



MINUTES OF THE MEETING OF THE EAST LoTHIAN LICENSING FORUM

**TUESDAY 5 JUNE 2018
THE OLD COLLIERY, OLD DALKEITH ROAD, EDINBURGH**

Forum Members Present:

Mr G Hood (Convenor)
PC H Bowsher
Mr J Sherval
Ms C O'Brien

Council Officials Present:

Mr R Fruzynski

Clerk:

Ms S Birrell

Visitors Present:

Ms C Cunningham

Apologies:

Mr D Dickson
Mr R Ross
Ms E Oldcorn

1. MINUTES OF THE MEETING OF THE EAST LOTHIAN LOCAL LICENSING FORUM HELD ON HELD ON 28 MARCH 2018 FOR APPROVAL AND MATTERS ARISING

The Convenor asked for approval of the draft minute.

Decision

The Forum agreed to amend a small error and approved the minutes of the meeting held on 28 March 2018.

2. LICENSING STANDARDS OFFICER REPORT

Mr Fruzynski provided the Forum with a verbal report, including detailed breakdowns of the business contracted at meetings of the Licensing Board held in March, April and May 2018. He informed the Forum that the Board had approved a request to increase the fees for new and provisional licences to the maximum level allowed by the Scottish Government. This had been implemented from March 2018.

Mr Fruzynski reported that the letter included in the Agenda at Item 8 had been discussed at the April meeting of the Board, and Ms McNeill had been delegated to action any requests in conjunction with members of the Licensing Board.

The Forum discussed the provision of a licence to store alcohol that had been granted at the April meeting of the Licensing Board.

Mr Fruzynski briefed the Forum on licence reviews discussed at the May meeting of the Licensing Board in detail, and gave a breakdown of the number of applications and complaints received since the last Forum meeting, which were as follows:-

New Licence Premises Applications	0
Provisional Licence Applications	1
Confirmation of Provisional Licences	0
Major Variations to Licenced Premises Licences	1
Minor Variation to Licenced Premises Licences	17
Reviews of Licenced Premises	2
Personal Licences Revoked	1
Occasional Licence Applications	192

In the last quarter, Mr Fruzynski summarised that there had also been 12 applications for occasional licence extension, 5 applications for a transfer of licence, and 10 complaints. He outlined the detail of each complaint.

In closing, Mr Fruzynski stated that the Licensing Functions Report had been submitted to the Scottish Government by the Licensing Board on 15 May 2018, and receipt had been acknowledged.

The Forum questioned Mr Fruzynski regarding the reason for the large number of occasional licence applications, and agreed that the Convenor would write to the Licensing Board

outlining their concerns at the back log in provision of Building Standards Certificates, which were required when applying for a full licence, and had been identified as the reason for the increase in the use of occasional licences.

Decision

The Forum agreed:-

- i) that the Convenor would write to the Licensing Board, on behalf of the Forum, to outline their concerns relating to the number of Occasional Licence Applications and the length of time required to receive a Building Standards Certificate in order to apply for a full licence; and
- ii) to note the verbal report.

3. POLICE REPORT

PC Bowsher spoke in detail regarding the two licence reviews that had taken place at the May meeting of the Licensing Board. She reported on two large East Lothian events. The Edinburgh Marathon had passed without incident, and the Open Golf Tournament would take place in the near future.

She stated that applications for the Best Bar None Awards were now open, encouraged anyone interested to apply, and asked if representatives could pass this information on at the next meeting of Pubwatch.

PC Bowsher recommended that further discussion should take place concerning the joint meeting with members of the PSYV, which could not take the form of a normal meeting of the Forum. The Convenor indicated that a traditional agenda would not be appropriate in this instance. He agreed to speak to Mr Thayers and ask for his advice, and PC Bowsher undertook to discuss the matter with the PSYV leader.

The Forum discussed underage drinking in East Lothian.

Decision

The Forum agreed: -

- i) to discuss with Mr Thayers and other stakeholders the structure and content of the joint meeting of the Licensing Forum with members of PSYV; and
- ii) to note the verbal report.

4. PUBWATCH

The Convenor reported that Mr Ross had been in possession of the RASP report, but had been unavoidably detained. Ms O'Brien advised that there had been very low attendance at Pubwatch meetings. The Convenor had been organising a seminar on child exploitation, but had been unable to confirm the details with the facilitator, due to a lack of promised attendance to date. He was in discussion with Haddington Pubwatch about the possibility of making the seminar a joint event.

In response to a question from Ms O'Brien, PC Bowsher clarified that membership of Pubwatch was a recommendation of best practice in the new draft Licensing Policy, although it was sometimes made a condition of granting a licence.

Decision

The Forum agreed to note the verbal report.

5. UPDATE FROM THE LICENSING POLICY WORKING GROUP

The Convenor reported that the next meeting of the Working Group would be held on 20 June 2018, with a focus on the over provision section of the Policy. The Forum discussed the date for consultation responses, and Mr Fruzynski clarified that the Forum would not have to submit their official response to the consultation until October 2018. He recommended that a final meeting should also be scheduled to ensure the Working Group concluded all the necessary work on the Policy.

The Convenor announced that he had asked for the details of the consultation to be sent to all Community Councils in East Lothian. Mr Fruzynski added that Licensing staff had circulated the details to all relevant stakeholders for a second time, reminding them of the deadline of the end of June. Ms O'Brien agreed to mention the consultation at the next meeting of Pubwatch. Mr Fruzynski highlighted that there had only been two responses to the consultation received to date.

Decision

The Forum agreed to note the update.

6. ALCOHOL OUTLET AVAILABILITY AND HARM IN EAST LoTHIAN – AFS/CRESH REPORT

Mr Sherval spoke to the report, outlining the background to the research, and drawing the Forum's attention to the comparison data provided at page 10 of the report. This confirmed that an overall decrease in the number of licensed premises, coupled with an increase in population, had led to a decrease in the total number of alcohol outlets per adult population of 9.6%.

In response to a question from the Convenor, Mr Sherval explained that there was not a proven link between over-provision/harm, and deprivation, citing Whitecraig as an example of an area of deprivation which did not suffer from over-provision of licenced premises. Mr Sherval summarised the methodology behind the research, and suggested that the Working Group could discuss the report in more detail.

The Convenor pointed out that this report had not provided further evidence to support the Forum's concerns regarding over-provision in East Lothian, given that the area compared favourably to Scotland as a whole in these terms. Mr Sherval replied that it would depend whether East Lothian would prefer to compare their provision with that of the Scottish average, or target an improvement on their current position within the 30 Local Authority Areas. He suggested that certain areas of East Lothian which had been proved to suffer from over-provision, could also be targeted.

Decision

The Forum agreed:-

- i) that the report would be discussed in detail at the next meeting of the Working Group, and;
- ii) to note the report.

7. SCOTTISH PARLIAMENT LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE – LETTER RE ROUND TABLE EVIDENCE SESSION ON LICENSING

Mr Sherval suggested that the letter should be noted by the Forum, as the date for contributions to the session had passed.

Decision

The Forum agreed to note the letter.

8. ANY OTHER BUSINESS

There were no requests for additional business by those present.