



MINUTES OF THE MEETING OF THE EAST LoTHIAN LICENSING FORUM

WEDNESDAY 24 MAY 2023
MERCAT GRILL

Forum Members Present:

Mr G Blaikie
Mr S Baxter
Ms K Harling
Mr J Thayers
Ms C Glen
PC I Anderson

Council Officials Present:

Ms M Scott

Elected Members Present:

Councillor C Cassini
Councillor F Dugdale
Councillor McGuire

Visitors Present:

Mr N Findley
Mr A Russell
Mr S Holligan

Apologies:

PC C Tait
Councillor L Bruce

Declarations of Interest: There were no Declarations of Interest recorded at the meeting.

1. MINUTES OF THE MEETING OF THE EAST LOTHIAN LOCAL LICENSING FORUM HELD ON 22 FEBRUARY 2023 AND MATTERS ARISING

The minute was agreed as an accurate recording of the meeting.

2. POLICE REPORT (VERBAL)

PC Iain Anderson attended the Forum in place of his colleague PC Cameron Tait who is currently off sick. PC Anderson gave an update of incidents since the last meeting detailing all reported on and off sales incidents within Musselburgh, Wallyford, Whitecraig, Tranent, Prestonpans, Port Seton, Dunbar and North Berwick. He added that most of the incidents related to off sales were thefts and none of these were committed by underage young people. PC Anderson compared this year's data to last years over the same dates which showed less than half the recorded incidents from last year. PC Anderson stated this could be due to numerous premises having to close post-covid or due to the cost of living crisis and people not being able to go out as often or only attending large organised events instead. PC Anderson reported most of the incidents within licensed premises were due to customers refusing to leave after being asked by staff which has resulted in a call to the police so most of these take place in the late evening as expected. He noted that the trade is still struggling with establishments mostly seeing regulars instead of new customers.

Mr Nigel Findlay asked what measures were being put in place for Ladies Day at Musselburgh Race Course. PC Anderson stated Musselburgh are proactive and pay for a police presence on Ladies Day and have been mindful this year of incidents that have taken place at other race meetings from Just Stop Oil protesters. He explained there will be disruption officers out on the day some plain clothed and some in uniform as well as drug dogs and amnesty bins. Mr Findlay said he will have a staff member outside of his establishment to keep an eye on what customers are looking to come in and if they seem extremely under the influence they will be told the pub is full. He added he has done this for numerous years as he knows people begin drinking before the event starts and by finishing time people could become very disruptive, Ms Karen Harling, LSO stated she could do visits prior to big events to give premises advice on the best way to manage them as this was done in Haddington recently to let premises know of the possible influx of customers and to have on extra staff and this worked well. Mr Findlay reported his pub was at capacity last weekend after an event at Musselburgh Harbour but there was no trouble at all. Ms Harling explained this was a family event and due to decisions made at the Licensing Board there was no bar at the event and anyone who wished for an alcoholic drink had to attend a licensed premises. She explained this is favourable as there is less exposure to children and it is positive for the trade in the surrounding area where trained staff can be in charge of the sale of alcohol as opposed to voluntary organisations with a lack of knowledge and understanding. Ms Harling added it was nice to have Board members attending the Forum today to hear about the positives that have come from decisions they have made.

Ms Harling asked if there had been any trends on drug and alcohol use relating to incidents at home. Unfortunately PC Anderson was unable to give this information as his main focus was on on and off sales and if this was information the Forum would like then a Freedom of Information Request would have to be made. Mr Thayers confirmed he was told the same information when he contacted the Police and queried this due to the Police and the Forum being in partnership but was advised the annual Chief Constables report is accessible to the public. PC Anderson noted this report was due out at the end of the month and would be sent to local authorities so this could be brought to the next meeting of the Forum. PC Anderson explained that "theft SL" meant shop lifting and explained these were not all from small village

shops but also large named supermarkets. He added some shops are able to identify what items have been taken quickly but larger stores may need to complete a stock check to provide this information. PC Anderson stated that a lot of staff will challenge thieves verbally, not physically and then report to Police but some larger stores have security, especially ones which are frequently visited by school age children. PC Anderson explained “theft HB” meant house breaking and the “medical” noted on his report was a heart attack within a licensed premises which was not alcohol related.

