

# SCOTTISH BORDERS COUNCIL LOCAL LICENSING FORUM

MINUTE of Meeting of the LOCAL LICENSING FORUM held in the Council Chamber, Council Headquarters, Newtown St Boswells, TD6 0SA on Tuesday, 22 January 2019 at 4.00 pm

- Present:- S. Bell, S. Dalrymple, S. Elliot, M. W. Hay, R. MacKay, A. Maybury, G. Todd, I. Tunnah and M. Wynne.
- Also present:- Licensing Board Members: Councillors J. Brown, J. Greenwell, D. Paterson, N. Richards, S. Scott, E. Thornton-Nicol, G. Turnbull and T. Weatherston.
- Apologies:- S. Elliot, PC Ray (Police Scotland), Councillor R. Tatler.
- In Attendance:- R. Kirk (Managing Solicitor- Property and Licensing), F. Walling (Democratic Services Officer).

## WELCOME AND INTRODUCTIONS

Mr Kirk welcomed everyone to the meeting and gave a particular welcome to Sarah Dalrymple who was attending her first meeting of the Local Licensing Forum. For her benefit Mr Kirk asked for a round of introductions.

## JOINT TRAINING SESSION

Prior to the main business of the meeting there was a joint Licensing Forum/Board training session on Equalities delivered by Ms Simone Doyle, the Council's Equality and Diversity Officer.

### 1. APPOINTMENT OF CONVENER

Mr Wynne proposed that Mr Mark Hay be appointed as Convener of the Local Licensing Forum. The proposal was seconded by Mr Tunnah and unanimously agreed. Mr Hay took the chair for the remainder of the meeting.

## DECISION

**AGREED that Mr Mark Hay be appointed as Convener of the Local Licensing Forum.**

### 2. MINUTE

The Minute of the meeting held on 23 October 2018 had been circulated.

## DECISION

**APPROVED the Minute**

### 3. LICENSING BOARD POLICY STATEMENT

With reference to paragraph 2 of the Minute of 23 October 2018 there had been circulated copies of the finalised Scottish Borders Licensing Board Statement of Licensing Policy (November 2018 – November 2023) which had recently been published. Licensing Standards Officer, Mr Tunnah, explained that, following a 12 week extensive consultation on the draft Statement, comments from individuals, licensees and organisations, including the Local Licensing Forum and Alcohol Focus Scotland, had been taken account by the Board in producing the final version. In accordance with the Licensing (Scotland) Act 2005, this Statement would be in place until its revision which would be required within 18 months of the establishment of a new Licensing Board, which would effectively be by November 2023. Mr Tunnah added that the Board could produce a supplementary policy

during the five year period if there were changes in circumstances, but the same process, including full consultation, would be required for its preparation.

**DECISION  
NOTED**

4. **ALCOHOL PROFILE**

In Ms Elliot's absence, Mr Tunnah explained that statistics were now being collated by Ms Elliot and her team for the preparation of an updated Alcohol Profile. The Profile was used as a reference to assist the Licensing Board and to inform other decision makers about the impact of alcohol consumption in the community.

**DECISION  
NOTED**

5. **BYELAWS TO PROHIBIT THE CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC PLACES - UPDATE**

With reference to paragraph 7.3 of the Local Licensing Forum Minute of 23 October 2018, Mr Kirk gave an update on the current position regarding the proposal to introduce Byelaws to Prohibit the Consumption of Alcohol in Designated Public Places. He explained that a report had been taken to Council in December 2018. As it had been over four years since the Council last considered the matter, elected Members decided that a new consultation process should be carried out to consider the need for Byelaws in the Scottish Borders. This would be concluded within 12 months and a further report be taken back to Council with the findings of the consultation. The Forum would be included as part of the consultation and therefore have an important part to play. In the ensuing discussion hopes were expressed that the apparent misunderstandings about the purpose and effect of the byelaws could be countered by improved communications within the consultation process.

**DECISION  
NOTED**

6. **LICENSING STANDARDS OFFICERS - UPDATE**

Mr Wynne gave an update and advised that there had been no major problems reported over the recent period. He advised that there had been a large number of applications to the licensing authority for occasional licences. As part of the 'don't buy it don't supply it' campaign, against under-age drinking, banners had been displayed in supermarkets in Kelso, Hawick and Galashiels. Safety Advisory Group (SAG) processes had already begun in preparation for the Rugby 7s season.

**DECISION  
NOTED the update**

7. **SCOTTISH BORDERS LICENSING BOARD MINUTES**

There had been circulated, for information, copies of the Scottish Borders Licensing Board Minutes of 26 October 2018, 16 November 2018 and 14 December 2018. Mr Wynne highlighted those applications which he suggested were of particular interest to the Forum.

**DECISION  
NOTED the minutes.**

8. **PRIVATE BUSINESS**

**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 Part I of Schedule 7A to the Act.**

### **SUMMARY OF PRIVATE BUSINESS**

9. **MINUTE**

Members noted the private Minute of 23 October 2018.

10. **POLICE REPORT**

Due to particular circumstances there was no Police Report on this occasion.

*The meeting concluded at 5.45 pm*