

# 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,  
3 October 2017 at 4.00 pm

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Present:- S. Bell, S. Elliot, M. W. Hay, PC Lackenby (Police Scotland),  
A. Maybury, G. Todd, M. Wynne.

Apologies:- I. Tunnah, R. Mackay.  
Also present:- Councillors J. Greenwell (Convener Scottish Borders Licensing Board),  
D. Paterson.

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

Member of press joined during paragraph 5

## **WELCOME**

Members of the recently appointed Scottish Borders Licensing Board, Councillor Greenwell (Convener) and Councillor Paterson, were welcomed to the meeting and members of the Forum were asked to introduce themselves.

### 1. **APPOINTMENT OF CONVENER**

After discussion, Ms Susan Elliot agreed to chair the meeting and it was suggested that future meetings be chaired on a rolling basis until a Convener was appointed on a more permanent basis. Mr Mark Hay offered to chair the next meeting.

## **DECISION AGREED**

- (a) to appoint a chair on a rolling basis at each meeting as an interim measure:
- (b) that Ms Susan Elliot chair the current meeting.

## **RESIGNATION**

Mr John Taylor had resigned from the Forum due to his time being taken up with other commitments. The Forum received this information with regret.

## **DECISION**

**AGREED that the Democratic Services Officer write to Mr Taylor, on behalf of the Forum, to express appreciation for his contribution as a member.**

### 2. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 24 January 2017.

## **DECISION**

**APPROVED the Minute for signature by the Chairman.**

### 3. **REVIEW OF SCOTTISH BORDERS LICENSING BOARD POLICY STATEMENT - UPDATE**

With reference to paragraph 2.1 of the Minute of 24 January 2017, Ms Elliot reminded members of the Forum that the new Scottish Borders Licensing Board would be reviewing its Statement of Licensing Policy. The publication of the new Policy Statement was due by November 2018 following a three month consultation period. Councillor Greenwell advised that the Licensing Board had set up a short life working group to review the existing statement with the first meeting scheduled for the following week. It was noted that a copy of the Forum's suggested amendments had been sent to the Convener of the previous Licensing Board. It was agreed that the Forum's own working group be reconvened for a one-off meeting to update the previously suggested amendments and to submit these to the new Board. The Forum would also give a response to the consultation on the new statement at the appropriate time. The membership of the Forum's working group was noted as follows: S. Elliot, M. Hay, I. Tunnah and M. Wynne.

#### **DECISION**

**AGREED that the short-life working group, set up to identify areas of change relevant to the new Statement of Licensing Policy, be reconvened and that the group's suggested amendments be circulated to members of the Forum for comment before being submitted to the Scottish Borders Licensing Board for consideration.**

#### **4. ALCOHOL PROFILE**

Ms Elliot advised that data from Police Scotland, NHS Borders, Scottish Borders Council and the Scottish Public Health Observatory was being drawn together for the Alcohol Profile 2016-17. The findings would be presented to the Joint Licensing Board/Local Licensing Forum meeting in December. The Members of the Licensing Board welcomed Ms Elliot's suggestion of preparing an A4 sized user-friendly infographic, picking out the key points from the Alcohol Profile, to which they could refer at all Board meetings.

#### **DECISION NOTED**

#### **5. POLICE REPORT**

- 5.1 PC Lackenby presented his report which began with a summary of incidents occurring on licensed premises in the first two quarters of 2017. The prevention of harm from alcohol formed part of the patrols, particularly at weekends and officers engaged with youths to deter them from abusing alcohol. When alcohol was found in their possession it was disposed of and the relevant concerns raised with partner agencies. The Police Licensing Unit had processed 229 occasional licence applications in the first quarter - 12 being classed as late - and 361 in the second quarter. There had also been 28 personal licence applications in the first quarter and 25 in the second. There were eight premises licence applications with representations or objections being submitted in relation to three of the applications. All of the applications were granted by the Licensing Board. Police had also processed 55 variation applications with no representations being submitted.
- 5.2 In a discussion of the report, Mr Wynne explained that several of the Common Riding Committees were visited prior to the festivals by himself and fellow SBC Licensing Standards Officer, Ian Tunnah. Their advice was gratefully received by organisers and taken on board. It was felt that there was a good working relationship with the festival organisers going forward and a meeting with the Chair of the Borders Common Riding Festival Association and Committee leads had been organised for later in the year to discuss where improvements could be made. Councillor Greenwell, Convener of the Licensing Board, was pleased to note that there were now few applications for occasional licences related to child-centred events. Mr Wynne referred to the occasional licence applications classed as 'late' (less than 7 days' notice) and noted that this could be an issue addressed in the revision of the Policy Statement. In conclusion PC Lackenby advised that he would be leaving his current position in Police Licensing and that, from 4 December, his place would be taken by PC Terrie Ray. PC Lackenby was thanked for his contribution to the Forum over the past five years.

