

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry



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10 May 2011

NOTICE OF MEETING

A meeting of the **LOCAL LICENSING FORUM** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **TUESDAY, 17 MAY 2011** at **1:15 PM**, which you are requested to attend.

Douglas Hendry
Executive Director - Customer Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
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LOCAL LICENSING FORUM

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**MINUTES of MEETING of LOCAL LICENSING FORUM held in the MEMBERS ROOM,
KILMORY, LOCHGILPHEAD
on TUESDAY, 25 JANUARY 2011**

Present:

Eric Box (Chair)

Eric Dearie, Licensing Standards Officer
Martin Donovan, Licensed Trade
Tim Saul, Licensed Trade
J Russell Buchanan, Ex Licensee
Brian Kupris, Community Representative
Inspector Davidson, Strathclyde Police
Raymond Boyle, Community Representative
Roanna Taylor, Argyll and Bute Young Scot
Caroline Smith, Youth Forum
Laura Meek, Youth Forum
Charles Reppke, Head of Governance and Law

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Superintendent Raymond Park, Calum MacLachlann, Fred Bruce, Iain McNaughton, Sheila Johnston, Catherine Dobbie, David Greenwell, Kenneth Harrison, Cath Cakebread and Peter Robertson.

2. INTRODUCTION OF NEW MEMBERS

Charles welcomed new members, Tim Saul, Raymond Boyle and Martin Donovan to their first meeting of the Forum and invited them to introduce themselves. Charles advised that he had received apologies from new member Iain McNaughton.

3. APPOINTMENT OF CHAIRPERSON

As it was the first meeting of the year, the Forum were required to appoint a Chairperson. J Russell Buchanan nominated Eric Box as Chair, Brian Kupris seconded this and accordingly Eric Box was appointed as Chair for the year 2011.

4. MINUTES OF MEETING HELD ON 27 OCTOBER 2010

The minutes of the meeting held on 27 October 2010 were approved as a correct record.

5. FEEDBACK FROM NATIONAL LICENSING CONFERENCE 2010

Russell had attended the National Licensing Conference 2010 and was invited to provide feedback to the Forum. He reported that one of the main discussion points of the conference had been minimum pricing and the Forum had a short discussion on

this.

Roanna reported that the Youth Forum were currently looking into creating an educational DVD for their peers on the consumption of alcohol based around the theme "Don't make the same mistakes we did" which would hopefully be completed by Summer 2011. Eric expressed his interest in having this DVD shown to the Forum. Charles told Roanna that if the Council could assist in the production of the DVD then to let him know.

Decision

The Forum noted Russell Buchanan's feedback from the National Licensing Conference.

6. ALCOHOL FOCUS SCOTLAND

Charles advised that he had been in contact with Linda Bowie of Alcohol Focus Scotland as a result of the Forums concern over their remit and that AFS were not contributing as much as they had hoped. Charles advised that Linda had sent him an email in response to the questions he had asked regarding the remit of AFS, their future plans for Forums, their views on Regional Forums and what the future would hold for Forums. Charles advised that Linda had enclosed a training booklet and that this would be emailed to members of the Forum after the meeting. He suggested that a training day be held alongside the next meeting. The Forum had a discussion on the focus of the Forum for the coming year.

Decision

The Forum agreed that the focus for the coming year would be –

1. To hold Servewise Training alongside the meeting in April and that Sheila would be asked to assist in organising the training.
2. To engage more with other Forums and with AFS with a view to forming regional Forums.
3. To make representation to the new Government to set objectives for Forums.

7. OVERPROVISION: UPDATE

Charles advised that Peter Robertson had been asked to provide an update on Overprovision but had been out of the office at Tribunals and had been unable to provide a report. Charles advised that an email would be issued with an update and if any members had issues to notify him and it would be put on the agenda for the next meeting.

8. POLICE STATISTICS

Inspector Davidson reported on the number of visits to licensed premises and the number of STORM incidents for the months October to December 2010. He

highlighted that the figures for October had been very high compared to previous years and that there was no obvious reason for the rise.

