

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, 19 March 2019 at 4.00 pm

Present:- M. W. Hay (Convener), S. Bell, S. Dalrymple, S. Elliot, R. MacKay (from para 5), PC Ray (Police Scotland), G. Todd and M. Wynne.

Apologies:- A. Maybury, I. Tunnah, Licensing Board Member Councillor G. Turnbull.

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

1. WELCOME AND INTRODUCTIONS

The Convener welcomed everyone to the meeting and asked for a round of introductions.

2. MINUTE

The Minute of the meeting held on 22 January 2019 had been circulated.

DECISION

APPROVED the Minute

3. ALCOHOL PROFILE - UPDATE

The Alcohol and Drugs Partnership Coordinator, Susan Elliot, explained that, with the appointment of a dedicated officer for the collection of performance data the Alcohol Profile was in the process of being updated. The Alcohol Profile was produced, usually annually, by the Local Licensing Forum and used as a reference to assist the Licensing Board and to inform other decision makers about the impact of alcohol consumption in the community. Data from 2017/18 and some from 2018/19 would be pulled together to produce the current updated version. A meeting would be held to discuss the preparation of the Profile in the first week of April. Ms Elliot asked that if any members of the Forum would like to be involved in that they should contact her. Organisations already contacted for data included Health Services, Police Licensing and Scottish Fire and Rescue in addition to national sources. A questionnaire would also be sent to Licensing Board Members to ask for views about how useful the Profile was and whether there was anything missing in the types of data provided.

DECISION

AGREED that the Democratic Services Officer email all members of the Local Licensing Forum to ask anyone interested in being involved in the preparation of the updated Alcohol Profile to contact Susan Elliot.

4. ALCOHOL IN PUBLIC PLACES CONSULTATION

With reference to paragraph 5 of the Minute of 22 January 2019, Ms Elliot advised that the consultation to consider the need for Byelaws to prohibit the consumption of alcohol in designated public places was about to be initiated. She and PC Ray were members of a steering group who would consider the responses to the consultation. Ian Tunnah and Mike Wynne had offered to go to Area Partnership meetings to explain the background of the proposals. Members of the Forum were encouraged to submit their views as part of the consultation and it was agreed that the best way forward was for responses to be on an individual basis, rather than putting together one response on behalf of the Forum.

DECISION

- (a) **NOTED that the consultation on Byelaws to prohibit the consumption of alcohol in designated public places was about to be launched.**
- (b) **AGREED that it would be appropriate for members of the Forum to respond to the consultation on an individual basis.**

5. MINIMUM UNIT PRICING - UPDATE

With reference to paragraph 5.3 of the minute of 20 March 2018 regarding the introduction in Scotland of Minimum Unit Pricing (MUP) of alcohol, Ms Elliot, explained that there was an ongoing evaluation, being co-ordinated by Alcohol Focus Scotland (AFS), of the first year of operation of the strategy. It would be June or later before the first Monitoring and Evaluation Scotland's Alcohol Strategy (MESAS) report from Health Scotland was available and later in the year before there was the first data available on deaths and hospitalisations. In the absence of quantitative data AFS was keen to obtain qualitative feedback on what the experience of MUP had been so far. Responses were sought from a wide range of services, health professionals, housing and homelessness teams and community safety teams. Members of the Forum were encouraged to give feedback to the AFS. A link to the survey had been emailed out to members prior to the meeting and Mr Mackay agreed to join a group taking part in the key survey. PC Ray advised that she would also send the survey to her colleagues and circulate this to officers on the frontline.

DECISION

NOTED that responses were required to the survey into Minimum Unit Pricing being carried out by Alcohol Focus Scotland.

6. LICENSING STANDARDS OFFICERS - UPDATE

- 6.1 Mr Wynne explained that he and Mr Tunnah were putting together an information presentation to help inform the consultation on the proposal for byelaws to prohibit the consumption of alcohol in designated public places. This would hopefully help to counteract apparent misunderstandings about the purpose and effect of the byelaws.
- 6.2 Mr Wynne explained that organisers of the bigger events, eg. Rugby 7s, were being encouraged by the LSOs to use coloured admissions wristbands, with a different colour for under 18s. The use of wristbands also assisted security staff. As usual the LSOs would be involved with the Council's Safety Advisory Groups to support and advise event organisers.
- 6.3 The Best Bar None Awards were due to be presented this week. The Awards event was usually well-attended by members of the Licensed Trade and this provided an opportunity for them to meet LSOs and Police. Mr Wynne added that one establishment in the Scottish Borders had also been nominated for an award at the National Best Bar None Awards.