**DECISION**  
**NOTED the report.**

6. **JOINT LICENSING BOARD/LOCAL LICENSING FORUM MEETING**

It was confirmed that the joint Licensing Board/Licensing Forum meeting would take place on Wednesday 6 December 2017 at 4 pm in the Chamber, Council HQ. Ms Elliot advised that the Forum would put forward agenda items including an overview of the work of the Forum and suggest a CPD session on the impact of legislation relating to the Air Weapons and Licensing (Scotland) Act 2015. She advised that Alcohol Focus Scotland had offered to send a representative to give a presentation and answer questions. This proposal was welcomed by those present.

**DECISION**  
**NOTED that:-**

(a) **the joint Licensing Board/Local Licensing Forum meeting would be held on Wednesday 6 December 2017 at 4 pm in the Chamber, Council HQ; and**

(b) **the meeting would include a joint CPD item in the form of a presentation and Q & A session with a representative from Alcohol Focus Scotland.**

7. **UPDATE ON NATIONAL LICENSING FORUM**

With reference to paragraph 6 of the Minute of 24 January 2017, Ms Elliot reported that the Forum's response to the consultation had been forwarded to the East Ayrshire Local Licensing Forum but that, to date, East Ayrshire had been unable to take the proposal forward.

**DECISION**  
**NOTED**

8. **SCOTTISH BORDERS LICENSING BOARD MINUTES**

There had been circulated, for information, copies of the Scottish Borders Licensing Board Minutes of 20 January 2017, 17 February 2017, 17 March 2017, 21 April 2017, 16 June 2017, 21 July 2017 and 18 August 2017. Ms Elliot noted the positive discussions with new Board Members having recently undertaken training and referring to Policy and Licensing Objectives.

**DECISION**  
**NOTED the Minutes.**

9. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the items dealt with in the following paragraphs should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

9.1 **Premises Late Night Visits**

Mr Wynne explained that Police Scotland had extended an invitation to the Licensing Board to attend premises late night visits. Members of the Licensing Forum were included in this invitation. Members who had taken part in visits on a previous occasion had agreed how informative these had been. Mr Wynne would circulate the proposed date of the visits, once available, to members of the Forum and those who wished to join the visits should contact him direct.

**DECISION**  
**NOTED**

9.2. **Availability of alcohol on-line**

Mr Hay drew attention to the ease of ordering and acquiring alcohol on-line. Mr Wynne explained that there was guidance under the Licensing Act about on-line orders placing responsibility on the delivery driver. However it was recognised that the issues raised were difficult to deal with and this had been flagged up by Alcohol Focus Scotland.

**DECISION  
NOTED**

**9.3 Recruitment of new members for the Forum**

It was agreed that, following recent resignations, there was an urgent need to recruit new members for the Licensing Forum. Ms Elliot and Ms Bell offered to take forward a recruitment campaign using SBC Communications to facilitate this through the website and social media.

**DECISION  
AGREED that a recruitment campaign be carried out for new members to join the Scottish Borders Licensing Forum.**

**9.4 Exploring the impact of alcohol licensing in England and Scotland**

Ms Elliot reported that Stirling University was carrying out a study to examine whether and how local public health engagement in alcohol licensing, operated through the local licensing regime to affect alcohol-related harms. The aim of the study was to generate detailed, policy-relevant evidence that could be acted on locally, and to inform potential national legislative changes and international licensing regimes. While many public health partners in England and Scotland worked intensively to try to influence local alcohol licensing many others did not. Little was known about if, or how, implementing these activities actually influenced licensing policy and decisions, as well as health or crime outcomes. Better evidence was needed for public health partners to decide whether and how best to engage with licensing, and for licensing authorities to understand what elements of licensing led to, or had the potential to reduce, alcohol-related harms. Ms Elliot took part in a capacity-building day for researchers from Stirling University to provide an overview of public health involvement from a Scottish perspective in licensing. The research team would be looking for 40 areas across the UK to take part in the study and it was likely that the Scottish Borders would be invited to participate.

**DECISION  
NOTED**

*The meeting concluded at 5.00 pm*