Minute of meeting of the ANGUS LOCAL LICENSING FORUM held in Training Rooms A & B, Angus House, Forfar on Monday 22 February 2016 at 10.15am.

Present: HOLDERS OF PREMISES LICENCES & PERSONAL LICENCES SHEENA COCHRANE, GRAEME STRACHAN AND IAN WHYTE.

RESIDENT ANGIE MERRILEES

ANGUS COUNCIL MARK GILLESPIE, LICENSING STANDARDS OFFICER, LAURA OGILVY, DEVELOPMENT OFFICER, ANGUS ALCOHOL & DRUGS PARTNERSHIP AND COUNCILLOR CRAIG FOTHERINGHAM

POLICE SCOTLAND SERGEANT IAIN BETHWAY AND PC MARK SIME, POLICE SCOTLAND.

HEALTH DR DREW WALKER, NHS TAYSIDE

FIRE AND RESCUE PAUL PERRIE

Also Present: FIONA ANDERSON, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Irene McLellan, holder of a Premises Licence and Personal Licence and Eric Knox, Tayside Council on Alcohol.

Sheena Cochrane, in the Chair

1. WELCOME

The Chairman welcomed everyone to the meeting and introductions took place. The Chairman gave a warm welcome to Mark Gillespie, Licensing Standards Officer and Angie Merrilees, resident to their first meeting of the Forum.

She also advised that Gillie Gilfillan had intimated his resignation from the Forum due to work commitments. She thanked him for all his work over a number of years and requested that a letter of thanks be sent to him on behalf of the Forum members.

2. MINUTE OF PREVIOUS MEETING

There was submitted and approved, as a correct record, the minute of meeting of the Angus Local Licensing Forum of 8 June 2015.

3. MATTERS ARISING

(a) Extended hours over the Festive Period

With reference to article 9 of the minute of the joint meeting of the Angus Licensing Forum and Angus Licensing Board of 5 November 2015, forum members noted that Board members had agreed at their meeting on 7 January 2016 to consider publishing a Supplementary Statement of Licensing Policy in respect of extended hours over the Christmas and New Year period.

It was noted that an informal discussion on the way forward would take place with members after the Board meeting on 31 March.

4. LICENSING STANDARDS OFFICER REPORT

There was submitted a Report by the Licensing Standards Officer updating the members on a number of licensing issues. It was noted that the Angus Licensing Board on 7 January 2016 granted 1 application for non minor variation to premises licence and considered 1 request to relieve the failure to comply with a procedural requirement.
As of 11 February 2016 there were 336 premises licences in force, 127 on-sales, 128 on/off sales and 81 off sales.

In 2015, 518 occasional licence applications were processed along with 22 applications for extended hours. As of 11 February 2016, 74 occasional licence applications have been processed and 1 application for extended hours.

The members noted that Royal Assent had been received on 4 August 2015 regards the Air Weapons and Licensing (Scotland) Act 2015 however, the liquor elements were not yet in effect but should be released later this year which would include:-

- The fifth licensing objective, “protecting children from harm” being amended to “protecting children and young people from harm”.

- The three year licensing period being abolished and replaced by a “licensing period”; this period effectively runs for the period between 18 months after the date of an ordinary election for local councillors.

- Extending the information which can be provided to the Licensing Board to allow any relevant information to be lodged in respect of the applicant or, where the applicant is a company, a connected person or any person who would become an interested party should be granted. The Board can also refuse to grant a licence on the basis that the applicant is not a fit and proper person to hold a premises licence.

- Transfer of premises licence. The powers of the Chief Constable are to be increased allowing them to provide any information in relation to a transferee, connected person or interested party. If a ground for refusal applies then the application must be refused.

- Any relevant information can be provided to the Board for a Review of a licence to take place. The Act also allows the Board to give 28 days to revoke a licence which can be recalled if, during the 28 day period, an application is received either transferring the premises licence or varying the terms of the licence to remove the ground on which the licence was revoked.

- The LSO being allowed 21 days to lodge a representation in response to an application for a personal licence.

- The fit and proper test being extended should a notice of conviction be received for a personal licence holder.

- Creating an offence of providing children or young persons with alcohol for consumption in a public space.

- Annual functions and financial reports to be produced by licensing authority.

- LSO to provide the board with information as to the conduct of licence holders which is inconsistent with the licensing objectives.

- The Licensing Board having to give 9 months notice to personal licence holders that their licence will cease to have effect on expiry unless renewed.

It was agreed to note the contents of the Report.

5. ANGUS ALCOHOL & DRUGS PARTNERSHIP - UPDATE

Laura Ogilvie, Development Officer, Angus Alcohol and Drugs Partnership advised that the anonymous Tayside Social Attitudes to Alcohol survey which had been conducted by NHS Tayside on behalf of the Alcohol and Drugs Partnerships (ADPs) in Angus, Dundee and Perth
& Kinross to help improve understanding of people’s attitudes towards alcohol which was now closed had received over 2,000 responses, 30% of which were from Angus residents. It was hoped that a report on the findings would be produced soon.

It was noted that the toolkit for “Alcohol Licensing in your community – How you can get involved” was being launched today by Alcohol Focus.

Laura also advised members that she would circulate to members the substance misuse profile which was an update to the previous report circulated in April 2013. The aim of the profile was to pool existing data sources to give a better understanding of the issues that substance misuse had on the individuals, their families/friends and the communities in which they live.

Dr Drew Walker advised members that he hoped to have a meeting with David Thompson, Principal Solicitor to discuss the possibility of adopting an over provision policy for Angus. Discussion took place on this and it was noted that there had recently been a number of applications that had been refused by other Licensing Boards; however, the decision regarding the appeals were yet unknown.

The members noted that position.

6. LICENSED PREMISES DOCUMENT

There was circulated a copy of the Licensed Premises Document which had been compiled to assist members of the licensing trade with some of the issues surrounding their premises and encourages proactive activities to deter the negative aspects sometimes associated with them.

Derek Mitchell spoke regarding the content of the document which he hoped that members of the licensing trade would use it as a tool in conjunction with training.

The members of the Forum expressed their support for the document and it was agreed that it be sent to Board members for information.

7. POLICING ISSUES

Sergeant Bethway gave a brief update on licensing matters in Angus and advised the members that they were now working more closely with the new LSO who was receiving weekly updates from them.

The members noted the position.

8. ANGUS LICENSING BOARD MINUTES

There was submitted and noted the minutes of meetings of the Angus Licensing Board of 6 August, 17 September and 5 November 2016.

9. FESTIVE HOURS AND BRING YOUR OWN DRINK UPDATE

Discussion took place regarding the increasing number of “Bring your own Drink” functions which were regularly taking place in halls etc. It was noted that the Council halls were now under the control of “Angus Alive” and it was agreed that the Clerk obtain a copy of their risk Assessment & booking form which would be discussed at the next forum meeting.

10. ANY OTHER BUSINESS

Discussion took place regarding a recent decision of Board members where they had been criticised through Facebook for their decision. Councillor Fotheringham advised that Board members were complying with Policy and would not tolerate this type of behaviour.

11. DATE OF NEXT MEETING

It was noted that the next meeting of the Forum would take place on Monday 6 June 2016.