

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Corporate Services
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20 January 2010

NOTICE OF MEETING

A meeting of the **ARGYLL AND BUTE LOCAL LICENSING FORUM** will be held in the **MEMBERS' ROOM, KILMORY, LOCHGILPHEAD** on **WEDNESDAY, 27 JANUARY 2010** at **10:30 AM**, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **ELECTION OF CONVENOR**
3. **MINUTES OF PREVIOUS MEETING - 8 OCTOBER 2009**(Pages 1 - 4)
4. **POLICY FOR USE OF PLASTIC GLASSES**
5. **AFS WEBSITE**
6. **POLICE STATISTICS**
7. **FEEDBACK FROM THE MOD**
8. **DUTY TO TRADE**
9. **PROTOCOLS FOR PARTNERSHIP WORKING AND UPDATE FROM LSO**
10. **TACKLING ALCOHOL MISUSE CONFERENCE - 23 MARCH 2010**(Pages 5 - 6)
11. **ISSUE TRACKER**(Pages 7 - 8)
12. **FUTURE MEETING DATES**

LOCAL LICENSING FORUM

Contact: Melissa Stewart Tel. No. 01546 604331

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**MINUTES of MEETING of ARGYLL AND BUTE LOCAL LICENSING FORUM held in the
COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD
on THURSDAY, 8 OCTOBER 2009**

Present:

Eric Box (Chair)

Superintendent Raymond Park	Calum Maclachlann
Eric Dearie	Brian Kupris
Cath Cakebread	J Russell Buchanan
Roanna Taylor	

Attending:

Charles Reppke, Head of Democratic Services and Governance
Melissa Stewart, Committee Services Officer

Apologies:

Catherine Dobbie	George Ross
David Greenwell	Fred Bruce
Louise Walker	Kenneth Harrison
Sheila Johnston	

1. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Argyll and Bute Local Licensing Forum of 11 June 2009 were approved as a correct record.

Arising from item 4(b) **National Licensing Officer** the Chair advised that he had spoken with Damien Cohen prior to the meeting and had been informed that the newly designed website was live from today. He encouraged Members of the Forum to view this and report back to the next meeting with any comments/feedback.

Arising from item 8 (**Police Statistics**) it was noted that the query was no longer relevant due to the implementation of the 1995 Act.

2. PRESENTATION BY LSO: ERIC DEARIE

The Chair introduced Eric Dearie who had recently been appointed to the post of Licensing Standards Officer.

Eric reported on his activities since his appointment such as on his visits to West Dunbartonshire and Renfrewshire Councils to see how the LSO roles were progressing in these authorities. He also discussed his intention to establish protocols for partnership working and for setting perimeters to assist in identifying how the area could be geographically divided for equal workload should the Council be in a position to appoint a further two LSOs.

Brian queried whether Eric was the first point of contact for any complaints. Eric advised that he would deal with issues within licensed premises and outwith if they were related to the operation of the premises. Raymond added that if the incident was "live" or outwith a licensed premises then the Police or other appropriate agency (ie Environmental Health) would be the first point of contact.

An issue was raised by Russell regarding perceptions following the implementation of the new Act. He had received comments that some smaller businesses who were formerly licensed were not applying for new licences on the basis that they were required to submit detailed plans. He felt that this was unfairly being attributed to the new Act although businesses should have these plans in place in terms of their risk assessments etc.

There was an example of misinformation regarding the new Act given whereby one of the Forum Members tried to purchase a single can of alcohol and was told that because of the new Act they could only purchase four. The Forum did not consider this to be in the spirit of the new Act.

The Forum discussed a concern raised about self service checkouts and whether there were appropriate measures in place to ensure that age related checks were still being conducted.

A discussion was also held regarding licensing fees. The Forum thought that it would be more beneficial to have a low set fee for all off-sales licences with an additional charge levied in respect of a percentage of annual turnover which they felt would benefit smaller businesses.

Decision

1. Agreed to ask the LSO to keep any eye on supermarkets who may be using the licensing angle for marketing purposes and on self service checkouts to ensure that proper age related checks were being made regarding these types of sales.
2. Agreed to ask the Board to take a view on the Forums suggestion that there be a low set fee for all off-sales licences in terms of the new Act with an additional charged levied in respect of annual turnover.

3. POLICE STATISTICS

The statistics for visits and incidents within the period June to September 2009 were considered. Superintendent Park spoke to the report advising that there were no significant issues to raise and that he considered there was no major problems in Licensed Premises within the area.

Decision

Noted the contents of the report.

4. NATIONAL LICENSING CONFERENCE

The Chair advised that he had attended the conference at Aviemore. He advised that this had been a good conference and summarised the key points from the presentations made. He advised the Forum that the presentations were located on the AFS website.

He advised the Forum that Fiona Meyers of NHS Scotland had been given the job of co-ordinating a 3 year study into the effects of the new Act although the exact remit for the study had not yet been determined but it could also involve an evaluation role

into the work of Licensing Forums and Boards. The Forum agreed that it would be difficult to measure the success of Forums and Boards until outcomes on a national level had been set.

Decision

Agreed to note the concern of the Forum that National Outcomes for Licensing Forums had not yet been set.

5. PREPARATION OF PROMOTIONAL LITERATURE

It was agreed to continue the item to seek clarification from Susan as to whether she had staff available to undertake this task as the Forum felt that the LSO's time would be better spent dealing with operational issues.

