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LOCAL LICENSING FORUM TUESDAY, 24 MARCH, 2015

A MEETING of the LOCAL LICENSING FORUM will be held in the COUNCIL CHAMBER,
COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on TUESDAY, 24 MARCH, 2015 at
4.00 PM

J. J. WILKINSON,
Clerk to the Council,

17 March 2015

BUSINESS		
1.	Appointment of Convener	
2.	Apologies for Absence.	
3.	Order of Business.	
4.	Declarations of Interest.	
5.	Minute (Pages 1 - 4) Minute of the meeting of the Local Licensing Forum of 27 January 2015 to be approved. (Copy attached)	2 mins
6.	Matters arising from the Minute	10 mins
7.	Training Survey (Pages 5 - 16) Susan Walker to report. (Copy attached).	30 mins
8.	Alcohol Outlet Density and Harm Research Susan Walker to report. http://www.alcohol-focus-scotland.org.uk/campaigns/controlling-availability.aspx	15 mins
9.	Police Report.	5 mins
10.	Licensing Standards Officer's Report	5 mins
11.	Any Other Items Previously Circulated.	
12.	Any Other Items which the Convener Decides are Urgent.	

13.	Date of Next Meeting:- Tuesday 9 June 2015 at 4.00 p.m.	
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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.**

Membership of Committee:- Inspector J Scott, Dr. E. Baijal, S. Bell, A. Craig, N. W. Gillies, M. W. Hay, R. Mackay, P G Goode, J Taylor, G. Todd, I. Tunnah, S. Walker, E. Whitehead.

Please direct any enquiries to Fiona Walling Tel 01835 826504 fwalling@scotborders.gov.uk

SCOTTISH BORDERS LOCAL LICENSING FORUM

MINUTE of MEETING of the SCOTTISH BORDERS LICENSING FORUM held in Committee Room 4, Council Headquarters, Newtown St Boswells on 27 January 2015 at 4.00 p.m.

Present: M. Ballantyne, S. Bell, N. Gillies, M Hay, R Mackay, J Taylor, G Todd, I. Tunnah, J Scott, S Walker.
In Attendance: Chief Legal Officer (N. McKinlay), Legal and Licensing Services Manager (A Isles), Licensing Team leader (J. Wilson), Democratic Services Officer (K. Mason).

MINUTE

1. There had been circulated copies of the Minute of the meeting held on 21 October 2014.

DECISION

APPROVED the Minute for signature by the Convener.

MATTERS ARISING

2. (a) With reference to paragraph 12(a) of the Minute, it was noted that the Minute relating to the evaluation of the Licensing Act had not been issued. The Democratic Services Officer would circulate the information to Members.
(b) With reference to paragraph 12(b) of the Minute, Ms Walker undertook to amend the section on Best Bar None. She would liaise with PC Nick Walker for an update and further information would be sent out when received.
(c) With reference to paragraph 12(c) of the Minute, the Licensing Team Leader advised she had taken part in the training event for Police on licensing. The event did not focus on areas of overprovision but generally dealt with the Licensing Boards Policy Statement. She would attempt to get a link for notes of the meeting and send this to Members.
(d) With reference to paragraph 12(d) of the Minute, it was hoped that PC C Lackenby would be able to attend a future meeting of the Forum to make a presentation on the reasons for Police objecting to licensing applications.
(e) With reference to paragraph 10 of the Minute, Ms Walker issued members of the Forum with an aide memoire which detailed the role of the Licensing Board.

**DECISION
NOTED.**

ELECTION OF NEW CONVENER

3. Councillor Ballantyne advised she was standing down from the Forum. She had been a member of the Forum, along with Ms Walker since its inception. She felt that another person could better represent the Forum and indicated that as a Councillor there was always the possibility of a conflict of interest and it was therefore not a comfortable position for her to hold. The Legal and Licensing Services Manager advised that the Forum had never been chaired by a trade member and thought that this might be an opportune time for a trade member to take over this role. Owing to various commitments etc. no member of the Forum was prepared to undertake this task. The Legal and Licensing Services Manager advised Members of the support for the Forum which was available from the Chief Legal Officer and the Democratic Services team.