Mr Findlay asked if there was a domestic within his premises is it still his responsibility to call the police in case this was to escalate further after they left. PC Anderson said he had heard of his being the advice but he was not sure on the current policy but that training was available to licensed premises. Mr Findlay confirmed at the moment he has told staff to check in with customers if they are involved in a domestic incident within the premises and tell them if it was to escalate that the Police would need to be called. Ms Harling confirmed to uphold licensing objectives that a call should be made to the Police so there is a line of investigation should anything further happen. PC Anderson explained that any establishment calling the Police does not cause a black mark against them and is instead seen as being proactive. PC Anderson explained to Forum members that less spot checks are being done at premises now as there are less officers available but they are still always allocated for larger events.

3. LICENSING STANDARDS OFFICER REPORT

Ms Harling spoke to her report and explained the following outcomes from the February, March and April Board meetings:

- S28 Premises License ceased at Dunglass Estate, Cockburnspath
- Provisional Premises Licence granted to Humble Hub
- Major Variation granted to Levenhall Village store
- Occasional License refused to Ormiston Gala Committee
- Occasional License granted with conditions to Gosford House
- Occasional License granted with conditions to Haddington Rugby Football Club
- Provisional Premise License granted to Buck and Birch, Macmerry
- Major Variation granted to The Main Course, Gullane
- Occasional License granted to Aberlady Committee for Aberlady Gala Day
- Major Variation granted to Luffness New Golf Club, Gullane
- Major Variation granted to Glenkinchie Distillery
- Occasional License granted to Stewart Brewing, Edinburgh Marathon Festival
- Occasional License granted with conditions to Michael Spink, Annual Football Festival Gullane
- Occasional License refused to Douglas Forsyth, Blair Halls in Tranent

Ms Harling pointed out there was a theme of major variations to add deliveries to their license as this now needs to be on the operating plan. Children’s events have also been brought to the Boards attention to discuss if there is a need for alcohol to be sold there as well as any new events, such as Goatfest which will be decided by the Board and not on delegated powers. Ms Harling reported the alcohol management plan is now in place and will be available at all events for people to look at. Ms Harling reported there have been a number of voluntary organisations requesting licenses but they have actually just been friend groups with no proof of their organisation or a committee. She noted that voluntary organisations are limited to how many occasional licenses they can have within a 12 month period. Ms Harling gave an overview of all licenses and variations between January 23 and April 23 including provisional licenses outstanding confirmation.

Marketing the Forum

Ms Harling was pleased to see new faces joining the meeting who were representatives of the trade and also to have three Board members in attendance.

Forum Training

Ms Harling made members aware that training was taking place on Friday 9th June in Glasgow City Chambers and if anyone would like to attend they need to respond to the email that was sent out by the 26th May.

Statement of Licensing Policy Review

Ms Harling explained a first draft is close to being released and it is hoped a public consultation will take place in June after which the Board would like to invite the Forum to consult on the proposed policy.

Mr Graham Blaikie stated that people building their own bars and having their own beer kegs is causing a huge issue for trade especially when they are paying large amounts to have Sky packages within their establishment and people.

Mr Findlay asked if the consumption of alcohol in the streets in East Lothian was permitted. Ms Harling explained that there are bylaws which are different for each village and these are all listed with boundary maps on the East Lothian Council website. Mr Findlay asked if the Council would be able to provide signage in Musselburgh to explain people would be fined for drinking in public as there have been issues around the Brunton Hall and Fishers Wynd areas. Mr Findlay also raised concerns about the type of people being drawn to these areas and asked the Police to keep an eye on this. Ms Harling agreed to look into signage.

