

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 26 June 2012 at 4.00 p.m.

Present: M. Ballantyne (Convener) Dr E Baijal, J. Swanson, G. Todd, I. Tunnah, Chief Inspector K Simpson, E. Whitehead.
Apologies: S. Bell, A. Craig, H. Davies, A Vickery, S. Walker.
In Attendance: Legal and Licensing Services Manager (A. Isles), Committee and Elections Officer (K. Mason).

CHAIRMAN'S REMARKS

1. The Chairman welcomed Dr Eric Baijal, Joint Director of Public Health, NHS Borders to the meeting.

QUORUM

2. With reference to paragraph 3 of the Minute of 28 March 2012, on the advice of the Legal and Licensing Services Manager it was agreed that the quorum of the Local Licensing Forum be reduced to 3 members.

DECISION

AGREED that the Quorum of the Licensing Forum be reduced to 3 members and that accordingly the Terms of Reference be amended to reflect this decision.

MINUTE

3. A Note of Meeting of 28 March 2012 had been circulated.

DECISION NOTED.

ALCOHOL DATA PROJECT

4. Inspector Simpson advised that further meetings had been held and data sets had been identified by the front line services. Data would be gathered for the months of June and October 2012. Information from the data gathering exercise would be fed to Erin Murray to enable her to provide a pictorial. More Members from the Board would be appointed to the Steering Group. The Legal and Licensing Services Manager advised of the requirement for all members of the Licensing Board to train or retrain (as appropriate) before they were able to determine applications. It was suggested that refresher training for Board Members take place on an annual basis and that Forum Members might also be invited to attend.

DECISION

(a) **NOTED the position.**

(b) **AGREED that the Legal and Licensing Services Manager would investigate the possibility of arranging a joint training session for Board and Forum Members.**

MEMBER

Mr J Swanson joined the meeting during discussion of the above item.

LICENSING OBJECTIVES

5. (a) Preventing Crime and Disorder
Chief Inspector Simpson advised that premises licences which had been suspended were now reinstated. Although one premise had featured again and a further premises licence review would be lodged.
- (b) Securing Public Safety
Chief Inspector Simpson in referring to local common riding festivals and the practice of alcohol being taken off the premises and consumed outside the premises, reported that this was impossible to police. However, there appeared to have been no problems and licensed premises staff had cleared up afterwards in Hawick. I. Tunnah advised that the Board had sent out letters prior to common ridings taking place reminding staff in licensed premises that it was against the law for drinks to be carried outside the premises after 10.00 p.m. in open vessels, but this action had been perceived to have been heavy handed and so the message to staff was – “please manage when you can”. It was hoped that the general public would be educated and that a gradual change would take place. The Legal and Licensing Services Manager indicated the implementation of By Laws relating to consuming of alcohol in public places was being reconsidered by the Council.
- (c) Preventing Public Nuisance
Chief Inspector Simpson advised that 4 premises were being monitored owing to neighbourhood noise complaints. Mediations were taking place. Any ongoing issues would be referred to the Board for a review.
- (d) Protecting and Improving Public Health
Chief Inspector Simpson referred to the “responsible drinking campaign” for Rugby Sevens and local festivals.
- (e) Protecting Children From Harm
Chief Inspector Simpson advised that one Test Purchase operation had taken place with 6 premises being visited and there had been no failures. Two off-sale premises had been charged for selling alcohol to young persons. In referring to visits to Hawick Common Riding during early openings, Police and the Licensing Standards Officer had noted that two premises had openly allowed children to the bar area without challenging them. During discussions it was noted that parents were buying alcohol for their children, and a suggestion was put forward that it might be helpful for a leaflet to be made available presenting information on underage drinking. The Chairman undertook to liaise with supermarkets in Galashiels to ascertain whether it would be possible for a scheme to be put in place whereby other shops/supermarkets could be informed when the sale of drinks had been refused to underage persons.

MEMBER

Chief Inspector Simpson left the meeting.

- (f) It was noted that occasional licences were granted for events associated with schools and uniformed youth organisations. It was agreed that K Mason issue a copy of licences issued under delegated powers (which was made available to Board members at the June meeting) to Members of the Forum, from which information could be extracted referring to licences issued for school events and uniformed youth organisations. Thereafter if the Forum was concerned about the number of licences issued, discussions could take place with the Director of Education and Lifelong Learning about licences issued for school events. A suggestion was made that the Licensing Forum give presentations to Parent Teacher Associations.