Eric noted that there were no STORM figures available for Helensburgh and that this had been an ongoing problem. He advised that in the past Superintendent Park had made arrangements to obtain the figures but this had stopped some time ago. Inspector Davidson informed him that they had problems obtaining the Helensburgh figures. This was because they were collated with the figures for Dumbarton and Clydebank and to obtain them would involve manually sifting through reports which would be very time consuming. Charles advised that he had emailed about obtaining the figures and was awaiting a response.

J Russell Buchanan asked Inspector Davidson if it would be possible to receive figures for domestic abuse cases that were purely related to alcohol. Inspector Davidson advised that he would look into this. Mr Buchanan stressed that it was important that this was not a time consuming exercise for the Police.

Decision

1. The Forum noted the police statistics.
2. It was agreed that Inspector Davidson would look into obtaining the STORM figures for Helensburgh and also figures for domestic abuse related to alcohol.

9. UPDATE FROM LSO

Eric Dearie spoke to his report on his activity between the months of October and January. He highlighted the low level of licensing complaints in Argyll and Bute. He reported that a premises in Helensburgh had been the subject of a licensing review and had subsequently had its hours cut which had resulted in a significant downturn. Brian Kupris enquired as to what grounds a review is undertaken and Eric outlined the process.

The Forum had a discussion on 24 hour trade and the effect of curfews and reduced opening hours on businesses. They discussed the change in the times that customers use licensed premises due to the smoking ban and the increase in the price of alcohol.

Charles advised that due to the budget cuts and service reviews that were taking place in the Council, he would not be filling the 2 LSO posts that he had provision for at present. This was to allow for the Council's redeployment programme which was part of the service review process. He advised that, in the meantime, Alan Morrison had arranged for a contractor to assist Eric in visiting licensed premises. Charles advised that he would report back on this at the next meeting.

Decision

1. The Forum noted the report by the LSO.
2. The Forum noted Charles' update on the LSO posts and that a further report would be provided to the next meeting.

10. ISSUE TRACKER

Charles took the Forum through the issue tracker and the following was noted –

1. That Servewise Training would be given at the next meeting of the Forum.
2. That an update on Overprovision would be emailed to the Forum.

11. FORUM ATTENDANCE

Charles advised that attendance had been poor at previous meetings and that he had placed the item on the agenda to establish reasons from members for non attendance.

Decision

It was agreed that Charles would write to the members of the forum that were from public agencies to establish reasons for non attendance.

12. FUTURE MEETING DATES

The meeting dates for 2011 were agreed as follows –

19 April 2011

19/20 July 2011

25/26 October 2011

13. ANY OTHER BUSINESS

Raymond thanked the Forum for welcoming him and added that he was not surprised at the low figures for Argyll and Bute that were contained in the Police Statistics.

Tim raised the increase in unlicensed restaurants inviting customers to “bring their own bottle” and expressed the opinion that it contributed to the risk of public disorder and encouraged the underage consumption of alcohol and asked if there were any control mechanisms in place. He gave an example of some customers that had gone to an unlicensed restaurant with a number of bottles and who had sat in the restaurant all night but did not spend very much on their meal. Inspector Davidson advised that there were no laws to control the consumption of alcohol by under 18's on unlicensed premises but that child protection legislation would play a part in controlling it. Eric Dearie commented that a restaurant owner has the right to ask someone to leave their premises if they were behaving in such a way as he had earlier described.

Eric Box expressed concern at the low representation by health at the meetings and the lack of health issues on the agenda. Charles advised that there would be little point in placing health issues on the agenda if there was no one at the meeting with a

health background to talk on them. He advised that he would include reference to this in his letter regarding attendance and would encourage representatives from health to put forward some agenda items.

Eric Box asked Roanna if she had encountered any problems with counterfeit Young Scot Cards. Roanna replied that there had been a number of rumours circulating that counterfeit cards had been produced and used in Argyll and Bute but that she had worked closely with Strathclyde Police and Trading Standards and they had found no evidence of any counterfeit cards.

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8th March 2011

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National Licensing Conference 2011 - Thursday 15th September

In response to the current economic climate, Alcohol Focus Scotland is offering a 'budget buster' [National Licensing Conference](#).