DECISION

AGREED that Members should think about someone who might like to take on the role and bring forward information to the next meeting. In the meantime “Appointment of Convener” would be the first item on the next agenda.

MEMBERSHIP REVIEW AND ROLES GOING FORWARD

4. Councillor Ballantyne advised that the trade representation on the Forum had been strengthened but a broader sector representation had been lost. The Legal and Licensing Services Manager advised two Community Councillors had been recruited. A suggestion was made to extend membership by advertising. Ms Walker suggested that she would compile a survey to be sent to Members of the Forum which could be returned anonymously to establish what their understanding of the Forum was and whether any training needed to be delivered, etc. With regard to the expansion of the membership the best way forward would be to identify what was needed, and it was important for a person who had direct contact with young people (teenagers to early 20s) to become a Member of the Forum potentially through Community Learning and Development. It would also be useful for the Forum to have a member with a clinical background and M. Ballantyne undertook to action this.

DECISION

AGREED that

- (a) **Ms Walker would compile a survey to be sent to Members of the Forum to establish what their understanding of the Forum was and whether any training needed to be delivered etc. An analysis of the results of the survey would be made available at the next meeting.**
- (b) **Councillor Ballantyne would attempt to recruit a member for the Forum with a clinical background and also approach Community Learning & Development.**

FEEDBACK ON JOINT MEETING WITH THE LICENSING BOARD

5. For the information of new Members, Councillor Ballantyne advised that the purpose of the joint meeting was for the Forum to give feedback to the Board on how it operated. The Forum was balanced and was able to properly respond to the Act and to the advice the Forum gave and the Board should receive the Forum's comments with a high degree of time, listening and action. Discussions needed to take place about the challenging relationship the Board and Forum had and how the Forum was perceived by the Board. The Legal and Licensing Services Manager advised that the Board acted differently in the last 10 years and was happy for Members of the Forum to attend as observers at Board meetings. All Board meetings were held in public. Ms Walker expressed a need for decisions to be consistent with Board Policy. It was noted that Councillors needed to be aware they were not members of the Board in order to promote business. Councillor Ballantyne referred to the purpose of the joint meeting and asked Members what they wanted to achieve at the joint meeting. It would also be beneficial to know what the Board wanted from the Forum for more efficient working. The alcohol profile was a good reference document. It was further noted that there was no statutory requirement for ongoing training for members of the Board apart for when they first became a member after each Council election. Training on equality issues had also been carried out and Members also received updates on law related issues on an informal basis. The importance of Members being aware of what was happening in the licencing trade was also discussed. A suggestion was made that the joint meeting take place earlier in the day followed by informal sessions. Members were asked to think about how they wished to take this forward and report to the next meeting.

DECISION

AGREED that discussions on the Joint Meeting with the Licensing Board would take place at the next meeting.

POLICE REPORT

6. Inspector Scott advised that there had been one or two issues over the festive period including a serious assault when a person had been arrested on the same night, a sexual assault had also taken place and enquiries were ongoing in relation to this. He referred to incidents of high value thefts in licensed premises, in particular, in Eyemouth when alcohol to the value of £700 had been stolen from an off sale premises. Discussions took place about the requirement for the Board to be consistent and adhere to the Policy Statement when making decisions and the need to take into account the impact on the community at large.

**DECISION
NOTED.**

LICENSING STANDARDS OFFICER'S REPORT

7. Ian Tunnah advised that some personal licence holders' licences had been revoked owing to failure to complete the 5 year refresher training though a large number of personal licence holders might have left the licensing trade. The Legal and Licensing Services Manager referred to the high cost of the administration of personal licences for the Board.

**DECISION
NOTED.**

COUNCILLOR BALLANTYNE

8. Ms Walker, on behalf of the Forum, thanked Councillor Ballantyne for all her conscientious work and good leadership in taking the Forum forward.

FUTURE MEETINGS

9. The next meetings of the Forum were scheduled for:-

Tuesday 24 March 2015 at 4.00pm; and
Tuesday 9 June 2015 at 4.00pm.

PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

Minute

1. The Private Section of the Minute of Meeting of 21 October 2014 was approved.

The meeting concluded at 5.40 p.m.

