enquired as to who had jurisdiction, discussion ensued and it was suggested that C Andrew endeavoured to find out the actual position.

Decided:

1. to note the position regarding who can attend South Ayrshire Local Licensing Forum meetings.
2. that C Andrew would endeavour to establish who had jurisdiction on alcohol sales once passengers have gone through airport security.

6. Minutes of previous South Ayrshire Licensing Board meetings

The Minutes (issued) of the meetings of South Ayrshire Licensing Board held on the 17 August 2017, 14 September 2017 and 26 October 2017 were submitted.

Decided: to note the position.

7. Matters Arising from Previous South Ayrshire Licensing Board Minutes

The Chair provided a verbal report on the undernoted meetings of South Ayrshire Licensing Board.

17 August 2017

The Chair advised that Enterkine House had submitted numerous occasional licenses. C Andrew intimated that the occasional licenses were not for Enterkine House Hotel but for the marquee situated on their lawn and the occasional licenses were for specific events taking place in the marquee. The Board granted the licenses subject to various conditions relating to noise levels. C Andrew intimated that restrictions on occasional licences can differ from those on licenced premises and suggested that this issue is something that the Forum may wish to raise with the Licensing Board as part of the Licensing Board's consultation on the review of the Licensing Policy.

The Board did not grant occasional licenses, for the marquee, for future events. Applications could go to subsequent meetings for the Board.

14 September 2017

The Chair informed the Forum that two Personal Licences were considered, one was granted and the other revoked.

The Chair expressed concern that the individual, whose licence was revoked, may be out of employment however C Andrew advised that a Personal Licence allowed an individual to have additional responsibilities i.e. act as a manager, apply for occasional licences etc. The individual involved would still be able to work in licenced premises but not hold the additional responsibilities as detailed above.

C Andrew drew the Forum's attention to the occasional licence application for Troon Town Hall and Walker Hall for an Indoor Music Festival. As the Licensing Board have a duty of care, to protect children from harm, under 18s were normally in a designated area away from the bar area. However, as this event was advertised as family friendly, it was felt that the above arrangement was not conducive to creating a family friendly environment. After lengthy discussion with the organisers it was agreed that under 18s would be allowed into the bar area with specific conditions being added to the occasional licence, for example, children could not approach the bar, a separate soft drinks bar, wrist bands, children under the age of XX requiring to leave the bar area by XXX.

After lengthy discussion it was suggested that C Andrew circulate the report that was submitted to the Licencing Board for further reference. She advised that, as the number of applications for occasional licences had increased, for similar types of events, it was proposed that all Forum members were emailed and asked for their views. This was an issue that the Forum may choose to respond to as part of the Licensing Board's consultation on the review of the Licensing Policy.

Decided:

1. to email all Forum members seeking their views on under 18s being allowed into a licensed bar area.
2. that the issue of under 18s being allowed into a bar area, not food led, be placed on the Agenda for the next Forum meeting.

26 October 2017

The Chair updated the meeting on the number of licences that had been surrendered. C Andrew explained the difference between a licence being surrendered and a licence being suspended. This then led to lengthy discussion around licensed premises, extension to licences and off-sales. Discussion also arose around the issue of curfews and it was suggested that all Forum members were emailed and asked for their views again to feed into the Licensing Board's consultation on the review of the Licensing Policy.

Decided:

1. to email all Forum members seeking their views on curfews.
2. that this issue be placed on the Agenda for the next Forum meeting.

8. Proposed Schedule of South Ayrshire Licensing Forum Meetings 2018

The proposed schedule of South Ayrshire Licensing Forum Meetings for 2018 were submitted.

Decided: to agree the schedule of South Ayrshire Licensing Forum Meetings for 2018.

9. Schedule of South Ayrshire Licensing Board Meetings - 2018

The schedule of South Ayrshire Licensing Board Meetings for 2018 was submitted.

Decided: to note the dates of South Ayrshire Licensing Board Meetings for 2018.

10. Any Other Competent Business

The issue of members of the public passing drinks from the beer tent to people outwith the allotted zone at the recent Airshow was raised suggesting that the fencing could be double fenced to prevent this in future. The Airshow and the Indoor Music Festival were similar types of events with similar issues in terms of alcohol, as discussed in Item 7 above and would be discussed next South Ayrshire Licensing Forum meeting.

Decided: to note the comments made.

11. Date of Next South Ayrshire Local Licensing Forum Meeting

The next South Ayrshire Local Licensing Forum Meeting will be held on Wednesday 14 February 2018.

The meeting finished at 11.15 a.m.