6. VACANCIES ON FORUM

It was noted that the Forum currently had 17 Members although could have up to 20 Members. Given the earlier discussion regarding National Outcomes it was agreed that recruitment of additional members be placed on hold until such time as these had been set.

7. ISSUES FOR JOINT MEETING WITH ARGYLL AND BUTE LICENSING BOARD

It was agreed to raise the following items for the joint meeting with the Board:

1. Overprovision – Draft Statement
2. Joint exercise to increase awareness of the work of the Licensing Board and the Forum
3. Sunday Opening: Hotels v Public Houses
4. Clarification of criteria applied to children's licences in public houses (it was agreed that a report be arranged by Calum outlining the issues he had identified in relation to items 3 & 4)

It was also agreed that Charles would discuss, informally at this stage, dates for this meeting to take place with the Chair of the Licensing Board in attempt to progress the matter.

8. SPLASHDOWN - PRESENTATION BY YOUNG SCOT CO-ORDINATOR

Roanna gave a very informative presentation regarding the continuing success of the Splashdown events. She advised that this project had commenced in 2003 and had grown year on year thanks to funding from the Argyll and Bute Community Safety Forum. She advised of the positive impact on crime statistics during the period of events and how this project was a very positive result of good partnership working.

The Chairman thanked her for her valued contribution.

9. DATES FOR FUTURE MEETINGS AND INTRODUCTION OF ISSUE TRACKER

It was agreed to introduce a tracker document to monitor issues for the Forum to discuss.

It was also agreed that the next meeting of the Forum would be held on 27 January 2010 in the Members' Room, Kilmory, Lochgilphead. The Board discussed whether it would be appropriate to move meetings to a quarterly basis rather than the existing bi-monthly cycle but declined to make a decision on the meeting frequency until the joint meeting with the Board had been held.

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Tackling Alcohol Misuse: the future of licensing policy in Scotland

Hosted by the 3rd Annual Licensing Board Conveners conference

Tuesday 23rd March 2010, King James Thistle Hotel, Edinburgh

Chaired by

Councillor Ronnie McColl, Convener, West Dunbartonshire Licensing Board

Featured speakers include

Jackie Baillie, Shadow Cabinet Secretary for Health and Wellbeing



The effects of alcohol misuse cost Scotland an estimated £2.25 billion in 2006-7 - over £500 per adult. Over-consumption is responsible for around 3,000 deaths, 42,000 hospital stays and 110,000 GP visits every year.

2010 could mark a significant change in Scotland's relationship with drink. As Licensing Boards, Licensing Standards Officers, Police and licensees adopt an increasingly pragmatic approach to ensure the bedding-in of the 2005 Licensing Act, the Scottish Government is seeking to compliment and strengthen the Act with an Alcohol Bill.

The Alcohol etc. (Scotland) Bill will amend the Act by seeking to establish a minimum retail pricing scheme for alcoholic products; regulate the display of promotional materials relating to alcohol within off-sales and end off-sales promotions which supply alcohol free of charge or at a reduced rate; and introduce a duty on Boards to include detrimental impact statements, within their licensing policy, on the effects of off-sales to under-21s in their area. In addition, it makes provision for the introduction of a

□social responsibility levy' applicable to licence holders to help offset the costs incurred by local authorities of alcohol misuse.

Hearing from leading policy makers, licensing regulators, health practitioners, community leaders and trade representatives, this one-day conference will provide an opportunity for Licensing Board Conveners, members and clerks to debate the proposals to modernise licensing law, consider which of the plans are likely to enjoy cross-party support and examine the effects additional legislation will have on stakeholders. It will also review the end of the transition period for the Licensing (Scotland) Act and explore how regulators and licensees have adapted to the new regime.

If you have any queries regarding the conference or would like find out more information, please contact Karen by email k.todd@mackayhannah.com or call 0131 556 7704

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ITEM TRACKER

Title of Item	Name of Officer or organisation	Date of Meeting	Action required	Notes
Policy for use of Plastic Glasses	Strathclyde Police to supply statistics	Required for Feb 09	Charles to obtain	On agenda
Pilot of Scheduled Closing Times	Licensing Board	Due for discussion Feb 09	Licensing Board to introduce pilot and report back to LLF	Discussed at Joint meeting with Licensing Board. Licensing Board would welcome voluntary pilot but won't be implementing. Remove from tracker.
Community Councils	Council	Joint Meeting Nov 09	Charles to arrange contact early 2010 by email to promote both LLF and LB	3rd round of elections currently underway. Expectation is that all CCs will be constituted by early March. Draft email to be run past the chair prior to it being issued.
AFS Website	LLF Members	Discussed Oct 09	Members of LLF to Feedback to Jan 10 meeting	
Servewise Training	LLF		Agreed to delay until new Members in place	

Draft Statement on Overprovision	Licensing Board	Discussed Joint Meeting 17 Nov 09	Clerk to provide draft statement for comment following consideration by L.B	
National Outcomes for LLF		Discussed October 09	Await National Outcomes	
Future Meeting Dates	Council	Discussed October 09	Set meeting dates for 2010	On agenda
Promotion of LLF	Council	Discussed Joint Meeting Nov 09	Arrange with New Comms Manager (when appointed)	
Items for Discussion with Licensing Board		Discussed 8 October 2009	Agreed to ask the Board to take a view on the Forums suggestion that there be a low set fee for all off-sales licences in terms of the new Act with an additional charged levied in respect of annual turnover.	