



## MINUTES OF THE MEETING OF THE EAST LOTHIAN LOCAL LICENSING FORUM

# 1

TUESDAY 4<sup>TH</sup> JUNE 2013  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

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**Forum Members Present:** Heather Bowsher  
Nico de Freitas  
Dave Dickson (Chair)  
Jim Goodfellow  
Pat Hanson (Secretary)  
Rudi Fruzynski  
Ricky Ross  
John Thayers

**Council Officials Present:** Kirstie MacNeill

**Other Licensing Board Members Present:** Willie Innes

**Visitors Present:** None

**Apologies:** Stuart Baxter  
Bernard Harkins  
Bill Duncan  
Julie Foster

## 1. FORUM MEMBERSHIP

It was noted that John Boyce had resigned from the Forum due to taking up a new position in the NHS. No replacement had yet been nominated. Also Richard Foley had been replaced by John Thayers for MELDAP, who was welcomed to his first meeting.

The Forum was pleased to note that, as a result of efforts to find new Forum members, Julie Foster from the 'Pine Marten', Dunbar had joined, although she was unable to attend the current meeting.

### Decision

It was agreed to record thanks to John Boyce and Richard Foley for their work on behalf of the Forum. The Secretary was asked to pass this on to each of them.

## 2. MINUTES OF THE MEETING HELD ON 5<sup>TH</sup> MARCH 2013

The minutes had been previously circulated. There were no issues of accuracy arising.

### Decision

The minutes of the Forum meeting held on 5<sup>th</sup> March 2013 were agreed as a correct record.

## 3. MATTERS ARISING FROM THE MINUTES

i Refresher Training for Personal Licence Holders The Secretary reported on a BII Information Seminar about Refresher Training which he had attended in Edinburgh recently. He confirmed a number of key dates and training parameters and said that the number of students in any class would be limited to 18. Once accreditation was complete, training could start from 1<sup>st</sup> August 2013.

Ricky Ross raised fears that if the refresher training were too expensive then the numbers of personal licence holders put through it could be reduced. Members referred to the Forum's previous decision to try to obtain a deal for East Lothian personal licence holders. The Secretary said that this would still be pursued once local providers had been identified.

Willie Innes said that the Forum's efforts to minimise the cost of refresher training in order to obtain the maximum uptake would be supported by the Licensing Board, which wished to see standards come up, not fall.

### Decision

It was agreed that any material from personal licence holder refresher training providers should be forwarded to the Secretary.

ii Scottish Government Consultation on Licensing Changes The Secretary confirmed that, following the discussion at the last meeting, the Forum's response to the consultation had been submitted. It was noted that there had been 122 responses in total.

iii Review of the Licensing Board's Statement of Licensing Policy Kirstie MacNeill made some introductory remarks about the draft 2013-2016 policy circulated by email to Forum members shortly before the meeting. She said that the main document had been reduced from 33 to 18 pages without changing the content dramatically.

The biggest change had been in relation to Overprovision. This was in response to pressure from eg the Scottish government and Alcohol Focus Scotland and also reflected the required consultation with health professionals and police. She drew attention to the statistics on alcohol-related hospital admissions and offences which would be published in detail as part of the formal consultative process when this was launched shortly.

The consequence of the Board's analysis of the figures was that in Prestonpans and Whitecraig & Wallyford no new licence applications would be approved and in Dunbar, Haddington and Musselburgh there would be a 'rebuttal presumption' whereby applicants would have to show that their proposal met each of the licensing objectives before approval might be considered.

Kirstie said that there would be further discussion about the consultation process and the main questions for consultation. The Board would subsequently consider responses and agree its final policy in September/October 2013. In answer to a question from Ricky Ross she confirmed that the Overprovision polices would apply in respect of applications to increase capacity as well.

Discussion largely centred around the Overprovision question. Nico de Freitas suggested that if the George Hotel in Haddington reopened then the owners might find it difficult to get a licence. Jim Goodfellow said that there were some concerns about AFS' ideas on linkage eg when looking at North Berwick vs Whitecraig/Wallyford. He also noted the implication that in some areas if any place with a premises licence closed then a replacement licence would not be granted.

Further discussion covered the situation in Prestonpans, comparisons with the national picture, alcohol in the community, causation vs correlation in the statistics, etc. Willie Innes said that perhaps the Board may have to develop a flexible attitude to new premises and that many of the problems of overprovision were more acute in areas of big cities.

The Chair thanked Kirstie MacNeill for speaking to the document, which would be considered fully by the Forum later as part of the formal consultative process. He also thanked members for this initial input to the debate.

#### **4. RECRUITMENT OF NEW FORUM MEMBERS**

The Secretary reported that an article would appear in the Summer issue of 'East Lothian Living' inviting applications for Forum membership. This was noted.

#### **5. ALCOHOL FOCUS SCOTLAND**

i National Licensing Conference 9<sup>th</sup> September 2013 The Chair and Secretary confirmed that they would be attending this conference and that the booking form and other details would be forwarded to Heather Bowsher at her request.

ii Fact-Sheet on Overprovision Policies The Secretary said that these papers also contained guidance by West Dunbartonshire Licensing Board on 'Evidence-based Overprovision Policy'. Rudi Fruzynski said that what was becoming clear from all these documents was that any Overprovision policy must be defensible otherwise problems could arise on appeal. He also reminded members about the recent Scottish Government consultation process and suggested that the foundation of the 2005 Act should really be solidified before other changes came into effect.

In further discussion on related matters members covered the licensing objectives, economic arguments related to new licence applications, the economic effect of alcohol abuse and measurable effects of alcohol policies. Heather Bowsher said that there would be some changes in the way that Police Scotland dealt with licensing issues. Pubs and clubs would be seeing police officers more often, with feedback on incidents being relayed to a new centre at Strathclyde. These papers were noted.

iii Licensing Practice Guide and Training Resource for Forum Members The Secretary introduced these two further AFS documents which had been previously circulated. It was confirmed that there had been a related training session for Forum members including one in Dumfries. The Secretary also tabled copies of a Scottish Licensed Trade News article from 16<sup>th</sup> May 2013 dealing with the actions and agendas of Licensing Forums. The papers were noted.

## **6. PUBWATCH – REPORTS FROM LOCAL SCHEMES**

The Secretary said that this would be a regular item on the Forum's agenda. He was pleased to see that active membership of the local Pubwatch was recommended in at least two places in the new draft Licensing Board policy statement.

Ricky Ross said that RASP was still operating well. RASP had been pleased to see that ASBOs barring individuals from all licensed premises in East Lothian had recently been applied. There was a continuing difficulty in identifying members of groups causing problems eg with photo evidence. Heather Bowsher confirmed that Police Scotland was continuing to combat anti-social behaviour in licensed premises. Officers would be encouraged to go for exclusion orders through the courts rather than applying fixed penalties.

