

FALKIRK COUNCIL

MINUTE of MEETING of the FALKIRK LOCAL LICENSING FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 13 JUNE 2013 at 2.30 p.m.

FORUM MEMBERS

PRESENT:

Gordon Emslie (Personal Licence Holder); Caird Forsyth (Falkirk Alcohol and Drug Partnership); David Gibson (Social Work); Aileen Holliday (NHS Forth Valley); Madelene Hunt (Person resident in Forum Area); Nash Lalli (Personal Licence Holder); Ian Lovie (Scottish Grocers Federation); Warren Luke (Person resident in Forum Area); Inspector Mandy Paterson (Police Scotland); Bruce Rennie (District Bowling Association), and Thomas Ross (Licensing Standards Officer).

APOLOGIES:

Jill Bennet (Person resident in Forum Area); Mike Calvert (Person resident in Forum Area); Kate Smith (Young Person), and Alan Waddell (Area Commander, Police Scotland).

CHAIR:

Gordon Emslie

COUNCIL OFFICERS

PRESENT:

Alison Barr, Consumer Protection Manager, and Arlene Fraser, Committee Services Officer.

1. MINUTE

The minute of the last meeting held on 21 May 2013 was approved.

2. MATTERS ARISING FROM THE MINUTE

Item 4 – Draft Policy Statement Update

The Forum heard from Gordon in relation to the contents of the letter sent on behalf of the Forum, to the Licensing Board's Convener and Clerk.

Agreed to issue a copy of the letter to Forum members for information.

Item 4 – Licensing Forum Web Page

The web page had been updated to reflect the agreed format.

Item 6 – Information on the Board's Web Page

Alison Barr confirmed that there was information for licence holders and prospective applicants available on the Board's web page.

3. THE ROLE OF LICENSING SECTION

Alison Barr gave the following presentation on the role of Licensing Section. The main points covered were as follows:-

- the comparisons between the Licensing (Scotland) Act 1976 and the Licensing (Scotland) Act 2005 and, in particular to -
 - the establishment of Local Licensing Forums
 - the requirement for local authorities to appoint Licensing Standards Officers
 - the additional work incurred during the transitional period for the section
 - the introduction and promotion of the 5 licensing objectives
 - the new partnership approach and the involvement of statutory consultees in the licensing process namely, Police Scotland, Fire Scotland, Forth Valley Health Board, Local Community Councils and Falkirk Council

- the variety of licences and applications processed on a daily basis by the Licensing Section, namely -
 - Premises licences which are unique to each premise and made up of 4 parts:
 - the premises licence
 - the operating plan which provides:
 - a description of the activities to be carried out in the premises
 - the times when alcohol will be sold
 - a statement as to whether alcohol is to be sold for consumption on the premises or off the premises, or both
 - a statement of times at which any activities other than the sale of alcohol will be carried out
 - where alcohol is to be sold on the premises, a statement detailing whether children or young persons will be allowed on the premises and, if so, details of the ages of children and young persons to be allowed entry, the times at which they are allowed entry and the parts of the premises they can access
 - the capacity of the premises
 - specific information about the premises manager
 - the layout plan which provides a clear indication of the layout of the premises
 - a summary of the licence detailing any conditions applicable to the premises licence
 - applications for minor & non-minor variations, change of designated premises manager and transfer of premises licence
 - personal licences which authorise individuals to supervise or authorise the sale of alcohol
 - occasional licences which are applied for to allow alcohol to be sold in a non-licensed premise
 - occasional extension applications applied for to allow alcohol to be sold out-with a premises core licensed hours

- premises licence reviews
 - under the 2005 Act, any person may submit to the Licensing Board, a premises licence review application for a particular licensed premises

- the grounds for review are that one or more of the conditions to which the premises licence is subject has been breached, or that one or any other ground relevant to one or more of the licensing objectives
- review applications are processed within a statutory timescale
- Falkirk Licensing Board have considered a number of applications and, in each case, have applied various sanctions
- the work of the Licensing Standards Officers to ensure that licence holders are adhering to the terms of their licence and providing appropriate information/guidance
- other areas of work which the section undertake, include –
 - Statement of Licensing Policy
 - Publication Scheme
 - drafting the Equalities Strategy
 - annual fees collection
 - how the Act is running and keeping abreast of any changes
 - proposed development of the Licensing Board web page to allow easier navigation and to submit applications online
 - future work and involvement in the mandatory personal licence holder refresher training

Questions were then invited, and further discussion took place on the following:

- the background to the appeals process relating to garage premises. The Forum were keen to know what stage Falkirk Licensing Board appeals were at, and agreed that Gordon would contact the Licensing Board for information
- the mandatory refresher training for personal licence holders
- the changes to members clubs with the introduction of the 2005 Act
- the work involved in processing occasional licence applications
- the number of occasional licence applications received
- the limited control of bring your own bottle and other events which take place outwith licensed premises

4. LICENSING FORUM CONSTITUTION

The Forum **agreed** the proposed amendments to the Licensing Forum Constitution. A copy of the updated Constitution would be provided to members for reference.

5. ANY OTHER COMPETENT BUSINESS

Equality Act

Copies of the draft Equality Act had been previously circulated to the forum with responses to the consultation required by 26 August 2013. **Agreed**, that any comments on the paper be emailed/submitted to Arlene prior to the next meeting of the forum on 20 August.

Licensing Board Meetings

Thomas suggested that members may wish to attend a Licensing Board meeting(s) to give an understanding of the workings and decisions of the Board.