

East Lothian Local Licensing Forum

Minutes of Meeting held on 3rd June 2009

Members Present: Derek Edmunds (Convener), Valerie Roebuck (Secretary), David Baillie, Andrew Blair, Nico de Freitas, Rudi Fruzynski (Licensing Standards Officer), Richard Ross, Alan Torrance.

In Attendance: Provost Sheena Richardson and Cllr Tom Trotter (Local Licensing Board)

Apologies: Stuart Baxter, Alan Belshaw, John Boyce, Liz Drummond, Cllr Innes.

Item 1, Minutes of meeting held 4 March 2009,

Point 4.5 EIA reports should read EQIA reports.

Item 2, Matters Arising:

Points below relate to matters arising section of minutes dated 4/3/09.

4.5 Equalities Impact Assessments; The Convener had requested the information about availability of the reports, but unfortunately no response had been received to either the initial request or the reminder. The Convener wished to get members agreement to his writing to the Provost to advise of lack of response to this and other requests for information and members agreed to this action. Cllr Tom Trotter also requested to be informed when council officials did not respond to Forum letters. **Agreed Derek Edmunds to progress**

6 Musselburgh & Inveresk Community Council; A meeting with the Licensing Board members at the Brunton Hall answered the “other factors” questions. The Convener subsequently advised the Chair of the Community Council of the Licensing Board’s responses.

Matters below relate to items in body of minutes dated 4/3/09.

6. David Baillie report. The Convener wished David Baillie’s report to become a regular agenda item and will advise Stella Birrell accordingly. Three test purchases were made in Dunbar and all were without incident. There is a plan for another programme of test purchasing in East Lothian at the end of July. There has been a problem of drinking in the streets in Haddington and the local Inspector is to meet local Licencees to discuss this. A Tranent licensee has been charged with

selling alcohol to a 15 yr old and a report regarding a parent purchasing alcohol for their child in Dunbar has been forwarded to the Procurator Fiscal.

8 AOCB, Evaluations of Licensing Board. The minutes of the Licensing Board were not sent to Forum members as had been promised: only the Convener received them. A request will be made to Stella Birrell to forward these to all members by email in future.

Page 28 A licence has been issued to an address in East Linton, (a mail order company). The issue of underage purchasers was raised. How do the company deal with this? Purchasers have to confirm that they are over 18.

Are there any guidelines on the number of outlets one company can have? There are no restrictions.

Some of the Licensing Board minutes give Rudi Fruzynski the title of Implementation Officer: this is incorrect his title is Licensing Standards Officer.

Rudi Fruzynski reported that the majority of licencees who require a licence have been visited and advised of what is needed, which is leading to fewer having to redraw plans, and therefore keeping down the costs. He is also providing information on signage.

None of the personal Licences has been issued by ELC yet. Both David Baillie and Rudi Fruzynski are pushing to ensure they are granted with sufficient time for training of staff to be given by September.

The training should follow Regulation 3, with all 16 items to be covered. Examples are given of the necessary training records which should also include appropriate local training for the individual premises, e.g. how each particular premise deals with closing time.

The Licensing Board has received confirmation that the personal application licence forms would start to be processed after 25/6/09, and not held until September as Richard Ross had been advised. Personal Licences will not be processed by the Board as this has been delegated to the Clerk of the Board.

Sheena Richardson had received a letter of complaint regarding the cleaning of the outside area of a public house after closing, and would like this to be incorporated in the routines. She was advised by Rudi that this was already included. However a discussion was held regarding whether East Lothian Council could produce a booklet for licensees.

The meeting requested by the Licensing Board to discuss the Action Plan was held but unfortunately no Board members attended. A date at the end of August for another meeting was suggested by Sheena Richardson, with the Forum providing details of the matters that they want to discuss with the Board.

All members

Item 3: Licensing Standards Officers Paper.

A general discussion was held regarding the bullet points.

The Forum is unlikely to solve the age old problem of underage drinking. Drinking in the street which is more common now as it is harder for underage drinkers to get drinks in pubs. The unit

pricing of alcohol was discussed, along with the theory that it was not underage drinking that is the social problem, but rather the inappropriate drinking.

Over-provision by supermarkets, and the costing of licences based on alcohol turnover (costs of licensing are been looked at nationally) were also discussed.

One Licensing Forum in Aberdeenshire has used the wording of the Licensing Scotland Act 2005 regarding overprovision to advise their Licensing Board of their concerns. Rudi Fruzynski is to try to get a copy of the report.

A discussion was also held on what action a landlord should take when a person is drunk on licensed premises. It was pointed out that it is difficult to know if a person was under the influence of alcohol or drugs. A landlord can refuse sales without having to give a reason. Should landlords report drinkers if they then intend to drive? Yes

A question was asked regarding availability of arrest numbers where alcohol was involved, and of admissions to A & E for alcohol-related injuries. We would have to be specific regarding the exact information we required. **Derek Edmunds to progress re what information is available.**

The Convener requested members to give their opinions on the LSO's report to Valerie Roebuck so she can collate them for the next meeting. **All members**

Item 4 Underage Work Plans

Midlothian now use counsellors to speak to underage drinkers (offered but not compulsory). The parents are not involved in the one to one session. It was originally a West Lothian initiative, but there was no time scale for it to be implemented in East Lothian.

The Local Authority support workers should be added to the list of Support Agencies.

The police are often in the local schools, and they are unaware of any drink/drug problems within the schools during school hours.

The Community Councils receive regular reports from the police.

ASBOs, are taken out by the local authority, but underage drinkers must have been found with alcohol more than four times before they are considered. Other methods are used to try to resolve the problem before the ASBO is used.

Item 5 AOCB. No other business.

Meeting closed 8.30pm

Date of next meeting 30 September 2009 7pm venue to be advised.