The Secretary reported briefly on the coverage and activities of Pubwatch schemes in Haddington, North Berwick and District and Dunbar/West Barns insofar as information was available. Noted.

## **8. POLICE REPORT**

Heather Bowsher reported that there had been a lot of change with unification of the previous forces into Police Scotland. The good news was that licensing had gone up in priority. There was a new degree of flexibility eg with Strathclyde officers on duty at the Ladies' Day race meeting at Musselburgh.

There had been 87 occasional licences issued for events in June 2013. Incidents at on- and off-sales premises totalled 130 in May, slightly higher than average. The report was noted with thanks.

## **9. LICENSING STANDARDS OFFICER'S REPORT**

Rudi Fruzynski reported that there had been only two Board meetings since the last Forum meeting. The Board had agreed to grant a licence to Loretto School covering five areas for differing purposes eg weddings at weekends. The Board considered that there would not be too much impact on the local community. There had only been a small number of noise complaints resolved through joint visits with the police.

Rudi gave statistics for matters dealt with by the Board in the year ending 31<sup>st</sup> March 2013 (previous year in brackets):

Applications for premises licences	9
Applications for major variations	51 (27)
Premises licence reviews	26 (20)
Occasional licences issued	491 (535)
Complaints received by the LSO	42 (28)

Information relating to personal licence refresher training would be added to the website when it became available. The Licensing Board would write to all East Lothian personal licence holders with a reminder. The report was noted with thanks.

#### **10. ANY OTHER BUSINESS**

John Thayers gave an update on the work being undertaken by MELDAP. Consultations were taking place on alcohol and drug services with the aim of getting new services in place by 2015. The biennial Scottish Government survey had shown that overall drink/drugs/smoking in East Lothian was down but some measures of heavier drinking were showing an increase.

The Secretary said that a questionnaire had been received from Highland Licensing Forum about Forum recruitment, expenses etc. This would be dealt with outwith the meeting. Noted.

*There being no further business, the meeting was closed after a vote of thanks to the Chair.*



DRAFT

**East Lothian Licensing Board  
Statement of Licensing Policy**

**In accordance with Licensing (Scotland) Act 2005  
1 November 2013 – 31 October 2016**

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# **PART 1**

## **INTRODUCTION**

### **1.0 The Licensing (Scotland) Act 2005**

1.1 The Licensing (Scotland) Act 2005 as amended (“the Act”) makes provision for regulating the sale of alcohol and for regulating licensed premises and other premises on which alcohol is sold.

1.2 Under the Act, Licensing Boards are responsible for considering applications for:-

- premises licences
- occasional licences
- provisional licences
- temporary licences
- personal licences
- transfer of premises licences
- variation of premises licences
- extensions of licensing hours

in respect of:

- the sale of alcohol by retail; and
- the supply of alcohol in members clubs

### **2.0 East Lothian Licensing Board**

2.1 East Lothian Licensing Board (“the Board”) is the licensing authority for the local government area of East Lothian for the purposes of the Act.

The Board comprises six members, all of whom are elected members of East Lothian Council. The Board is responsible for the functions set out in paragraph 1.2 above within East Lothian.

2.2 East Lothian shares borders with the City of Edinburgh, Midlothian and Scottish Borders Councils and covers around 680 square kilometres benefiting from 82km of coastline. Around 82,000 people live with the area which stretches from the former mining parishes of Tranent and Prestonpans, and Musselburgh in the west to the fishing community of Dunbar in the east, from the tourist resorts, such as North Berwick on the Firth of Forth to the farming lands of Garvald and Whittinghame on the border with Berwickshire. The main administrative centre for East Lothian is based in Haddington.

### 3.0 The Licensing Objectives

3.1 The Act sets out the following five licensing objectives (“the licensing objectives”):-

- preventing crime and disorder
- securing public safety
- preventing public nuisance
- protecting and improving public health
- protecting children from harm

3.2 The licensing objectives provide a basis for the administration of the licensing regime. They also provide potential reasons for refusal of an application for the grant or variation of a premises licence or an occasional licence. Breach of the objectives may provide grounds for reviewing a premises licence. Conditions attached to a premises licence or an occasional licence may be based on any one or more of the licensing objectives.

3.3 In exercising its functions under the Act, the Board must have regard to the licensing objectives. Details of how the Board will seek to promote the licensing objectives are set out in Part 2 below.

### 4.0 Statement of Licensing Policy

4.1 Section 6(1) of the Act requires every Licensing Board to publish every three years a statement of their policy with respect to the exercise of their functions under the Act. Section 7 of the Act requires each licensing policy statement published by a Licensing Board to include a statement as to the extent to which the Board considers there to be overprovision of:-

- licensed premises, or
- licensed premises of a particular description,

in any locality within the Board’s area.

4.2 The Board has published this policy statement in fulfilment of the requirements of sections 6 and 7 of the Act. Section 6(3)(a) of the Act also requires a Licensing Board, in preparing a licensing policy statement, to ensure that the policy set out in the statement seeks to promote the licensing objectives.

4.3 This policy statement shall be effective until **[enter date]**. It will be kept under review during that period. During that period the Board has the power under section 6(2) of the Act to publish a supplementary policy statement.

4.4 In preparing this policy statement, the Board has had due regard to the guidance issued by the Scottish Government.

- 4.5 This policy statement covers a wide variety of issues. However, it cannot cover every eventuality and it seeks to detail those factors which will influence the achievement of the licensing objectives. If matters arise which are not covered by this policy statement, the Board may publish a supplementary policy statement to cover such matters.
- 4.6 Section 6(4) of the Act requires the Board, in exercising its functions under the Act, to have regard to this policy statement. However, the Board will consider all applications on their own individual merits and it is open to an applicant to seek a decision from the Board which is inconsistent with the terms of this policy statement. Further, this policy statement will not override the right of any person to make representations on any application or seek a review of a premises licence where permitted to do so under the Act. Where persons seek a decision from the Board which is inconsistent with the terms of this policy statement, the Board expects them to fully address the issue of why the policy statement should not be followed.
- 4.7 This policy statement should be read in conjunction with the Act and all regulations made thereunder. It is designed to be a strategic policy statement, not an operational guide to the legislation.

## **5.0 Consultation on Statement of Policy**

- 5.1 Section 6(3)(b) of the Act states that in preparing this statement of policy the Board must consult the following:-
- East Lothian Local Licensing Forum;
  - if the membership of the Forum is not representative of all of the various membership categories, such persons as appear to the Board to be representative of the under represented categories;
  - the relevant Health Board; and
  - such other persons as the Board thinks appropriate.
- 5.2 The Board has consulted widely on this statement of policy in fulfilment of the requirements of section 6(3)(b). The consultation took place from **[enter date]** to **[enter date]**. A list of the parties consulted is contained in Appendix 2 to this policy statement. In finalising this policy statement appropriate weight has been given to the views of those who responded to the consultation.

