

Minute of Joint Meeting of the **ANGUS LOCAL LICENSING FORUM AND ANGUS LICENSING BOARD** held remotely on Thursday 26 November 2020 at 10am.

**Present: ANGUS LOCAL LICENSING FORUM**

HOLDERS OF PREMISES LICENCES & PERSONAL LICENCES

GRAEME STRACHAN  
BRUCE SHERIDAN

RESIDENTS

ANGIE MERRILEES

ANGUS COUNCIL

DANIEL COLEMAN, LICENSING STANDARDS OFFICER.  
LAURA OGILVY, ANGUS ALCOHOL AND DRUGS PARTNERSHIP

POLICE SCOTLAND

INSPECTOR ALLEN  
PC JAMIESON

ANGUS LICENSING BOARD

Councillor CRAIG FOTHERINGHAM  
Councillor RICHARD MOORE  
Councillor BRIAN BOYD  
Councillor COLIN BROWN  
Councillor BRENDA DURNO  
Councillor DAVID FAIRWEATHER  
Councillor ALEX KING  
Councillor DAVID LUMGAIR  
Councillor GAVIN NICOL  
Councillor BETH WHITESIDE

COUNCIL OFFICERS

NANNETTE PAGE, Senior Solicitor  
LYNSEY KIMMITT, Solicitor  
DAWN SMEATON, Licensing and Litigation Assistant  
CRAIG EASSON, Service Leader, Environmental and Consumer Protection  
LEE THOM, Building Standards Manager

**Also Present:** FIONA ANDERSON, Committee Officer.

**Apologies:** An apology for absence was intimated on behalf of SHEENA COCHRANE, Holder of a Personal Licence

In light of apologies received from Sheena Cochrane, Chair of Angus Local Licensing Forum, Angie Merrilees took the Chair.

**1. WELCOME AND INTRODUCTIONS**

Angie Merrilees welcomed all those present to the thirteenth Joint Meeting of the Angus Local Licensing Forum and Angus Licensing Board. Thereafter introductions were made.

**2. MINUTE OF PREVIOUS JOINT MEETING**

There was submitted and noted the minute of meeting of the Joint Meeting of the Angus Local Licensing Forum and the Angus Licensing Board of 31 October 2019.

**3. ANGUS LOCAL LICENSING FORUM**

Angie Merrilees, Chair, reminded those present that there was a statutory requirement for the Licensing Board and the Forum to meet together at least once a year. She stressed that the joint meeting marked the continuation of a positive relationship between the Licensing Forum and the Licensing Board and that the Forum had a wide range of knowledge, interests, experience and skills, all of which were available to the Board to help them in developing and exercising their functions.

As a Forum, Mrs Merrilees felt members experience had grown over the past thirteen years and were now well on their way to carrying out their remit as set out in the 2005 Act. It was also heartening to have such a good working relationship with the Board.

She advised that the membership of the Forum had stayed the same but unfortunately due to Covid 19 the members had only managed to meet once in February 2020. At this meeting it was noted that the LSO had sent a letter to all licence holders regarding the statutory obligations incumbent upon them which would help improve standards in Angus. This was partly due to matters raised at last year's joint meeting where it was noted that difficulties were arising due to staff members not being able to locate paperwork when asked to produce it by the LSO or Police Scotland. It was hoped that this correspondence would help resolve this matter.

She advised that the Forum had also gave their backing to the "Ask Angela" campaign where should a person on a night out feel unsafe, they could approach a member of the bar staff and "ask for Angela". This would signal to the member of staff that the person may be in a dangerous or uncomfortable situation and they could offer help to them. This has been in operation for a while in Aberdeen and it was hoped to roll it out in Angus.

On Friday 20 March 2020, the Prime Minister issued instructions that due to the ongoing COVID-19 pandemic, all public houses were to close as soon as possible and in any case by the end of business that night and to remain closed until further notice. Throughout 2020 this pandemic had proved very challenging for the licensing trade in Angus and across the Country and on behalf of the Forum members, she expressed how grateful they were in their continued fight to save the hospitality businesses within Angus. This had not been an easy time for many establishments, and a number of the Forum members who were holders of Premises licences and Personal licences had seen their business struggle to survive. She wished them well and hoped that the pandemic would pass soon and did not have a significant impact on the hospitality trade in Angus.

This year had also been a challenging year for the licensing team as they had worked from home since March 2020. The members noted that working remotely had presented a number of challenges for officers in carrying on Licensing Board business as normal and there had been significant challenges in respect of processing new grant or renewal applications for Personal Licences as the majority of training courses had been cancelled. She thanked them for all their hard work in processing the applications.

In conclusion, Mrs Merrilees thanked Forum members for their commitment and Angus Council for the administrative and financial support given to the Forum.

#### **4. ANGUS LICENSING BOARD**

On behalf of the Board, the Convener, Councillor Craig Fotheringham, expressed their appreciation for the opportunity to hold an annual joint meeting and indicated that it underpinned the mutual benefit of working together for the people of Angus. Both organisations strived constantly to encourage responsible drinking within the County and to work towards reducing anti-social behaviour.

