



MINUTES OF THE MEETING OF THE EAST LoTHIAN LOCAL LICENSING FORUM

**WEDNESDAY 5 SEPTEMBER 2012
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

- Forum Members Present:** Stuart Baxter
Dave Dickson (Chair)
Bill Duncan
Richard Foley
David Forrest
Rudi Fruzynski
Jim Goodfellow (ex officio, Convenor of the Licensing Board)
Pat Hanson (Secretary)
Bernard Harkins
- Council Officials Present:** None
- Visitors Present:** There were no visitors present
- Apologies:** Richard Ross
Heather Bowsher
Simon Broadhurst
John Boyce

1. MINUTES OF THE MEETING HELD ON 6TH June 2012

The minutes of the Forum meeting held on 6th June 2012 were presented for approval.

Decision

The Forum agreed to approve the minutes, subject to the addition of David Forrest's name to those sending apologies.

2. LOCAL LICENSING FORUM CONSTITUTION REVIEW

Rudi Fruzynski introduced the paper which had been circulated and outlined the proposed changes to the Forum's Constitution. He drew particular attention to the section on Membership – there were well-known problems tracking members down and securing their attendance. Member would now be de-listed from membership if they did not attend three meetings without good reason. He described most of the other changes as 'tidying up'.

There was a further discussion about the number of members, email contact and potential future members. It was noted that there were new Community Council elections in October 2012. Other methods for increasing membership were also discussed.

Arising out of this discussion the relationship with the Licensing Board was also debated, including arrangements for the Annual Meeting with the Forum. It was understood that the Board now had a Policy Group, which was able to discuss issues wider than individual licence applications.

The Chair led members in thanking Rudi for the work he had put into the revised Constitution. Its adoption was proposed by the Secretary and seconded by Bernard Harkins.

Decisions

The Forum agreed:

- i. To adopt its revised Constitution, noting that it would be published on the Forum website and elsewhere;
- ii. That the Secretary should contact ELC officers to see what, if any, budget was available for a further trawl for Forum members, including advertisement, contact with premises licence holders, etc;
- iii. That the Secretary should contact the Clerk to the Licensing Board with a view to progressing the Annual Meeting between the Board and the Forum, as well as discussing the new Board Policy Group in relation to the possible involvement of the Forum Chair and Secretary.

3. ALCOHOL-RELATED HOSPITAL ADMISSIONS

The paper tabled at the end of the previous meeting and now re-circulated was introduced by Richard Foley and discussed. He pointed out that some further notes had been added to the paper by John Boyce.

Members noted that there were still questions about some of the rates quoted and, in particular, geographical issues such as the non-appearance of Gullane and Macmerry in the tables. Richard gave additional information about the definition of 'alcohol-related hospital admissions', which could include longer-term conditions.

The Secretary said that there were still clearly a number of issues relating to content, clarity and definitions and suggested that it should not be carried forward as an Agenda item in its current state.

Decision

The Forum agreed that, given the nature of the discussions as minuted, John Boyce should be asked to give an indication as to how he saw the way ahead for this paper.

4. POLICE REPORT

As there were no police representatives to report in person, Rudi Fruzynski commented on some points which had been passed on by Heather Bowsher.

There had been 59 incidents reported at on-sale and off-sale premises in August 2012. 39 occasional licences had been sought and approved and also some conversions to 'open' licences.

Operation 'Outline' had been targeted at Friday nights in Lothian and Borders and was designed to show that the police had a partnership approach to licensing. The LSO had also attended. There had been some issues with staff training but overall the experience had been very good. In answer to questions Rudi said that 'Outline' would probably carry on.

Operation 'Epsilon' involved test purchasing but no such purchases had taken place in the area in the last three months.

Finally, the Chief Constable's 2011/2 report to the Licensing Board had just been published.

Decision

The Forum agreed that the Chief Constable's report should be an Agenda item for the December meeting.

5. LICENSING STANDARDS OFFICER'S REPORT

Rudi Fruzynski reported orally on recent developments. 11 complaints about licensed premises, mostly about noise, had been received since the last meeting, although this may not be the final total. Such problems were given immediate attention before they escalated.

The Licensing Board had discussed a pub in Musselburgh where disturbances had taken place. Poor management practices had been identified and the licence suspended. The lease-holder had now changed. Three other reviews had also taken place. The Board was

looking into problems with signing-in policies at clubs. There had been some major variations of premises licence e.g. at Belhaven Fruit Farm.

Rudi also reported on a continuing trend for members' clubs to move towards 'open' licences. They would remain non-profit members' clubs but gain additional flexibility for functions etc and avoid the restrictions associated with series of occasional licences. Forum members discussed these developments and raised associated questions e.g. regarding rateable status. Rudi said that this was not a licensing issue and that the Rating Department had yet to issue any relevant guidance.

The Licensing Board was preparing to review its Statement of Licensing Policy. It would be useful if the Forum could start to consider its own views at the next meeting.

Finally, the Forum website was ongoing and there was a new link to Pubwatch schemes.

Alcohol Forum Scotland's eFocus newsletters would be circulated to members via the email list and could be discussed by Forum members when they met.

Members thanked Rudi Fruzynski for his detailed report.

Decision

The Forum agreed:

- i That the Secretary should seek out a contact in the Rating Department to establish what view, if any, they had on the rateable status of members' clubs acquiring an 'open' licence;
- ii That an Agenda item should be included for the next meeting on the forthcoming review of the Statement of Licensing Policy;
- iii That a standing Agenda item should be added for eFocus and other newsletters produced by Alcohol Focus Scotland and other relevant bodies, as circulated.

6. ANY OTHER BUSINESS

There being no further business the meeting was closed at 2035hrs following a vote of thanks to the Chair.