## **6.0 Links to Other Policies and Strategies**

- 6.1 The Board recognises its responsibilities under equalities legislation. The Board has an Equality Scheme which is part of East Lothian Council's Equality Scheme which can be viewed at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk). The Board will at all times act in accordance with the public sector equality duties.
- 6.2 The Board will make arrangements to receive, when appropriate, reports on the needs of the local tourist economy for East Lothian to ensure that these are reflected in its considerations.

## **7.0 Tourism, planning and building standards**

- 7.1 The Licensing Board will make arrangements to receive, when appropriate, reports on the needs of the local tourist economy for the area to ensure that these are reflected in their considerations.
- 7.2 Planning, building standards and licensing regimes will be properly managed to avoid duplication and inefficiency. An application for a premises licence must be from a business with planning consent for the property concerned.

## **PART 2**

### **PROMOTION OF THE LICENSING OBJECTIVES**

#### **8.0 Overview**

8.1 This Part 2 sets out the Board's general approach to the promotion of the licensing objectives. In relation to each licensing objective the Board has set out the general policy it will pursue in seeking to promote that objective.

8.2 In respect of each licensing objective, the Board has:-

- defined its intended outcome; and
- listed factors which, in its view, have an impact on the achievement of that objective.

Because of the wide variety of premises and activities to which this policy statement applies, these lists are not exhaustive. Applicants and licence holders will know their own premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and the licensable activities for which they are seeking, or have obtained, authorisation.

8.3 The Board considers that effective and responsible management of licensed premises is key to securing consistency with the licensing objectives. In respect of each licensing objective, the Board has specified a list of measures ("control measures") which it commends to applicants and licence holders as worthy of consideration in seeking to secure consistency with that objective.

These lists are intended to assist applicants and licence holders but, again, are not exhaustive. Some control measures apply to more than one licensing objective.

8.4 Additional measures may be necessary on an occasional or specific basis such as when a special event is planned which is intended to, or likely to, attract larger audiences or audiences of a different nature.

#### **9.0 Preventing Crime and Disorder**

9.1 In carrying out its functions under the Act the Board will have regard to the likely impact licensed premises may have on crime and disorder.

9.2 The Board supports a strategy aimed at making East Lothian a safe place to live in and visit. The Board is committed to further improving the quality of life of people in East Lothian by playing its part in ensuring that licensed premises are run in such a way as not to contribute to crime and disorder.

9.3 Applicants and licence holders should be able to demonstrate that all factors which impact on crime and disorder have been considered. These include:-

- underage drinking, including agency purchases
- drunkenness on or around the premises

- illegal possession and/or use of drugs
- violent behaviour/public disorder
- antisocial behaviour
- drink driving
- litter

9.4 Suggested control measures include:-

- appropriate instruction, training and supervision of staff to include conflict management and preventing crime and disorder
- acceptance of accredited proof of age card schemes
- provision of effective CCTV in and around the premises
- security policies and regular toilet checks
- employment, when necessary, of Security Industry Authority licensed door staff
- proper management of people entering and leaving the premises
- active membership of Pubwatch or a similar scheme
- provision of litter bins and lighting outside the premises
- prominent display of material discouraging drink driving
- promoting awareness of schemes such as the designated driver scheme
- choice of size of glasses, particularly for wine

## 10.0 Securing Public Safety

10.1 The Board is committed to ensuring that the safety of any person visiting, or working in, or in the vicinity of, licensed premises is not compromised.

10.2 Applicants and licence holders should be able to demonstrate that all factors which impact on public safety have been considered. These may include:-

- the occupancy capacity of the premises
- the design and layout of the premises, including means of escape
- the nature of the activities on the premises
- the hours of operation
- customer profile (e.g. age, disability)

### 10.3 Suggested control measures include:-

- carrying out risk assessments
- provision of effective CCTV in and around the premises
- active membership of Pubwatch or a similar scheme
- employment of adequate numbers of suitably trained staff
- appropriate first aid facilities
- proof of regular testing and, where appropriate, certification of procedures, appliances and safety systems
- employment, when necessary, of Security Industry Authority licensed door staff

## 11.0 Preventing Public Nuisance

11.1 The Board believes that licensed premises can potentially have an adverse impact on communities as a result of public nuisance arising from their operation. The Board aims to protect and maintain the amenity of residents and occupiers of other business premises from any adverse consequences of the operation of licensed premises whilst also recognising the valuable cultural, social and business importance that such premises provide.

11.2 Although interpretation is ultimately a matter for the courts, the Board intends to interpret “public nuisance” widely to include such issues as noise, light, odour, litter and antisocial behaviour where these impact on the local community.

11.3 Applicants and licence holders should be able to demonstrate that all factors which might contribute to public nuisance have been considered. These include:-

- the location of the premises and the type of neighbouring premises
- the hours of opening
- the nature of the activities to be provided on the premises
- the occupancy capacity of the premises

11.4 Suggested control measures include:-

- appropriate instruction, training and supervision of staff to prevent incidents of public nuisance
- proper management of people entering and leaving the premises
- installation of sound proofing and sound limiting devices
- sound tests for equipment used in providing live or amplified music

- liaison with public transport providers
- effective ventilation systems to prevent nuisance from odour
- active membership of Pubwatch or a similar scheme
- provision of effective CCTV in and around the premises
- employment, when necessary, of Security Industry Authority licensed door staff
- management arrangements for the collection and disposal of waste and empty bottles

## **12.0 Protecting and Improving Public Health**

12.1 The Board wishes to see responsibly managed licensed premises thriving in East Lothian but not at the expense of patrons' health and wellbeing.

One of the Board's priorities will therefore be the protection and improvement of the health and wellbeing of patrons of licensed premises. The Board will have regard to the views of any other bodies responsible for, or having an interest in, public health.

12.2 Applicants and licence holders should be able to demonstrate the measures which will be, or have been, put in place to protect public health.

12.3 Suggested control measures include:-

- displaying material discouraging drink driving
- making available information promoting moderate drinking along with awareness of units of alcohol and recommended guidelines
- having a workplace alcohol policy in order to raise awareness, minimise harm and ensure that staff are able to access help (without fear of job loss) when an alcohol related problem arises
- ensuring that customers are aware of choice in relation to alcohol measures, especially in the case of wine, e.g. small. medium and large glasses should be available
- ensuring that customers are aware of choice in relation to the strength of alcohol in drinks such as wine and beer
- availability of low alcohol alternatives
- providing contact details where assistance for alcohol related problems may be sought
- having in place a policy/practice to deal with patrons who have consumed excessive alcohol

12.4 Licence holders should have a clear understanding of the offences in connection with the sale of alcohol to a person who appears drunk and allowing drunkenness



on the premises

### **13.0 Protecting Children from Harm**

13.1 The Board wishes to see family friendly premises thriving in East Lothian. It will welcome premises licence applications from those who wish to operate licensed premises which accommodate children. The Board recognises that additional responsibilities will be placed on such applicants whilst at the same time recognising that parents and other adults accompanying children also have responsibilities. In determining any such application the need to protect children from harm will be a major consideration and the Board therefore wishes to ensure that such premises are run in a way that is suitable for children.

