

SCOTTISH BORDERS LOCAL LICENSING FORUM

MINUTE of Meeting of the LOCAL LICENSING FORUM held in Committee Room 1, Council Headquarters, Newtown St Boswells. on Tuesday, 26 January 2016 at 4.00 pm

Present: I. Tunnah (Convener), S. Bell, N.W. Gillies, M. W. Hay, R. Mackay, A. Maybury, J. Taylor, G. Todd, S. Walker.

Apology: C. Penny.

In Attendance: M. Wynne (Licensing Standards and Enforcement Officer), PC Robertson (Police Scotland), K. Mason (Democratic Services Officer).

1 APPOINTMENT OF CONVENER

The Convener advised that the appointment of Convener was an annual item on the agenda. No members of the Forum expressed an interest in being appointed Convener for the forthcoming year, and the Chairman advised he would carry on with this duty for another 12 months, but someone else would have to take on this duty as from January 2017 because it was his intention to retire. Mr R. Mackay, seconded by Mr M. Hay, moved that Mr I. Tunnah be re-appointed as Convener and this was unanimously agreed.

DECISION

AGREED that Mr I. Tunnah be appointed Convener of the Local Licensing Forum.

2 MINUTE

There had been circulated copies of the Minute of the meeting held on 5 October 2015.

DECISION

APPROVED the Minute for signature by the Convener.

3 MATTERS ARISING FROM THE MINUTE

3.1 With reference to paragraph 4.2 (b) of the Minute, it was noted that the issue of training of licence applicants from voluntary bodies would be considered later in the meeting.

DECISION

NOTED.

3.2 With reference to paragraph 6.2(b) of the Minute, the Convener advised that the ADP Alcohol Development Officer at Langlee (C. Penny) had accepted the invitation to become a member of the Scottish Borders Licensing Forum, for the duration of that post. However C. Penny had been unable to attend today's meeting.

DECISION

NOTED.

3.3 With reference to paragraph 8 of the Minute, the Convener confirmed that some Members of the Scottish Borders Licensing Forum had attended a special meeting on Tuesday 12 January 2016 to commence work on the review of the Licensing Board Policy Statement. A small Working Group had been established to progress matters, the members of which were:- N. Gillies, I. Tunnah, S. Walker, and M. Wynne. M. Hay also agreed to be a Member of the Working Group and this matter would be further considered

later in the meeting. IT explained in normal circumstances the Licensing Board Policy Statement would be in place by October but owing to certain changes because of the Air Weapons Act the new Policy Statement might run with the timescale of the new Licensing Board from May 2017 following on from the Local Government Election. S. Walker advised she would contact Alcohol Focus Scotland to ascertain if they had any feed-back regarding the timing of the issue of Licensing Board Policy Statements

DECISION

(a) **NOTED the position.**

(b) **AGREED that Ms Walker would contact Alcohol Focus Scotland to ascertain if they had any feed-back regarding the timing of the issue of Licensing Board Policy Statements.**

3.4 With reference to paragraph 9.2 of the Minute, Members noted that the 2014/15 Alcohol Profile had been finalised by the ADP Development Officer and sent to Licensing Board Members.

DECISION

NOTED that the 2014/15 Alcohol Profile had been finalised by the ADP Development Officer and sent to Licensing Board Members.

3.5 With reference to paragraph 10 of the Minute, the Convener advised that Chief Inspector Hodges had been unable to attend this meeting to allow a better understanding on the policy around Incidents in Licensed Premises (ILPs) and the reporting of these. Members discussed the categorisation of ILPs into positives and negatives and it was agreed that PC Robertson would look into this and report back at the next meeting.

DECISION

AGREED that PC Robertson would report back at the next meeting of the categorisation of ILPs into negatives and positives.

3.6 With reference to paragraph 12 of the Minute, in regard to future agenda items when a presentation on Best Bar None has been suggested. S. Walker advised she would contact Nick Walker for an update, possible venues for the presentation were discussed as were funding issues and it was noted that this was an issue which would have to be built into next year's action plan. M. Hay suggested the use of the venue for the presentation night to take place on the back of the Border Union Show.

DECISION

AGREED that S. Walker would liaise with Nick Walker regarding an update on Best Bar None.

