

SCOTTISH BORDERS LOCAL LICENSING FORUM

MINUTE of MEETING of the SCOTTISH BORDERS LICENSING FORUM held in Committee Room 1, Council Headquarters, Newtown St Boswells on 24 August 2011 at 4.00 p.m.

Present: M. Ballantyne (Convener), Inspector K. Simpson, H. Davies, C. Mouat, K. Rowan, G. Todd, I. Tunnah. E. Whitehead,
Apologies: S. Bell. J. Swanson, A. Vickery, S. Walker,
In Attendance: Committee & Elections Officer (K. Mason).

QUORUM

1. As the meeting was inquorate, an informal meeting took place, and any decisions would require ratification at the next meeting of the Forum.

**DECISION
NOTED.**

MINUTE

2. The Minute of Meeting of 20 April 2011 had been circulated. With reference to paragraph 12(d) of the Minute, I. Tunnah advised that "beer mats" should be replaced with "place mats".

**DECISION
APPROVED subject to the above amendment and signed by the Convener.**

MATTERS ARISING

3. With reference to paragraph 12(a) Inspector K Simpson advised Lothian and Borders Police would be able to provide the Forum with Test Purchasing statistics.

**DECISION
NOTED.**

4. With reference to paragraph 12(b) of the Minute, K. Rowan advised that information relating to the questionnaire provided by Aberdeen Licensing Forum had been issued to the Convener of the Forum.

**DECISION
NOTED.**

5. With reference to paragraph 12(c) of the Minute, the Convener advised that no definite conclusions had been reached relative to a newspaper campaign, although she had raised the matter with Southern Reporter and Border Telegraph regarding the publication of an introduction piece relating to the form. Discussions took place over the format of the information which might take the form of blocks with input from separate areas (i.e. Forum, LSO, Trade etc) with information being provided about the new legislation which was not being sent out to licensed premises by the 'government'. It was suggested that the Forum focus on a double page spread in a newspaper. In response to a query regarding publicising information in publications such as "Peebles Life", H. Davies undertook to ascertain whether or not this would be feasible. K. Mason advised that there was a budget available of £4,000 (Advertising £1,000; Training £1,250; Other Expenses £1,250) and to date there had been a spend of less than £100 in the current financial year.

**DECISION
AGREED**

- (a) **an email be sent to all Members of the Forum to ask for contributions to a newspaper article;**
- (b) **that H. Davies contact Peebles Life and report to the next meeting;**
- (c) **E. Whitehead would speak to her Head Office regarding the wording of a suitable contribution.**

With reference to paragraph 12 (d) of the Minute, K. Rowan advised that she had still to contact Diago regarding sponsoring place mats.

**DECISION
NOTED.**

With reference to paragraph 12(e) of the Minute, work was still to be undertaken on identifying raising the profile of the Forum by means of a competition.

**DECISION
NOTED.**

UPDATES

6. (a) Lothian and Borders Police
Inspector K. Simpson advised Police had been busy over the Rugby Sevens and Common Ridings period. He referred to applications for extension of hours most of which were historical. In some cases late applications had been made and these had been granted with applicants being asked to submit their applications timeously for next year's events. The Rugby Sevens had gone well owing to a build up of relationships and there had not been so many issues in relation to outside drinking during festivals. There had been Test Purchase failures and it was policy for a review to be held after a premises failed a test purchase. He was pleased to advise that those premises failing had no double failures. A positive stance had been taken by the Licensing Board when H2O Premises Licence had been suspended.

M. Ballantyne referred to corporate hospitality and Mr Tunnah gave her background information into guidance measures put in place by the Licensing Board. It was noted there were inconsistencies throughout Scotland relating to corporate hospitality and this needed to be addressed at a meeting of the LICF (?) Members discussed adding the corporate hospitality policy to the Board's Policy Statement.

DECISION

- (a) **NOTED the Inspector's report.**
 - (b) **AGREED that the Clerk to the Licensing Board be asked as an interim measure to attach the document on corporate hospitality as an appendix to the Board's Policy Statement.**
- (b) Licensing Standards Officer
I. Tunnah reported on recent work of the Licensing Board and also referred to Test Purchase reviews which had resulted in three written warnings being issued by the Licensing Board. The suspension of H2O Premises Licence was a clear message to all licence holders. Approximately 200 occasional licences/extensions had been issued over the Common Riding period. He referred to work undertaken when events were being held in temporary structures such as marquees and in particular to an event in Kelso when the householders in the vicinity of the event had been made aware of the event in writing by the event organisers. This method of communication had resulted in no complaints being

made relating to the event. An application for an extension to 2.00 a.m. on Friday and Saturdays for a premises in Peebles would be determined by the Licensing Board on Friday and the Agenda for this meeting had been circulated to all Forum Members for their information. E. Whitehead undertook to attend the Licensing Board meeting and report back to the next meeting of the Forum.

DECISION

NOTED

- (a) the LSO's report.
- (b) that E. Whitehead would attend the Licensing Board meeting on 26 August 2011 and report back to the next meeting of the Forum.

