



MINUTES OF THE MEETING OF THE EAST LoTHIAN LICENSING FORUM

**TUESDAY 29 JANUARY 2019
ESK ROOM 1, THE BRUNTON THEATRE, MUSSELBURGH**

Forum Members Present:

Mr G Hood (Convenor)
Mr D Dickson
PC H Bowsher
Mr J Thayers
Mr J Sherval

Council Officials Present:

Mr R Fruzynski

Clerk:

Ms S Birrell

Visitors Present:

Volunteers and Members of the Police Scotland Youth Volunteers (PSYV) (before item 1)
Ms R tbc

Apologies:

Ms C Cunningham
Ms C O'Brien
Mr A Leggett
Mr R Ross
Ms E Oldcorn
Cllr F Dugdale

Declarations of Interest: There were no Declarations of Interest.

Before the commencement of the main business of the meeting, Mr Thayers delivered an interactive presentation on alcohol and young people for members of the PSYV who had been invited to attend.

1. MINUTES OF THE MEETING OF THE EAST LOTHIAN LOCAL LICENSING FORUM HELD ON HELD ON 4 SEPTEMBER 2018 FOR APPROVAL AND MATTERS ARISING

The minute was approved as a true record of the meeting.

Matters Arising

The Clerk circulated a draft of the letter drafted by Ms Oldcorn, outlining the work of the Forum and inviting potential members to attend an information session about the Forum. The Forum discussed minor amendments and the Clerk agreed to circulate the updated document to members of the Forum.

Decision

The Forum agreed:-

- i) to approve the minutes of the meeting held on 4 September 2018, and
- ii) a draft letter regarding an information session would be updated and circulated to Forum Members.

2. LICENSING STANDARDS OFFICER REPORT

Mr Fruzynski gave a verbal report to the Forum which included detailed breakdowns of the business contracted at meetings of the Licensing Board held in September 2018, October 2018, November 2018 and January 2019.

Mr Fruzynski briefed the Forum on the number of applications and complaints received between 1 December 2018 and 28 January 2019 which were as follows:-

Applications for Premises Licence	0
Provisional Licence Applications	0
Confirmation of Provisional Licences	2
Major Variations of Licenced Premises Licences	0
Minor Variations of Licenced Premises Licences	11
Premises Licence Reviews	0
Personal Licence Reviews	0 (1 pending)
Licences Surrounded	0
Applications for Occasional Licence	135
Applications for Occasional Extensions	2
Transfer of Licences	1
Complaints Received	4

Mr Fruzynski spoke in detail to each complaint and outstanding provisional licence.

Mr Sherval asked how the number of occasional licence applications compared to the same period in 2018. It was confirmed that the 2018 total had been 115, slightly less than the total this year. Mr Fruzynski reiterated that the number of occasional licences applied for was connected to a backlog of completed section 50 agreements, which were the responsibility of East Lothian Council's Building Standards Department.

The Convenor asked how the new system for applications was performing. Mr Fruzynski replied that it had been mostly helpful, although some applicants were not taking the opportunity to answer all questions fully.

Mr Fruzynski commented that the online system for reporting licence holders had not been utilised yet, as the only potential complainant had decided to partake in mediation.

Mr Dickson asked if there were concerns regarding the renewal of personal licences, as reported in Licensing Trade media. Mr Fruzynski responded that over 300 renewal notices had been circulated and only 7/8 had been returned to date. He added that once licences were revoked there would be an increased uptake, and that he estimated that 10-15% of those former licensees would relinquish their licences.

Mr Sherval asked how licences held by individuals which had been allocated by a different Local Authority Area could be assessed in terms of their viability as still active. PC Bowsher explained that all of the designated premises managers should be listed on the Police's InnKeeper System, and that all licences displayed an expiry date.

Mr Fruzynski assured the Forum that he was not anticipating any issues with the renewal of licences in East Lothian, even if several applications were received on or near the deadline date.

In response to a question from Mr Dickson, Mr Fruzynski confirmed that late licences had been approved in Aberdeen but only for applicants who adhered to strict criteria.

Decision

The Forum agreed to note the verbal report.

3. POLICE REPORT

PC Bowsher updated the Forum on two applications for late night licence extensions to coincide with the US Superbowl. Both had been withdrawn after advice from the Police.

PC Bowsher elaborated on the report from Mr Fruzynski regarding a licence which had been revoked by the Licensing Board.

She outlined a project which had cross-referenced licenced premises with activity reports from Companies House, and had found four in East Lothian that were connected with insolvent or inactive companies. She had followed up in each case.

Mr Sherval asked whether the definitive list of licences was held within the InnKeeper system. PC Bowsher responded that the full list was held by the Licensing Board although InnKeeper was kept as up to date as reasonably practicable.

Decision

The Forum agreed to note the verbal report.

4. PUBWATCH

Mr Hood reported that there had been no complaints received via the Pubwatch scheme over the Christmas and New Year period.

PC Bowsher updated the Forum regarding ongoing discussions, fully supported by the Police, to reopen Pubwatch groups in North Berwick and Dunbar.

Decision

The Forum agreed to note the verbal report.

5. ANY OTHER BUSINESS

Mr Sherval reported that Ms Oldcorn was still waiting for an official response from the Licensing Board regarding the Forum's comments on the Licensing Policy Document. Mr Thayers added that this had been raised at the joint meeting between the Board and the Forum.

PC Bowsher advised the Forum that byelaws pertaining to the consumption of alcohol in public places were due for renewal, and the Forum should consider submitting a formal response to the plans. The Forum agreed that they should, also encourage Community Councils to consider submitting their views.

The Forum discussed the date for the AGM.

Mr Fruzynski recommended that the Local Licensing Forum's constitution should be reviewed after the 2019 AGM.

Mr Fruzynski suggested that representatives from the Edinburgh Licensing Trade Association could be invited to present to the next meeting of the Forum

Decision

The Forum agreed that:-

- i) they would formulate an official response to the renewal of bye laws in East Lothian pertaining to the consumption of alcohol in public places;
- ii) the date for the 2019 Local Licensing Forum AGM would be changed to Thursday 7 March if possible.;
- iii) the Local Licensing Forum constitution would be reviewed in 2019, and;
- iv) representatives from the Edinburgh Licensing Trade Association would be invited to present to a future meeting of the Local Licensing Forum.