

**MINUTES of MEETING of LOCAL LICENSING FORUM held in the COUNCIL CHAMBERS,
KILMORY, LOCHGILPHEAD on THURSDAY, 1 OCTOBER 2015**

Present: Kenny Harrison (Chair)

Heather Murray, Police Scotland
Calum MacLachlainn, Licensed Trade
J Russell Buchanan, Ex-Licensee
Martin Donovan, Licensed Trade
Fred Bruce, Community Representative
Sheila Johnstone, Community Representative
Iain J MacNaughton, Community Representative
Carol Muir, NHS
Eric Dearie, Licensing Standards Officer

Attending: Councillor Rory Colville, Chair of Licensing Board
Susan Mair, Legal Manager
Kate Connelly, Solicitor
Ian Clark, Iconic Consulting
Lorraine Simpson, Iconic Consulting

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Tim Saul, Raymond Boyle, Cath Cakebread, Martin Turnbull and Craig McNally.

2. MINUTES

The Local Licensing Forum (LLF) noted the Note of Inquorate Meeting of the Local Licensing Forum held on Wednesday 5 November 2014.

3. ROLE OF LICENSING FORUM IN OVERPROVISION CONSULTATION PROCESS

Susan Mair, Legal Manager and Councillor Rory Colville, Chair of the Licensing Board reported on the role and purpose of the Local Licensing Forum (LLF) in the overprovision consultation process.

It was noted that the Licensing Board had stated in their policy statement to have a review of the Argyll and Bute Council overprovision policy in the context of the 5 policy objectives listed in the Licensing Scotland Act namely;

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children from harm.

Decision

The Forum noted the position.

4. REVIEW OF REPORT TO LICENSING BOARD

The Forum considered a report which had been presented to the Argyll and Bute Council Licensing Board on 23 June 2015. The report provided details of the evidence collated from relevant agencies as well as surveys conducted with the public and licensees, in order that the Board may consider options and arrangements in relation to the required statutory consultation.

The report highlighted that the Board's Statement of Licensing Policy 2013 – 2016 included a section dealing with overprovision; ...

"...and therefore an information and evidence gathering exercise has been commenced in conjunction with the Local Licensing Forum with a view to considering the matter of overprovision (including overprovision of off-sales premises)."

Decision

The Forum noted the position.

5. OVERVIEW OF CONSULTATION PROCESS

Kate Connelly, Solicitor gave a brief overview of the consultation process.

Decision

The Forum noted the position.

6. CONSULTATION PRESENTATION - ICONIC CONSULTING

The Chair welcomed Ian Clark and Lorraine Simpson, Iconic Consulting to the meeting. It was explained that Iconic Consulting had been engaged to carry out the consultative process for gathering information and evidence on overprovision. As part of the process the LLF was being asked to give views on the matter of overprovision

Ian Clark then provided Members with a background to the consultative process and the range of actions which had been undertaken to date, and the groups, organisations and individuals being consulted to ensure that a wide variety of views were being taken into account.

He went on to highlight;

- Overprovision
- Overprovision Statements
- Overprovision Proposals in Argyll & Bute
- Consultation - process
- Consultation - progress
- Consultation - outstanding

- Consultation – emerging findings; and
- Discussion topics.

Decision

The Forum noted the presentation.

7. FACILITATED DISCUSSION ON KEY ISSUES

Ian Clark, Iconic Consulting invited members to discuss the issue of overprovision in Argyll and Bute.

During discussion the Forum debated the;

- differing types of overprovision policies in place throughout Scotland;
- differing age populations within each community identified for consultation;
- role of tourism and the availability of licensed premises; and
- availability of alcohol in supermarkets.

Decision

The Forum noted the position.

8. QUESTION AND ANSWER SESSION

The Forum commented on and raised a number of queries in relation to overprovision in Argyll and Bute including;

- why the statistics circulated did not include the range of premises where alcohol could be purchased;
- the availability of on line purchase of alcohol;
- the diversity in population age within the communities selected for the consultation;
- the position of Argyll and Bute in terms of alcohol related problems as compared to the rest of Scotland;
- the impact on licensed premises resulting from the change in drink driving laws;
- to note that the number of licensed premises in a particular area might not necessarily mean over provision as each may cater for different sections of the population;
- to take into account the issue of “preloading”;
- the price and availability of alcohol from major retail outlets;
- the impact of the availability of alcohol from outlets outwith the Argyll and Bute Council which can be brought into the area;
- to highlight the change in social culture over the past number of years and a shift towards licensed restaurants; and
- to recognise the role of tourism in particular towns with the resultant rise in population, and that consideration be given to how they should be catered for and whether this would be viewed as overprovision.

During further discussion the Forum noted that the Licensing Board would have to ensure that the Council had robust statistics in place to back up any evidence of

overprovision; that legislation did not provide for the Licensing Board to impose particular operating hours on off sale premises; suggested increasing alcohol awareness through education and prevention; and put forward that there should be a limit to the amount of alcohol permitted to be bought at a retail outlet at any one time.

Decision

The Forum noted the position and the comments raised.

Calum Maclachlainn left the meeting at this point.

9. NEXT STEPS

The Forum discussed the way forward and their recommendation to the Licensing Board on overprovision in the Argyll and Bute Council area.

It was noted that the Consultation process was due to conclude at the end of October 2015 and that the findings would be reported to the next meeting of the Licensing Board being held on 17 November 2015.

The report would summarise the views gathered during the consultation process, including those of the LLF and any decision taken on overprovision in Argyll and Bute would be as determined by the Licensing Board.

The Chair thanked Ian Clark and Lorraine Simpson for their presentation and their work in relation to the consultation.

Decision

The Forum;

- (i) agreed to recommend that the Licensing Board note the concerns of the Forum in relation to overprovision of off sale premises, along with the sale and availability of cheap alcohol;
- (ii) noted that the comments made and issues raised during the meeting had been taken cognisance of by Ian Clark, Iconic Consulting and would form part of the findings of the consultation process;and
- (iii) agreed that the Council's licensing standards newsletter be emailed to members of the Forum for their information.

10. DATE OF NEXT MEETING

Discussion took place on the date and timing of the next meeting of the Forum.

Decision

The Forum agreed that a joint meeting with the Licensing Board be arranged to take place in December 2015 and that this date would be circulated in due course.