

SCOTTISH BORDERS LOCAL LICENSING FORUM

MINUTES of Meeting of the LOCAL LICENSING FORUM held in Committee Room 2, Council Headquarters, Newtown St Boswells on Tuesday, 16 June, 2015 at 4.00 pm

Present: I. Tunnah (Convener), S. Bell, Inspector P. Clarke, A. Maybury, J. Taylor, G. Todd, S. Walker.
Apologies: S. Craig, N. Gillies, Inspector J. Scott.
In Attendance: Solicitor (G. Nelson), Democratic Services Officer (F. Walling).

WELCOME

New member Andy Maybury was welcomed to his first meeting of the Forum.

RESIGNATION

Members received a resignation from Sandy Craig, with regret. The Convener was asked to send a letter of thanks to Mr Craig.

DECISION NOTED

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 24 March 2015.

DECISION

APPROVED the Minute for signature by the Convener.

2. **MATTERS ARISING FROM THE MINUTE**

With reference to paragraph 12 of the Minute, Ms Walker gave an update on the progress of the Air Weapons and Licensing (Scotland) Bill in the Scottish Parliament. Following Stage 2 amendments the Bill would be through to Stage 3 consideration on 25 June 2015. Ms Walker offered to send a link to the Scottish Parliament website to view the debate.

DECISION NOTED

3. **POLICE REPORT**

In the absence of Inspector Scott, Inspector Paula Clark was in attendance at the meeting. She reported that, since the last report to the Forum, there had been nine incidents of violence on licensed premises that had been reported to the licensing department, although all had been of a minor nature. Local officers would continue to carry out pro-active licensed premises visits to ensure compliance with licensing legislation. Prior to the Borders Rugby 7s tournaments the Alcohol and Drug Tasking and Co-ordination group organised a training evening for licensees, staff and temporary staff employed for such events. This was comprised of the 'Who Are You' input information regarding New Psycho Active Substances and common pitfalls in Licensing Legislation. There was an excellent turnout of approximately 50 at Jedburgh Rugby Club, and 40 at a similar event prior to Hawick Common Riding. Inspector Clark drew attention to the fact that, in recent months, Police Scotland had submitted objections/representations in relation to various applications, including occasional/extended hours licences where the licensed hours applied for were outwith the current Licensing Board Policy. Unfortunately the Board had chosen to grant these licences. These additional hours provided increased alcohol availability which could be abused, with knock on effects for anti social behaviour and public health. Recent work carried out to protect children from harm included patrols

by Licensing Officers at local events such as Melrose 7s and Hawick and Selkirk Common Ridings. Melrose 7s had no issues with under 18s drinking at the event or within licensed premises. There followed a discussion about licence applications approved by the Licensing Board, where police objections had been received and which may have been outwith policy. It was noted that those applications which were referred to the Board for a decision were those which were outwith policy and Mr Tunnah advised that there was often a historical perspective to licensing hours for certain events in the Borders. In considering such applications the absence of evidence of any trouble caused by extended hours in the past would be a significant factor. Members of the Forum agreed that such cases should be monitored. Inspector Clarke offered to arrange for these to be collated by Police Scotland and recorded for discussion at the annual joint Licensing Forum/Board meeting.

DECISION

(a) NOTED the report.

(b) AGREED that license applications subject to Police Scotland objections/representations which were subsequently approved be monitored and the issue brought to the joint Licensing Board/Forum meeting for discussion.

4. LICENSING STANDARDS OFFICER'S REPORT

In his report, Mr Tunnah spoke further with regard to the pro-active training events referred to in the police report and commented that this had been particularly well received by temporary bar staff who were being employed at Rugby 7s events and at the Common Riding festivals. It was agreed that this training and 'Who Are You' presentation should be rolled out as widely as possible, it being noted that it was more difficult to target the smaller Common Ridings. Mr Tunnah reported that the 7s tournaments had been well run from a licensing point of view. Since the last meeting new licenses had been applied for and granted in Kelso, Eyemouth and Minto. A license application had been given in Kelso for a new micro-pub, a niche market focusing on real ale, which was a new concept for the Borders. Mr Tunnah referred to the evolving nature of the current pub trade with applications being received for variations and diversifications such as the provision of coffee, food and accommodation services.

DECISION

NOTED the report

5. LOCAL LICENSING FORUM DEVELOPMENT DAY

With reference to paragraph 7 of the Minute of 24 March 2015, the Chairman referred to the fact that the training/development day planned for 16 June had been cancelled as an insufficient number of people had been able to attend. Members were advised that the steering group had met on three occasions to plan the event which would involve training delivered by Alcohol Focus Scotland. After a short discussion the alternative date of 28 September was proposed for the development day. It was agreed that this should be circulated to all forum members to ascertain availability before the date was finally confirmed.

DECISION

AGREED:-

(a) the provisional date of 28 September 2015 for the Development Day; and

(b) that this proposed date be circulated to all members of the Forum to ascertain availability before confirmation.

6. **ALCOHOL (LICENSING, PUBLIC HEALTH AND CRIMINAL JUSTICE) (SCOTLAND) BILL**

A presentation giving an overview of the new Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill was given by Ms Walker. This was a stand-alone bill introduced to Scottish Parliament on 1 April 2015. The overall aim was to promote public health and reduce alcohol-related offending through:- restrictions on retailing and advertising; changes to licensing laws; placing a duty on Scottish ministers to publish and review alcohol education policy; and directing certain people to treatment or put restrictions on consumption. Ms Walker highlighted the main proposals. Included in the proposed measures relating to restrictions on retailing were minimum prices of packages containing more than one alcoholic product. This closed a loophole and ensured that there cannot be a lower price per item for larger multipacks than for smaller multipacks of the same alcoholic product. Another significant change related to community involvement in Licensing decisions, with the proposal being to extend the period for lodging an objection from 21 to 42 days, and to extend the area with which the board consulted if there was no Community Council. Measures relating to restrictions on advertising included a restriction on alcohol advertising within 200 metres of certain premises used primarily by children, and at public sporting or cultural events, within premises, primarily involving under 18s as spectators or participants. A proposal relating to offences involving alcohol was to offer alcohol awareness training as an alternative to fixed penalty offences involving alcohol. Ms Walker explained that this was aimed at addressing binge drinking and antisocial behaviour. There was currently a pilot in Fife where, if the offender took part in the scheme offered within 28 days the £40 fine would be waived. Members of the Forum discussed the presentation and, although recognising the aims of the Bill, noted the pressure on licensees of further legislation. Ms Walker advised that the Alcohol and Drug Partnership had submitted comments in relation to the Bill and that, should they wish to do so, members of the Forum should send in their views as soon as possible.

DECISION

NOTED the presentation

7. **FUTURE AGENDA ITEMS**

In a discussion about future agenda items it was agreed that an email inviting suggestions for items be circulated by the clerk approximately 2 weeks prior to each meeting. Specific suggestions of items for the next meeting, or future meetings, were:-

- i. Mandatory conditions attached to all licenses – awareness raising;
- ii. Discussion of items for agenda of the joint meeting of the Licensing Board and Local Licensing Forum on 9 December 2015;
- iii. Community engagement about licensing issues through Area Fora and Community Councils;
- iv. Report on alcohol profile work using statistics from Police Scotland, Scottish Fire and Rescue and NHS Borders;
- v. Report of work of Community Development Officer at Langlee; and
- vi. With reference to Police Report above, a report on license applications subject to Police Scotland objections/representations which were subsequently approved by the Board (this could be included in the regular Police Report).

DECISION

NOTED the future agenda items

The meeting concluded at 5.30 pm