4. UPDATE TO SCHEME OF ADMINISTRATION

Ms Harling explained there have been minor updates made to the Scheme of Administration including new email addresses added. All members were happy to approve the changes so this will be added to the Council website.

5. COMMUNICATION WITH EAST LOTHIAN LICENSING BOARD & DISCUSSION OF WORK PLAN

Ms Harling explained information was added in relation to Forums and how they are working with a work plan and better communication with the Board. Councillors have told Ms Harling having dates set for the Forum in advance would make it easier for them to attend and discuss what topics can be taken to the Board for discussion. Councillor Fiona Dugdale stated it would be helpful to have members of the Board at the Forum each time and if dates were set in advance they could perhaps have a schedule to ensure attendance from at least one member. Ms Harling and other Forum members were happy to do this and Ms Harling also explained that they would like to try and change locations throughout East Lothian to encourage more people to join.

Ms Harling stated the joint meeting of the Forum and the Board has been hindered due to the current set up and Forum members having to wait until Board business has been concluded. Ms Harling suggested it would be best to have the joint meeting in the current format of the Forum, with Board members joining and this could be planned in advance to formulate a proper agenda. All members were in agreement with this and dates were set for future Forum meetings and the joint meeting with the Board. It was also agreed that if no Board members are able to attend Forum meetings then a copy of the minutes would be sent to them.

Councillor Dugdale asked if the Forum was still interested in recruiting young people and although everyone agreed this would be beneficial they feel this formal setting would not appeal to young people. Councillor Dugdale referenced a previous event for young people which was held at the Brunton Hall which may be more productive than having just one young person as a member on the Forum. Councillor Cher Cassini added that members could market that joining the Forum would be beneficial to have on their CV and also suggested contacting the new secondary school at Wallyford. Ms Harling asked if any members had any suggestions of organisations already involved with youth work who would be good to reach out to then to send any contacts to the clerk. Ms Harling agreed to draft a letter to organisations and contact and look at organising an event to recruit or get the views of young people in East Lothian.

6. EAST Lothian LICENSING BOARD STATEMENT OF LICENSING POLICY – WORKING GROUP

Already discussed in body of the meeting.

7. ANY OTHER BUSINESS

Contact Service

Mr Thayers made members aware of the contact service which is a telephone service for East and Midlothian that gives advice on drugs and alcoholic and directs callers to appropriate services. Mr Thayers would be able to provide a breakdown of male or female callers, which postcode they are calling from and what service they are calling about. He noted that there are around 50% more calls in relation to alcohol than drugs.

Forum Website

Ms Harling made members aware of the new Forum website and all the signage that was available on there to be printed off and put in with their premises. She asked if anyone receives any new signage to send her a copy so this can also be made available on the Forum website.

Bottle Return Scheme

The return scheme has been on hold for the time being and it has been announced trade might not be partaking initially. Mr Findlay stated he was relieved about this and felt if a premises could prove they were already recycling appropriately especially as he already pays the Council directly for this.

Decisions

The Forum agreed:

- PC Anderson to provide the Chief Constables report at the next Forum meeting
- Ms Harling to contact legal and roads to look into signage on alcohol rules
- Ms Harling to send application forms to the three new Forum members
- For Forum meeting invites to be sent to all Board members
- For minutes of the Forum to be sent to Board members if no one is able to attend
- Members to send any contacts of youth organisations or persons involved in youth work to Miss Scott to collate and send on to Ms Harling to contact
- Ms Harling to draft a letter to send to youth organisations about hosting an event to recruit or involve young people in the Forum

8. AGREEMENT OF NEXT MEETING DATES/TIMES/VENUES

The following dates were agreed for future Forum meetings:

- 23rd August 2023 at 10am - Mercat Grill, Whitecraig
- (Joint meeting with Licensing Board) 22nd November 2023 at 10am – venue TBC
- 21st February 2024 at 10am – venue TBC
- 22nd May 2024 at 10am – venue TBC

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