



MINUTE OF THE MEETING OF EAST LoTHIAN LOCAL LICENSING FORUM

**WEDNESDAY 6 JUNE 2012
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Forum Members Present:

Mr John Boyce (Chair)
Mr Stuart Baxter
Mr Martin Bonnar
PC Heather Bowsher
Mr David Dickson
Mr Rudi Fruzynski
Mr Pat Hanson
Mr Bernard Harkins
Mr Ricky Ross

Others Present:

Mrs Lel Gillingwater (Clerk)

Apologies:

Mr Bill Duncan

1. NOMINATIONS AND ELECTION OF NEW CHAIR AND SECRETARY

John Boyce advised that he had agreed at the last meeting to act as Chair until a new Chair was nominated. He felt that it was inappropriate for him to be the permanent Chair due to his role within the NHS and also because he was not resident in East Lothian. He called for nominations for the roles of Chair and Secretary.

Following a short discussion, John Boyce nominated David Dickson as the new Chair and Pat Hanson as the new Secretary. Ricky Ross seconded both nominations.

There were no other nominations.

Decision

The Forum approved the appointments of David Dickson as Chair and Pat Hanson as Secretary, with effect from the next meeting.

2. MINUTES OF THE MEETING HELD ON 28 SEPTEMBER 2011

The minutes of the meeting held on 28 September 2011 were presented for approval.

Decision

The Forum agreed to approve the minute of the meeting of 28 September 2011.

3. MEETING DATES 2012

A report was submitted which proposed dates for future meetings of the Forum.

John Boyce suggested that in addition to the dates proposed, the Forum should also consider meeting with the East Lothian Licensing Board during 2012.

Decision

The Forum agreed:

- i. to note the future meeting dates of 5 September 2012 and 5 December 2012; and
- ii. to further consider convening a joint meeting with the East Lothian Licensing Board during 2012.

4. ALCOHOL FOCUS SCOTLAND'S NEWSLETTER

The May edition of the Alcohol Focus Newsletter was submitted to the meeting for noting.

Rudi Fruzynski raised the issue of minimum pricing, suggesting that in order to address alcohol-related health issues, it was necessary to introduce minimum pricing alongside other measures. He noted that whilst some types of alcoholic drinks would be unaffected by the proposals, there would be an increase in the cost of cheaper beverages with high alcohol content.

Martin Bonnar welcomed the inclusion of the 'sunset clause' in the proposals for minimum pricing. He referred to research that showed that as the price of alcohol decreases the consumption of alcohol increases.

Concerns were expressed in relation to the proposal to allow supermarkets to retain the profits from the increase in revenue, the perception that it was mainly young people who were responsible for alcohol-related crime, and people arriving at licensed premises having already consumed a considerable amount of alcohol and expecting to be served more alcohol.

PC Heather Bowsher spoke in support of the minimum pricing proposals. However, she did believe that alcohol-related crime would continue. She also highlighted the results of recent test-purchase operations.

Forum members generally agreed that minimum pricing for alcohol was a positive step in addressing alcohol-related problems, but that a cultural change in people's relationship with alcohol was also required.

5. POLICE REPORT

PC Heather Bowsher reported that the police had received 128 calls in relation to incidents at licensed premises in May 2012. She also advised that there had been 40 applications for occasional licenses during May. It was noted that no test purchase operations had been carried out in May but that these would resume during June.

PC Bowsher referred to Operation Eucalyptus, which was concerned with cocaine swabbing. She advised that this operation was currently on hold due to a number of false positive results, and that the company who provide the test kits was currently looking into the matter.

In relation to incidents associated with the Scottish Cup Final, PC Bowsher reported that a small number of premises were being referred to the Licensing Board for review.

In response to a question from Bernard Harkins, PC Bowsher advised that 128 calls in one month was not unusual, and that many of the calls had come from licensees being proactive. She added that the numbers of 'positive' calls were increasing and that licensees were being encouraged to report problems to police at an early stage.

6. LICENSING STANDARDS OFFICER REPORT

Rudi Fruzynski reported that during the previous three months, complaints in relation to licensed premises had reduced to an average of three per month, and that those complaints were mainly related to noise or disturbances when people were leaving the premises. He advised that he and the Council's Environmental Protection Officers were providing advice and assistance to licensees on dealing with such matters.

