

**MINUTES of MEETING of LOCAL LICENSING FORUM held in the COUNCIL CHAMBER,
KILMORY, LOCHGILPHEAD
on TUESDAY, 13 JULY 2010**

Present: Eric Box, Community Representative (Chair)

Eric Dearie, LSO
Sheila Johnston, Community Representative
Calum MacLachlainn, Licence Trade
Brian Kupris, Community Representative
Fred Bruce, Community Representative
J Russell Buchanan, Ex Licensee
Charles Reppke, Head of Governance and Law

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted from Cath Cakebread, Catherine Dobbie, David Greenwell, Roanna Taylor, George Ross and Kenneth Harrison.

2. MINUTES OF MEETING HELD ON 28 APRIL 2010

The Minutes of the meeting of the Local Licensing Forum held on 28 April 2010 were approved as a correct record.

Arising from item 9 (**Update from LSO**) it was noted that the Memorandum of Agreement had still not been signed off due to issues with Data Protection. Eric advised that this was not causing any disruption to his workload.

Charles advised that Stuart Nobel was attending this meeting as an observer for Helensburgh Community Council.

Stuart explained that the Community Council had previously had a liaison person for licensing and may put forward a request to become more involved in this Forum.

3. REVIEW OF ARGYLL AND BUTE LICENSING BOARD POLICY STATEMENT: WORKSHOP DISCUSSION

The current Policy Statement was circulated to the Forum in advance of the meeting and it was suggested that the Members of the Forum flag up any issues they would like addressed and that these be discussed in sequential order.

Decision

It was agreed to make the following suggestions to the Licensing Board:-

General Points

The LLF discussed statements such as "it would be helpful" and "the Board encourages" and were seeking to firm up the use of such terminology. However, on the basis there were no sanctions available to enforce compliance they discussed the

possibility of inserting a provision that these be complied with “in so far as appropriate to their premises”.

Protecting and Improving Public Health

That information as to where to obtain posters with regard to sensible drinking, the effects of consumption of excess alcohol and contact points where assistance can be obtained for drink problems should be provided within the statement (AFS Website and/or ADAT Website).

Overprovision

It was agreed that Charles provide an update to the Chair of the Forum regarding where the Licensing Board are with their consultation (having noted that Strathclyde Police have been approached regarding the Statement of Overprovision).

Licensing Hours

That a provision to allow for seasonality be included.

Duty to Trade (8.3)

The LLF noted that the Board had been taking the view, that in the interests of economics of operating, premises may shut before the time specified within their operating plan. They suggested that if it is the intention to do so, it would be recommended that a courtesy notice to this effect be displayed.

Extended Hours Applications

There was a suggestion that special events of local or national significance could be identified upfront. The view of the Forum was that it was the responsibility of the Licensee to come forward and make a case for any application for extended hours.

Occasional Licences

Concern was expressed that voluntary organisations could run a licensed event with no training. The Forum recommend that voluntary organisations undertake training by a recognised provider such as Servewise or Highfield.

The Forum also recognised that there would be benefit in advertising this requirement and suggested that this be flagged up on the Council and AVS Websites.

The Forum accepted there may be instances where it was not possible for an organisation to have been trained before an event and therefore also recommended a statement in the policy to the effect that “The Board would not usually grant a second or subsequent application without staff having been training by a recognised provider”.

Paragraph 9.2

That for ease of reference this paragraph be split into 9.2a (for personal or premises licence holders) and 9.2b (voluntary organisations)

Paragraph 9.4

That the second paragraph of 9.4 should be numbered 9.5 and the subsequent paragraphs re-numbered accordingly.

Paragraph 10.1

That it be checked whether these were the most appropriate examples to give.

Public Awareness Materials – Safe Limits and Drink-Driving

Reference to be made to ADAT website for supply of notices etc.

Access by Children to Licensed Premises

The hours of access for children should be included?

Members Clubs

20.2 – Should reflect that if the event is for non-members beyond the authorised levels then an occasional licence should be applied for.

Licensing Standards Officer

This should be expanded given there is now an LSO in post.

4. POLICE STATISTICS

Inspector Baillie spoke to the report stating that the trend was busier during the summer months and that the figures were increased for MAKI given that the Police had run a licensing initiative. The initiative was also run in Bute and Cowal during June so figures for this month were also higher.

Decision

It was agreed to ask Strathclyde Police to provide statistics for Helensburgh and Lomond and statistics relating to the Pubwatch schemes across Argyll and Bute.

5. UPDATE FROM LSO

The LSO tabled a report advising of the issues he had been involved with since the last meeting which included training Inverclyde Licensing Board and their LLF, attendance at a Licensing Board hearing, formal inspections and mediation.

Callum asked whether Eric Dearie had experienced any problems or whether there was a willingness to work towards a solution. Eric advised that he had not experienced any problems and outlined the procedure that he followed to ensure that he was able to spend time with the licence holder to address any areas of concern.

6. ISSUE TRACKER

Jo Smith, the Council's Communications Manager, was present for this item to discuss with the Forum how they wanted to raise the profile of the forum.

Charles advised that the Forum had previously discussed raising the profile and also a recruitment drive to increase their Membership of licensees, young people and general public.

Decision

1. Jo suggested, and the Forum agreed, that a direct mail and personal invitation approach should be undertaken. She agreed to draft letters which would include details of what the forum had achieved to date and that she would pass to Charles for distribution to Members of the LLF.

It was also agreed:-

2. that Roanna be approached regarding recruitment of a young person to replace Thomas who had recently resigned.
3. that Inspector Baillie would provide Charles with contact details for the Chairman of the Pubwatch Scheme.
4. that a general press release be issue as a backdrop to the letters.

7. ALCOHOL FOCUS SCOTLAND: APPOINTMENT OF NEW CHIEF EXECUTIVE

The Chair advised the Forum that Dr Gillan had been appointed as the Chief Executive of AFS. He had met a few weeks ago with Dr Gillan regarding the services AFS provide to the Forum and had advised her that other than the Annual Conference, there was very little assistance given.

He had also suggested to Dr Gillan that 3 or 4 Conveners from more active Forums get together to meet with her to discuss various matters. He would be attending the first of these meetings tomorrow in Glasgow.

8. ANNUAL LICENSING CONFERENCE

The Chair advised that he did not expect to be in a position to attend the annual conference in September. It was agreed that J Russell Buchanan attend in his place.