Dr Baijal referred to Borders Alcohol and Drugs Partnership (BADP) and asked if there was a shared understanding of the work of that body and that of the Licensing Forum. Dr Baijal undertook to email K. Mason a guide relating to the work of the BADP for onward circulation to Forum Members. During the discussions it was suggested that a representative from BADP be invited to give a presentation to the Licensing Forum on their work and similarly a presentation be made by the Licensing Forum to the BADP on the Forum's remit.

DECISION

(a) **NOTED.**

(b) **AGREED that:**

- (i) **that the Chairman liaise with supermarkets in Galashiels regarding the implementation of a scheme whereby other shops/supermarkets could be informed when the sale of drinks had been refused to underage persons;**
- (ii) **K Mason forward a copy of licences issued under delegated powers to Forum Members;**
- (iii) **Dr Baijal forward a copy of the guide on the BADP to K Mason for circulation to Members of the Forum; and**
- (iv) **the Chairman contact BADP regarding presentations.**

FORUM MEMBERSHIP

6. Owing to the reduced number of members of the Forum arrangements would need to be made to advertise vacancies. It was important that a young person be appointed as a member of the group and the Chairman and Dr Baijal would liaise with the Director of Education and Lifelong Learning about this.

It was noted that travelling expenses would be reimbursed on completion of the appropriate claim form.

DECISION

AGREED that the

- (a) **Chairman and Dr Baijal liaise with the Mr Glenn Rodger, Director of Education and Lifelong Learning relating to the recruitment of a motivated 6th year pupil for one year at a time as a Member of the Forum; and**
- (b) **Chairman liaise with the Clerk to the Licensing Board in relation to placing adverts/issuing press releases relating to the appointment of new members of the Forum.**

ATTENDANCE AT LICENSING BOARD MEETINGS

7. Discussions took place relating to the attendance of Forum Members as observers at Licensing Board meetings. K. Mason to ascertain from the Clerk to the Licensing Board if those observing Board meetings would be illegible to claim for travelling expenses.

DECISION

- (a) **AGREED** that
- (i) Elaine Whitehead would attend Licensing Board meetings on 24 August, 23 November and 14 December 2012;
 - (ii) Gillian Todd would attend the Licensing Board meeting on 27 July 2012; and
 - (iii) K Mason would check if Forum Members observing Licensing Board meetings would be illegible to claim for travelling expenses.
- (b) **NOTED** that John Swanston could not make any commitment and that Dr Baijal would consult his diary and liaise with the Chairman on a suitable date for him to attend the Licensing Board meetings.

OBSERVATION FORM

8. Members discussed and amended the Observation Form a copy of which forms an appendix to this Minute. K Mason undertook to make copies of this available for Forum Members attending Licensing Board Meetings.

DECISION

NOTED that K. Mason would pass on the Observation Forms to Forum Members attending Licensing Board meetings.

JOINT MEETING – LICENSING FORUM/LICENSING BOARD

9. The Chairman suggested that the joint meeting of the Licensing Forum/Licensing Board be held on Wednesday 7 November 2012 at 4.00 p.m.

DECISION

AGREED that K. Mason would advise the Clerk to the Licensing Board that the date suggested by the Licensing Forum for the joint meeting was 7 November 2012 at 4.00 p.m.

The meeting concluded at 5.00 p.m.

SCOTTISH BORDERS LOCAL LICENSING FORUM

FEEDBACK/OBSERVATION

Case Number:

Completed By:

Date

No. Board Members

Yes

Are 5 Licensing Objectives mentioned?

Are the Boards questions based on 5 Objectives?

Are the Boards decisions based on 5 Objectives?

Comments

Yes

Do all members of the Board appear prepared for the meeting?

If No, how many were? If no, how did they fail to be prepared?

Do the Board appear to refer to relevant reports when making decisions?

Comments

Do the Board appear to refer to relevant Objectives when making decisions?

Comments

How many Board members take part in the discussion?

Comments

How many times are Board given legal advice during the meeting?

Did the Board adjourn and if so did they give reasons why?

Comments

General Comments