

**SOUTH AYRSHIRE LOCAL LICENSING FORUM**

**Minutes of the meeting of South Ayrshire Local Licensing Forum  
in County Buildings, Ayr on 5 June 2019 at 10.00 a.m.**

**Present:** P Zive (Chair), A Kelly, A Stewart, C Andrew, D Cuthill, J Lindsay, L Bowman, M Ankers, R Russell, PC E McArthur and S Sangha.

**Attending:** H Ankers

**Apologies:** J Govan, M Graham, R Rennie, S Paton and Serg. D Dougan

**Attending for South**

**Ayrshire Council:** A Nelson, Co-ordinator, Democratic Services.

**1. Welcome**

The Chair welcomed all present.

**2. Apologies**

Apologies were received as detailed above.

**3. Minutes of previous Forum meeting 13 Febraury 2019**

The minutes of the South Ayrshire Local Licensing Forum meeting held on 13 February 2019 (issued) were submitted.

**Decided:** to approve the minutes as a correct record; proposed by L Bowman and seconded by P Zive.

**4. Matters Arising from the South Ayrshire Local Licensing Forum Minutes**

C Andrew, Licensing Standards Officer reminded members of the training course that took place in Craig Tara on the 21 February 2019. She intimated that the course was very well attended by members of the licensed trade who welcomed the opportunity to have the course delivered to staff out with their normal workplace and feedback suggested this allowed staff to understand the importance of the training itself. It was hoped that another training session could be organised in future to focus on Members' Clubs which operated under different licensing conditions.

**5. Minutes of previous South Ayrshire Licensing Board meetings:-**

The Chair made the undernoted comments:-

## **7 February 2019**

Two premises, Dobbies and Hollow Park Stores had applied to increase their alcohol display.

To note the number of Occasional Licences granted to Blairquhan Castle. These premises do not currently have a premises licence, they operate by applying for Occasional Licences (a licence for each event).

He also brought to the attention of Forum members that; the Pearl Tandoori in Girvan had their licence revoked; and the increased number of extended hours applications which would be discussed later on the Agenda.

## **7 March 2019**

To note that consideration of a beer garden at Arthur Street Kitchen had been continued; a further 3 off sales all separate Tesco stores had increased their off sale capacity; and that the extended hours application for The Buf, Ayr had been refused.

## **18 April 2019**

The premises previously known as Elliots had now made a number of changes, including the name, and had re-opened with a different focus; and, that the Arthur Street Kitchen beer garden had been granted. The Buf, Ayr had been granted a permanent increase in core hours until 2.30am on a Thursday to Saturday.

**Decided:** to note the Minutes of the South Ayrshire Licensing Board meetings held on the 7 February 2019, 7 March 2019 and 18 April 2019.

## **6. Matters Arising from the previous South Ayrshire Licensing Board Minutes**

Forum members discussed the issue of the number of Occasional Licences being granted. C Andrew, Licensing Standards Officer advised that the Board were considering further guidance on Occasional Licence applications. An application for an Occasional Licence can be granted, under delegated powers, if the event finishes prior to 12 midnight, the cost of a licence is £10, there is no limit to how many can be applied for and the conditions attached to an Occasional Licence are less stringent than that for a Permanent Licence. C Andrew also advised of a particular venue that had been granted in excess of 70 Occasional Licences, which had not been considered by the Board, because the application was until 12 midnight and granted under delegated powers. The conditions for a permanent licence (known as a premises licence) include an annual licence fee, the provision of trained staff and police checks.

With the increase in the number and variety of venues operating in South Ayrshire i.e. wedding venues – barns, farms, castles, large country houses Forum members could understand how an Occasional Licence would suit that type of event. Some venues however were increasingly being hired for golf weekends/holiday weekends and in effect were running a full-time business using Occasional Licences when it could be argued that a permanent licence should have been applied for. Forum members discussed and compared venues and events such as local town halls/community

centres that required Occasional Licences for the variety of events that they facilitated i.e. shows, charity events etc. Mobile bar firms were also discussed. Forum members discussed this at length, acknowledged that this was a challenging issue and welcomed the fact that the Board were reviewing it.

A Stewart, Health Improvement Officer NHS advised Forum Members that the Scottish Government were currently undertaking a consultation on this.

The issue of Extended Hours Licensed applications were discussed under Item 7 on the Agenda.

## **7. Extended Hours for Licensed Premises**

C Andrew, Licensing Standards Officer intimated that there had been an increase in the number of extended hours applications and the Board had requested that a consultation group was set up to discuss and review this issue. Generally it was premises that would previously have been known as night clubs that sought extended hours but increasingly 'pubs' were applying for extensions with some 'pubs' operating as 'night clubs'. Currently the applicant required to state the reason for the extended hours application i.e. a local or national event or a special event. A local or national event could be Ayr Races, Girvan Folk Festival, and the Ayr Show. A 'special event' could be more difficult to determine as what was perceived as being special to one person may not be to another. The question was also raised as to why premises required extended hours; what happened within premises during extended hours that did not happen within normal licence hours. Forum members also discussed the issue of entrance fees to events that had extended hours beyond 2.30 am.

M Ankers enquired as to the impact the increased number of extended hours licences had on police resources. E McArthur advised that the police would not object to an application for resource reasons and would only object to an application if they had legitimate reason to do so and evidence would require to be provided to support the objection.

Forum members discussed this issue at length and suggested writing to the Board in support of the consultation group proposed and raising the concerns the Forum had regarding the increase in the number of extended hours applications and the reasons for the applications.

### **Decision:**

to instruct C Andrews, Licensing Standards Officer to write to South Ayrshire Licensing Board on behalf of South Ayrshire Local Licensing Forum raising the undernoted issues relating to extended hours applications:-

- 1) suggested criteria for the reason for the extended hours application and why this could not be facilitated within the normal licence hours of the premises;
- 2) whether an entrance fee should be introduced for events that go beyond 2.30am;
- 3) each application required to be considered on an individual basis; and
- 4) whether it was still possible to have any distinction between a 'night club' and 'pub'.

**8. Licensed Premises Best Practice Seminar – 29 May 2019**

The Chair intimated that at the event D Cuthill was presented with a letter of recognition for the work he had undertaken in assisting the Licensing Standards Officer and the local licensed trade regarding training and events over the past number of years.

This was another successful training event which was a joint venture facilitated by the Council and Police Scotland. Approximately 90 licence holders attended.

The course included an address from the Chair of the Licensing Board, Assistant Chief Constable Bernie Higgins and Chief Inspector Frew, Police Scotland to acknowledge 10 years since the Licensing (Scotland) Act 2005 came into force and to offer best practice advice on a number of issues currently affecting the licensed trade.

**9. Any Other Competent Business**

There were no further items of business.

**10. Date and Time of the next Forum Meeting**

The next meeting of the Forum would take place on Wednesday 14 August 2019 at 10.00am in the Troon Committee Room, County Buildings, Wellington Square, Ayr.

The meeting ended at 11.45 am