4 POLICE REPORT

PC Robertson in his update advised that there had been several assaults during the festive season which had been outwith the control of licensed premises staff. Thefts of alcohol continued to be an issue but the individuals had now been caught and there would be severe consequences for them. A meeting had taken place with the lead Environmental Health Officer regarding noise complaints. Although there were not many issues regarding this type of complaint, one premises in Hawick was subject to tests. Ahead of the Melrose Sevens an exercise had taken place in the Council's Emergency Planning Control Room to test policies and procedures in place for events such as this. A letter would be sent out to licence holders in respect of test purchasing which was planned for early 2016. The matter of counterfeit vodka was discussed and the great harm this could have caused to anyone drinking it was noted. S Walker advised she had received no information about this and it would have been helpful to have been advised of the issue to ensure alcohol services to have been alerted. It was noted that the Chief

Constable's annual report had not been seen by Members of the Forum, and it was agreed that PC Robertson would forward this.

DECISION

AGREED that PC Robertson would email Forum Members a copy of the Chief Constable's Annual Report, for their information.

5 ACTION PLAN

Members considered the Action Plan and an up to date version is attached taking into account discussions relating to Police Licensing setting up a data base on whether decisions made by the Licensing Board had been made within or outwith the Board's Policy, which would provide the Forum with valuable information. Discussions took place relating to presentations being made by the Local Licensing Forum to the 5 Area Fora to inform the local community of the work of the Forum and what the community should know about licencing. It was anticipated that a 45 minute slot would be needed for such a presentation. I. Tunnah agreed to contact Area Fora administrators to identify dates and request 45 minute slot.

DECISION

AGREED that I. Tunnah would contact Area Fora administrators to request 45 minute slot at their next meeting and identify dates.

6 ALCOHOL PROFILE

S. Walker reminded Members that the draft Alcohol Profile had been discussed by Members of the Forum and the Licensing Board at their joint meeting held on 2 December 2015. The amended Alcohol Profile would be issued to Members of the Forum. Members agreed that Community Councils should be aware of the existence of the Alcohol Profile to support them in consideration of licence applications in their area. S. Walker would also ensure that the Alcohol Profile was updated on the LLF website.

DECISION

- (a) NOTED that the amended Alcohol Profile would be issued to Members of the Forum.**
- (b) AGREED that the Alcohol Profile should be circulated to Community Councils for their information.**
- (c) AGREED that S. Walker would ensure the Alcohol Profile was updated on the LLF website.**

7 PUB IS THE HUB

The Convener advised that Pub is the Hub (a not-for-profit) organisation had been encouraged in England and Wales since 2003, the initiative was supported by HRH The Prince of Wales and the idea was that community pubs be encouraged to diversify into more than just a pub. Examples of such schemes included siting post offices, shops, libraries, internet cafes, allotment schemes, school dinners, cash point machines, IT training and community cinemas in pubs. The scheme had recently been launched in the Scottish Borders. Scottish pub owners and operators in the Borders would be able to apply for grants of up to £4,000 towards diversification schemes to improve local services. The Scottish Government would also back the scheme with a £30,000 funding boost. S. Walker was surprised that the Local Licensing Forum had not been advised of this new initiative and she suggested that a representative of Pub is the Hub be invited to the meeting of the Forum on 22 March 2016 to provide an overview of the initiative.

DECISION

AGREED that the Convener invite a representative of Pub is the Hub to the meeting of the Forum to be held on 22 March 2016 to provide an overview of the initiative.

8 BEST BAR NONE

The Convener advised that he had been impressed by all those who had taken part in Best Bar None and it was noted that if a premises displayed "Best Bar None" plaque members of the public could see that the establishment had been assessed and was well run. It was agreed that the presentations being made to local Area Fora should incorporate information on Best Bar None.

DECISION

AGREED that presentations made to local Area Fora should incorporate information on Best Bar None.

9 LICENSING BOARD POLICY REVIEW

The Convener advised that the Working Group established to discuss the Licensing Board Policy Review would be held on 3 February at 1.00 p.m. It was agreed that the meeting be held in the Queen's Head, Kelso.

DECISION

AGREED that the meeting of the Working Group be held on 3 February at 1.00 p.m. in the Queen's Head, Kelso.