13.2 The Board also takes very seriously the issue of underage drinking and wishes to remind licence holders that they and their staff must comply with all legislation in relation to children and young persons, including not selling, or allowing the sale of, alcohol to children and young persons.

13.3 Applicants and licence holders should therefore be able to demonstrate the measures which will be, or have been, put in place to protect children and young persons from harm.

13.4 Suggested control measures include

- appropriate instruction, training and supervision of staff
- appropriate measures to ensure that children and young persons do not purchase or consume alcohol on the premises (unless such consumption is permitted by a young person in terms of section 105(5) of the Act)
- appropriate checks for staff who will be working in premises where children and young persons will be present
- acceptance of accredited proof of age card schemes
- measures to ensure that children are not exposed to strong language, violence or disorder

It should be noted that the Board have imposed a Local Condition that in the interests of public safety, children must be excluded from an area of 1.5 metres from any bar servery in the premises.

## **PART 3**

### **LICENSED HOURS**

#### **14.0 Off Sales**

14.1 In terms of the Act, the sale of alcohol for consumption off the premises is not permitted before 10.00 am and after 10.00 pm. The Board's general policy is that licensed hours of 10.00 am to 10.00 pm each day are appropriate for off sales. Each off sales application will be assessed on its own merits against these licensed hours and the Board will wish to ensure that the licensing objectives are being promoted in such applications.

#### **15.0 On Sales**

15.1 For applications relating to premises licences and occasional licences, the Board's general policy on the licensed hours for the sale of alcohol for consumption on the premises is:-

11.00 am to 11.00 pm Monday to Wednesday (inclusive)

11.00 am to 1.00 am Thursday to Saturday (inclusive)

11.00 am to 12.00 midnight on Sunday

15.2 In formulating the on sale policy hours, the Board has taken account of the licensing objectives, Scottish Government Guidance under the Act and the provisions of the Act itself. The Board recognises that licensing hours are important to individual licensed premises but can have a wider impact for an area. Balanced against this, the Board does not wish to unnecessarily inhibit the development of thriving and safe evening and night time local economies which are important for investment, employment and tourism. The Board considers that the on sale policy hours are appropriate for East Lothian and represent a balance between the interests of the public, residents, licensed businesses and patrons of licensed premises.

15.3 Each application for a premises licence will be assessed on its own merits against the on sale policy hours appropriate to the type of activity for which a licence is being sought. Where an application is received requesting licensed hours exceeding 14 hours, the Board will require further information for the consideration of such applications and the Board will take into account the effect granting such a licence will have on the area.

15.4 Should an application be received in respect of opening earlier than 11am, the Board will expect the applicant to justify their request and demonstrate measures that promote the five licensing objectives.

15.5 Licence applicants seeking licensed hours which extend after 1.00 am should note that mandatory conditions will be imposed on the licence. These mandatory conditions are set out in regulations under the Act

15.6 The Board has an existing practice of permitting long licensed hours over the Christmas/New Year festive period. The Board will make an annual announcement, if it decides to do so, with any longer licensing hours they have agreed to permit to on-sales only. This will be announced publically at the meeting of the Board held in October of each year and advertised on the Licensing section of East Lothian Council website.

## **16.0 Extended Hours Applications**

16.1 The Board may extend the licensing hours in respect of premises by a period not exceeding one month. The Board may do so in connection with:-

- a special event or occasion to be catered for on the premises; or
- a special event of local or national significance.

16.2 Each extended hours application will be assessed on its own merits. When the extended hours sought in respect of on sale premises fall outwith the on sale policy hours appropriate to the applicant premises, the applicant will require to demonstrate to the Board that there are good reasons for the hours sought and that the hours are appropriate in the circumstances. The applicant will require to provide the Board with sufficient information to enable a decision to be made in this regard. This information will include:-

- the hours sought;
- a description of the special event or occasion;
- the proposed activities to take place during these hours;
- when each activity will take place;
- why the event or occasion is considered to be special;
- why the event or occasion cannot take place within the on sale policy hours appropriate to the applicant premises.

## **PART 4**

### **OVERPROVISION**

17.1 Section 7 of the Act requires each Licensing Board's Statement of Policy to include a statement as to the extent to which the Board considers there to be overprovision of licensed premises or licensed premises of a particular description in any locality within the Board's area.

The Board, having considered data regarding rates of alcohol related police incidents, alcohol related hospital admissions and information regarding the number, type and capacity of licensed premises in all areas of East Lothian, and having regard to the evidence of a correlation between the density of outlets and alcohol related problems, is of the view that there is overprovision of licensed premises in certain localities within East Lothian.

The localities concerned are as follows:

- Prestonpans (postcode areas EH.....)
- Whitecraig and Wallyford (postcode area EH....)

These localities have rates of alcohol related hospital admissions per 10,000 population that are above the average rate for Scotland and rates of alcohol related police incidents that are above the average rates for East Lothian. In addition, they currently have, or the Board considers that people living in these areas have easy access to, more licensed premises (a combination of on sales and off sales premises) than the average for a locality in East Lothian. Taking account of all these factors, the Board considers that the health and police statistics, combined with local knowledge about patterns of alcohol purchase and consumption combine to justify the decision to declare that there is overprovision in these localities. Accordingly, any application for a new premises licence or an increase in capacity of an existing licence within these localities will *prima facie* fall to be refused in terms of Sections 23(5)(e) and 30(5)(d) respectively.

17.2 In addition the Board has concerns about the level of provision in the following localities:

- Dunbar (postcode areas EH.....)
- Haddington (postcode areas EH.....)
- Musselburgh (postcode areas EH.....)

These localities have relatively high rates of alcohol related hospital admissions per 10,000 population and of alcohol related police incidents when compared to other areas within East Lothian. They also have, or the Board considers that people living in these areas have easy access to, more licensed premises (a combination of on sales and off sales premises) than the average for a locality in East Lothian. Taking all these factors in to account, the Board considers that there should be a rebuttable presumption against the grant of an application for a new premises licence or the increase in capacity of an existing premises licence within these localities.

17.3 Each application still requires to be determined on its own merits and there may be exceptional cases where an applicant can demonstrate that the grant of an application or the variation of an existing licence to increase capacity within one of these localities would not undermine the licensing objectives. The Board will expect applicants to provide robust and reliable evidence to support their application sufficient to demonstrate that the grant of their application would outweigh the presumption against grant in terms of this Overprovision Statement. The Board would expect to be addressed on each of the Licensing Objectives.

If an existing licence in any of the relevant localities ceases to be in force, this will not necessarily mean that there is capacity for a new licence in that locality. The localities identified are currently subject to overprovision and this may continue to be the case should a number of existing licences cease to be in force. Each application will be considered in the context of the statistics available to the Board at the time of the application.