DECISION

NOTED the update

7. TRAINING NEEDS ASSESSMENT

Mr Wynne advised that if any members of the Local Licensing Forum required more information or training about any aspect of liquor licensing, he and Mr Tunnah would help and provide an update of any new developments. In the ensuing discussion it was noted that training was arranged when the Forum was set up but that there had not been regular training since, despite there being new members. Ms Elliot explained that AFS, who were advocating a review of the role of Local Licensing Fora had drawn attention nationally to a gap in training provision for members. There was a need to look at the purpose of the Local Licensing Forum and how its impact may have changed. AFS had discussed developing a training programme and piloting this in some areas. Ms Elliot agreed to

liaise with AFS and explore the possibility of the Scottish Borders Local Licensing Forum joining the pilot. It was also agreed to email members for requests in terms of training. Ms Elliot recalled that a few years ago there had been a survey on training requirements and that the responses could be re-examined.

DECISION

AGREED:-

- (a) **that the Democratic Services Officer email members of the Local Licensing Forum to ask what was wanted in terms of training provision; and**
- (b) **that Susan Elliot would:**
 - (i) **explore with Alcohol Focus Scotland the possibility of the Scottish Borders Local Licensing Forum taking part in the training provision pilot; and**
 - (ii) **revisit the responses from a previous survey about training needs of the Local Licensing Forum.**

8. SCOTTISH BORDERS LICENSING BOARD MINUTES

There had been circulated, for information, copies of the Scottish Borders Licensing Board Minute of 18 January 2019. Members were encouraged to attend meetings of the Licensing Board as observers and reminded that the agenda for each meeting of the Board was available on the Council's website from 7 days prior to the meeting. Dates of future meetings were noted as follows:-

22 March 2019
19 April 2019
24 May 2019
21 June 2019
19 July 2019

All meetings are held at Council Headquarters and start at 10 am unless otherwise advised on the agenda.

DECISION

NOTED the minute.

9. OTHER BUSINESS

9.1 Licensing (Scotland) Act 2005 – Section 142: Draft Revised Guidance for Licensing Boards

Ms Elliot explained that Scottish Government had recently launched a consultation on the above guidance. It was suggested that a few Forum members formed a small working group to put together a response as part of this consultation, which was due to close on 11 June 2019. There were basically two aspects to consider: were there any areas that were unclear; and were there any areas that had not been taken into account. As this was a lengthy document Ms Elliot offered to divide it up into sections for examination. This would be sent out to members for comment and be looked at in more detail by the working group. It was agreed that the working group would be made up of Susan Elliot, Stephanie Bell, Sarah Dalrymple, Roddy Mackay, PC Ray, Ian Tunnah and Mike Wynne. Ms Elliot would organise dates for meetings of the working group and in the meantime email out sections of the guidance to give all members an opportunity for comment.

DECISION

AGREED that, in respect of the Scottish consultation on Revised Guidance for Licensing Boards:

- (a) a working group made up of Susan Elliot, Stephanie Bell, Sarah Dalrymple, Roddy Mackay, PC Ray, Ian Tunnah and Mike Wynne would look at formulating a response on behalf of the Scottish Borders Licensing Forum;**
- (c) Susan Elliot would divide the document into appropriate sections and email out to all members for comment.**

9.2 Involvement of communities in licensing.

Ms Elliot explained that, as part of the increasing involvement of communities in licensing which was being encouraged, Galashiels Learning Community Partnership was focusing on drugs and alcohol this year. She would be giving a presentation to the group later in the year about how to make representations to the Licensing Board in respect of license applications. PC Ray added that legislation states that assistance should be given to communities to get more involved in licensing.

**DECISION
NOTED**

10. 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

11. POLICE REPORT

PC Ray gave a verbal update report.

The meeting concluded at 4.45 pm