

**MINUTES of MEETING of LOCAL LICENSING FORUM held in the COUNCIL CHAMBERS,  
KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 15 MAY 2013**

**Present:** Kenneth Harrison (Chair)

Calum MacLachlainn, Licensed Trade  
J Russell Buchanan, Ex Licensee  
Martin Donovan, Licensed Trade  
Tim Saul, Licensed Trade  
Raymond Boyle, Community Representative  
Cath Cakebread, Argyll and Bute Addiction Team Manager  
Roanna Clark, Young Scot  
Sarah Nicolson, Young Person  
Craig McNally, NHS Highland  
Eric Dearie, Licensing Standards Officer

**Attending:** Susan Mair, Argyll and Bute Council  
Graeme Forrester, Argyll and Bute Council  
Megan Harris, ADP  
John Woods, Alcohol Focus Scotland  
Caroline Church, Alcohol Focus Scotland  
Alana Maclachlan, Young Person

**1. APOLOGIES FOR ABSENCE**

The Chair invited those present to introduce themselves and their role within the Local Licensing Forum (LLF).

Apologies for absence were then intimated on behalf of Sheila Johnston, Iain MacNaughton, David Greenwell, Catherine Dobbie, and Elaine Garman.

**2. MINUTES**

The Minutes of the meeting of the Local Licensing Forum held on 26 February 2013 were approved as a correct record.

**3. REVIEW OF LOCAL LICENSING POLICY**

**(a) ARGYLL AND BUTE LICENSING POLICY STATEMENT 2010 - 2013**

S Mair informed the Local Licensing Forum (LLF) that a meeting of the Licensing Board (LB) was due to be held the following day to bring together a draft Licensing Policy which would be put out for public consultation in June 2013.

The LLF had the opportunity at this meeting to submit to the LB any changes or reviews they would like to see incorporated into the Licensing Policy.

There had also been tabled, for information, statistical data for the Argyll and Bute area on Alcohol Related Deaths; Alcohol hospital discharges; Sources of alcohol for children < 15 years; Type of alcohol consumed by children < 15 years; and Alcohol and Crime for various years from 2000 until 2011.

The Chair welcomed the opportunity for the review and found the statistics to be very informative. The Forum proceeded to discuss each topic contained in the Policy and made the following recommendations;

(i) 2 CONTEXT

Suggest that reference should be made to the statistics which had been circulated and they should be included as an Appendix to the Policy.

(ii) 3 THE LICENSING OBJECTIVES

To insert “Young People” after “Protecting children from harm”.

(iii) 3 Protecting and Improving Public Health

Suggest that the paragraph be changed to read as follows;

“The Board recognises the link between consumption of alcohol and public health and will have regard to the views of the relevant authorities responsible for the protection and improvement of public health and will utilise the information from these bodies to inform this Policy.

The Local Licensing Forum requests that the Licensing Board recognises in the Policy the link between affordability of alcohol and consumption.”

(iv) 4 BOARD BUSINESS

Paragraph 1 should be explained more clearly in terms of “consideration to an application **regardless of whether** it conforms to all of the requirements set out in the Policy Statement.”

(v) 6 OVERPROVISION

Paragraph 6.3 insert “Director of Public Health” after “Chief Constable of Strathclyde Police.”

(vi) 8 LICENSING HOURS

Paragraph 8.1 to include that the Licensing Board can also restrict the licensing hours for the sale of alcohol for consumption off the premises (off sales hours).

(vii) 9 OCCASIONAL LICENSES

To request that under Paragraph 9.2 the notes accompanying the granting of occasional licenses to voluntary organisations be modified to state that before a license can be granted the voluntary organisation must state how they intend to meet the 5 Licensing Objectives at the event being held or within the relevant premises.

Paragraph 9.4 to highlight that an occasional license may be refused if there have been previous incidents involving the Police.

Paragraph 9.5 to note that dates for Christmas and New Year would be included.

(viii) 13 ACCESS BY CHILDREN TO LICENSED PREMISES

Heading of topic to read "ACCESS BY CHILDREN AND YOUNG PERSONS TO LICENSED PREMISES"

There should be clarification of the distinction between children and young persons.

(ix) 15 OUTSIDE SEATING AREAS

To note that the Licensing Board would be including the terminate time of 10pm for outside seating.

(x) 16 PROCEDURES THE BOARD HAS DEVELOPED FOR HANDLING APPLICATIONS, OBJECTIONS, HEARINGS

Paragraph 1 to include "(e) health board"

(xi) 19 LOCAL LICENSING FORUM

19 (ii) to include that "reasons for the decision will be given to the Forum **in writing.**"

(xii) 20 MEMBERS CLUBS

20.3 to be adapted to more accurately reflect the wording in the Licensing (Scotland) Act 2005 in terms of exemptions in relation to the licensing of members clubs.

(xiii) 23 RELATIONSHIP WITH OTHER STRATEGIES

23.1 Paragraph to include "...local crime preventions, community safety, health, planning, transport, tourism, race equality, cultural changes **and alcohol and drug strategies**".

The Forum also agreed that the topic "ENTERTAINMENT" be included in the Policy, which would incorporate themes such as Adult Entertainment.

Discussion then took place on how the definition of over provision of licensed premises was determined. Reference was given to the research carried out by West Dunbartonshire Licensing Board which had gathered evidence to support its Licensing policy. This evidence was used to support any decisions taken in the granting or refusing of a License in a particular area.

Following a query the Forum was informed that under the Licensing (Scotland) Act 2005 there was no requirement for Members Clubs to be included in the calculation of overprovision of Licensed premises. This was despite these clubs being able to hold licensed events under the grant of a premises licence. This was the position Scotland wide.

The increased availability of cheaper alcohol from supermarkets and the impact

on public health was also discussed. It was suggested that the Forum consider gathering evidence on overprovision in Argyll and Bute which could be used by LB in the consideration of Licenses. The information would be updated on an ongoing basis.

### **Decision**

1. Agreed that an Item on overprovision of alcohol be placed on future Agendas of the Forum
2. Agreed to identify methods to gather evidence on the overprovision of licensed premises and the volume of alcohol being sold within data zone areas of Argyll and Bute, in conjunction with research already being carried out by member organisations on the Forum.
3. Agreed that the Police be asked at the next meeting of the Forum whether they carried out regular checks on Members clubs similar to those carried out on Licensed premises and pubs, and that regulations were being adhered to.

### **(b) LICENSING POLICY STATEMENT 2013 STEP-BY STEP GUIDANCE TO PREPARING AN EVIDENCE BASED OVERPROVISION ASSESSMENT - NOTES BY WEST DUNBARTONSHIRE LICENSING BOARD CLERK**

The Forum considered the "Notes by West Dunbartonshire Licensing Board Clerk" on their Licensing Policy Statement 2013 to be very informative.

Discussion also took place on membership of the LLF.

### **Decision**

1. Noted the report.
2. Agreed to look at the process for filling vacancies on the LLF.

## **4. DATE OF NEXT MEETING**

The Forum requested that the date for the next meeting be changed to take place earlier in August 2013.

### **Decision**

Agreed to find an alternative date for the next meeting of the Forum.