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Scottish Borders Local Licensing Forum Survey

Susan Walker

ADP Development Officer

ADP Support Team

March 2015

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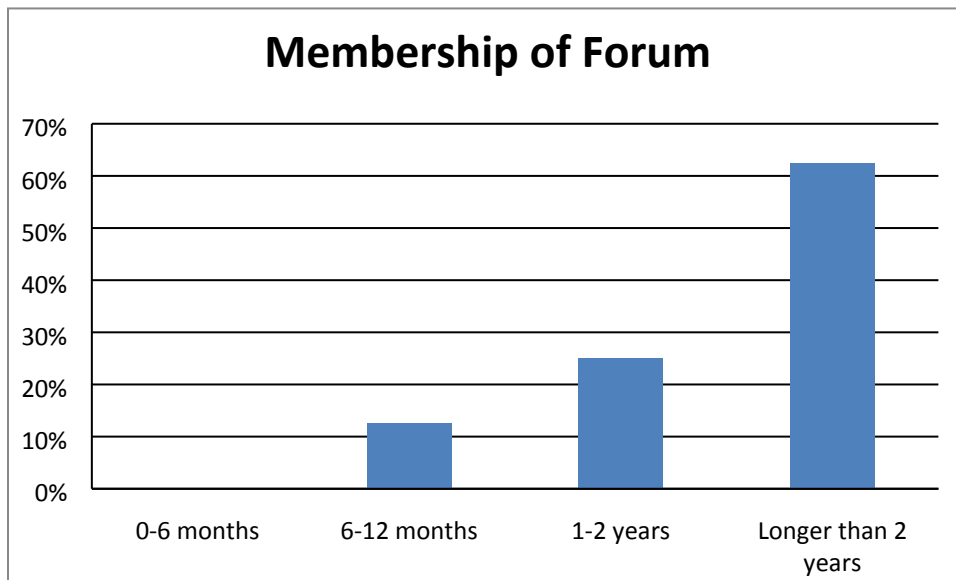
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1. Introduction

Scottish Borders Licensing Forum (Forum) agreed to carry out a self assessment questionnaire on 27th January 2015 to help identify any developmental needs. Each member of the Forum was asked to complete the survey online to help identify how they feel the Forum is currently performing and where individual members feel more information and support would enable the Forum to function better. The benefit of completing the survey allows members to remain anonymous and present their opinions about the Forum. A total of 8 responses were received which was a 50% response rate. This report collates the responses received and will be presented to the Forum on 24th March to enable members to reflect on the survey responses and identify areas for improvement and action.

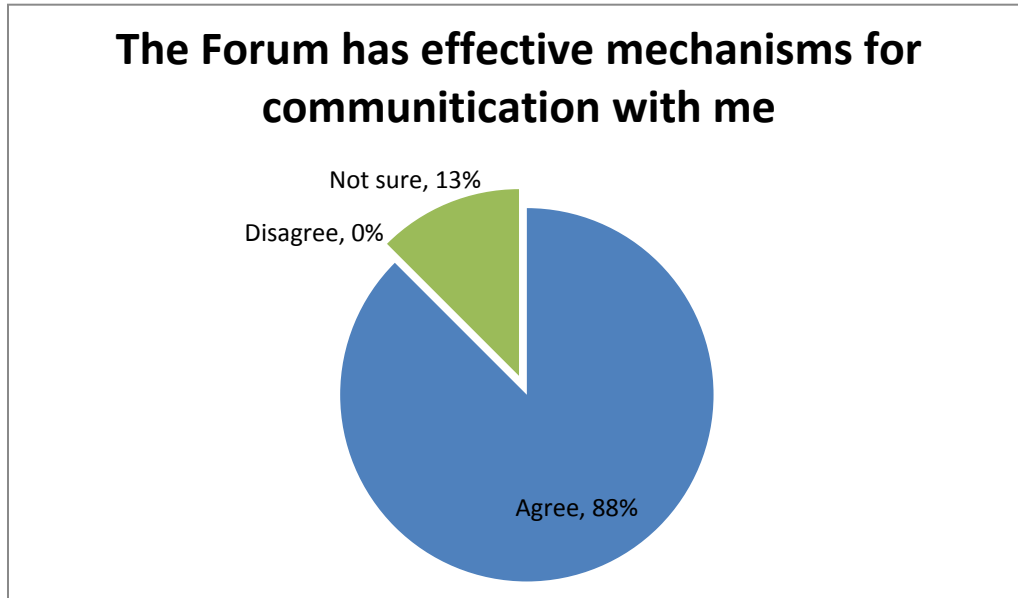
2. Length of time on Forum

The majority of respondents (5) who responded to the survey had been a member of the Forum for longer than 2 years.



