



## MINUTES OF THE MEETING OF THE EAST LoTHIAN LICENSING FORUM

# 1

TUESDAY 2 APRIL 2019  
THE ADAM ROOM, EAST LoTHIAN COUNCIL, HADDINGTON

---

### **Forum Members Present:**

Mr D Dickson  
PC H Bowsher  
Mr R Fruzynski  
Mr J Thayers  
Ms E Oldcorn  
Ms C Cunningham

### **Elected Members Present:**

Cllr F Dugdale

### **Clerk:**

Ms S Birrell

### **Visitors Present:**

There were no visitors present at the meeting

### **Apologies:**

Mr G Hood  
Mr A Leggett  
Mr S Baxter  
Ms C O'Brien

### **Declarations of Interest:**

None

## **1. ELECTION OF OFFICERS FOR 2019/20**

Mr Fruzynski reported that Mr Hood had indicated his willingness to continue as Chair of the Forum. Mr Hood was proposed as Chair by Mr Thayers and the nomination was seconded by Ms Oldcorn. Mr Hood was therefore elected unopposed to the role of Chair.

Ms Oldcorn agreed to take on the role of Secretary, on the understanding that most functions of the post as outlined in the current constitution were undertaken by East Lothian Council. Mr Fruzynski proposed Ms Oldcorn as Secretary, and the nomination was seconded by PC Bowsher. Ms Oldcorn was therefore elected unopposed to the role of Secretary.

## **2. MINUTES OF THE MEETING OF THE EAST Lothian LOCAL LICENSING FORUM HELD ON HELD ON 29 JANUARY 2019, AND THE NOTE OF THE INQUORATE MEETING HELD ON 7 MARCH 2019 FOR APPROVAL**

Ms Cunningham commented that she and Mr Leggett had been recorded as visitors and not members at the inquorate meeting. Both minutes were otherwise approved as true records.

## **3. MATTERS ARISING (Attendance Statistics)**

The Forum discussed attendance at Forum meetings. Ms Oldcorn recommended that, in terms of maintaining a quorum, both herself and Mr Sherval should be recorded as one member, or known as the 'NHS representative.' PC Bowsher recommended that after two non-attendances, members should be contacted to explain that they could be removed from the membership if they did not attend the next meeting or submit their apologies.

Mr Thayers asked if the Forum had had an official response from the Licensing Board in connection with the Forum's recommendations on Licensing Policy. It was confirmed that no response had been received to date. Cllr Dugdale agreed to take these concerns to the Clerk of the Licensing Board.

Ms Oldcorn asked for an update on local by-laws prohibiting drinking alcohol in public places. PC Bowsher reported that the Police had recommended to the Scottish Government that the whole of the East Lothian area should be covered by this by-law, and had been asked to clarify their reasoning. This had been completed and sent to the relevant government department, but nothing further had been communicated in terms of next steps and/or a public consultation. Mr Fruzynski agreed to find out the current position and update members by email before the next meeting.

Mr Dickson asked about the renewal of personal licences. Mr Fruzyunski confirmed that, as of Friday 29 March 2019, 56 renewals had been received from 271 reminders sent to licence holders. The deadline for renewals was 31 May 2019.

### **Decision**

The Forum agreed:-

- i) that attendance at meetings, and mechanisms to remove members who were not attending meetings should be further explored,

- ii) that Ms Oldcorn and Mr Sherval's membership should be amalgamated under the heading 'NHS Representative,'
- iii) that Cllr Dugdale would follow up on the Licensing Board's response to the Licensing Forum's recommendations on Licensing Policy, and
- iv) that Mr Fruzynski would update Forum Members on the current position in relation to by-laws in East Lothian prohibiting the consumption of alcohol in public places.

#### **4. MEETING DATES AND VENUES FOR THE PERIOD SEPTEMBER 2019 - JUNE 2020**

The Forum discussed their preferred days and times for meetings for 2019/2020.

##### **Decision**

The Forum agreed:-

- i) that the date of the next meeting would be Wednesday 12 June 2019 at the Pine Marten, Dunbar, at 10am,
- ii) that Ms Oldcorn would approach Queen Margaret University about the possibility of scheduling a meeting there in either December 2019 or March 2020, and
- iii) that the Committees Team would be requested to schedule an evening meeting, to include the PSYV, at the Brunton Hall in September 2019, and, in consultation with Ms Oldcorn, a meeting in either December 2019 or March 2020 at 10am on a Wednesday (excluding Wednesday 4 December 2019 and Wednesday 4 March 2020) in Haddington.

#### **5. DRAFT FORUM RECRUITMENT LETTER**

Ms Oldcorn asked the Forum for their views on the draft letter which had been circulated with the papers for the meeting. PC Bowsher recommended that holding an information session would be less effective than approaching relevant groups direct.

