

SCOTTISH BORDERS LOCAL LICENSING FORUM

MINUTE of MEETING of the SCOTTISH BORDERS LICENSING FORUM held in Committee Room 3, Council Headquarters, Newtown St Boswells on 25 January 2012 at 4.10 p.m.

Present: M. Ballantyne (Convener) G. Todd, J. Swanson, A. Vickery, S. Walker, E. Whitehead.
Also Present: Councillor G. Turnbull, T. Weatherston.
Apologies: S. Bell, A. Craig, H. Davies, Dr. M. Kehoe, Inspector K. Simpson, I. Tunnah.
In Attendance: Legal and Licensing Services Manager (Paragraphs 1 - 6), Committee and Elections Officer (K. Mason).

QUORUM

1. The meeting was inquorate. Any decisions made would be subject to ratification at the next meeting. The Legal and Licensing Services Manager undertook to check whether the terms of reference could be changed to reduce the figure for the quorum.

**DECISION
NOTED.**

MINUTE

2. A Note of Meeting of 19 October 2011 had been circulated.

**DECISION
NOTED.**

LICENSING BOARD MEETING

3. Elaine Whitehead advised she would attend the meeting of the Licensing Board on 27 January 2012. Board members present at the meeting agreed that the attendance of members of the Forum was of benefit to both the Board and the Forum.

**DECISION
NOTED.**

POLICE REPORT

4. In the absence of Inspector K. Simpson a Police Update report was tabled at the meeting advising that it had been relatively quiet since November and throughout the festive period. As a result of a number of incidents and the progressive deterioration of the management at a Public House in Hawick, the Police had no choice but to request a review of the premises licence hoping that the Board would find in their favour that the Preventing Crime and Disorder, Securing Public Safety and Preventing Public Nuisance objectives had been breached. It was very much the same scenario for premises in Peebles with the same three objectives being breached. Both reviews were well established within the formal process. On a less formal note, the Police Licensing Department had 13 discussions with licensees as a result of incidents on their premises. This was part of the new Force protocol, which would standardise the pre review process making it more transparent for the Board procedure. Members sought clarification on the level of the 13 discussions with licensees and agreed that more information be sought from the Inspector in relation to this.

DECISION

AGREED that clarification be sought from the Inspector about the level of the 13 discussions held with licensees.

LICENSING OBJECTIVES

5. (a) Preventing Crime and Disorder
The Inspector's report advised that Police had to notify the Board of one Personal Licence Holder (PLH) who had been convicted of a relevant offence and requested a review for another PLH. The second one had committed several offences leading to this review. This would be heard by the Board on Friday 27 January 2012.
- (b) Securing Public Safety
The Inspector's report advised that the festive period had gone well. Additional Police resources had been deployed for the dispersal times and also for Hogmanay celebrations. All in all, the licensees, their staff and patrons were to be congratulated for their work and behaviour over this period
- (c) Protecting and Improving Public Health
The Inspector's report advised that Officers in Berwickshire/Kelso areas carried out a drug testing initiative where swab tests were carried out in the majority of licensed premises. A large percentage of the swab results were positive and plans were already in discussion in how best to progress this identified issue through education, prevention, enforcement and awareness. Community Beat Officers assisted in the distribution of correspondence to raise awareness within licensed premises of legal highs. It was noted during the discussions which took place that it was good practice for licensed premises to have a drugs awareness scheme in place and it was hoped that a local pub watch scheme would hold a drugs awareness evening.
- (d) Protecting Children from Harm
The Inspector's report advised that no test purchasing operations had been carried out during the last two months, however a number of occasional licence applications where the Police and the Licensing Unit flagged up possible issues, had resulted in applicants being spoken to and events monitored and more robustly stewarded. There continued to be a steady stream of alcohol confiscations from under 18's. Officers tried to establish where the alcohol was sourced in these cases but they were seldom successful.

DECISION NOTED.

RE-THINKING ALOCHOL LICENSING

6. A copy of the publication entitled "Re-thinking Alcohol Licensing" written by Petrina MacNaughton of Scottish Health Action on Alcohol Problems and Evelyn Gillan of Alcohol Focus Scotland, with input from members of the expert group on public health and licensing had previously been circulated to Members.
7. A copy of the methodology used by West Dunbartonshire Licensing Board on Overprovision is attached as an appendix to this Minute. It was suggested that it would be helpful to invite the Clerk from West Dunbartonshire Licensing Board to give a presentation to the LLF to outline how that Board had taken forward their work. Detailed discussions took place in relation to the gathering of appropriate information and those who should be asked to participate in this exercise. Susan Walker advised that she would continue to scope out the work required in gathering appropriate and useful alcohol data which the Licensing Board might find helpful in informing Licensing Board Policy and future assessment of overprovision and circulate for comments. Elaine Whitehead advised that she would

liaise with the Co-Operative Group to ascertain the statistics which they would be willing to pass to the Licensing Board relating to off sales and patterns. An update on progress would be discussed at the next meeting of the LLF.

**DECISION
NOTED.**

MEMBERS

Councillors Turnbull and Weatherson left the meeting during discussion of the above item of business.

DRUGS BULLETIN

8. Susan Walker advised on behalf of Gillian Oliver, Police Drugs Awareness Officer that a drugs bulletin had been issued by Crew/SDEA before Christmas to Police and drug/alcohol services. The aim of this bulletin was to notify services about the drugs in circulation, what they looked like and how to respond in a crisis. Gillian Oliver had asked if the Licensing Trade would find this type of information useful. Susan Walker had agreed to take this to the Forum to seek the views of members who were linked with on-trade. Members discussed this and noted that it would be best to approach individual premises to find out if this was something they would be interested in and in what format.

DECISION

AGREED that Susan Walker would take this to the multi-agency group who were reviewing the 'Legal High Poster Campaign' which took place in licensed premises over Christmas.

The meeting concluded at 6.00 p.m.