**PART 5**  
**MISCELLANEOUS**

**18.0 Board Business**

- 18.1 The Board will deal with its business in an open and transparent manner. Information and assistance will be made available to persons wishing to apply for a licence, make representations or lodge objections. Whilst Board staff will give advice, it should be understood that they will not complete applications or operating plans.
- 18.2 The Board is aware of the need to ensure that the licensing process is accessible to all. Assistance will therefore be available on request for those who require special arrangements to access any part of the process.
- 18.3 The Board will generally meet in the The Salitre Rooms, 1<sup>st</sup> Floor John Muir House, Haddington. In terms of Schedule 1 to the Act, Board meetings will be held in public
- 18.4 Where a hearing is to take place, the Board will attempt to make the process as informal as possible consistent with the carrying out of the Board's quasi judicial function.
- 18.5 The Board's aim is to provide a speedy, efficient and cost effective service to all parties involved in the licensing process. To this end, the Board has adopted a scheme of delegation to ensure that decisions are made in a manner which fulfils this aim. The scheme sets out decisions which may be made by the Clerk of the Board and other specified Board officers and is set out in Appendix 4 to this policy statement.

**19.0 Licensing Standards Officers**

- 19.1 A licensing standards officer is employed by East Lothian Council to exercise the functions set out in the Act. His role will involve guidance, mediation and compliance. He will work with the public and licensees in the promotion of the licensing objectives and in ensuring compliance with the Act. The Board recognises that the licensing standards officer plays a key role in the licensing regime.
- 19.2 Whilst the licensing standards officer is not in a position to give legal advice or make applications or objections on behalf of any party, he will be expected to advise both licence holders and the public on their rights and responsibilities.
- 19.3 The licensing standards officer's resources will be targeted at high risk premises and activities which require greater attention. A lighter touch will be employed in respect of low risk premises which are well operated.
- 19.4 The licensing standards officer will be a member of East Lothian Licensing Forum.

## **20.0 Members Clubs**

20.1 The Board has agreed to attach 2 local conditions to the premises licence for a members club. These are as follows:

- The Police & Licensing Board to be notified of any change in office bearers within 14 days of such change.
- No more than 6 guests may be signed in by any one member

## **21.0 Excluded Premises**

21.1 The Act states that an application for a premises licence must be refused if the subject premises are 'excluded premises'. Excluded premises are defined as motorway service stations and, with certain qualifications, garage premises.

21.2 Garage premises are not excluded if the applicant can demonstrate that the local residents in the locality are reliant to a significant extent for the premises to be a principle source of petrol or are used for the retail of groceries.

## **22.0 Outdoor Areas**

22.1 Where an applicant proposes providing seating, tables or other facilities in any outdoor area (whether covered or not), the Board will assess the suitability of such area having regard to the licensing objectives, particularly those relating to preventing crime and disorder and preventing public nuisance. The Board reiterates that it considers effective and responsible management to be key in ensuring that such areas operate in a manner consistent with the licensing objectives.

22.2 In each individual case where an outdoor area is proposed, the Board will consider whether there should be a physical demarcation of the area, unless such demarcation already exists.

22.3 The Board's general policy is that there shall be no consumption of alcohol in any outdoor area after 10.00 pm on any day. As narrated elsewhere in this policy statement, every application will be considered on its own merits.

22.4 Licensing Law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals once they are no longer on the licensed premises and beyond the direct control of the individuals, club or business holding the licence, certificate or authorisation concerned.

## **23.0 Smoking**

- 23.1 The Board welcomes the legislation prohibiting smoking in enclosed public places. Licence holders have been effective in ensuring that patrons do not smoke within their premises. However, at times other issues can arise in the area around licensed premises such as noise nuisance, litter, disorder and smoke drift into neighbouring residences or back into the licensed premises.
- 23.2 The Board expects licence holders to have regard to good practice to ensure that patrons do not create a nuisance or disturbance for neighbouring residents. This includes noise arising as a result of patrons smoking outside the premises, smoke drift and litter becoming a nuisance to members of the public and obstructions that may be caused as a result of patrons standing in public areas.



# APPENDIX 1

## MAP OF EAST LOTHIAN LOCAL AUTHORITY AREA



## **APPENDIX 2**

### **LIST OF CONSULTEES**

East Lothian Local Licensing Forum

The Licensing Standards Officer

East Lothian Council in respect of planning, building standards and environmental health

Community Councils

Police Scotland

Scottish Fire & Rescue Service

Scottish Beer & Pub Association

Parent Councils throughout East Lothian

NHS Lothian

East Lothian Tenants and Residents Panel

MELDAP

ELVON

The public generally through East Lothian Council's website

## **APPENDIX 3**

### **SCHEME OF DELEGATION**

#### **1.0 INTRODUCTION**

- 1.1 This scheme of delegation sets out the powers under the Licensing (Scotland) Act 2005 delegated by East Lothian Licensing Board to the Clerk and Depute Clerk.
- 1.2 In any particular case where powers are delegated to an officer under this scheme of delegation, if it appears to them that it is appropriate for the power to be exercised by the Board itself then they shall be entitled to refer the case to the Board for the exercise of the power.

#### **2.0 POWERS DELEGATED UNDER THE LICENSING (SCOTLAND) ACT 2005**

- 2.1 The following powers are delegated to and exercisable by the Clerk or Depute Clerk:-
- Determining a premises licence variation application where the variation sought is a minor variation.
  - Determining an application for the transfer of a premises licence where the applicant has not been convicted of a relevant offence or a foreign offence.
  - Determining a personal licence application or a personal licence renewal application where the applicant has not been convicted of a relevant offence or a foreign offence.
  - Granting an application for confirmation of a provisional premises licence with no variation of licence conditions.
  - Determining an application for extended hours where no competent objections or representations are received or where such objections or representations have been withdrawn following discussion between the applicant and the party making the objection or representation.
  - Determining an application for an occasional licence where no competent objections or representations are received or where such objections or representations have been withdrawn following discussion between the applicant and the party making the objection or representation.
  - Determining an application for a variation of a premises licence under section 54(6) – no longer any premises manager specified in the licence.
  - Deciding whether or not to accept an application for a Review of a Premises Licence, in conjunction with two members.