- **One day conference** - we've packed in the quality speakers and networking opportunities delegates expect from the National Licensing Conference
- **Central location, handy for public transport** - we've moved from Avimore to the Grand Central Hotel, beside Glasgow Central Station
- **Value for money** - £135 delegate rate. Early booking discount available for places booked and paid before 21st April 2011

"The National Licensing Conference has become the top event for getting Boards, the police, the Government, and the licensed trade together to share experiences, share good practice, and to catch up on the latest gossip."

Kenny MacAskill MSP, Cabinet Secretary for Justice

To book please [complete and return this form](#) or call 0141 572 6703 or email training@alcohol-focus-scotland.org.uk

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**Number of Visits To Licensed Premises
LB Sub Division
Jan 2011 – Mar 2011**

	Jan 11	Feb 11	Mar 11	Total
OBAN	182	215	310	707
MAKI	529	453	553	1535
COWAL	296	286	437	1019
TOTAL	1007	954	1300	3261
HELENSBURGH	37	40	38	115

Total Number of visits over the 3 month period = 3376

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**Summary of Storm Incidents
January 2011**

	Public Drunkenness	Outwith Lic Hours Sect.62	Noise Comp Inside	Noise Complaint Outside	Disturb Outside Violent	Disturb Inside Violent	Drunkenness & Disorderly Conduct	Assist Remove Patron	Underage Drinking	In Extended Hours	Drugs in Licensed Premises	Arrests
OBAN			3		6	5	1	2				7
LORN												
ISLE												
C'TOWN					1	4		1				3
KINTYRE						1						
ISLAY												
MID ARGYLL					3	2		2			1	5
DUNOON	1		1	1	2	4		3				4
COWAL												
R'SAY						1		1				
	1		4	1	12	17	1	9			1	19

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**Summary of Storm Incidents
February 2011**

	Public Drunkenness	Outwith Lic Hours Sect.62	Noise Comp Inside	Noise Comp Outside	Disturb Outside Violent	Disturb Inside Violent	Drunkenness & Disorderly Conduct	Assist Remove Patrons	Underage Drinking	In extended Hours	Drugs in Licensed Premises	arrests
Oban				1	3	5	3	1				7
Lorn Isles												
C'town Kintyre Islay	1	1				2						
Mid Argyll					1	1			1			1
Dunoon Cowal R'say			2			3	1	1	1		1	4
				1		1		1			1	1
TOTAL												
Helensburgh Gare'head												
TOTAL	1	1	2	2	4	12	4	4	2		2	13

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**Summary of Storm Incidents
March 2011**

	Public Drunkenness	Outwith Lic Hours Sect.62	Noise Comp Inside	Noise Comp Outside	Disturb Outside Violent	Disturb Inside Violent	Drunkenness & Disorderly Conduct	Assist Remove Patrons	Underage Drinking	In extended Hours	Drugs in licensed premises	arrests
Oban	1			2	4	2		1			2	7
Lorn Isles								1				
C'town Kintyre Islay					2	1	1	4				1
Mid Argyll					1	1		3	1			2
Dunoon Cowal R'say						3		1				1
					1	2	2					1
TOTAL	1			2	8	9	3	10	1		2	12
Helensburgh Garelochhead												
TOTAL	2			4	16	18	6	20	2		4	24

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Drink related Domestic Incidents	Jan 11	Feb 11	Mar 11	Total
OBAN	8	10	10	28
LORN		1	1	2
ISLE	1	2		3
C'TOWN	6	1	2	9
KINTYRE			1	1
ISLAY				
MID ARGYLL	5	2		7
DUNOON	6	8	6	20
COWAL	1			1
ROTHESAY	2	6	3	11
HELENSBURGH	13	4	2	19
TOTAL	42	34	25	101

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**LOCAL LICENSING FORUM TUESDAY 17th MAY 2011
LICENSING STANDARDS OFFICER REPORT**

ACTIVITY BETWEEN 25/01/11 AND 05/05/11

1. GUIDANCE

Training

19/04/11 – Input to the Scottish Certificate for Personal Licence Holder (SCPLH) course at the Regent Hotel, Oban, detailing the role of the LSO.