3. Communication with Forum members

Members were asked if they felt the Forum has effective mechanisms for communicating with them. The large majority (7) felt that the Forum did.



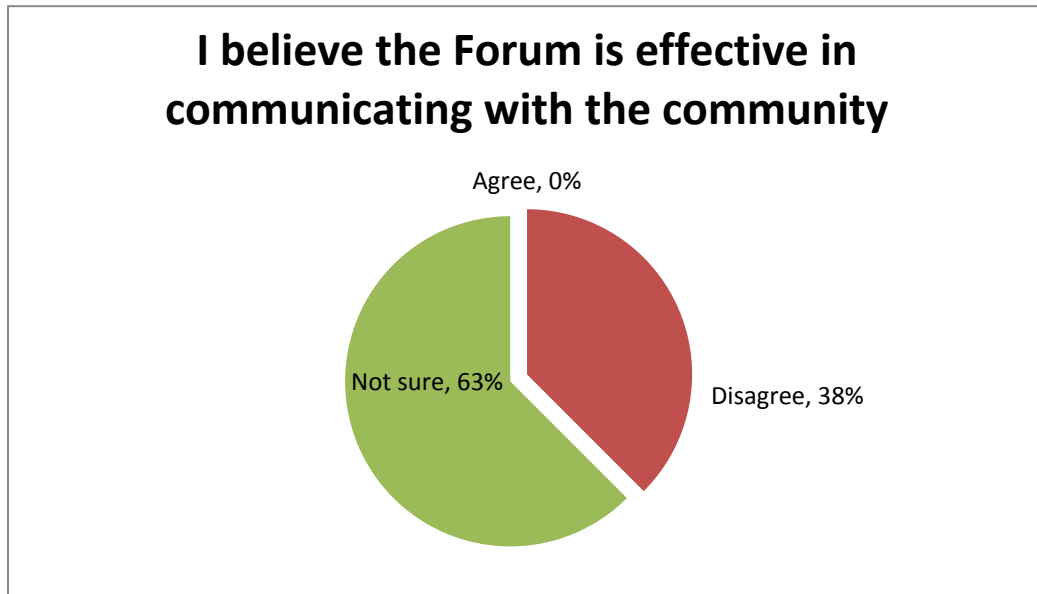
Email was felt to be the most effective method via Admin Support in SBC who can ensure that all information is passed through them. The webpage hosted on SBC was also highlighted as a useful resource to provide an overview of the Forum. However, one participant highlighted previous issues with email communication not being received.

Summary of Improvement suggestions:

- Large documents to be provided on paper copy
- Ensure all members have access to emails
- Request email receipt to ensure everyone has received information
- Ensure email distribution list regularly reviewed to ensure up to date and active

4. Communication with members of community

Results showed that respondents were either unsure (5) or did not feel (3) that the Forum was effective in communicating with members of the community.