**Alcohol related hospital admissions and number of licences and rates  
per 10,000 population (18+) for intermediate geographies in East Lothian<sup>1</sup>**

**2b**

Intermediate Geography Name	Alcohol Hospital Admission Rates: 2007-9		Licensing Information							
	Number	Rate <sup>2</sup>	Off Sales		On and Off Sales		On Sales		Total	
			Licenses	Rate	Licenses	Rate	Licenses	Rate	Licenses	Rate
Aberlady	111	53.6	6	13.4	9	20.1	3	6.7	18	40.1
Cockenzie and Port Seton	179	84.4	3	5.6	7	13.1	1	1.9	11	20.6
Dirleton	104	62.6	3	9.1	9	27.2	3	9.1	15	45.3
East Dunbar	96	85.4	4	12.9	9	29.0	7	22.5	20	61.2
East Elphinstone & Ormiston	79	75.0	4	15.7	3	11.8	1	3.9	8	31.4
East Linton	157	71.9	9	17.8	7	13.8	4	7.9	20	35.5
East Prestonpans	163	105.4	4	9.8	2	4.9	-	-	6	14.7
Fisherrow	176	101.0	4	9.6	15	35.9	9	21.6	28	67.1
Gifford & Rural South East Lothian	113	55.4	2	4.4	8	17.8	2	4.4	12	26.6
Haddington East	142	88.5	6	14.9	15	37.1	4	9.9	25	61.9
Haddington West	103	77.9	3	9.1	-	-	-	-	3	6.1
Inveresk	126	80.1	3	7.9	2	5.3	4	10.5	9	23.7
Kingston	87	67.4	4	13.3	3	10.0	1	3.3	8	26.5
Levenhall & Rigley Hill	113	98.8	1	2.8	3	8.3	2	5.5	6	16.5
Musselburgh	130	97.7	3	9.9	3	9.9	1	3.3	7	23.2
Musselburgh West	78	71.5	4	15.8	2	7.9	1	3.9	7	27.6
North Berwick	84	61.4	5	18.6	10	37.2	17	63.2	32	107.9
Tranent	159	92.0	3	7.1	6	14.2	1	2.4	10	26.0
Wallyford & Whitecraig	188	122.3	4	9.1	5	11.4	2	4.6	11	25.2
West Dunbar	96	86.8	3	11.5	4	15.3	5	19.2	12	46.0
West Elphinstone	151	107.3	4	9.4	3	7.0	3	7.0	10	23.4
West Prestonpans	110	122.1	5	23.3	4	18.6	3	14.0	12	55.8
<b>East Lothian</b>	<b>2,745</b>	<b>83.0</b>	<b>87</b>	<b>10.8</b>	<b>129</b>	<b>16.1</b>	<b>74</b>	<b>9.2</b>	<b>290</b>	<b>36.1</b>

<sup>1</sup> Source: GRO Scotland and Health & Well Being Profiles, ScotPHO (2010)

<sup>2</sup> Alcohol Hospital Admission rates are age-sex standardised per 10,000 population

### **Possible points to note:**

- It is worth noting that Scotland's alcohol related hospital admission rate is 108.8 per 10,000 so that means that about 5 areas in East Lothian are on or above the Scottish rate which is not a good rate to be on or indeed above.
- Wallyford & Whitecraig, West Elphinstone, Prestonpans (East & West) and Fisherrow all have considerably higher than average rates of alcohol related hospital admissions. Hospital admissions correlate roughly with areas of greatest deprivation.
- Prestonpans West has more than twice the rate of Off Sales licences than the average for East Lothian. Off sales seem quite evenly spread although they are highest in Prestonpans West.
- Fisherrow and Haddington East have more than twice the rate of combined On & Off Sales licences than the East Lothian average.
- Fisherrow, East Dunbar and North Berwick more than twice the rate of On Sales licences than East Lothian as a whole
- Fisherrow, Haddington East and East Dunbar have almost twice the rate of licences overall than the East Lothian average while North Berwick has almost three times the East Lothian average of licensed premises. At 107.9 this is equivalent to a licensed outlet for every 100 adults over the age of 18. These high numbers may be due to high numbers of hotels, restaurants and golf clubs.

**John Boyce**  
**Public Health Practitioner**  
East Lothian Community Health  
Partnership

**Jim Sherval**  
**Public Health Specialist**  
Public Health  
NHS Lothian

**Rebecca Kaye**  
**Statistician**  
Health Intelligence Unit  
NHS Lothian

August 2012

## 2c

Town	Area	Beat	Total Incidents	Total Alcohol Related Incidents	% of Incidents that are alcohol related
Haddington	Haddington	HD01	2421	142	5.87
	Haddington Landward	HD02	619	8	1.29
	Gifford	HD03	139	3	2.16
Dunbar	Dunbar	DB01	1482	82	5.53
	Dunbar Landward	DB02	423	7	1.65
	East Linton	DB03	213	3	1.41
North Berwick	North Berwick	NB01	1179	58	4.92
	North Berwick Landward	NB02	338	3	0.89
	Gullane	NB03	275	12	4.36
	Direlton	NB04	45	1	2.22
	Aberlady	NB05	98	2	2.04
Musselburgh	Musselburgh	MU01	2360	110	4.66
	Musselburgh Landward	MU02	1937	128	6.61
	Musselburgh Pinkie	MU03	742	34	4.58
	Whitecraig / Carberry	MU04	394	9	2.28
	Wallyford	MU05	551	31	5.63
Prestonpans	Prestonpans	PP01	2157	113	5.24
	Cockenzie / Port Seton	PP02	811	26	3.21
	Seton Sands	PP03	126	9	7.14
	Longniddry	PP04	189	4	2.12
Tranent	Tranent	TR01	2561	108	4.22

<b>Town</b>	<b>Area</b>	<b>Beat</b>	<b>Total Incidents</b>	<b>Total Alcohol Related Incidents</b>	<b>% of Incidents that are alcohol related</b>
	Elphinstone	TR02	594	14	2.36
	Macmerry	TR03	206	9	4.37
	Ormiston	TR04	252	12	4.76
	Pencaitland	TR05	61	1	1.64
<b>TOTAL FOR EAST LOTHIAN</b>			<b>20173</b>	<b>929</b>	<b>4.61</b>



# Consultation on Licensing Policy

## Background

The Licensing (Scotland) Act 2005 makes provision for regulating the sale of alcohol and for regulating licensed premises and other premises where alcohol is sold.

Scottish Licensing Boards are required to publish a statement of their policy with respect to carrying out their functions under the Act every 3 years.

The East Lothian Licensing Board has produced a Draft Statement of Licensing Policy for 2013-2016 and is keen to gather feedback from all interested parties.

2d

### Are you responding as an individual or as a representative of an organisation?

- Individual
- Representative of an organisation

If you are responding as a representative of an organisation, please tell us which one

## Opening Hours

The Draft Statement of Licensing Policy identifies the Board's general policy on licensing hours:

OFF SALES - (covering the sale of alcohol which is consumed off the premises) - sales permitted between 10am and 10pm.

ON SALES - (covering the sale of alcohol which is consumed on the premises) - sales permitted as follows:

- \* 11.00am to 11.00pm Monday to Wednesday (inclusive)
- \* 11.00am to 1.00am Thursday to Saturday (inclusive)
- \* 11.00am to 12.00 midnight on a Sunday

### Do you think the licensing hours for OFF SALES are reasonable?

- Yes
- No
- Don't know / not sure

Please explain your answer

## Consultation on Licensing Policy

### Do you think the licensing hours for ON SALES are reasonable?

- Yes
- No
- Don't know / not sure

Please explain your answer

## Overprovision

Licensing Boards are required to include a statement on the extent to which they think there is overprovision of licensed premises within their areas.

