

MINUTE

of

EAST RENFREWSHIRE LOCAL LICENSING FORUM

Minute of meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 13 December 2016.

Present:

Local Residents

Caroline Church
Frank McGee
Helena Shanks
Bruce Tulloch

Health/Social Work

Janice Thomson

Licensees

Licensing Standards Officer

Dominic McMahon

Strathclyde Police

Sergeant Jim Boyle

Dominic McMahon presided

Attending:

Councillor Tommy Reilly, Chair East Renfrewshire Licensing Board; Eamonn Daly, Clerk to the Forum; and Jacqui McCusker, Senior Solicitor.

Apologies:

Chief Inspector Angela Carty.

ACTION BY

1. MINUTE OF PREVIOUS MEETING

The meeting considered and approved the Minute of the joint meeting held on 13 September 2016.

2. MATTERS ARISING

Referring to the Police Scotland Annual Report and to the reduction in the number of campus cops, Sergeant Boyle indicated that it was his understanding that the number was being reduced to 4 from 5 and not 3 as previously reported.

The forum noted the information.

3. MEMBERSHIP REVIEW

The forum considered a paper by the Clerk regarding the current membership and the steps that had been taken and were proposed to try and increase membership numbers.

Following discussion the forum noted the report.

4. ALCOHOL FOCUS EVENT – EDINBURGH, 27 SEPTEMBER 2016

The forum considered a paper providing a summary of the Alcohol Focus Regional Licensing Event that had taken place in Edinburgh on 27 September 2016.

The event had been attended by Mr McMahon who provided further details of the day's events and the discussions that had taken place.

In particular he referred to the difficulties being experienced in some areas to recruit people to serve on their local forum and explained that different recruitment strategies had been discussed.

He highlighted that a key issue was that the national guidance issued to licensing boards was well out of date, and that Alcohol Focus Scotland were writing to the Scottish Government highlighting the need for the guidance to be updated as well as the need for consolidated legislation.

He highlighted the attendance at the event of representatives from some Alcohol and drugs Partnerships (ADPs) and to issues around access to and use of data provided by the ADPs. In this regard Ms Thomson referred to local collaborative working between the ADP and the Licensing Board during the production of the local overprovision statement.

Some of the successful initiatives carried out by licensing forums were highlighted reference being made to the community alcohol partnership established in Edinburgh and to the steps being taken in some areas to improve engagement between the licensing board and the licensing forum. In this regard discussion took place about ways in which to inform the forum about matters being considered by the Licensing Board and it was suggested that the e-mail addresses of forum members could be provided to licensing board staff who could in turn notify forum members when board meetings were taking place. This was agreed.

One of the other issues raised was in respect of the need for training and support for licensing forum members. It was suggested that this should be developed by Alcohol Focus Scotland and this was a matter that was to be investigated further.

The forum noted the report.

5. WEST OF SCOTLAND LICENSING FORUM EVENT

Mr McMahon provided a report on the West of Scotland Licensing Forum event which he and Ms Church had attended.

He reported that Peter Reid from the Scottish Government Licensing Team had attended the event and had delivered a presentation on staged implementation of the provisions of the Air Weapons and Licensing Act.

It was explained that the next commencement order would take effect from March 2017 and would see the need for licensing boards to produce income and expenditure reports which would in turn be used by the Scottish government in the context of a possible review of licensing fees.

A further commencement order to take effect some time in 2018 would see the need for licensing boards to produce an annual report. The Scottish Government was working on a template in this regard.

The neighbour notification process was also being reviewed as was the cost of an occasional licence (£10). This had been discussed locally by the forum where it was recognised that the cost of a licence did not proportionately reflect the cost of processing the application.

It was also reported that the Chair of the Easy Ayrshire licensing forum had petitioned for the establishment of a national licensing forum but the Scottish Government had no such plans. In this regard Ms Church suggested that whilst there was some merit in regional groupings due to the common issues that existed at a local or regional level, a similar argument could not be made for a national body.

The forum noted the report.

6. MINIMUM PRICING

Mr McMahon provided the forum with an update in relation to the Scottish Government's plans to introduce minimum pricing.

He explained that a further legal challenge to the government's plans had been lodged by the Scotch Whisky Association and that the matter would now be considered by the UK Supreme Court. The Scottish Government had requested that the appeal be fast tracked as it was in the public interest to do so.

The information was noted.

7. INTERNET SALES ISSUES

Mr McMahon reported that a an e-mail had been received from the Chair of the Inverclyde Licensing Forum alerting forums across the country that Amazon was submitting provisional premises licence applications for its distribution centres in Inverclyde and Fife.

He explained that the application for Fife had been approved by the local licensing board.

Discussion took place on the implications of such a licence on local overprovision statements and on the practice of internet selling generally it being noted that individuals were not permitted to sell alcohol on websites without holding an appropriate personal/premises licence.

Discussion also took place on the issue of internet selling of alcohol to under 18s it being explained by Mr McMahon that any local licensees involved in internet selling of alcohol were knowledgeable on the age verification procedures associated with Challenge 25.

The forum noted the report.

8. COMPLAINTS

The forum considered a report by the Licensing Standards Officer providing general information in relation to the number and types of complaint received over the period June to December 2016.

It was noted that a total number of 40 complaints had been received, the greatest number being in respect of occasional licences where 21 complaints had been received, and 11 formal advice notes issued.

Commenting on the report, Mr McMahon highlighted the increase in the number of occasional licence applications, explained that a lot more proactive work had been taking place, and in response to suggestions agreed to produce a year on year comparison of complaints numbers.

In response to questions regarding the advice notes that had been issued and the action to be taken in the event there was non-compliance with the advice note, Mr McMahon explained that the matter would be brought to the attention of the licensing board the issues addressed in the advice note. He explained that in his view the need for the advice notes to be issued had arisen out of the inexperience of the people applying for a licence holders and their unfamiliarity with the licence requirements. He also confirmed in response to questions that there was no information on the board section of the Council's website in relation to the submission of occasional licence applications.

The forum noted the report.

9. CALENDAR OF MEETINGS

The forum considered a report by the Clerk on proposed meeting dates for 2017.

9. DATE OF NEXT MEETING

It was noted that the next joint meeting would be held on Tuesday 12 September 2017 at 7pm in the Council Chamber.

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