



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD and EAST LOTHIAN
LICENSING FORUM**

**THURSDAY 26 SEPTEMBER 2019
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON**

Board Members Present:

Councillor F Dugdale (Convener)
Councillor L Bruce
Councillor J Henderson
Councillor J McMillan

Clerk of the Licensing Board

Mrs K MacNeill, Service Manager, Licensing, Administration and Democratic Services

Forum Members Present:

Mr S Baxter
Mr D Dickson
PC Bowsher, Police Scotland

Attending:

Mrs K MacNeill, Clerk of East Lothian Licensing Board
Ms S Fitzpatrick, Team Leader – Licensing and Landlord Registration

Committee Clerk:

Ms J Totney, Team Manager – Democratic and Licensing

Apologies:

Councillor J Goodfellow
Councillor W Innes
Mr G Hood (Convener, East Lothian Licensing Forum)
Mr R Fruzynski

Declarations of Interest:

None

Councillor Dugdale (Convener) welcomed everyone to the meeting.

1. MINUTE OF THE MEETING OF THE JOINT ELLB AND ELLF 27 SEPTEMBER 2018, FOR INFORMATION

Members noted the minute which had been approved by the Licensing Board on 25 October 2018.

2. MATTERS ARISING

Item 4 – Development and Marketing of the Local Licensing Forum. Councillor McMillan enquired about ongoing plans for encouraging and increasing Forum membership. The Clerk advised that recruitment is on her team's workplan with the focus on a more structure approach to recruitment; a revised application procedure; a formal appointment process; and the creation of a set of terms and conditions for Forum members. She advised that Forum members would be consulted about proposed changes. PC Bowsher mentioned that three potential new members had attended the most recent Forum meeting. The Clerk advised that if they wish to apply for membership, PC Bowsher should forward their details to the Team Manager – Democratic and Licensing. Members referred to the fact that MS E Oldcorn, NHS Scotland was no longer a Forum member following her recent job change. PC Bowsher advised that Mr J Sherval, NHS Scotland, who is already a Forum member, would represent NHS Scotland at meetings, where possible.

3. CHIEF CONSTABLE'S REPORT TO THE EAST LOTHIAN LICENSING BOARD – 1 APRIL 2018 TO 31 MARCH 2019

The Clerk introduced the report and the members used this as a basis for debating the following matters.

Mr Dickson commented that, in practice, there is not a total exclusion on outdoor drinking in East Lothian. The Clerk reminded members that this is outwith the Board's control as it is covered by Council Bye-Laws. PC Bowsher advised that currently there are plans to exclude Caravan Parks and the Lammermuir Hills from these Bye-Laws. The Clerk added that the Council's Legal Team are doing further work on this following Scottish Government feedback about the need to take a more specific approach to different parts of the county and not to apply one By-Law to the whole of East Lothian, as had been requested by Police Scotland. She added that the revisions would need to be submitted back to the Scottish Government. In response to Councillor Bruce, the Clerk advised that the final outcome on the Bye-Laws would likely be published in the Council's Members' Library Service. Members agreed that it was beneficial to have Bye-Laws covering outdoor drinking. The Clerk undertook to ensure that the Mr Dickson received regular updates from the Legal Team about the work they are doing on the Bye-Laws. Councillor McMillan pointed out that it would useful for information on Bye-Laws to be shared with members of the public and community stakeholders and suggested that there could be some form of communication before Christmas, perhaps by including an article in "Living" newspaper. The Clerk commented that future Board policy could also reference outdoor drinking Bye-Laws.

Mr Dickson informed members that Alcohol Focus Scotland can provide training for Forum members, although this might appear onerous and off-putting for potential new

members, especially if training is compulsory. Councillor Henderson commented that diversity within the Forum membership would be good, especially as there has been an increase in new smaller local alcohol producers in East Lothian. PC Bowsher reminded members that there is still no off-sales representation on the Forum and suggested that the large supermarkets be actively approached about becoming members. The Clerk mentioned that if an article is being included in "Living", it could be extended to include the work of the Forum; promote the fact that Forum meetings are open to the public; and also include a membership recruitment campaign. Councillor McMillan stated that the beginning of November is Business Week and suggested that Economic Development could run something to raise awareness of the work of the Forum and the responsibilities of outdoor drinking. He wondered if the Business Breakfast taking place in the Brunton Hall on 1 November might provide such an opportunity for Economic Development, and undertook to discuss this with them. In concluding the debate on these matters, members were unanimous in their view that the Forum would benefit from greater diversity of membership, especially a representative from the off-sales trade.

4. ROLE OF THE FORUM – SUGGESTIONS FOR IMPROVED COMMUNICATION AND LICENSING OBJECTIVES IN CONNECTION WITH GRANTS OF APPLICATION

The Clerk opened the discussion on this item by thanking Forum members for their contribution to East Lothian licensing. She commented on their input into the revised Board Policy and advised that the introduction of an "Additional Information Form" had been hugely beneficial in helping applicants focus on the specifics of their application, and in providing the public/neighbours with clear details of what is being applied for.

The Clerk acknowledged that previous Forum Minutes had noted that Board members were referring to economic development benefits, and not just licensing objectives, when making decisions on applications. She explained to members how economic development matters were linked to the licensing objective of protecting and improving public health.

The Clerk asked Forum members to let her know if they would like additional informal meetings during the year.

Councillor Bruce requested that the website link to the Forum Minutes is sent to Board members when the Forum minutes are published. The Clerk agreed that this would be beneficial and advised that this would be arranged via the Committees Team.

Councillor Henderson commented on the value of local knowledge and the importance of the role carried out by the Forum.

5. ANY OTHER BUSINESS

Mr Dickson mentioned the need to communicate, especially around forthcoming licensing legislation. He also raised the issue of the late payment of annual licensing fees; the Clerk explained that the new Board Policy makes it mandatory that all late payers appear before the Board in October. Members strongly agreed that it is unacceptable that annual licensing fees are not paid on time.

The Clerk advised members that this would be the last joint meeting attending by PC Heather Bowsher who would be retiring at the end of the year. Members thanked

Heather for her work supporting alcohol licensing in East Lothian and also extended their thanks to Licensing and Committee colleagues.

Signed

Councillor F Dugdale
Convener of East Lothian Licensing Board/Convener of the joint
meeting with East Lothian Licensing Forum