



MINUTES OF THE MEETING OF THE EAST LoTHIAN LOCAL LICENSING FORUM

**2 DECEMBER 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Forum Members Present:

George Hood (Chair)
David Black (Secretary)
Stuart Baxter
David Dickson P.L.H
Jim Goodfellow
Christine O'Brien
John Thayers
Ricky Ross
Steven Wray
PC Heather Bowsher (Police Scotland)
Rudi Fruzynski (LSO)
Kirsten Baird

Visitors Present:

There were no visitors present

Apologies:

David Forest
Kirstie MacNeill
Bernard Harkins
Julie Foster

1. Minutes of the previous meeting held on 2 September 2014:

The minutes were agreed as a true record

2. Over provision

The forum expressed concerns at the previous meeting and wanted an explanation on why every application has been granted since the introduction of the act. Member states 'out of caution in every decision' Previous applications have all met the criteria, as on sales premise are decreasing it is becoming easier to grant new licenses. All new supermarkets will be subject to the over provision act. Haddington and Prestonpans will be among these.

Chair George Hood read from the over provisions act (taken as read) requesting further explanation on the word used exceptional.

Answer was the Board is no longer unanimous as it was previously. The board is getting closer to making a refusal but haven't made it yet.

Member asked 'what would happen if you refused a supermarket, do you think you would be taken to court?'

From a police stand point we think the off-sale in Haddington should have been blocked. However if a premises meet the 5 licensing objectives are understanding it will be granted.

Jim Goodfellow mentioned the work from QMU on the health statistics. The health statistics are OOD each area should be broken down and not only be related to hospital admittance but other alcohol instances including health anti-social behaviour.

Rickie Ross states' they are not getting in pubs and clubs the problems are coming from the off- licenses and supermarkets. Canada has shops which are specific for purpose. Perhaps this is a decision that needs to be made and looked at more closely.

John Thayers 'government releases SALSUS survey from ages 13+ these gives us an individual profile for each area, this shows changing behaviour in 13-15 year olds now drinking and taking drugs less. Those underage pre-dominantly obtain alcohol from family and friends. The number of license premises has a direct approach on use. (Taken as read from SALSUS survey) report seems conclusive

Steven Wray NHS Scotland "it's clear that because of availability this is causing the problem". The Forum was happy with this explanation.

3. Local licensing forum constitution review

Several points were raised at the review meeting for the forum and all points agreed including changes to be made. It was agreed the constitution should be reviewed every 3 years to keep it relevant. All points raised after the review will be amended and added to the constitution.

4. Licensing standards officer report (Verbal)

Major variations only three items on the agenda September
Premise in Gullane

Golf Inn

The Alberto Café

Review of licence based on the clear convictions

October

Declaration was issued for the extension of hours (taken as read)

To summarise the board granted an extension of hours for the 14th and 15th of January offering an extension until 2am. No further extensions were authorised.

One major variation

One personal license revoked

Decision taken any outstanding fees due to licensing board would have to attend the next licensing board meeting. 79 premises failed to meet conditions laid out by the licensing board.

November

Two objections raised but were not considered. Major Variations 1

The Mercat Grill to extend opening hours to 10am and close at 12pm. Variation was refused

Four premises license reviewed and admonished/ no action

2 personal licenses reviewed due to convictions

All no payment of fees should have had a letter0 attached to their file. If this is the case next year the board will impose sanctions.

27 complaints received from EHO all complaints investigated. Only one complaint noted as true.

1st of September to 30th of November the following licensing criteria were reviewed

Premise application 0

Major variations 3

Minor Variations 4

Personal licence review 1

Occasional licence submitted 85

Compared to 272 over summer months

Occasional extension 5

Compared to 25 in the summer

Transfer of licence 4

Compared to 10 in the summer

Complaints 6

Compared to 27 in the summer

Licensing refresher training;

There has been 557 reminders letters sent out in regards to refresher courses 5 have which have now been surrendered. 2 deceased and 5 surrendered still 253 outstanding personal license holders who are still required to complete refresher training cost could be playing a factor.

5. Air weapons act

Quentin Fisher has confirmed that the air weapons bill will not be approved until June 2015. The bill will need to be published and that could take months perhaps, late 15/16 until completion

Drink driving limit reduction official change date will be starting from 5th of December.

Licensing Forum meetings

All new meetings will be arranged by Debbie Richards with the aim to change the forum meeting times to early morning.

Christine O'Brien asked about new statistics about crime, admission and accidents and incidents for NHS related to alcohol misappropriation. Answer was new reports will be released in due course.

Licensing Scotland police report

Personal license revoked 1,

Premises license being reviewed as previously mentioned.

Credit card knives- 2 premises being entered with these knives. Police are now using wands at premises when carrying out searches

Young scot cards and pass cards – 2 noted cases in recent weeks of underage use of these cards police Scotland to conduct a meeting with the producers in order to make a decision as to any future involvement in the scheme

Drink drive limit best advise don't offer any advice to customers the message is don't drink and drive. Forum member noted a great scheme where designated drivers are offered free soft drinks which could be implemented in local pubs.

Kirsten Baird from QMUSU expressed her concerns over students over students being out until 3 or 4 am and still being under the influence of alcohol the next again day.

Jim Goodfellow asked whether or the matriculations card could be standardised so that all university's cards can be easily identified. Stated by member from QMU that this is being looked at.

Test purchase policy has changed any information in regards to the premise not practicing the correct due diligence police Scotland will be entitled to send in test purchases

Pub Watch (RASP)

One premises being removed for non-attendance

Three pubs getting letters for low attendance

One individual going to be given a ten year pub ban for carrying credit card knife.

RASP has reviewed its data protection legality. It has been decided that barred list should not be on display for public viewing. RASP will need to sign up to the act to ensure legal compliance.

Alcohol Focus Scotland:

225 kids under 10 suffer from hospital admittance due to drink related incidence. All members have read. No further discussion required.

Date of next meeting: 3 March 2015

End of Meeting