The East Lothian Licensing Board produced a statement taking into account data on rates of alcohol related police incidents, alcohol related hospital admissions and the number, type and capacity of licensed premises in the area.

Based on this, the Board concluded that there is overprovision in the following areas and, as a result, would reject any new license application or any application to increase the capacity of an existing license:

- \* Prestonpans
- \* Whitecraig and Wallyford

The Board is also concerned about overprovision in a further three areas and would be unlikely to grant new licenses or increase the capacity of an existing license:

- \* Dunbar
- \* Haddington
- \* Musselburgh

### As noted above, the Board carried out an analysis of statistics to identify where there is currently overprovision in East Lothian. Do you agree with the approach taken?

- Yes
- No
- Don't know / not sure

If 'no', what alternative approach would you suggest?

## Consultation on Licensing Policy

**Do you agree it is reasonable to reject any new license applications in the following areas?**

	Yes	No	Don't know / not sure
Prestonpans	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Whitecraig and Wallyford	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your answer

**Do you agree that there should be a presumption against new license being granted in the following areas?**

	Yes	No	Don't know / not sure
Dunbar	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Haddington	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Musselburgh	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your answer

## Other Comments

**Is there anything not covered in the Draft Statement of Licensing Policy that you think should be?**

- Yes  
 No

If 'yes', please give details

**Please use the box below to share any other comments you may have in relation to the Draft Statement of Licensing Policy**

**Thank You**

Many thanks for taking the time to provide feedback.

## EAST LOTHIAN LOCAL LICENSING FORUM

Meeting to be held on 3<sup>rd</sup> September 2013

2e

### THE LICENSING BOARD'S DRAFT STATEMENT OF LICENSING POLICY 2013-2016

(Discussion paper by the Secretary)

1. Introduction This paper merely tries to indicate some of the key areas for discussion. It raises a number of questions but it is for the Forum to decide whether there are satisfactory answers and also which topics to cover in its formal response.
2. Documentation The four documents referred to below can be accessed via the link included in Fiona Currie's email to Forum members of 27<sup>th</sup> June 2013. They are being circulated in paper form prior to the September meeting, along with this discussion paper.
3. General content of the proposals The draft policy statement is much shorter than the current (2010-2013) version. This has been achieved by excluding large sections relating to licences and licence applications, especially premises licences and occasional licences (see below).
4. Licensed hours This is one of the two areas singled out for detailed response in the Licensing Board's questionnaire, although comments are also invited on other matters. The new proposals are set out in Section 15.0 and members might consider that the 'general policy' for on-sales hours listed in Section 15.1 reflects much more closely the current situation than the previous 'guideline terminal hour' of 11pm for every day.

For off-sales, the proposed wording is similar to the previous version except that the words 'the available' have been excluded (from the beginning of line 3 of new Section 14.1). Members might feel that the inclusion of these words would give a more accurate reflection of the Board's policy.

Members might also wish to consider whether the deletion of the previous section entitled 'Lack of Demand and Duty to Trade' is a good idea? This section seemed to give useful guidance on a difficult issue which can be of particular relevance to rural premises.

5. Overprovision The new Sections 17.1 to 17.3 (not numbered consistently with the rest of the document and not listed in the Index) represent a dramatic change from the previous policy, which stated simply: "The Board have concluded that currently there is no overprovision of licensed premises or licensed premises of a particular description in any locality within the Board's area".

In the proposed policy, new premises licences (or any increase in capacity of an existing licence) in Whitecraig/Wallyford and Prestonpans will be automatically refused. In three further areas, Dunbar, Haddington and Musselburgh there will be a 'rebuttal presumption'. At the forum's last meeting it was explained that this would require an applicant to demonstrate their proposals met the five licensing objectives before the Board would even consider them.

Note that the above policies seem on paper to be qualified by the statement in Section 17.3 that application will still be considered 'on their merits' but it is unclear whether this will allow the Board to overturn the stringent rules described above.

How has this change in the Board's view come about? The Board has taken the advice of Alcohol Focus Scotland and others by moving towards an 'Evidence-based Overprovision Policy'. Hence the two tables of statistics included along with the other paperwork.

The Forum has already considered the table on alcohol-related hospital admissions and numbers of licences at previous meetings. Certain curiosities were noted, such as the apparent exclusion of Gullane (which has at least 11 licensed premises) from the figures. Observe also that in the note on page two of the 'Health' paper the authors comment that the five areas with the highest hospital admission rates are 'the areas with the greatest deprivation'. Incidentally, these areas only contain five or six pubs in total!

6. Overprovision – questions In relation to the Overprovision proposals, here are some issues which the Forum may wish to consider prior to formulating its response to the very detailed questions on this subject in the questionnaire:

- i In the 'Health' paper, is it satisfactory that the 'hospital admissions' data virtually pre-date the current licensing regime (the 2005 Act having been implemented from 1<sup>st</sup> September 2009)?

- ii In the 'Health' paper, what is the date of the data on numbers of licences?
- iii In the 'Police' paper, what is the definition of 'incident'?
- iv In the 'Police' paper, what is the date of the figures given? (one assumes that they are for 2007-2009 to be consistent with the hospital admission figures).
- v In both papers, what are the postcodes covered by each geographical area and how, if at all, will they match the postcodes yet to be inserted in new Sections 17.1 and 17.2?
- vi The overall rate of alcohol-related police incidents in Whitcraig and Wallyford is not above the average for East Lothian as stated in Section 17.1. The overall rate for these areas is 4.23% (40 out of 945), which is below the East Lothian average.
- vii Other factors which the Board state that they have taken into account include the following:
  - "Having more licensed premises than the average for a locality in East Lothian" (17.1 and 17.2)
  - "Having *easy access to* (my emphasis) more licensed premises than the average for a locality in East Lothian" (17.1 and 17.2)
  - "Local knowledge about patterns of alcohol purchase and consumption" (17.1)
  - The type *and capacity* (my emphasis) of licensed premises in all areas of East Lothian (17.1)

However, the second, third and fourth of the above are not fully, or even partially, quantified. Moreover Wallyford and Whitecraig, for example, have only 70% of the average East Lothian rate of licensed premises per 10,000 population.

- 7. Overprovision – practical issues From the Board's point of view, any move towards this kind of Overprovision policy has to be watertight so that challenges from potential licence holders can be defended. The Forum will wish to consider whether that is the case based on their analysis of the papers and the questions raised above.

Should there be exclusions for proposals having a measurable economic benefit? Even the architects of a strict overprovision policy, West Dunbartonshire Licensing Board, have recently approved a new Wetherspoon premises in Dumbarton because of the job creation offered, although the area was said to be formally overprovided.

