

# SCOTTISH BORDERS COUNCIL LOCAL LICENSING FORUM

MINUTE of Meeting of the LOCAL  
LICENSING FORUM held via Microsoft  
Teams on Tuesday, 24 January 2023 at  
4.00 pm

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Present:- S. Bell, S Elliot, R. McIntyre, A. Dow, D. Hutchins. M. Wynne (Chair), J. Scott, G. Sachar.

Apologies:- S Dalrymple, M. Hay, R. MacKay, S. Mabon, Police Scotland.

In Attendance:- F. Henderson (Democratic Services Officer).

## **CONVENER**

1.0 In the absence of Mark Hay the meeting was chaired by Mike Wynne, who welcomed everyone to the meeting and in particular gave a welcome to the new Licensing Forum Members, Mr Andrew Dow and Mr Dominic Hutchins. A round of introductions followed.

2.0 Mr Wynne explained that due to the coronavirus and a number of resignations, the Forum had been unable to meet. The meeting was an opportunity to review and make plans for moving the Forum forward.

## **3.0 DEVELOPMENT WORKSHOP**

Mr Aidan Collins, Alcohol Focus Scotland (AFS) was present to facilitate the Development Workshop. It was explained that AFS had been engaging with forums to learn more about the challenges and opportunities they have encountered. The experience of forums across Scotland appeared to be very mixed, while some described having influenced within the licensing system, others do not believe that they were functioning effectively and some examples of common challenges and opportunities identified by forums were discussed. The Forum considered the challenges and opportunities which applied to them;-

### **Purpose of the Forum**

- Review the Licensing operation in the Scottish Borders in terms of:-
  - Licensing Board Policy
  - Making recommendations to the Licensing Board
  - High Level Legislation
- Accountability that the Board is doing what they should be doing.

### **Positives**

- Annual Reports
- Support from Local Agencies
- Strong Leadership
- Enthusiastic Members

### **Challenges were identified as:-**

- Retention and Recruitment
- Perception that Forum was ineffective

- Change to drinking habits
- Engaging with Young People
- Public and Trade awareness of the Forum

#### **Priorities**

- Board Policy Statement
- Recruiting Young People onto the Forum
- New Licensing Board and lack of experience
- Consult on Policy through workshops
- Awareness of Alcohol Profile
- Policies on late night drinking and the protection of staff
- Consideration of overprovision by the Licensing Board
- Training for Forum Members
- Link to Training for Forum on Licensing Board website

#### **4.0 UPDATED GUIDANCE FOR LICENSING BOARDS - LICENSING (SCOTLAND) ACT 2005 - SECTION 142 GUIDANCE FOR LICENSING BOARDS**

The licensing (Scotland) Act 2005 had been operational for over thirteen years and guidance had not been updated since then. The intention going forward was that there would be more frequent updates to the guidance and the development of a stakeholder group to support this who would meet on biannual basis. The updated guidance included best practice examples on how Licensing Boards promote the five licensing objectives which Boards may wish to consider.

Duties of Boards were also included within the guidance including:

- Development of Statement of Licensing Policy
- Overprovision Assessment
- Public register with details of licences issued by the Board and decisions made
- Development of an Annual Report which should be published no later than 3 months after end of financial year
- Training of Board members and what this includes
- Fees to be charged by the Board
- Engagement Strategies including a joint meeting with the Local Licensing Forum each calendar year
- Responsibility to Freedom of Information requests, responding to complaints and having due regard to Equality Act 2010.

Each local authority must establish a local licensing Forum for the area which is kept under review the operation of the licensing system in their area and provided advice and guidance to the Licensing Board. The guidance for forums included roles and responsibilities, as well as core knowledge that each forum member should hold. Guidance also included how forums can enhance and encourage membership.

**DECISION  
NOTED.**

*The meeting concluded at 5.30 pm*