The Forum discussed the potential for Community Council, Area Partnership, Education and Social Work involvement in Forum membership.

##### **Decision**

The Forum agreed:-

- i) that Ms Oldcorn would redraft the recruitment letter, removing the invitation to an information session, and amending the contact details to reflect her own and Mr Fruzynski's. This would be circulated again around members for comment, and
- ii) that the possibility of developing an East Lothian Local Licensing Forum logo would be discussed.

## 6. CONSTITUTION UPDATE

Mr Fruzynski reported that he had been contacted by Ms Totney, the Democratic Services manager, with an offer to commence work on an update to the Forum's constitution. He outlined some of the changes that Democratic Services would aim to include, and extended an invitation to members to add any of their own suggestions regarding updates to the constitution.

### Decision

The Forum agreed:-

- i) that Democratic Services would be invited to prepare a report to a future meeting including recommendations for an amended constitution, and
- ii) that the Forum would recommend inclusion of a) a quorum of three to ensure most meetings could take place, b) removal of the position of Secretary, c) addition of the operation of Working Groups, and
- iii) that East Lothian Council should guarantee a response to membership requests within one calendar month.

## 7. LICENSING STANDARDS OFFICER REPORT

Mr Fruzynski gave a brief verbal report to the Forum which included breakdowns of the business contracted at meetings of the Licensing Board held in January and February 2019.

Mr Fruzynski briefed the Forum on the number of applications and complaints received between 1 December 2018 and 28 February 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	1
Minor Variations of Licenced Premises Licences	15
Premises Licence Reviews	0
Personal Licence Reviews	0 (1 pending)
Personal Licence Renewals	39
Licences Surrendered	0
Applications for Occasional Licence	135
Applications for Occasional Extensions	7
Transfer of Licences	6
Complaints Received	9

Mr Thayers asked if this information could be sent to the MELDAP Strategic Group on a quarterly basis.

The Forum discussed the East Lothian Licensing Board's Function Report.

## **Decision**

The Forum agreed:-

- i) that quarterly licensing figures would be forwarded to MELDAP's Strategic Group by Mr Fruzynski, and
- ii) that the Forum would ask for the Licensing Board's Function Report to be included on a future agenda.

## **8. POLICE REPORT**

PC Bowsher spoke briefly about an application that requested early opening of a licensed premises from 9am, seven days a week. She confirmed the Police would be objecting to the application, and Ms Oldcorn added that the NHS were also planning to object.

She showed the Forum 'Ask Angela' posters, a campaign aimed at people experiencing discomfort or feeling under threat having met a stranger in a licensed premise. The code of asking for Angela at the bar meant that staff could assist in an appropriate manner if necessary.

## **Decision**

The Forum agreed to note the verbal report.

## **9. PUBWATCH**

There was no one at the meeting available to report on Pubwatch.

## **10. NATIONAL FRAMEWORK FOR ALCOHOL**

Ms Oldcorn intimated that the new framework had been published and included twenty actions, many of which were high level or aspirational. The actions were therefore difficult to translate to a local level. She offered to circulate the link to the document to Forum members.

Mr Fruzynski confirmed that he would be meeting with the Clerk of the Licensing Board to discuss the framework further. Ms Oldcorn recommended that members should review the framework and consider whether the Forum should form a working group to respond to a consultation regarding guidance on the Licensing Act, and that the link to the Framework could also be added to the recruitment letter.

## **Decision**

The Forum agreed that:-

- i) the link to the National Framework for Alcohol would be circulated to all members; and
- ii) this item would be added to the next agenda so that the Forum could consider whether to form a working group to respond to the Framework.

## **11. EVALUATION OF MINIMUM UNIT PRICING**

Ms Oldcorn explained that Minimum Unit Pricing would be fully evaluated after five years, but a six month review had already been completed. She highlighted that low price ciders with high alcohol content had mostly been removed from the market, and although an overall rise had been recorded in sales of alcohol, the increase had been smaller than increases recorded in England and Wales. She offered to send the evaluation to all members.

### **Decision**

The Forum agreed that Ms Oldcorn would send the evaluation to Forum members.

## **12. ANY OTHER BUSINESS**

Mr Fruzynski reported that the Edinburgh and South of Scotland Licensed Trade Association had offered to present to a future meeting of the Forum.

Ms Oldcorn recommended that feedback on the joint session with the PSYV should be included on a future agenda.

### **Decision**

The Forum agreed that:-

- i) the Edinburgh and South of Scotland Licensed Trade Association would be invited to send a representative to a future meeting, with the possibility of said representative joining the Forum, and
- ii) feedback on the Forum's joint session with the PSYV would be added to the next agenda.