



MINUTES OF THE MEETING OF THE EAST LoTHIAN LICENSING FORUM

WEDNESDAY 23 AUGUST 2023, 10AM
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 J McMillan

Visitors Present:

N/A

Apologies:

Councillor L Bruce
Councillor F Dugdale
Councillor C Cassini
Councillor G McGuire

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 24 MAY 2023 AND MATTERS ARISING

The minute was agreed as an accurate recording of the meeting. There were no matters arising.

2. POLICE REPORT (VERBAL)

PC Iain Anderson gave Members a hard copy of the Chief Constable Report 2022-23 for discussion at the next Forum meeting in November as it had not yet been uploaded online. PC Anderson reported there had been a spike in shop lifting compared with the same time period as last year with overall incidents going from 40 to 79, 14 off-sale thefts to 53 and Licensed Premises remained the same at 26. He added that of the 51 off-sales incidents none were linked to teenager theft or proxy purchase and there was only 1 reported youth disorder in store. It was noted that incidents in Tranent were quite high but 12 of these incidents alone were linked to one male.

Councillor McMillan asked if numerous reports were made about the same premises would the police continue to attend. PC Anderson explained that would definitely receive more attention but some shops do not report incidents until much later so therefore police would not attend. He added that the police are mostly called out to licensed premises for customers who are refusing to leave but in most places the staff have a proactive approach to this. PC Anderson explained that premises would be monitored, given warnings and added to an intervention list if they had repeat incidents then rules could be set by Council officials and the police with a review of the premises license if owners still did not comply.

Councillor McMillan stated he had heard of worries in Haddington of people drug dealing within licensed premises and asked how this was being monitored. PC Anderson explained that CCTV was installed in a lot of businesses and owners were proactive with signage with warnings against drug use. He added that it is difficult to catch people in the act and even if this is the case staff will just ask customers to leave and not inform the police. PC Anderson explained that intelligence is graded when it is received, for example A1 intelligence is when the person reporting has seen the incident with their own eyes and it would be more likely the police could gain a warrant from the sheriff. He added that even if a call is low intelligence it is still logged and could help build up a case. PC Anderson confirmed Councillor McMillan could use this wording at Community Council Meetings to give people an update and added that on foot officers used to visit pubs but this is no longer a possibility due to staffing issues.

Mr Baxter stated that shops have told their staff not to approach thieves and did he feel this encouraged people to steal from certain premises. PC Anderson stated that this can be the case but it mostly just depends on who the person is. He explained that if it is organised then larger quantities will be stolen from higher end stores. PC Anderson noted that a lot of staff members will challenge thieves but if they become aggressive they will back down therefore there are not many reported assaults.

Ms Harling asked if there was a pattern in relation to thefts and where alcohol was located within a store. PC Anderson explained that if alcohol is located at the rear of a shop a lot of the time a fire exit will be used to leave the building instead of carrying alcohol back through the shop. Ms Harling asked if there were problems with a shops layout would police attend and give advice in relation to the area alcohol is stored and make a recommendation to move the alcohol to a more secure area such as behind a counter or kiosk. PC Anderson confirmed that smaller shops already keep higher end alcohol behind the check out to prevent shop lifting.

Councillor McMillan asked if the police would be able to identify a shop or pub with incidents and would they work with the Licensing Standards Officer to deal with this. PC Anderson confirmed that Ms Harling was now invited to the Anti-social Behaviour Group which takes place weekly so there is now a crossover between the LSO and the police which helps to deal with any issues.

3. LICENSING STANDARDS OFFICER REPORT

Ms Harling spoke to her report and explained the following outcomes from the May and June Licensing Board meetings:

MAY

- **Major Variations for Musselburgh Racecourse and Bonnie Badger, Gullane – both granted**
- **Occasional Licenses for EH32 Live (Craig Hodgson) - granted with altered times for music and alcohol sales and Carfrae House (Eric Linklater) – granted, however requested a premises license application be submitted**

JUNE

- **Major Variations for Carberry Tower and Co-op Tranent/Ormiston – granted**
- **Occasional Licenses for Castle Hotel, Dunbar (outside area) - granted with conditions and Scottish Open (Scott Dodds) – granted**
- **Occasional Extension for Eskmills Venue (Event Space) - granted**

There was no Board meeting in July due to the summer recess. The next Licensing Board is taking place on the 24th August 2023.

Ms Harling gave an overview of 2023 noting that there was a large number of occasional license being used. She added that provisional licenses should only be used if a premises is under construction or conversion and should be pushed by the Board to justify why they are running on this if neither of these things are happening. Ms Harling explained provisional licenses produce a lot of admin for the LSO, Licensing Team and the police and the rules on these need to be tightened up now we are passed COVID. She added that a bigger section on provisional licenses is now in the Statement of Licensing Policy.

My Thayers stated that for shops that offer a home delivery service we are unable to get details of the amount of alcohol people have ordered but wondered if it would be possible to gain information of how many home delivery orders contained alcohol. Ms Harling confirmed she would look at the legislation as she is unsure if shops have to retain what products have been purchased but if they do this this information should be accessible. Mr Thayers agreed to contact Alcohol Focus Scotland to see what information is accessible.

Councillor McMillan asked if there was a better way to get key points from the Forum meetings out to the community in a way they will actually read, such as a newsletter, as the public tend not to read minutes posted online. Ms Harling confirmed that a newsletter used to go out but this was hand delivered and labour intensive. She added that the Forum website has a section for news and information but she thought a newsletter being shared over social media could be a good idea.

Marketing the Forum

Ms Harling continues to promote the Forum but there has been no more uptake.

It was agreed that Paul Hunter from MyPass should be invited to the Forum as a way to engage young people. Mr Blaikie agreed to take this forward. It was agreed by most Members that it would be easier to actively go out to young people to gain their views instead of trying to get them to join a structured meeting like the Forum. Mr Thayers said an event run around 4 years ago was successful in gaining the views of young people. Councillor McMillan suggested making contact with the Youth Parliament group who meet once a term which involves pupils from each school who tend to be quite confident individuals.

National Licensing Forum

Ms Glen attended the event in Glasgow in June which discussed the issues that Forum's face. She agreed to send the minutes to Forum Members,

Decisions

The Forum agreed:

- Ms Harling to contact legal and roads to look into signage on alcohol rules
- 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
- Mr Blaikie to extend an invite to Paul Hunter from MyPass
- Mr Thayers to contact Alcohol Focus Scotland to see what information is accessible in regards to seeing what home delivery orders include alcohol
- Ms Glen to send minutes for the National Licensing Forum to Members.

4. MINIMUM UNIT PRICING

Ms Harling stated a report was completed on this in June which was quite successful has been accepted overall. Mr Thayers stated from a health perspective minimum unit pricing has been a success as Sheffield University completed a study on the number of lives that would be saved if the pricing was to be increased again. Mr Baxter had concerns about families suffering from the cost of living crisis spending more of their budget on alcohol than food. He added that many people will be living in different circumstances but those already dependent on alcohol will continue to spend money on it even if the price increases. Councillor McMillan agreed more needs to be done to educate people on the dangers of abusive alcohol consumption. Mr Thayers explained the health budget is miniscule compared to alcohol companies who have multi million pound budgets to promote their products.

5. National Licensing Forum Discussion

Discussed above in Item 3.

6. FORUM RESPONSE TO STATEMENT OF LICENSING POLICY

Discussions were held in private and not minuted.

7. ANY OTHER BUSINESS

PC Iain Anderson made Members aware a new officer (PC Wilson) will be starting with them from the 4th of September. He added that it was announced last week that civilian posts within the police service were no longer being filled.

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