



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD and EAST LOTHIAN
LICENSING FORUM**

**THURSDAY 24 SEPTEMBER 2015
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON**

Board Members Present:

Councillor J Goodfellow (Convenor)
Councillor S Akhtar
Councillor D Grant
Councillor W Innes
Councillor F McAllister

Forum Members Present:

Mr D Dickson
Ms E Oldcorn

Clerk of the Licensing Board:

Mrs M Ferguson

Attending:

Mr R Fruzynski, Licensing Standards Officer
Ms M Winter, Licensing Administration Assistant
PC H Bowsher, Police Scotland

Committee Clerk:

Ms J Totney, Team Manager – Democratic Services

Apologies:

Councillor S Currie
Councillor T Trotter

Declarations of Interest:

None

1. ALCOHOL (LICENSING, PUBLIC HEALTH AND CRIMINAL JUSTICE) (SCOTLAND) BILL

The Clerk referred those present to the email issued to attendees which summarises East Lothian Council's consultation arrangements in respect of the Alcohol Bill. She pointed out that the email contains a link to the consultation page.

Councillor Goodfellow encouraged members of the licensed trade and other members of the public to provide feedback.

The Licensing Standards Officer (LSO) advised that the Licensing Forum had set up a working group who had completed the initial survey in June 2015.

Decision

The meeting noted this item.

2. GAMBLING ACT 2005 STATEMENT OF PRINCIPLES

Councillor Goodfellow advised that the East Lothian draft statement was out for consultation and again encouraged feedback and participation in the consultation.

Decision

The meeting noted this item.

3. LICENSING (SCOTLAND) ACT POLICY STATEMENT

Councillor Goodfellow advised that East Lothian Council are required to have a new Policy Statement by 2016 and that a first draft is being prepared, with consultation planned for early 2016. He was keen that Forum members contributed to the process and suggested that this be an agenda item for the next meeting of the Forum.

The Clerk stated that the Forum has contributed in the past and that their input is invaluable as the voice of the licensed trade.

The LSO advised that the Forum would create a working group and would fully contribute. He stated that the Forum has concerns about the overprovision statement and believe that it has been ineffective as the Board is not fulfilling the need for applicants to provide evidence of 'exceptional' circumstances in the majority of the decisions which have been taken.

The meeting debated the matter of the overprovision statement at length and acknowledged the need for updated health and criminality statistics.

Councillor McAllister suggested that statistics from Scotland Fire and Rescue Services also be included.

Mr Dickson advised that the Forum have already requested that the health statistics, including those for hospital admissions from alcohol abuse, are presented in a more readable format. He commended the Police and the LSO for the support they provide to the East Lothian Licensing Forum.

Councillor Innes welcomed the future debate and remarked that there is evidence that most damage results from supermarket off sales of alcohol.

Decision

The meeting noted this item.

4. PERSONAL LICENCES

5. REPORT TO LICENSING BOARD – AIR WEAPONS AND LICENSING (SCOTLAND) ACT 2015

The Clerk advised that these agenda items are linked and alerted Forum members to the legislative changes in the Air Weapons and Licensing (Scotland) Act 2015. She stated that the changes effectively close the loop hole regarding the time-barring of re-application by personal licence holders whose training has lapsed.

Councillor Innes pointed out that the amended legislation allows for a 'fit and proper' person test.

The LSO noted that the changes in respect of personal licences take immediate effect.

The Clerk undertook to find out when the changes to the other legislation would take effect.

Decision

The meeting noted this item.

6. ANY OTHER BUSINESS

The LSO advised that he would request the Chair of the Licensing Forum to write to the Clerk with findings from recent working groups for circulation to Board members. In particular he mentioned that a group had met, at the request of the Board, regarding the matter of a village off sales premises carrying out home deliveries of alcohol.

The Clerk advised that, once received, the reports would be included in the agenda for the next Board meeting. She added that the Chair of the Licensing Forum would be welcome to attend and address the Board.

The meeting noted that there might have been some confusion regarding the logistics for this meeting.

Decision

The meeting noted this item and agreed that the Chair of the Licensing Forum be invited to address the Board regarding the outcomes of the recent Forum working groups.