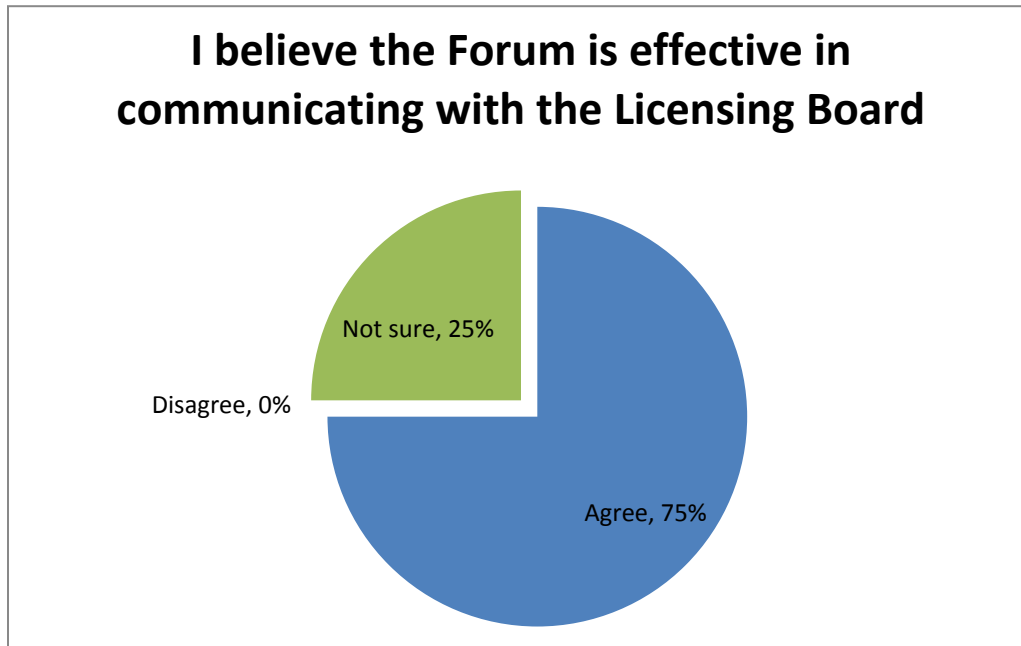
Respondents noted that they were unclear about whether members of the community were aware of the Forum and its role and that comments from the community were not actively sought. Respondents highlighted various previous attempts to do this via website, articles in media, local conference and community council attendance .

Summary of Improvement suggestions:

- More advertising through local media
- Contribute to local community council newspapers and seek feedback
- Improve the involvement of representatives from wider community
- Find out where would be best to inform community about Forum
- Explore how other LLFs are able to bring community views to the table
- Ensure webpage kept up to date with access to minutes etc.
- Briefing note to Community Councils with role of Forum, activities and how they can feed in concerns about licensing from community to Forum
- Follow up on Community Learning and Development representation

5. Communicating with Licensing Board

The majority of respondents (6) felt the Forum is effective in communicating with the Licensing Board however a quarter of respondents were unsure.



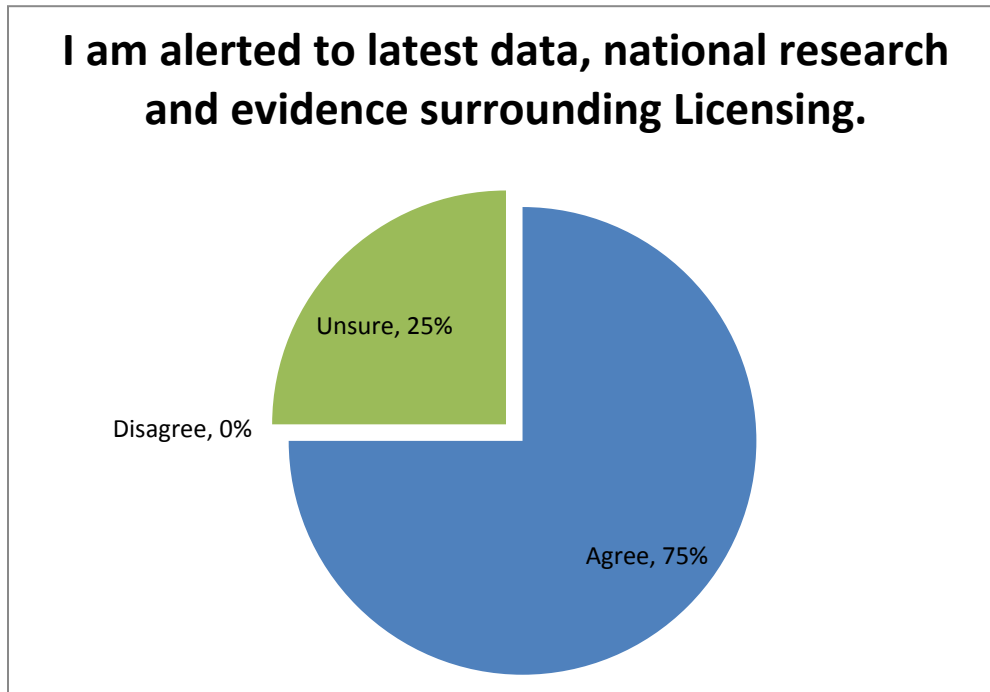
The joint meeting between the Licensing Board and the Forum was highlighted as a helpful process to inform each other of work undertaken in previous year. Respondents highlighted that most board members were both interested in what the Forum was reporting and ‘had some previous knowledge of previous topics which was encouraging’. However some respondents were not sure whether this is as effective as it could be and in particular one participant felt there was still some work to be done to help the board understand how things are ‘at the coal face’. That said, respondents noted that the annual meetings had improved over time with positive dialogue.

