

## **EAST AYRSHIRE COUNCIL**

### **EAST AYRSHIRE LOCAL LICENSING FORUM**

#### **MINUTES OF MEETING HELD ON THURSDAY 22 APRIL 2010 AT 1410 HOURS IN BELLFIELD COMMUNITY CENTRE, WHATRIGGS ROAD, KILMARNOCK**

**PRESENT:** Councillor John Campbell, Licensing Board Member; Jim Dunsmuir, Resident; David Little, Licence Holder; Eric Browne, Licence Holder, Patrick Browne, Scottish Beer and Pub Association; Susan Wilson, NHS Ayrshire and Arran; Ian Hiles, Licence Standards Officer; Carolyn McEwan, Licence Standards Officer; Rosalie McCluskey, Resident; PC Karen Ritchie, Strathclyde Police; and James Kelly, Resident.

**ATTENDING:** Stuart McCall, Depute Clerk to the Licensing Board; Joyce Fenton, Trading Standards, East Ayrshire Council; Arnie Yuille, Young Scot; and Lynn Young, Administrative Officer.

**APOLOGIES:** Liam Wells and Brian Kelly.

**CHAIR:** Eric Brown, Chair.

#### **APPOINTMENT OF CHAIR**

1. The Administrative Officer advised that two resignations had been received from membership of the Licensing Forum, from Colin McGillivray, Chair and Christine Kinnear and requested nominations for appointment of Chair.

It was unanimously agreed to appoint Eric Brown as Chair of the Local Licensing Forum.

#### **MINUTES OF PREVIOUS MEETING**

2. There was submitted and noted as a correct record, the Minutes of the Licensing Forum held on 9 February 2010 and the Minutes of the Informal Meeting held on 11 March 2010, both circulated.

#### **ORDER OF BUSINESS**

3. It was agreed to alter the order of business and consider Agenda Item 3, False Identification, as the last item on the Agenda.

#### **OVER PROVISION IN EAST AYRSHIRE**

4. The Chair reported that the Licensing Forum had held an informal meeting in connection with information which had been requested at the previous informal meeting held on 11 March 2010 in connection with over provision in East Ayrshire.

It was agreed:-

- (i) to further consider the over provision in East Ayrshire for the whole of East Ayrshire and not Kilmarnock as previously agreed;
- (ii) to remit to the Administrative Officer to contact those Community Councils who had not responded to previous correspondence; and

- (iii) to arrange a further informal meeting of the Local Licensing Forum in approximately one month's time to discuss over provision in East Ayrshire, and as such to remit to the Administrative Officer and the Local Licensing Standards Officers to provide information to the meeting on the number of licensed premises in Kilmarnock and the breakdown of the population of towns and villages within East Ayrshire.

## **FALSE IDENTIFICATION**

### **5.1 False Identification**

Joyce Fenton, Trading Standards, East Ayrshire Council, advised that within East Ayrshire Council, the Young Scot Cards are issued via Dialogue Youth, and as such, the involvement of Trading Standards is to make trades aware of the issue of the Young Scot card, and advised that to date, East Ayrshire Trading Standards had not been presented with any false or amended Young Scot Cards.

PC Karen Ritchie, Strathclyde Police, advised that the Young Scot PASS Pack includes information on the action traders should take when presented with a false or amended Young Scot card, and advised that Officers from Dialogue Youth were working to identify an appropriate course of action that traders should take when presented when a false or amended card.

Arnie Yuille, Young Scot then advised the Forum that from a Young Scot perspective, there is no trade body that does not promote the Young Scot card and that it is included as an acceptable form of identification alongside the passport and driving licence. He further advised that the PASS cards are hologrammed and if traders showed due diligence then they would not be prosecuted.

There then followed a discussion regarding fraudulent identification and it was noted:-

- (i) the production of a false identification card is fraudulent;
- (ii) there is no legislation for carrying an altered PASS card although there is legislation for carrying an altered passport or driving licence;
- (iii) East Ayrshire Licensing Board view the PASS card as a suitable form of identification; and
- (iv) PASS card photographs are updated as often as is required.

Following the discussion, it was agreed to note the information requested from the informal meeting held on 11 March 2010 and to note that PC Karen Ritchie would obtain information relating to cases where traders have been prosecuted where the defence has been due diligence.

### **PRESENTATION BY ARNIE YUILLE, YOUNG SCOT ON THE YOUNG SCOT PASS CARD**

6. The Forum received a presentation by Arnie Yuille, Young Scot on the Young Scot PASS card.

During the presentation, Members of the Forum noted:-

- that the card retailer pack included information relating to altered or false PASS cards;

- that Young Scot are interested to hear of fraudulent cards and any information on this should be passed to Young Scot;
- that Young Scot audit local Councils on half day self assessment basis;
- that age ranges for PASS cards are not staggered due to cost implications, however, the new 18+ identification card would be different from the under 18 young scot card;
- where a trader is presented with a false Young Scot PASS card then the cards should be passed to the Local Government contact in the first instance;
- the Young Scot PASS pack had been submitted to all licence traders, and the Depute Clerk to the Licensing Board advised that if any East Ayrshire licensed premise required a copy of the PASS pack, then they should contact the Licence Standards Officers accordingly; and
- that any fraudulent pass cards presented to Trading Standards would be forwarded to the relevant Council contact.

Following the presentation, the Forum Members discussed the possibility of where a fraudulent PASS card is presented to the Local Government contact, then the young person should not be re-issued with a pass card and it was agreed that Arnie Yuille, Young Scot would investigate the matter accordingly.

The Chair then thanked Arnie Yuille for an interesting presentation.

#### **DATE OF NEXT MEETING**

7. It was agreed although an informal meeting of the Licensing Forum would take place in May 2010, the next meeting of East Ayrshire Local Licensing Forum would be held on Wednesday 11 August 2010 at 1400 hours in Meeting Room 1, Council Headquarters, London Road, Kilmarnock.

The meeting terminated at 1520 hours.