

**MINUTES of MEETING of LOCAL LICENSING FORUM held in COMMITTEE ROOM 1,  
KILMORY, LOCHGILPHEAD  
on TUESDAY, 26 FEBRUARY 2013**

**Present:** Kenneth Harrison (Chair)

Chief Inspector Marlene Baillie, Strathclyde Police  
Calum MacLachlainn, Licensed Trade  
J Russell Buchanan, Ex Licensee  
Martin Donovan, Licensed Trade  
Fred Bruce, Community Representative  
Raymond Boyle, Community Representative  
Cath Cakebread, Argyll and Bute Addition Team Manager  
Roanna Clark, Young Scot  
Sarah Nicolson, Young Person  
Raymond Park, Licensing Standards Officer

**Attending:** Graeme Forrester, Argyll and Bute Council  
Shona Marshall, Argyll and Bute Council  
John Woods, Alcohol Focus Scotland  
Heather Murray, Strathclyde Police  
Alana Maclaughlin, Young Person

Prior to the start of the meeting, the Chair informed Members that every calendar year of the Licensing Forum a new chair must be appointed. This had been omitted from the Agenda.

The Chair ruled, and the Forum agreed, that this additional Item be dealt with as a matter of urgency.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Inspector Stuart Watson, Tim Saul, Sheila Johnston, Iain MacNaughton, David Greenwell, Elaine Garman and Eric Dearie.

**2. APPOINTMENT OF CHAIRPERSON**

As it was the first meeting of the year, the Forum was required to appoint a Chairperson and Graeme Forrester invited nominations. Calum MacLachlainn proposed that Kenneth Harrison be appointed as Chair and this was seconded by Fred Bruce.

Accordingly Kenneth Harrison was appointed as Chair for the year 2013 and he took the Chair.

**3. MINUTES**

**(a) NOTE OF INQUORATE MEETING OF LOCAL LICENSING FORUM - 11 APRIL 2012**

The Minutes of the meeting of the Local Licensing Forum held on Wednesday 11 April 2012 were approved as a correct record.

**(b) NOTE OF INQUORATE MEETING OF LOCAL LICENSING FORUM - 18 JULY 2012**

The Minutes of the meeting of the Local Licensing Forum held on Wednesday 18 July 2012 were approved as a correct record.

**(c) NOTE OF INQUORATE MEETING OF LOCAL LICENSING FORUM - 17 OCTOBER 2012**

The Minutes of the meeting of the Local Licensing Forum held on Wednesday 17 October 2012 were approved as a correct record.

**(d) JOINT MEETING OF ARGYLL AND BUTE LICENSING BOARD AND LOCAL LICENSING FORUM - 19 DECEMBER 2012**

The Minutes of the Joint Meeting of Argyll and Bute Licensing Board and Local Licensing Forum held on Wednesday 19 December 2012 were noted.

**4. FEEDBACK FROM LICENSING BOARD ON REVIEW OF LICENSING POLICY STATEMENT**

There was tabled a paper titled "Review of the Licensing Board Policy" regarding a meeting which took place on Tuesday 19 February 2013. Representatives of the Licensing Board (LB) were invited, the aim of the meeting being to investigate the methods used by other Boards to construct an evidence based statement of licensing policy.

The paper highlighted points of discussion at the meeting which would help identify practical issues which may arise when reviewing the policy.

Members of the Forum expressed their dismay and disappointment at this review meeting having been held without any representation from the Local Licensing Forum (LLF) being present. It was also queried why the offer of attendance by the LLF Chair had been turned down.

It was pointed out that the purpose of the LLF was to review the operation of the Licensing (Scotland) Act 2005 in their area and how the Licensing Board (LB) operated in the area, and also to keep under review the exercise of the Local Licensing Board's functions.

Members understood the remit of the LLF as being to consider each section of the Licensing Board Policy and present any updates or suggestions for change to the LB for consideration. The range of expertise within the Forum membership had been recognised at recent meetings, and it had been hoped that a small group, representative of the LLF, could meet with representatives of the LB to discuss the way forward for the policy review and what could be attainable.

R Park, LSO, explained that in his role as an employee of Argyll and Bute Council he had a duty to ensure that licensed premises complied with legislation and report to the LB when necessary. He and his colleague E Dearie had taken time to review sections within the policy documentation relevant to their area of expertise. As a result, 64 potential changes had been identified. He felt that this would assist and significantly reduce the time taken by the LB or LLF to review the policy.

G Forester explained that it had been the intention of the LB to bring a proposed

policy to the Forum for consideration and comment.

Following lengthy discussion it was again pointed out by some Members of the Forum that it was the role of the LLF to review the policy which would then be presented to the LB for consideration, as had been the protocol followed for the last policy review. The LLF was particularly keen to include recommendations on health improvement.

The Chair pointed out that it would have to be ensured that the Licensing Board Policy would not be open to legal challenge. He also referred to a useful document produced by West Dunbartonshire Council which provided guidance on how to produce an evidence based policy.

### **Decision**

1. Agreed that "Review of the Local Licensing Board Policy" be placed as an Agenda Item on future meetings of the Forum, taking into account the deadline for submission of a Policy by November 2013.
2. Agreed that a copy of the Licensing Board Policy be circulated to members of the LLF to consider and bring back any recommendations, additions, updates or changes to the next meeting of the LLF for deliberation.
3. Agreed that the importance of attending LLF meetings to enable the Policy document to be updated be reinforced to Forum members.

### **5. LICENSING (SCOTLAND) ACT 2005, SECTION 12A: CHIEF CONSTABLE'S REPORTS TO LICENSING BOARDS AND LOCAL LICENSING FORUMS**

A report by the Chief Constable to the Licensing Board and Licensing Forum for the year April 2011 to March 2012 was considered.

It was noted that this report had been carried forward from previous meetings for consideration and contained historical information.

Chief Inspector Marlene Baillie explained that although a National Police Force had been created, each local authority area in Scotland would have a local policy plan. The Local Licensing Forum would continue to receive an update on relevant local issues.

### **Decision**

1. Noted the report and that the information it contained was now historical.
2. Agreed that a verbal police update be given at future meetings of the Forum and placed as an Item on the Agenda.

### **6. DRAFT ARGYLL AND BUTE ALCOHOL AND DRUG PARTNERSHIP STRATEGY 2013 - 2016**

A report on the Draft Strategy 2013 – 2016 by Argyll and Bute Alcohol and Drug Partnership (ADP) was considered. The closing date for submissions had been 31 January 2013.

**Decision**

Noted the report.

**7. FUTURE ITEMS FOR DISCUSSION**

The Forum considered Items for discussion at future meetings of the Forum.

**Decision**

Agreed that the Local Licensing Forum Agenda contain only the Item “Review of the Licensing Board Policy” until the deadline for submission of the policy had passed.