

SCOTTISH BORDERS COUNCIL LOCAL LICENSING FORUM

MINUTE of Meeting of the LOCAL
LICENSING FORUM held via Microsoft
Teams on Tuesday, 20 October 2020 at
4.00 pm

- Present:- S. Bell, S Elliot, S Dalrymple, R. McIntyre, G Todd, M. Wynne, Clerk to
Scottish Borders Licensing Board and PC Sharon Lackenby.
Licensing Board Members: Councillors E. Thornton-Nicol, R. Tatler, G.
Turnbull, S Scott, N. Richards, J Greenwell and J. Brown.
- Apologies:- G. Campbell, M. Hay, S. Mabon R. MacKay and I. Tunnah.
- In Attendance:- F. Henderson (Democratic Services Officer).
-

CONVENER

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 Member, Mr Ross McIntyre. A round of introductions followed.

1. MINUTE

The Minute of the meeting held on 21 January 2020 had been circulated.

DECISION

APPROVED the Minute.

2. CORONAVIRUS REGULATIONS/GUIDANCE

Mr Wynne reported that the Licensing Team had been inundated with enquiries from the Licencing Trade in respect of outdoor drinking and dining guidance, outdoor events, the use of screens in private hire vehicles and taxis during the COVID -19 pandemic together with complaints about those not adhering to the rules and guidance. The Licensing Team were giving advice by e-mail and telephone and if required would visit in person. The Trade was kept up to date with the changes in guidance and the Licensing Team and Environmental Health Team were working closely. The ethos was to Engage, Educate and Enforce.

- 2.1 Mr Wynne confirmed that licensed premises in the Scottish Borders were trying their hardest to adhere to the guidance, with many investing in screens and were adhering to rules on face coverings, although there was no requirement to enforce at present. Should strict enforcement be required by Scottish Government premises may close. There had however been some issues in terms of outdoor drinking until 10 p.m., occasional licences not being requested when required and some marquees erected outside premises, without the understanding that the marquee required to be open to fresh air and many had had to cease dining. Some premises did not have off-sales within their licence operating plan and this required a decision by the Licensing Board.
- 2.2 In response to a question about how Track and Trace details were being taken, Mr Wynne advised that some were leaving a book at the front of the premises but this had GDPR implications and some had staff taking information and entering in the book which was kept secure. Some premises had misunderstood the guidance in relation to groups and

were collecting contact information from only one person per group, however the guidance was that contact details were required for one person per household and if the group consisted of individuals, contact information was required for each person in the group.

MEMBERS

Councillors Brown and Tatler left the meeting during consideration of the following item.

3. EFFECTS/IMPLICATIONS OF CORONAVIRUS OUTBREAK ON LICENSED TRADE

Mr Wynne reported that some Licenced premises had indicated that they would not be re-opening in the meantime as they did not have an adequate outdoor area to offer customers and the weather was becoming unsuitable. Without an outdoor drinking area it was not cost effective to open their premises and they had paid off their staff, some had indicated that they would be closing permanently.

3.2 In terms of the Annual fee system, payments was made quarterly and so very difficult to require licensed premises to pay when they effectively had no income. At present there was no scope in the legislation to reduce the fees and therefore fees were still due to be paid was the advice being given. Many clubs had suffered badly i.e. British Legion Clubs and Golf Clubs. Mr McIntyre advised that his workplace had gone from 110 covers per night to 40 covers and the bar closed at 6 p.m. Mr Wynne acknowledged that the timing was difficult and there may be more restrictions introduced about not using tables more than once in the First Ministers address the following day.

3.3 Sarah Dalrymple advised that meetings would be held in the coming weeks to examine the options for delivering face to face exams as this was a requirement and could not be done remotely. In response to concerns raised about businesses putting tents up and down as they were unclear of the regulations, Mr Wynne explained that they were signposting them to the Scottish Government website as there was a good Q and A section and the information was up to date.

3.4 In terms of alcohol consumption, Susan Elliot advised that statistics showed that 1/3 of the population had increased their drinking, however 1/3 had stopped altogether with a definite change in drinking patterns. Susan had been working on track and trace calls and advised that it was very challenging getting in touch with people as they had left the wrong number, although the licensed premises had been very helpful.

DECISION NOTED.

4. SCOTTISH BORDERS LICENSING BOARD MINUTES

There had been circulated, for information, copies of the Scottish Borders Licensing Board Minutes of 20 December 2019, 21 February 2020 and 31 July 2020. Mr Wynne advised that the Licensing Board meetings had been held via Microsoft Teams since July 2020, with a significant increase in Supermarkets applying for permission to deliver alcohol. Members were encouraged to attend meetings of the Licensing Board as observers. The date of the next meeting on 23 October 2020 via Microsoft Teams.

DECISION NOTED the minutes.

5. POLICE UPDATE

Due to technical difficulties, PC Lackenby was unable to access the meeting which was held via Microsoft Teams and Mr Wynne advised that she had been in post four months and was up to speed and had made visits with Mr Wynne and the Environmental Health Team. PC Lackenby had been out and about, making herself known to Manager of Licensed premises and was keen to be proactive. In response to a question about how complaints were dealt with, Mr Wynne advised that complaints were placed on a

monitoring list and Officers were tasked to visit the premises. It was explained that PC Lackenby had other Officers at her disposal and could call on the CAT Team and Community PC's for assistance.

**DECISION
NOTED.**

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

The next meeting would be the Annual Joint Licensing Board and Licensing Forum Meeting and would be held on Wednesday, 2 December 2020 at 4 p.m.

The meeting concluded at 4.53 pm