

**SCOTTISH BORDERS LOCAL LICENSING FORUM**

MINUTE of MEETING of the SCOTTISH BORDERS LICENSING FORUM held in the Council Chamber, Council Headquarters, Newtown St Boswells on 21 January 2014 at 4.45pm.

Present: M Ballantyne (Convener), N Gillies, G Todd, Chief Inspector K Simpson, I Tunnah, S Walker, E Whitehead.  
J Greenwell, D Paterson.  
Apologies: J Swanson.  
In Attendance: Democratic Services Officer (P Bolson).

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**WELCOME**

1. The Convener welcomed those present to the meeting and everyone introduced themselves.

**PRESENTATION**

2. Simone Doyle, the Council's Corporate Equality and Diversity Officer attended the meeting to give an overview of the Equality Act 2010. Mrs Doyle introduced herself, giving some background as to her experience in the areas of equality and diversity and noting that she had worked within the public and private sectors. She explained that Equality in the workplace required that everyone was treated fairly and with respect and that each individual was dealt with according to their specific needs. Equality was seen as externally driven, reactive to legal requirements and generally the responsibility of Human Resources. She went on to explain that Diversity was about identifying and respecting differences, including those of age, disability, gender, personality, race, sexual orientation etc and that this was regarded as internally driven, developing best practice and the responsibility of everyone. Mrs Doyle explained the importance of Equality and Diversity legislation and how the Equality Act 2010, which came into force on 5 April 2011, brought together and replaced all existing equality law from 1970 to 1995. She also reported that Scottish Borders Council had successfully achieved all the Scottish specific duties required by the legislation. Mrs Doyle explained the nine protected characteristics for employees, namely disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation, sex and age. She also listed the protected characteristics for people using the Council's services, explaining that they were almost the same, the only differences being that age was only relevant over 18, and that marriage or civil partnership was not included. The presentation explained how the law could protect people, and the approach taken by Scottish Borders Council under the 2010 Act. Mrs Doyle answered questions relating to the policing of the Act and explained that this was carried out by the Equality and Human Rights Commission. She also confirmed that licensees could refuse entry to their premises without giving a specific reason but they were not entitled to use a blanket ban. The Convener thanked Mrs Doyle for an interesting and thought-provoking presentation.

**DECISION**

**NOTED the presentation.**

**MINUTE**

3. A note of the Meeting of 26 November 2013 had been circulated.

**DECISION**

**NOTED.**

**MATTERS ARISING**

4. The outcomes of the Local Licensing Conference were discussed. It was agreed that the Conference was a first step at public engagement and that the communication and networking that resulted from such events in an informal setting were extremely valuable. Members also agreed that it was important to make a statement in going forward from the Conference and to continue to raise awareness of how the system worked. The Convener stated that joint meetings with the Scottish Borders Licensing Board were a valuable opportunity for continued working together and hoped that all members of the Board might attend the next Local Licensing Conference. Further feedback from the Conference indicated that a shorter programme would be well-received and that the venue and practical facilities should also be reviewed.
  
5. Discussion took place regarding Membership of the Forum. The Convener explained that attendance at Forum meetings had not been as high as had been hoped for and she had recently met with Mr I Wilkie and Mrs A Isles to discuss this matter. It had been suggested that members who failed to attend three subsequent meetings should receive a letter asking them to re-affirm their involvement with and membership of the Forum, and that continued non-attendance should result in members being asked to resign. The Convener explained that applications to join the Forum were predominantly from licensees and those with a specific interest in licensing and that apart from one LSO and one Health representative, all other appointments to the Forum lay with Scottish Borders Council. It was agreed that the balance of membership should be maintained and it was therefore important to recognise where the gaps were in terms of areas represented. Further discussion identified that there was currently no representation from areas such as Education, Social Work, young people, communities etc. The Convener would write to all Community Councils to explain the role and objectives of the Forum, and it was agreed that the next Conference would be used to publicise the message that anyone could attend the Forum as a member of the public and see how the Forum could be useful to them. Members discussed possible reasons for non-attendance and ways in which members could become more involved in meetings. It was agreed that the Clerk to the Forum would circulate dates for future meetings as far ahead as possible to assist in diary management and that members would be asked to suggest items for future Agendas. It was agreed that the theme for the next meeting of the Forum would be Young People.

**DECISION****AGREED that:-**

- (a) **The Convener would write to all Community Councils to explain the role and objectives of the Forum and to invite participation from these groups; and**
  
- (b) **Arrangements be made for a presentation at the next meeting of the Forum on the theme of Young People.**

**CHIEF CONSTABLE'S REPORT (deferred from meeting of 26 November 2013)**

6. There had been circulated copies of a report by the Chief Constable of Police Scotland covering the period from 1 April 2012 to 31 March 2013. Chief Inspector Simpson spoke to this report, explaining that the Chief Constable was very clear about the impact that alcohol could have on communities and that the same regime for dealing with alcohol-related problems and licensed premises would be applied across the whole country. The report noted that Police Scotland welcomed the fact that Scottish Borders Council had recently consulted on the introduction of Alcohol Bylaws in the local authority and that the responses to this consultation were currently being considered by the Council. The report went on to highlight issues relating to young people and alcohol misuse, and identified ways in which Police Scotland were working with partner organisations to deal with situations where it was considered that children and young people were at risk. Discussion followed regarding the possibility of Chief Constable House attending a future meeting of the Forum to give a presentation on Police and Licensing.

**DECISION**

(a) **NOTED** the report.

(b) **AGREED** that Chief Inspector Simpson invite Chief Constable House to attend the meeting of the Forum on 10 June 2014 to give a presentation on Police and Licensing.

**LOCAL LICENSING FORUM WEBSITE**

7. Members discussed the Local Licensing Forum website and its accessibility. It was suggested that this would receive a higher level of visibility if it was accessed via the Council's own website.

**DECISION**

**AGREED** that the Convener would approach the Council's Communications team with a view to relocating the LLF website within the Council's system.

**ALCOHOL PROFILES**

8. Members discussed the need for the Alcohol Profiles to be updated and it was agreed that this be included on the Agenda for the March meeting with a view to reconvening the Sub-group in March 2014 and for the Group to include the Ambulance Service, Fire and Rescue Service and LSO.

**DECISION**

**AGREED.**

**TRAINING PACKS FOR NEW MEMBERS**

9. Members discussed packs for new members of the Forum and it was agreed that all information, including any training materials, would be forwarded to the Clerk to the Forum for inclusion.

**DECISION**

**AGREED.**

**LICENCES REVOKED**

10. Mr Tunnah reported that six licences had been revoked by the Scottish Borders Licensing Board. These had all been due to non-payment of fees, despite reminder letters having been issued.

**DECISION**

**NOTED.**

**FUTURE MEETINGS**

11. The next meetings of the Forum were scheduled for –

Tuesday, 25 March at 4.00pm;  
Tuesday 10 June 2014 at 4.00pm;  
Tuesday 7 October 2014 at 4.00pm;  
Tuesday 27 January 2015 at 4.00pm;  
Tuesday 24 March 2015 at 4.00pm; and  
Tuesday 9 June 2015 at 4.00pm.

*The meeting concluded at 6.35pm.*