Summary of Improvement suggestions:

- Joint Training (3 respondents suggested)
- Discuss in the Forum what would be helpful to receive from the Licensing Board. (? quarterly report to Forum on statistics that were presented at previous annual report)
- Progress suggestions to have 2 annual meetings with the Licensing Board (One for scrutiny and one for training/discussion)
- Ask the Licensing Board what they would find helpful from the Forum
- Revisiting the roles of each and refreshing joint training where the interface could be reinforced and built on
- Continued communication

6. Data, research and evidence

The majority of respondents(6) felt they were alerted to latest data, national research and evidence surrounding Licensing. However a quarter of respondents were unsure.



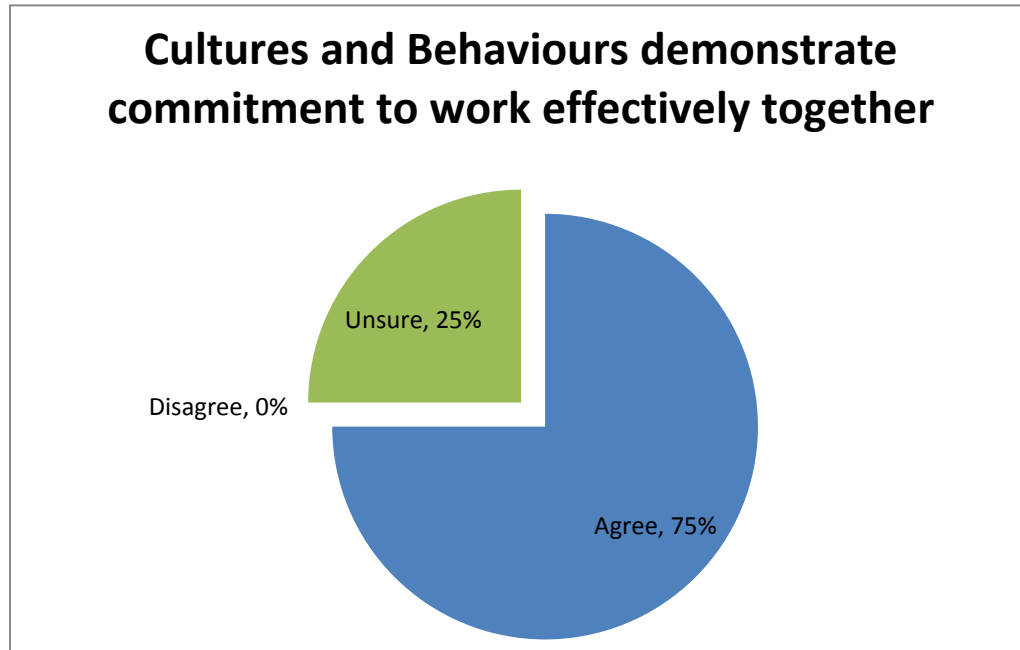
Regular bulletins from Alcohol Focus Scotland, health statistics and consultations were identified by respondents. However it was noted that one participant had identified some interesting studies whilst conducting their own research but had not been alerted to this via the Forum.

Summary of Improvement suggestions:

- Ensure members have access to internet/emails
- Consider development of E-Newsletter for Board and Forum on latest **local** licensing news e.g. update on alcohol profile, test purchasing, responsible drinking initiatives, Best Bar None.

7. Leadership

The majority of respondents (6) felt that the overall culture of the Forums and the behaviours typically displayed by individual members demonstrate a commitment to work together effectively. A quarter of respondents were unsure.