More locally, in Whitecraig it was reported recently in the 'Courier' that the new owner of the Mercat Grill (previously the Dolphin Inn) wishes to embark on a 5-year expansion and modernization plan, creating up to 15 jobs. This would be after the completion of the current upgrading. If the proposed Board policy is in place (with no flexibility for economic benefit) then the necessary applications for increased capacity will have to be refused.

8. Other issues The exclusion of the current section on *Occasional Licences* means that there is no longer any clear statement by the Board about the minimum 42-day notice period, the maximum 14-day length of such licence, multiple applications, what can happen if late applications are made, etc. Given the fact that those applying for such licences may not be part of the current licensing regime (they can be representatives of voluntary organizations) is this an area that could still be usefully included?

The exclusion of the current section on *Management of Licensed Premises* means that there is no longer a statement that the 'best practice' approach is to ensure that, where possible, a personal licence holder is present on the premises to authorise the sale of alcohol during licensed hours. At a time when personal licence accreditation is already under pressure (because of the likely cost of refresher training) is this a retrograde step? It has always been the understanding in the trade that if something bad happened in a licensed premises and this 'best practice' was not being followed then the Board would view the matter very unfavourably.

The references to Pubwatch membership have now been strengthened to refer to 'active participation' in Sections 9.4, 10.2 and 11.4, which should be commended.

Sections 9.4 and 12.3 refer to the need to offer different sizes of glasses of wine. Would it not be better to refer to different *measures*? Many establishments offer up to three sizes of measure for wine but use only one or two actual glass sizes.

Section 22.0 on Licensing Standards Officers should perhaps be re-written in gender-neutral language.



There are some minor typos eg the misspelling of 'Saltire' in Section 21.3 and the reference to the wrong Appendix number in Section 21.5.

The *population* of East Lothian was 98,170 in 2011 according to the GRO, not 82,000 as stated in Section 2.2.

9. The Forum is invited to formulate its response based on the above observations and members' own views.

**Pat Hanson**

Secretary, East Lothian Local Licensing Forum



## Research

[Combination of smoking and heavy drinking 'speeds up cognitive decline'](#)

[Evaluation of the delivery of a text message alcohol brief intervention](#)

### PhD Research Appeal

PhD research into the impact of partners' alcohol problems on women's future wellbeing. Please share the [survey](#) with female service users. For more information email [Sarah Breslin](#)

## Events

**Exploring challenges to the alcohol and drugs agenda in Glasgow: workshop**

4 September, Glasgow  
[More info](#)

**National Licensing Conference**

9 September, Glasgow  
Places still available - [book now](#)

**The Recovery Summit**

Scotland's Road to Recover from Drug and Alcohol Addiction  
18 October 2013, Glasgow  
[More info](#)

**Alcohol Focus Scotland AGM**

10.30am, 18 September, Glasgow  
Please contact [Vickie Longmuir](#) if you would like to attend.

## Resources

[YPAAD app](#)

New smartphone app for 11-16 year olds affected by someone

## Alcohol Policy



**Scotland pressing ahead with minimum pricing**  
Health Secretary Alex Neil has [stated](#) again that the Scottish Government is fully committed to implementing minimum pricing. He said they are confident that it complies with EU law and it is completely justified on public health and social grounds, adding: "We believe minimum pricing is the best way to address the availability of high strength low-cost alcohol." The UK Government announced earlier this month that it would not be proceeding with minimum pricing at the moment, and instead plans to introduce a ban on below cost selling, a measure that will have negligible effect.

**Dismay at decision to shelve minimum pricing in England and Wales**

In a [letter](#) to the Guardian, the Alcohol Health Alliance UK said the decision concluded a disastrous few days for public health. The Alliance said the government had turned its back on the key measure that would help us get a grip on our unhealthy relationship with alcohol, and shown that the commercial interests of the alcohol industry come first.

**More women in their 30s and 40s dying because of alcohol**

[Research](#) from the Glasgow Centre for Population Health's three cities programme looks at trends in alcohol-related deaths from the 1980s to 2011 in Glasgow relative to Liverpool and Manchester. Deaths were significantly higher in Glasgow across the whole period. A particularly worrying trend was identified among young women born in the 1970s. Alcohol-related mortality in this group has been increasing at a much faster rate than for men.

**Channel 4 rapped for airing alcohol ads when kids likely to be watching**

The Advertising Standards Authority has criticised broadcasters for running alcohol adverts during programmes likely to appeal to children, such as The Big Bang Theory and How I Met Your Mother. Other broadcasters including Discovery and Comedy Central have also fallen foul of rules on alcohol advertising to children. According to Ofcom's rules alcohol ads are not allowed to be shown in programmes which attract an audience of 10 to 15 year olds that is 20% or more above the norm. [Read more](#)

**Alcohol syndrome babies slip through safety net**

A [report](#) in the Scotsman suggests that more than 100 children a year could be born with foetal alcohol syndrome, the most severe form of disability caused by alcohol use among pregnant women. However, a monitoring programme has received just 37 confirmed reports of the disorder in three and a half years. Experts said lack of awareness and low rates of diagnosis meant children were missing out on special care to deal with their disabilities.

**Young people buying alcohol from online retailers**

A new report by Alcohol Concern Wales warns that significant numbers of young people in Wales are turning to online supermarket grocery services to buy alcohol. The report, [On your doorstep](#), highlights the findings from a Wales-wide survey of teenagers aged between 14 and 17. 15% of the respondents who had previously bought or attempted to buy alcohol for themselves or someone else, had successfully purchased alcohol via the internet. The majority of young people said it was easy to do and an effective way to bypass age verification checks.

**Label calories on alcohol, says MEP**

Glenis Willmott MEP has called for European rules on food labelling to be extended to alcoholic drinks. Under a new EU law coming into force next year, all food and non-alcoholic drinks must label ingredients and basic nutritional information. Ms Willmott supported the inclusion of alcohol in the labelling requirements of the 2011 [Food Information Regulation](#) but the alcohol industry successfully lobbied for their products to be excluded from the rules.



**Binge drinking health reporter's year off booze**

Booze had dominated journalist Jill Stark's social life ever since she had her first sip of beer, at 13. She thought nothing would curb her love of big nights. And then came the hangover that changed everything. In the shadow of her 35th year, Jill made a decision: she would give up alcohol. But what would it mean to stop drinking in a world awash with booze? [High Sobriety](#) charts Jill's year on the wagon.

else's drinking

**Institute of  
Alcohol Studies**  
IAS has a new  
[website](#) and can be  
followed on Twitter  
[@InstAlcStud](#)

**New website for  
[North Ayrshire ADP](#)**

Alcohol Focus Scotland, 166 Buchanan St, Glasgow G1 2LW  
Tel: 0141 572 6700  
Email: [enquiries@alcohol-focus-scotland.org.uk](mailto:enquiries@alcohol-focus-scotland.org.uk)  
[www.alcohol-focus-scotland.org.uk](http://www.alcohol-focus-scotland.org.uk)  
Twitter [@alcoholfocus](#)

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