The Board, through the Licensing Team, continued to assist members of the public, internal and external agencies, consultees, and licence holders and their agents with professional guidance and effective responses to applications and enquiries with the aim of providing the highest standard of customer care and professionalism. The Licensing Team this year had pulled out all the stops to keep business going during the COVID-19 Pandemic.

Councillor Fotheringham advised that since the last joint meeting of the Angus Licensing Board and Licensing Forum on 31 October 2019, the Angus Licensing Board has met on ten occasions and during these meetings the Board has dealt with the following matters : -

- 8 new premises licence applications
- 0 provisional premises licence applications
- 11 requests to vary premises licences
- 7 reviews of premises licence
- 5 review of premises licences for non-payment of fees

- 10 matters pertaining to Personal Licences
- 0 Extended Hours applications
- 3 Occasional Licence applications

The following applications were also dealt with in accordance with the Scheme of Delegation, as at 23 November: -

- 406 Occasional Licence applications
- 4 Extended Hours applications
- 92 Personal Licence applications
- 72 Requests for minor variation or transfer
- 3 Premises Licences Surrendered

As of 23 November there were 349 premises licences in-force: -

- 105 on-sales
- 151 on/off sales
- 93 off sales

He advised that since the last joint meeting, they had seen a global pandemic that had been a devastating blow for the liquor trade not just in Angus, but across the country. The COVID-19 legislation and guidance had frequently been changing and had led to an unprecedented number of enquiries with the Licensing Team. The Licensing Team were instructed to work from home in mid-March and this posed significant logistical challenges in terms of receiving and processing applications as well as being able to produce licences. In the immediate fall-out of the pandemic, Angus Licensing Board meetings were postponed.

The Licensing Team, however, had worked tirelessly to ensure that the work of the department did not simply grind to a halt, and had continued to provide an exceptional public service and he thanked them for managing this. This had included arranging 7 virtual licensing board meetings, including today's. In the face of IT and logistical challenges, the virtual meetings had been a tremendous success, with several applications being granted and other matters being dealt with successfully.

The Licensing Board were currently undertaking a review of the Byelaws Prohibiting the Consumption of Alcohol in Public Places in Angus. The Board had consulted with the Licensing Forum, Community Councils and Police Scotland to ascertain if there was an appetite for changing the Byelaws. After the consultation, a working group of the Board met alongside Police Scotland, the LSO and the Deputy Clerk to discuss the findings of the consultation. The recommendation from that Working Group would be placed before the Board after this meeting.

There had also been significant work carried out by our Licensing Team in terms of implementing the emergency COVID-19 legislation. The Licensing Team had worked to understand the effects this could have for the liquor trade in Angus and had produced extensive guidance notes placed on the Angus Council website. The Licensing Department had sought to be as pragmatic and as flexible as possible whilst working within the parameters of the legislation, to help the trade through this difficult time.

He concluded by expressing his pleasure at the high standard of licensed premises within Angus and thanked the Clerk, licensing staff and LSO in respect of the visits he undertakes, and any issues that arise from them. He felt that the licensing trade continued to work together in a co-operative manner with the LSO and licensing team as a whole, making sure that standards were upheld, and the five licensing objectives adhered to.

He wished the Licensing Forum every success in the year ahead and hoped to continue to attend future meetings.

## **5. UPDATE BY POLICE SCOTLAND**

PC Jamieson gave members an update on the work currently being undertaken by Police Scotland and thanked the licensing trade for their continued engagement with them especially in light of the recent pandemic. She advised that only 6 reviews had been reported to the Angus Licensing Board and these had been dealt with successfully.

She advised that there were no major issues within Angus and early intervention regarding any troublesome licensed premises was found to be the best approach to help avoid further problems in the future.

The Chairman thanked PC Jamieson for her update.

## **6. CHIEF CONSTABLES REPORT TO ANGUS LICENSING BOARD**

There was submitted and noted the Chief Constables Report to the Angus Licensing Board for the period 1 April 2019 to 31 March 2020.

## **7. ANNUAL FUNCTIONS REPORT – SECTION 9A OF THE LICENSING (S) ACT 2005**

There was submitted and noted for information, Report No LB 59/20 by the Clerk advising of the new statutory requirement to produce an Annual Functions Report and presenting the third Annual Functions Report for the period 1 April 2019 to 31 March 2020 as detailed in Appendix 1 to the Report.

The Report indicated that on 20 December 2017, Section 56 of the Air Weapons and Licensing (Scotland) Act 2015 amended Section 9 of the Licensing (Scotland) Act 2005 and inserted a new Section 9A which obliged all Licensing Board to produce an Annual Functions Report no later than 3 months after the end of each financial year ending on 31 March.

The members noted the information provided.

## **8. TIMETABLE OF MEETINGS FOR 2021**

It was agreed that the Forum meet on the following dates: -

Monday 1 March 2021

Monday 7 June 2021

Thursday 25 November 2021 (Joint meeting with Angus Licensing Board).