

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, 23
October 2018 at 4.00 pm

Present:- S. Bell, S. Elliot, R. MacKay, G. Todd, I. Tunnah, M. Wynne.
Apologies:- M. W. Hay, A. Maybury, PC Ray (Police Scotland).

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

CHAIRMAN

The meeting was chaired by Ian Tunnah who welcomed members to the meeting.

1. MINUTE

- 1.1 The minute of the meeting held on 27 June 2018 had been circulated.

DECISION AGREED

- 1.2 With reference to paragraph 3 of the Minute, Ms Elliot confirmed that she had amended the Forum's response to the consultation on the Statement of Licensing Policy, in line with comments made, re-circulated the response and submitted this for consideration by the Licensing Board.
- 1.3 With reference to paragraph 6 of the Minute it was agreed to ask for an update on the 'Ask for Angela' initiative from PC Ray for the next meeting.

DECISION NOTED

2. STATEMENT OF LICENSING POLICY

With reference to paragraph 3 of the Minute of 27 June 2018 the Licensing Standards Officer explained that, following a 12 week extensive consultation on the draft Statement of Licensing Policy a revised draft final version of the Statement had been prepared, taking into account responses from individuals, licensees and organisations including the Local Licensing Forum and Alcohol Focus Scotland. The proposed amendments to the Statement would be presented to the Scottish Borders Licensing Board for consideration at the next meeting on 26 October 2018. Once adopted by the Board, the final revised Statement of Licensing Policy would be published and would be circulated to members of the Licensing Forum.

DECISION NOTED

3. LICENSING BOARD FUNCTIONS AND FINANCIAL REPORTS 2017/18

There had been circulated copies of the Licensing Board Functions and Financial Reports 2017/18. Mr Tunnah explained that, in terms of Section 9A and Section 9B respectively of the Licensing (Scotland) Act 2005, Licensing Boards were required to provide an Annual Functions Report and an Annual Financial Report. The Board's Annual Functions Report must include a statement explaining how the Board had regard to the licensing objectives and the Board's Policy Statement in the exercise of its functions under the Act as well as a summary of decisions made by the Board and information about the number of licences

held in the Board's area. The Financial Report must include statements of the relevant income received and relevant expenditure incurred by the Licensing Board during the financial year and an explanation of how these amounts were calculated. Mr Tunnah added that the Functions Report was approved by the Licensing Board at its meeting on 24 August 2018 but, due to a minor error that had been noticed in the Financial Report, the amended Financial Report would be re-presented to the Board for approval at its meeting on 26 October 2018. Mr Tunnah drew attention to the fact that management of the licensing function was self-financing through the income received from license fees.

**DECISION
NOTED**

4. PERSONAL LICENCE HOLDER RENEWAL

Mr Tunnah explained that on 1 September 2019 the first batch of personal licences issued in 2009, under new legislation introduced by the Licensing (Scotland) Act 2005, would be due for their 10 year renewal. As a requirement of the legislation was for the licence holder to undertake refresher training every 5 years there would be significant demand for training and pressure on training providers leading up to the renewal date, as was experienced at the 5 year point in 2014. As a consequence reminder letters were being sent to personal licence holders 9 months in advance of the renewal date rather than 3 months ahead as happened in 2014. Refresher training was offered through Skills Development Scotland. Ms Bell, from the Borders College, advised that training consisted of a 4 hour course with pre-course work also required to be undertaken.

**DECISION
NOTED**

5. LICENSING STANDARDS OFFICERS - UPDATE

In his update Mr Wynne advised that there had been no major problems reported from the Common Ridings and summer festivals. He referred to the 'don't buy it don't supply it' campaign against under-age drinking which had been rolled out across the area and been well-received. This campaign would be intensified over the festive season. There followed a discussion on what more could be done to reduce under-age drinking fuelled by adults prepared to supply alcohol, for events such as after-parties. Mr Wynne commented that PC Ray had prepared a briefing note for police officers and licensed premises illustrating types of fake ID Driving Licences which were in circulation. He suggested that this paper would be of interest to the Forum.

**DECISION
NOTED the update**

6. SCOTTISH BORDERS LICENSING BOARD MINUTES

There had been circulated, for information, copies of the Scottish Borders Licensing Board Minutes of 22 June 2018 and 24 August 2018.

**DECISION
NOTED the minutes.**

7. OTHER BUSINESS

7.1 MINIMUM ALCOHOL PRICING

Ms Elliot informed members of the Forum that Wales had passed a law to implement minimum unit pricing (MUP) for alcohol, which would come into effect next summer. A link to a relevant news article was provided for information with the agenda.

7.2 JOINT SCOTTISH BORDERS LICENSING BOARD/LOCAL LICENSING FORUM MEETING

Members were informed that the annual joint Scottish Borders Licensing Board/Licensing Forum meeting would be held on Wednesday 5 December 2018 at 4 pm. Mr Tunnah

agreed to draft the Forum's report for that meeting and circulate this to members for comment.

7.3 **BYELAWS TO PROHIBIT THE CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC PLACES**

Ms Elliot advised that a report on the byelaws to prohibit the consumption of alcohol in designated public places would be taken to a meeting of Scottish Borders Council on 29 November 2018, with a view to this being progressed in conjunction with the Scottish Government. Following engagement with partners, Community Councils and the public conducted over a 7 month period in 2013/2014 a report on "Byelaws to Prohibit the Consumption of Alcohol in Designated in Public Places" was considered by the Council in March 2014. The Service Director Regulatory Services had been instructed to take matters forward with a further report to be submitted to the Council at the end of the statutory process. Ms Elliot commented that the byelaws would be an additional tool to support the police in tackling Anti-Social Behaviour and reduce exposure to alcohol.

**DECISION
NOTED**

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 approved the private Minute of 27 June 2018.

10. **POLICE REPORT**

Members considered a report provided by PC Ray in her absence.

The meeting concluded at 5.10 pm