

**SOUTH AYRSHIRE LICENSING BOARD/  
SOUTH AYRSHIRE LOCAL LICENSING FORUM**

Minutes of the Joint Meeting in Maybole Committee Room, County Buildings, Ayr,  
on 15 August 2018 at 11.00 a.m.

**Attending for Licensing Board:**

Councillors Craig Mackay (Chair of Licensing Board), Laura Brennan Whitefield, Douglas Campbell, Ian Fitzsimmons, Bob Pollock and Margaret Toner

**Apologies:** Councillors Siobhan Brown, Andy Campbell and Lee Lyons

**Attending for the Local Licensing Forum:**

Paul Zive (Chair of the Licensing Forum), Alex Kelly, Angela Stewart, Catrina Andrew, Michael Ankers and Rachael Rennie.

**Apologies:** John Govan and Sandy Bradford

Also Attending: Helen Ankers

Attending for: Morag Douglas, Depute Clerk to the Board; and  
South Ayrshire Alison Nelson, Co-ordinator, Democratic Services  
Council:

**1. Chair's Remarks.**

Councillor Mackay, Chair of the South Ayrshire Licensing Board welcomed members of the South Ayrshire Licensing Board and South Ayrshire Local Licensing Forum to the joint meeting.

**2. Minutes of the previous meeting of the joint meeting of the South Ayrshire Licensing Board and South Ayrshire Local Licensing Forum.**

The Minutes of the joint meeting of the South Ayrshire Licensing Board and South Ayrshire Local Licensing Forum of 16 August 2017 (issued) were submitted.

**Decided:** to approve the Minutes of the previous joint meeting of the South Ayrshire Licensing Board and South Ayrshire Local Licensing Forum as an accurate record proposed by Councillor Margaret Toner and seconded by Councillor Bob Pollock.

**3. Matters Arising**

The Chair made reference to Item 4 – Policy Statement Protecting Children from harm and noted that it was agreed that South Ayrshire Licensing Forum would prepare draft best practice guidance for subsequent consideration by the Board.

C Andrew, Licensing Standards Officer advised that South Ayrshire Licensing Forum had experienced many changes in its membership over the last year. C Andrew intimated that the Forum's suggestions on best practice were incorporated into the Forum's response to South Ayrshire Licensing Board's draft Policy Statement of Licensing Policy.

**Decided:** to note the position.

#### **4. Response to South Ayrshire Licensing Board – Draft Statement of Licensing Policy**

The Chair, South Ayrshire Local Licensing Forum introduced the draft response to South Ayrshire Licensing Board Draft Statement of Licensing Policy which had been previously circulated to Forum members.

The draft response from the South Ayrshire Local Licensing Forum covered the main areas as detailed below:-

- 5.3 Consideration of premises licence applications
- 6.2 Noise Nuisance
- 6.3 Outdoor Drinking Facilities
- 6.4 Children and young persons on licensed premises
- 11 Extended hours applications
- 12 Occasional Licences

Forum members generally felt that the Draft Statement of Licensing Policy could have been written in a more 'user friendlier' manner and provided clearer guidance for the people expected to use it.

The Forum welcomed the change in wording in relation to neighbour noise issues and the requirement to have a noise consultant's report and that this would give new operators the opportunity to consider all the requirements prior to applying for a licence.

The Forum supported the general policy of 'no outside drinking beyond 10pm'. However Forum members felt that the wording 'unless with the express consent of the Board' offered the opportunity to apply for more time rather than express a view that 10pm was generally acceptable to the Board. M Ankers suggested changing the wording 'generally acceptable' to 'the norm'.

With regard to children and young people on licensed premises, Forum members acknowledged that this was a challenging issue particularly considering the variety of events and premises. Forum members felt there was a clear distinction between those premises that children would be attending for the purposes of having a family meal or to attending a family function and those which were simply drinking establishments. Considering the diversity of events taking place throughout the Council area the Forum felt that it was important that a consistent approach was taken by the Board regarding children's access to permanently licenced premises and occasionally licensed events and that if children were going to be permitted to an event which is mainly a music event with a bar then the Board must take a similar approach when considering a licensed premises.

With regard to proof of age the Forum suggested changing the wording to 'as per I.D. listed in the Act' as this represented a wider range of acceptable proof of age documents instead of 'acceptable of Young Scot cards or passports as proof of age'.

The Forum generally supported the information provided by the Board in relation to Extended Hours Applications, however members felt that there should be further clarification regarding how many applications it would consider from one premises before it expected an application made to vary the premises licence.

The Forum welcomed the Board's suggestion that applicants could contact Environmental Health and the Licensing Standards Officer for advice and information when considering events. This was seen as a positive step in minimising complaints and expense.

The Forum also welcomed the explanation of 'Family Friendly' in this section and was pleased that the Board had retained their previous practice of considering whether the 'event' itself was suitable for children. Forum members however felt that specific Criteria, on what the Board determined was a requirement for a 'Family Friendly' premises/event, would be helpful.

The Forum raised concerns about the number of premises which appeared to operate by using occasional licences rather than a premises licence – predominantly wedding venues. Forum members felt that there should be a limit to the number of occasional licences that the same applicant could apply for on one venue to prevent these being favoured over the application of a premises licence.

Forum members generally shared the opinion of the Board that the information, currently available, did not support the view that there was an overprovision in South Ayrshire although members accepted that there were some towns and villages that appeared to be well catered for.

After discussion Board Members acknowledged that Forum Members had raised many valid points. Councillor Pollock advised that, although the Minutes of the Board only recorded the decision of the Board, with regard to occasional licence applications, he assured that much debate took place prior to a decision being made. The Chair intimated that he liked the idea of a 'Village Area' with food and drink outlets being in the one area. Catrina Andrew acknowledged that there were many challenging issues and over the years has seen a different type of event applying for a licence, for example festival type events which were marketed to encourage families to attend. Councillor Pollock intimated that it was essential that the Board developed best practice and what worked and what didn't for these type of events. The Chair suggested that we could learn from other areas who host similar events i.e. Glasgow albeit South Ayrshire's would be on a smaller scale.

Discussion arose regarding the non-payment of fees and the suggestion that a licence maybe revoked after a period of time. It was suggested that to revoke a license after one year was not practical particularly, if a licensed premise was being sold, but after two years might be worthy of consideration. Members also discussed limiting the number of occasional licenses that one person could apply for.

**Decided:** to note the contents.

5. **Any Other Competent Business**

There were no other items of business.

6. **Date and Time of Next Meeting**

To be confirmed.

6. **Chair's Remarks.**

The Chair thanked all members of the Board and Forum for their attendance and contribution and to their submission to the consultation on the draft Policy Statement of Licensing Policy which was well detailed and constructive.

The meeting ended at 12 noon