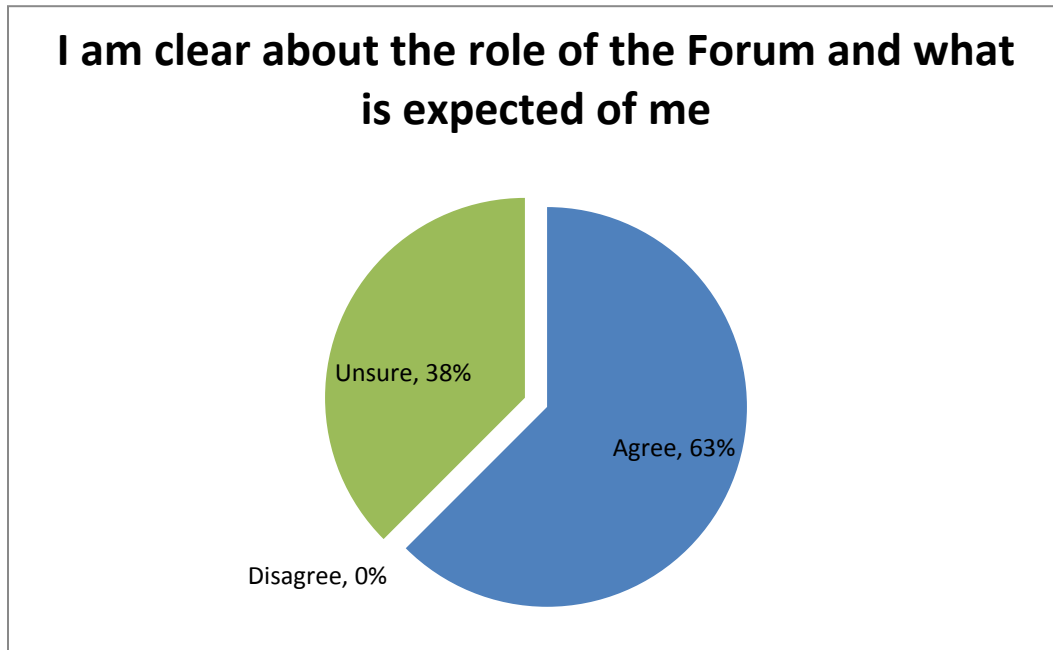
Respondents noted that all members share ideas and there are open and constructive discussions that take place in the Forum meetings. Members are willing to listen to issues/concerns objectively and the Chair recognises what is said. Previous joint work by members was identified and respondents felt there was a good mix within the Forum. Some members were recognised by respondents as 'being more proactive (potentially because of their jobs)' and having staff who work closely with the Board in attendance (LSO and Clerk) was also found to be helpful in discussions.

Summary of Improvement Suggestions:

- Induction training for new members (3 respondents suggested)
 - Group training very beneficial, not sure a DVD would have same effect
 - Could include meeting other Forum members and the different roles e.g. LSO, Trade, Police, Health
- Regular CPD for all members including revisiting the role of the Forum
- As part of the role of the Forum, look at events/sessions which are designed to support the local licensing trade.
- Important that new Forum members are given opportunity to ask questions and feel safe in doing so as well as longer term members.
- Switch off /silence mobile phones

8. Role of Forum

Members were asked if they were clear about the role of the Forum and what is expected of them. 62% (5) of respondents agreed with this however 38% (3) of respondents were unsure.



Some respondents commented that although they were clear on the role of the Forum they were not so clear about what is expected of them other than attend meetings and to possibly get involved in ongoing activity of the Forum. Previous personal license training has also helped understanding for some respondents. One participant commented that 'sometimes I feel we cover more areas than I expected to cover' however it was unclear from this response if this was viewed as positive or not.