10 DATE OF NEXT MEETING

The next meeting of the Local Licensing Forum would be held on 22 March 2016.

DECISION

NOTED.

11 URGENT BUSINESS

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

12 TRAINING

Mr R Mackay advised that a training company from England – Bar Code Training – was trying to bring their training business into Scotland and discussions took place over the costs of this and where an applicant had to sit the examination. Stephanie Bell undertook to find out more information about this company and explained that funding was available for training if the applicant earned less than £22,000 per annum.

DECISION

AGREED that Stephanie Bell would make enquires about Bar Code Training and report back.

The meeting concluded at 5.45 p.m.

What we need to do	Action	Lead	Timescales	Outcome	Status
Gain a better understanding of decisions made by Licensing Board (LB).	Develop and maintain database with outcomes of decisions made in LB where objections have been supplies.	Clayton Lackenby	March 16	LLF keeps under review the decisions made by the Licensing Board and implementation of the Licensing (Scotland) Act 2005 in Borders.	
Ensure Communities are better able to respond to applications and views will be considered by Licensing Board	Review AFS Community Toolkit and plan visits to 5 Area Forums to increase community's awareness of Licensing Board Policy and how they can submit appropriate representations on applications and variations.	Ian Tunnah, Mark Hay, Susan Walker, Other rep from Legal Team	End December 2016	Improved community engagement and appropriate responses made.	Ongoing
Improve engagement with Licensing Board	Liaise with Clerk to Board about joint CPD sessions (suggest first one on Air Weapons and Licensing (Scotland) Bill	Ian Tunnah	March 2016	Improved knowledge and awareness of Licensing legislation	Ongoing
Improve membership to capture Education/Social Work/Young People representation	Discuss with Community Learning & Development/Borders College/University	Susan Walker	Summer 2016	Improve representation on LLF.	Not started
Review Licensing Board Statement of Policy 2013 – 2016	Short life working group identified. To meet after Summer 2016	Ian Tunnah, Susan Walker, Mark Hay, Neil Gillies	Summer 2017	Increased understanding of Board Policy	Not started

COMPLETED ACTIONS					
Develop 3 rd Edition of Alcohol Profile	Data being collated, analysed and report drafted.	Susan Walker/Erin Murray/Ian Tunnah	First draft to joint meeting 02.12.15	Evidence to support Board Policy Statement and decision making is available for Board members	Complete
	Carry out survey of Licensing Board to find out how helpful the Alcohol Profile is and any further requirements.	Susan Walker	15.10.15		Complete
Improve communication with LLF	<ul style="list-style-type: none"> • If any large documents are required in hard copy, LLF members to request from Committee Officers • Ensure distribution list kept up to date • Have 'email receipt' as routine • Ensure webpage kept up to date with access to minutes/agendas 	LLF Members Chair to liaise with Committee Officers	End October 2015	Improved communication with all LLF members.	Complete
Gain a better understanding of decisions made by Licensing Board (LB).	Have LB minutes as standing item on LLF agenda for review and discussion.	Committee Officers	First meeting 2016	LLF keeps under review the decisions made by the Licensing Board and implementation of the Licensing (Scotland) Act 2005 in Borders.	Complete

Gain a better understanding of decisions made by Licensing Board (LB).	Request annual report for joint meeting in December 2015 to be circulated prior to the event.	Chair	ASAP		Complete
Send out LB minutes of meetings held between LLF meetings.	Committee Officers	ASAP		LLF keeps under review the decisions made by the Licensing Board and implementation of the Licensing (Scotland) Act 2005 in Borders.	Complete
Ensure communities are better able to respond to applications and views will be considered by Licensing Board.	Find out how to access Area Forums	Fiona Walling	End October	Improved community engagement and appropriate responses made.	Complete
Reflect On-trade views more effectively in 'Alcohol Profile	Gather snap shot of views from customers on consumption patterns prior to attending their venue.	Neil Gillies/Mark Hay	16.11.15	Licensing Board better informed about consumption patterns	
Inform Licensing Board of work undertaken in Forum over past year	Draft LLF Annual Report in partnership with all LLF members.	Ian Tunnah/Susan Walker	4 th November 2015	Increase LB understanding of LLF	Completed