Mr Fruzynski raised the issue of clubs applying for open licenses rather than occasional licenses. He advised that when function facilities were not being used for bookings, the membership fees, constitution and rules would be retained. He provided further details as regards licensing and training of staff, as well as rates and tax relief arrangements.

In response to a comment from Ricky Ross in relation to gaming machines in clubs, Mr Fruzynski advised that he had raised this matter with the Gambling Commission, and that there were no concerns as long as gaming machines were situated within members-only areas.

PC Bowsher advised that the police were encouraging clubs to apply for open licences because many clubs were not adhering to the existing rules as regards controlling access.

Concerns were raised in relation to how some clubs were operating, particularly as regards membership, signing in ratios and the use of facilities for functions. John Boyce proposed that the Forum should discuss these matters in more detail at a future meeting and then make recommendations to the Licensing Board.

Mr Fruzynski advised that the new Licensing Board would meet on 28 June for the first time, and that a convener would be appointed at that meeting.

In response to a question from Pat Hanson as regards inviting the Convener of the Licensing Board to Forum meetings, Mr Fruzynski advised that this was a matter for the Forum to decide. Mr Boyce noted that the Forum and Licensing Board should meet at least once a year. He also suggested that there should be representation from the Forum on the Licensing Board's Policy Group. There was general agreement that the new Convener of the Licensing Board should be invited to the next meeting of the Forum.

Mr Fruzynski reported that the Local Licensing Forum website (<http://www.eastlothianlicensingforum.co.uk>) was launched in December 2011 and encouraged Forum members to publicise it.

Decisions

The Forum agreed:

- i. that the new Chair and Secretary should invite the Convener of the Licensing Board to the next meeting of the Forum; and
- ii. to approach the Licensing Board as regards Forum representation on the Licensing Board's Policy Group.

7. ANY OTHER BUSINESS

Changes to Police Representation

PC Bowsher reported that Inspector Simon Broadhurst was now her supervisor, and she hoped he would be able to attend the next Forum meeting.

Local Licensing Forum Constitution

John Boyce proposed that at its meeting in September, the Forum should discuss its constitution. He asked Rudi Fruzynski, in conjunction with the Chair and Secretary, to prepare a report, with a particular focus on the role, scope and functions of the Forum.

Mr Fruzynski commented that the constitution would probably need to be updated. As regards Forum membership, he suggested that if members failed to attend meetings, then they should be removed from the Forum membership. He noted that a quorum was half the membership but not less than three members.

Action: Rudi Fruzynski and LeI Gillingwater undertook to update and confirm the membership of the Forum. Mr Fruzynski would present a report on the Forum constitution at the next meeting.

Health Matters

John Boyce circulated statistics on alcohol-related hospital admissions and the number of licences per 100,000 population. He noted that in deprived areas, there was a higher rate of alcohol-related hospital admissions, and suggested that the Forum should consider these statistics in more detail.

Ricky Ross expressed concern in relation to the statistics, suggesting that a proportion of those admissions may have been drug-related, but that people were more likely to admit to having had a drink rather than having taken drugs.

Martin Bonnar commented that it was only in the last 7 or so years that substance misuse services had begun to pay attention to the damage caused by alcohol. He offered to provide more detailed information on this issue.

In response to a question by Bernard Harkins, PC Bowsher advised that the police recorded the presence of alcohol in domestic abuse incidents.

Action: A report on alcohol-related hospital admissions would be presented to the next meeting.

Future Items for Discussion

Rudi Fruzynski proposed that the Forum should be informing the Licensing Board of the Forum's views on certain issues. He suggested that possible items for future discussion should include the following:

- Statement of over-provision
- Current statement of licensing policy, which would be reviewed in 2013, and which the Forum may also wish to review and inform the Licensing Board of its views
- Non-payment of annual fees by licensed premises
- Clubs
- Occasional licences, including costs and the restriction on the number of occasional licences
- Personal licence training, including whether the Local Authority has a current list of personal licence holders, and should licences be revoked if personal licence holders are not contactable
- Local Licensing Forum Constitution (to be considered at September meeting)
- Noise complaints

David Dickson welcomed the suggestions for future agenda items and highlighted the importance of the Forum fulfilling its duties.

John Boyce was thanked for chairing the meeting, and LeI Gillingwater was thanked for clerking the meeting.

The meeting ended at 8.50pm.