9. Training needs

The majority (7) of respondents felt they had sufficient knowledge, understanding and experience of current licensing law in Scotland. When asked if they would like more training on the following areas, the number of respondents who ticked yes is outlined below:

Topic: Licensing Law	Number of respondents who ticked topic as learning need
The purpose of licensing (e.g. to regulate sale of alcohol, the five licensing objectives)	1 (out of 6)
Scottish Borders Statement of Licensing Policy 2013 – 2016	2 (out of 6)
The different roles in licensing (e.g. the Licensing Board, Local Licensing Forum, Health Board, Police, Licensing Standards Officer)	1 (out of 6)
How licensing decisions should be made (e.g. using the statement of licensing policy, legal grounds for grant/refusal)	3 (out of 7)
Developing a statement of licensing policy (e.g. evidence and consultation)	5 (out of 7)
Conditions that can be attached to licensed premises (e.g. national mandatory conditions, local conditions, relation to the sale of alcohol)	2 (out of 7)

Again the majority (7) of respondents felt they had sufficient knowledge and understanding of alcohol issues. When asked if they would like more training on the following areas, the number of respondents who ticked yes is outline below:

Topic: Alcohol Issues	Number of respondents who ticked topic as learning need
The context of alcohol in society (economic impact, role of National and Local Government, advertising policy and impact, effects of drink driving laws)	2 (out of 7)
Impact of Licensing (Scotland) Act 2005	5 (out of 8)
Alcohol and public disorder (e.g. drinking patterns, licensed hours and outlet density, harm reduction measures for licensed premises)	3 (out of 7)
Alcohol and health (e.g. short- and long-term impacts of binge drinking and heavy drinking; level of alcohol use/health harm locally)	1 (out of 5)

Alcohol and social harm (e.g. impact on crime, communities, children, education, social work)	3 (out of 7)
Overprovision (e.g. links between availability of alcohol and alcohol harm)	2 (out of 7)
Strategies to reduce alcohol harm (e.g. population based approach, outlet density, harm reduction, harm prevention, minimum pricing, marketing)	3 (out of 7)

From the survey it appears the following areas of training would be of most benefit to members:

- Impact of Licensing (Scotland) Act 2005
- Developing a statement of licensing policy (e.g. evidence and consultation)
- How licensing decisions should be made (e.g. using the statement of licensing policy, legal grounds for grant/refusal)
- Alcohol and public disorder (e.g. drinking patterns, licensed hours and outlet density, harm reduction measures for licensed premises)
- Alcohol and social harm (e.g. impact on crime, communities, children, education, social work)
- Strategies to reduce alcohol harm (e.g. population based approach, outlet density, harm reduction, harm prevention, minimum pricing, marketing)

Format of training:

Face to face training with inputs from different speakers was the favoured method of delivery. However online and shadowing was also acceptable to some respondents.

	Yes	No	Unsure	Total Respondents
Face to face inputs	87.5% (7)	12.5% (1)	0	8
Online Training	43% (3)	43% (3)	14%	7
Shadowing	29% (2)	71% (5)	0	7

Timing of training:

From information provided, the most desirable timing for training would be afternoon, although 4 out of 5 respondents also noted a full day to be helpful.

	Yes	No	Total Respondents
Morning	80% (4)	20% (1)	5
Afternoon	100% (6)	0	6
Evening	0	100% (2)	2
Full Day	80% (4)	20% (1)	5

One participant highlighted the benefit of having a development day as follows:

- 10.00am – 3.00pm
- Inputs from variety of speakers
- lunch (networking)
- Improvement suggestions from needs identified from survey

10. Other comments made

Some more general comments were made as follows:

- I was fortunate that my job was in a licensed premise. I had also done my personal license holder training. Before joining the Forum, I done formal Forum training with other Forum members from throughout Scotland
- Training by way of speakers would be useful, although sessions would need to be fairly short to ensure retention span, costs would however have a big impact on this.
- The real decisions regarding alcohol misuse are being avoided by Politicians on all sides simply because tackling it would prove unpopular with the voting public. Things will continue in the current vein until either the government’s policies or the public’s perception changes.
- Nothing has been discussed about how the Forum can work with the Licensed Trade as in this economic climate this is important for all communities. Alcohol consumption is controlled on trade and more work should be undertaken to support this area. All data seems to be collected on medical issues and social aspects are being ignored. Hospitality employment is crucial in rural areas and should not be compromised.
- Consider bi-annual conference (previous one carried out in Nov 13) as part of CPD. Like to be made aware of any training for Forum members outwith Borders where other Forums would be attending.
- Some members have just stopped attending. Where this happens could there be an exit type exploration about their reasons for leaving to help identify any improvements required in Forum/understanding of role?