

**MINUTES of MEETING of ARGYLL AND BUTE LICENSING BOARD AND
LOCAL LICENSING FORUM held in COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 9 DECEMBER 2015**

Present: Councillor Rory Colville and Kenneth Harrison (Joint Chair)

Councillor Alex McNaughton
Councillor Sandy Taylor
Councillor Robin Currie
Councillor Richard Trail
PC Gordon Brown, Police Scotland
J Russell Buchanan, Ex-Licensee
Martin Donovan, Licensed Trade
Fred Bruce, Community Representative
Sheila Johnston, Community Representative
Iain J MacNaughton, Community Representative
Craig McNally, NHS
Eric Dearie, Licensing Standards Officer

Attending: Susan Mair, Legal Manager
Heather Murray, Police Scotland

At the commencement of the meeting, the respective Chairs of the Licensing Board and the Licensing Forum announced that they had agreed to chair the meeting jointly.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillor Roddy McCuish, Cath Cakebread, Tim Saul and Raymond Boyle.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3. MINUTES

The Minutes of the Joint Meeting of the Argyll and Bute Licensing Board and Argyll and Bute Local Licensing Forum held on Thursday 12 December 2013 were approved as a correct record.

4. FINAL REPORT ON LICENSING OVERPROVISION CONSULTATION - ICONIC CONSULTING

The Joint Group considered the final report on "Licensing Overprovision Consultation" by Iconic Consulting. The report had also been submitted to the meeting of the Licensing Board held on Tuesday 17 November 2015 for consideration.

Decision

The Joint Group noted the report and its conclusions.

5. LOCAL LICENSING BOARD MEETING 17 NOVEMBER 2015 - FEEDBACK

Susan Mair, Legal Manager, provided feedback from the meeting of the Licensing Board held on 17 November 2015.

Decision

The Joint Group noted the position.

6. MONITORING EXTENT OF OVERPROVISION

(a) LOCAL LICENSING BOARD ROLE

The Joint Group noted that it was the role of the Licensing Board to produce an annual policy statement. The policy was due for renewal in March 2016, and it would be updated to reflect the Board's decision on overprovision.

Decision

The Joint Group noted the position.

(b) LOCAL LICENSING FORUM ROLE

The Joint Group discussed the role of the Local Licensing Forum (LLF) in monitoring the extent of overprovision.

It was noted that there were limited staffing resources available to provide dedicated concentration for the gathering of statistical evidence. As such, it was suggested that the expertise and wealth of knowledge available to the Forum through its membership should therefore be recognised and utilised to assist with the identification of proposals for monitoring overprovision.

It was noted that the Chair of the LLF was in contact with representatives from Licensing Forums throughout Scotland and it was hoped that a National Licensing Forum could be re-formed. A National Licensing Forum would provide a platform to enter into discussions with the Scottish Government on particular issues.

Decision

The Joint Group noted the position.

7. MECHANISMS TO MONITOR OVERPROVISION

The Joint Group considered a number of proposals for monitoring overprovision in Argyll and Bute.

These included;

- Statistical data;
- Locality boundaries;
- Issues highlighted in the ICONIC Consulting report;
- Engagement and linking in with local organisations;
- Role of Alcohol Focus Scotland;
- Interventions via Licensing Board;
- Intervention by Health;
- Intervention by Police;
- Intervention by Trade; and
- Intervention by Schools.

Wide ranging discussion took place on each of the proposals. However, it was noted that legislation determined the options available to the Licensing Board for implementation.

Decision

The Joint Group;

- (i) noted the position; and
- (ii) agreed that it would be of benefit for both the Licensing Board and the Local Licensing Forum to pursue increased engagement with key partners and the local community to assist with the monitoring of overprovision within Argyll and Bute.

8. AGREED ACTIONS

There was tabled report “Determination of Overprovision Statement” by the Clerk to the Licensing Board, which had been considered at the meeting of the Licensing Board held on 17 November 2015.

The report provided details of the results of the ICONIC Consultation report, in order that the Board could consider options in relation to the assessment of overprovision, as required by statute.

In depth discussion took place by the Joint Group on the findings of the ICONIC Consultation findings.

The Joint Group noted that the Licensing Board was bound by legislation, and as such was limited in what it could enforce. It was considered that wider issues such as changes in attitude and culture towards the consumption of alcohol would also have to be taken into consideration when examining overprovision.

Decision

The Joint Group supported and noted the following recommendations outlined in the report and as agreed by the Licensing Board at its meeting held on 17 November 2015;

- (i) that there is no overprovision within the Argyll and Bute Council area;
- (ii) agreed that overprovision should be monitored and reviewed in the five identified locations of Campbeltown, Dunoon, Helensburgh, Oban and Rothesay particularly in regard to off-sales and that these areas be designated as “areas of concern” in terms of overprovision; to be monitored through regular and robust reporting systems, the results of which would be reviewed by the Licensing Board on an annual basis for a period of three years;
- (iii) that a system of collating analysing and reporting statistical information relevant to overprovision be developed on behalf of the Licensing Board by the Working Group, with the co-operation of relevant partner agencies, including the Local Licensing Forum, and would report back to the Licensing Board as and when required; and
- (iv) that the Licensing Board agree to the Working Group continuing with reporting as and when required to the Board. In addition, the Working Group should encourage the establishment of a multi-agency group focussed on identifying and implementing initiatives which would lead to improved health and other relevant outcomes linked to the consumption of alcohol.

9. ANY OTHER BUSINESS

Decision

The Joint Group;

- (i) agreed that the Legal Manager investigate the feasibility of placing an advert in taxis operating in Argyll and Bute which reinforced the “Don’t Drink and Drive” message;
- (ii) agreed that a letter signed by the Chairs of the Licensing Board and Local Licensing Forum be sent to LLF member Cath Cakebread, to thank her for her contribution to the work of the Local Licensing Forum and wishing her well for the future; and
- (iii) agreed that the Councils licensing administrative team be thanked for their work in resolving licensing issues during the Royal National Mod, Oban in October 2015.

10. DATE OF NEXT MEETING

Decision

It was agreed that a date be identified in December 2016 for the next joint meeting of the Argyll and Bute Licensing Board and the Local Licensing Forum.