PROTECTING AND IMPROVING PUBLIC HEALTH

7. The Convener referred to the paper which was tabled by S. Walker at the last meeting of the Forum relating to Protecting and Improving Public Health. According to the report there had been a fall in the number of alcohol-related discharges from general hospitals in the Borders between 2008/09 and 2009/10 and this reflected Scottish figures as a whole. In 2007/08 the number of alcohol related discharges from Borders General Hospital amounted to 732 whereas the figure for 2009/10 was 654. The death rate from alcohol-related diseases in the Borders was 16.3 per 100,000 in 2009. This was the lowest rate in Scotland and was less than half the Scottish average rate of 44 per 100,000. In relation to the number of ambulance calls where crews noted alcohol as a factor the data from the Ambulance Service was limited, therefore caution was necessary when interpreting the figures which were recoded as 157 in 2009 and 129 in 2010. Examples of how public health could be promoted as recommended by Alcohol Focus Scotland; particularly in off-sales premises were:

- (a) Health information prominently displayed beside alcohol products
- (b) Controlling access to alcohol
- (c) Limited licensing hours
- (d) Displaying alcohol away from till to discourage impulse alcohol purchases
- (e) No promotions which included alcohol, such as a meal for two with bottle of wine"
- (f) Alcoholic products and offers for alcohol should not be displayed in the window (with an exception for specialist off-sales)

Inspector Simpson pointed out there was no context behind the statistics there being no main contributory factors and clear evidence was required. It was noted that pricing issues would be addressed in 12 months time.

DECISION

AGREED evidence was needed as to why public health was an issue and how this should be addressed in the Licensing Board's Policy statement.

EVALUATION OF THE IMPLEMENTATION OF THE OBJECTIVES OF THE LICENSING (SCOTLAND) ACT 2005

8. There had been circulated copies of a report entitled "An evaluation of the implementation of the objectives of the Licensing (Scotland) Act 2005. Paragraph 5 of the report – Perceived success of the local licensing forums" advised that the majority of LSOs described their own working relationships with local licensing forums as "very" or "quite" good. They did however suggest that the forums had been experiencing some problems in becoming established in certain areas and that there was a lack of clarity about the remit and a need for more guidance from the Government. Among Licensing Board respondents 19 of the 29 felt that their working relationships with Forums were "very" or "quite" good. Their perceptions of how well the local licensing forums were functioning were more mixed with 12 feeling that the Forums were working as least "quite well" but 13 suggested that they were working "not very" well or "not at all well".

9. The Convener advised that she had attended a meeting of other Forum members and indicated that from the discussions which had taken place this Forum appeared to be working well, there was a good relationship with the Licensing Board and various tasks had been undertaken by the Forum in relation to overprovision, reviewing the Board's Policy Statement etc. She explained that it was important to monitor the 5 licensing objectives and tabled a new style of agenda suggesting this would enable more constructive meetings of the Forum to take place. She stressed that it was important for all Members of the Forum to think about what they brought to the table. The new style of agenda forms an appendix to this Minute.

DECISION

AGREED subject to ratification at the next meeting of the Forum to approve the new agenda format.

JOINT MEETING LICENSING FORUM/LICENSING BOARD

10. Discussions took place in relation to the format of the next joint meeting of the Forum and the Board. There was perhaps a lack of understanding what the Board's vision of the Forum was. It was suggested that to ensure reasonable debate took place at the meeting that a draft agenda be issued to the Board by the forum setting out the Forum's requirements and expectations of what the meeting should encompass. E. Whitehead undertook to draft a template for Forum Members to use when attending Board meetings to record their comments as to whether the licensing objectives were being addressed by Board Members when they were dealing with applications.

DECISION

NOTED.

The meeting concluded at 6.20 p.m.

**LOCAL LICENSING FORUM
(INSERT DAY AND DATE) 2011**

A MEETING of the LOCAL LICENSING FORUM will be held in (INSERT VENUE) on (INSERT DAY, DATE AND TIME).

J. J. WILKINSON,
Clerk to the Council,
(Insert date)

BUSINESS		
1.	Apologies for Absence.	
3.	Order of Business.	
3.	Declarations of Interest.	
4.	Minute. Minute of Meeting of (Insert Date) to be approved. (Copy attached.)	2 mins
5.	Matters Arising.	10 mins
6.	Licensing Board Meetings. Attendance feedback.	10 mins
7.	Generic Papers (Non objective related issues)	15 mins
8.	Licensing Objectives (a) <u>Preventing Crime and Disorder</u> Consider reports from Forum Members; (b) <u>Securing Public Safety</u> Consider reports from Forum Members; (c) <u>Preventing Public Nuisance</u> Consider reports from Forum Members; (d) <u>Protecting and Improving Public Health</u> Consider reports from Forum Members; (e) <u>Protecting Children from Harm</u> Consider reports from Forum Members;	60 mins
9.	Training.	30 mins

10.	Any Other Items Previously Circulated.	
11.	Any Other Items which the Chairman Decides are Urgent.	

NOTES

1. **Timings given above are only indicative and not intended to inhibit Members' discussions.**
 2. **Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**
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Membership of Committee:- M. Ballantyne (Chairman), Inspector K. Simpson, S. Bell, A. Craig, H. Davies, G.Jardine, K. MacDonald, K. MacLeod, C. Mouat, S. Robb, J. Swanson, S. Walker, G. Todd, I. Tunnah, A. Vickery, E. Whitehead.

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