



MINUTES OF THE MEETING OF THE EAST LOTHIAN LOCAL LICENSING FORUM

**TUESDAY 3rd DECEMBER 2013
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Forum Members Present: David Dickson (Chair)
Pat Hanson (Secretary)
Kirsten Baird
David Forrest
Rudi Fruzynski
Oskar Grodnicki
Ian Mackay
Garry Naysmith
John Thayers

Council Officials Present: None

Licensing Board Members Present: Willie Innes

Visitors Present: None

Apologies: Heather Bowsher
Nico de Freitas
Jim Goodfellow
Bernard Harkins
Stuart Logan
Kirstie MacNeill

1. FORUM MEMBERSHIP

New members Kirsten Baird and Oskar Grodnicki (QMU) and Ian Mackay (Police Scotland) were welcomed to their first Forum meeting and introductions were made.

2. MINUTES OF THE MEETING HELD ON 3rd SEPTEMBER 2013

The minutes had been previously circulated and were proposed and seconded as a correct record.

Decision

The minutes of the Forum meeting held on 3rd September 2013 were agreed as a correct record.

3. MATTERS ARISING FROM THE MINUTES

i Refresher Training for Personal Licence Holders

David Forrest reported on the training course put on by ITA Training at the Maitlandfield House Hotel, Haddington, on 4th November 2013. He said that it had been satisfactory, although the resultant certificate had yet to be issued. Rudi Fruzynski said that there would not be any blanket reminders to Personal Licence Holders; the system would throw up reminders two or three months before the due date. He was reminding Premises Managers about the need for PMs and relevant staff to complete their refresher training in good time. The Secretary confirmed that further local courses were expected to be organised by ITA Training at Haddington, with details awaited.

Garry Naysmith said that RASP may be organising refresher training for its members (possibly at Musselburgh Rugby Club in February 2014) through another company. In answer to a question from John Thayers, Rudi Fruzynski confirmed that refresher training for those originally trained in 2008/9 would have to be completed by 31st August 2014, with a further three months to provide evidence to the Licensing Board.

Decision

It was agreed that the Secretary and other members would pursue further local refresher training options with ITA Training as well as the timely provision of certificates.

ii Review of the Licensing Board's Statement of Licensing Policy

The Secretary introduced the Licensing Board's final Statement of Licensing Policy (2013-2016), which had been circulated prior to the meeting along with other relevant papers. He said that a number of the Forum's suggestions had been accepted, including those on Occasional Licences, the Duty to Trade and the Management of Licensed Premises. After a debate on alternative geographically split proposals, the Board had also agreed to follow the Forum's proposals on Overprovision. Willie Innes described the discussions in the Board on Overprovision in more detail and said that it would be up to new applicants to justify how they could meet the licensing objectives. Also, with the current level of Overprovision, licences would not automatically be granted to the new owners of premises. It was noted that East Lothian Licensing Board's new policy had been covered in SLTN and elsewhere.

Willie also said that the Board fully appreciated the Forum's detailed contribution to the consultation exercise on the new policy. The Chair noted with pleasure that the Board had taken account of the Forum's proposals. In response to a question from John Thayers about

Overprovision polices elsewhere, Rudi Fruzynski said that the forum website would contain links to suitable information e.g. via SLLP.

In relation to Occasional Licences, Garry Naysmith raised the case of a recent function in Musselburgh which may have been held without such a licence. After discussion Rudi Fruzynski said that he would make sure that the relevant parties were following the correct procedure.

4. THE CHIEF CONSTABLE'S REPORT TO THE LICENSING BOARD AND FORUM

Members considered and discussed the Chief Constable's Report for the period 1st April 2012 until 31st March 2013, which had previously been circulated. Ian Mackay said that it was strong on prevention issues, especially in relation to proxy purchasing etc. The use of social media was also making a difference. Willie Innes said that this was a good report which showed how seriously Police Scotland took the partnership with the Licensing Board. He felt that in some other areas responsible drinkers were being targeted but that the balance was about right in East Lothian.

There was further discussion about issues raised by the report, including family-friendly policies, the ID-ing of young persons, the beneficial effects of Pubwatch schemes and the identification of a banned person by photographic means.

In summing up, the Chair said that once again the benefits of calling the police to incidents should be appreciated. The report was noted.

5. POLICE REPORT

In Heather Bowsher's absence, Ian Mackay said that there was little of significance to report. Extra officers would be out on patrol until past Hogmanay and if there were any queries about policing during this period then people should get in touch. Heather was showing a DVD 'Who are You?' which was designed to help prevent sexual offences. This was being shown to interested parties, including Pubwatch meetings. Local Policing Plans for the period 2014-2017 would be published in April 2014. The report was noted with thanks.

6. LICENSING STANDARDS OFFICER'S REPORT

Rudi Fruzynski gave a summary of business dealt with recently by the Licensing Board. From September to November 2013 10 major variations had been sought, including three from members' clubs seeking open licences. A provisional licence application for a new build in Musselburgh had come through before the start of the Board's new Overprovision policy. A general extension to 2am for the festive period would be available to licensees from 13th December 2013 until 5th January 2014 – details were on the Forum website. The late payment of licence fees continued to be a problem, with 29 still outstanding at 24th October. These were being chased up through November. There were two reviews of premises licences, at a bar in Musselburgh and a grocer's in Fa'side. In addition to the AFS National Licensing Conference, Rudi had also attended a licensing briefing in Glasgow on 8th November.

Willie Innes added some comments about the late payment of fees and the generally good handling of incidents at licensed premises by staff and management. The report was noted with thanks.

7. PUBWATCH – REPORTS FROM LOCAL SCHEMES

Garry Naysmith reported on recent meetings of RASP, which had not been well attended. Members were being addressed before the next meeting on the need to attend. Willie Innes said that, as shown in their new statement, the Licensing Board positively welcomed active Pubwatch scheme membership and would have less sympathy with licensees who don't join and then come unstuck. There were no reports from other schemes.

8. ALCOHOL FOCUS SCOTLAND

i National Licensing Conference 9th September 2013

The Secretary introduced his report on the Conference, which had been previously circulated. There were no questions and the report was noted with thanks.

ii eFocus September and November 2013

The September document had been circulated prior to the meeting and the Secretary tabled the November eFocus. Members discussed Minimum Unit Pricing and other recent initiatives such as the ban on multiple unit discounts. The papers were noted.

9. MEETING DATES FOR 2014

It was agreed to meet at the current venue at 7pm on the first Tuesday in March, June, September and December 2014. There would be liaison with the Licensing Board over the timing of the required annual joint meeting with the Forum.

Decision

The Secretary would approach ELC to make the relevant bookings. The Chair and Secretary would liaise with the Licensing Board over the timing of the joint meeting.

10. ANY OTHER BUSINESS

John Thayers referred to SALSUS, a regular survey covering young people. This would cover 13-15 year olds in East Lothian as part of a national survey and would include the use and abuse of alcohol. He drew attention to some relevant issues, including parental attitudes and the work of MELDAP and said that it should be possible to summarise some results in mid-2014. A presentation could be made to the September 2014 Forum meeting, an idea which was warmly encouraged by members.

Decision

Subject to a report being available, John Thayers would prepare a paper for the September 2014 Forum meeting on the SALSUS results.

The Secretary said that the March 2014 Forum meeting would be his last; he was leaving the Forum as he felt that he had lost touch with the trade following his retirement and would not be undertaking personal licence refresher training.

The Chair said that the Forum had really progressed a lot recently but that he was also considering his position as Chair and Convener.

Decision

All members would be encouraged to attend the March 2014 meeting at which elections would be held for Forum Officers.

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