26/04/11 - Input to the Scottish Certificate for Personal Licence Holder (SCPLH) course at the Lodge on Loch Lomond, Luss, detailing the role of the LSO.

Liaison

03/01/11 – Meeting in Dunoon with ASB officer, police and environmental health to discuss town centre disorder and liquor licensing.

07/02/11 & 17/03/11 – Attended Helensburgh PubWatch.

Information

I provided information and assistance on the Act on 61 occasions.

31/01/11 – Attended the West of Scotland LSO Forum, 1st quarterly meeting of 2011, at East Dunbartonshire Council HQ, Kirkintilloch.

04/05/11 – Attending the West of Scotland LSO Forum, 2nd quarterly meeting of 2011, at Renfrewshire Council HQ, Paisley.

The West of Scotland LSO Forum allows LSOs to meet and discuss the various aspects of liquor licensing and highlight any problems encountered between meetings. Representatives of this Forum meet with the National LSO Forum and Government on a regular basis in Edinburgh.

2. COMPLIANCE

Licence Processing

167 Occasional licence and 46 Extended Hours licence applications processed.

Licensing Board

Attended Licensing Board meeting on 01/03/11 (next meeting 10/05/11).

Premises Licence Review

05/04/11 - Two Premises Licence Review consideration hearings held. One review application dismissed at this stage and the other taken to full review hearing of the Board on 18/04/11, then no action taken by the Board.

Formal LSO Inspections

A total of 95 formal LSO inspections have been carried out during the period.

Between 9th February and 15th April 2011, 100 formal inspections were scheduled to be carried out on behalf of the Licensing Standards Service by consultant, Mr Mark Richardson. In the end 92 inspections were realised. Mr Richardson is a trained LSO and the purpose of the inspections was to gauge the compliance of a cross-section of licensed premises across the licensing board area. A

report is being prepared on the results of the inspections and will be presented to the Licensing Board in the near future. The report will thereafter be made available to the Local Licensing Forum.

All inspections continue to focus on:

- Statutory Notices Display
- Staff Training/Knowledge
- Management Overview
- Security
- Children & Young Persons

Monthly Premises Review Meetings

Between January and May 2011, attended premises review meeting of a premises in Helensburgh.

3. MEDIATION

Licensing Complaints

I have dealt with and resolved 4 complaints, in Oban (1), Helensburgh (2) and Lochgilphead (1) all related to music and patron noise/behaviour.

Eric Dearie
Licensing Standards Officer
5st May 2011

Title of Item	Name of Officer or organisation	Date of Meeting	Action required	Notes
Servewise Training	LLF		Agreed to delay until new Members in place	2010 Training Materials now available to borrow. Training to be arranged for next meeting
Draft Statement on Overprovision	Licensing Board	Discussed Joint Meeting 17 Nov 09	Clerk to provide draft statement for comment following consideration by L.B	Report on overprovision to be provided to meeting on 13 July 2010 Peter Robertson asked to provide an update to the Forum on 25 January 2011 Update was emailed to Members on 3 March 2011 with an update on the situation with regard to overprovision.
National Outcomes for LLF		Discussed October 09	Await National Outcomes	Fiona Meyers from NHS appointed to conduct 3 year study of new Act to include the role of Boards and Forums – outcomes could not be set until this had been completed
Promotion of LLF	Council	Discussed Joint Meeting Nov 09	Arrange with New Communications Manager	New Communication Manager in post – discussion with Chair to be set up
Local Licensing Forum Conveners	LLF	27 October 2010	Convener to set up meeting with other Forums with a view to having some consistency within the roles of forums.	

Alcohol Focus Scotland	Committee Services	27 October 2010	Agenda item “Alcohol Focus Scotland” to be added to agenda for future meetings and responses reported back to AFS.	
Educational DVD – Don’t make the same mistakes we did	Young Scot	25 January 2011	DVD to be shown at a future meeting of the Forum	
Forum Attendance	Committee Services	25 January 2011	Public agencies to be written a letter to establish if those nominated still appropriate	Letter sent out to representatives on 10 March 2011 – all confirmed that they are still the appropriate nominee for the Forum