

FALKIRK COUNCIL

MINUTE of MEETING of the FALKIRK LOCAL LICENSING FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 30 SEPTEMBER 2014 at 6.00 p.m.

FORUM MEMBERS

PRESENT:

Jill Bennet (Person resident in Forum Area); Inspector Billy Drummond (Police Scotland); Gordon Emslie (Personal Licence Holder); Caird Forsyth (Falkirk Alcohol and Drug Partnership); David Gibson (Social Work); Madelene Hunt (Person resident in Forum Area); Nash Lalli (Personal Licence Holder); Warren Luke (Person resident in Forum Area); Bruce Rennie (District Bowling Association), and Thomas Ross (Licensing Standards Officer).

ALSO PRESENT:

Lennox Ainslie (Substitute member); PC Andy Kane (Police Scotland), and Brett Ingle, Personal Licence Holder.

APOLOGIES:

Aileen Holliday (NHS Forth Valley); Lorraine Fisher (Education); Ian Lovie (Scottish Grocers Federation), and Kate Smith (Young Person).

CHAIR:

Gordon Emslie.

COUNCIL OFFICERS

PRESENT:

Alison Barr, Consumer Protection Manager; Arlene Fraser, Committee Services Officer, and Rose Mary Glackin (Clerk to Falkirk Council Licensing Board).

1. MINUTE

The Forum **approved** the minute of the joint meeting held on 10 June 2014.

2. NOTE OF PREVIOUS MEETING

The Forum **approved** the note of the meeting held on 12 August 2014.

3. MATTERS ARISING FROM THE MINUTE AND NOTE

Gordon Emslie asked for an update on the Air Weapons and Licensing (Scotland) Bill. Alison Barr advised that the Scottish Government had received a number of responses to the draft Bill, which were currently being processed.

3. STATEMENT OF LICENSING POLICY

Gordon advised that the draft policy had been previously circulated for members' comments and suggested that the document be looked at on a page to page basis to give members an opportunity to highlight any feedback. These would then be passed to Rose Mary for her consideration, prior to the draft policy being submitted to the Licensing Board.

The Forum agreed that the undernoted comments/feedback be sent to Rose Mary, namely:-

Page Number	Paragraph Number	Comment/Feedback
		Throughout the document, LSO requires to be used consistently e.g. LSO, lso
3	2.1	Paragraph xxxx requires to be referenced.
3	3.5	That this paragraph be updated to reflect Police Scotland's Annual Report 2014, if this is published before the consultation period begins.
4	3.6	Website at xxxxxx to be completed.
5	5.3	The word "review" in the last sentence, appears to be used in the wrong context.
5	5.4	The final sentence refers to "... any authorised Licensing Standards Officer". Does this mean that LSOs have to be specifically authorised to view/check images?
6	5.5	It would be useful to include a link to the Scottish Information Commissioner website within the contents of this paragraph.
6	5.6	The first reference to EPOS be changed to "Electronic Point of Sale (EPOS)" and thereafter referred to as "EPOS". It is suggested that an information sheet be produced to include examples of what is required to be printed on receipts and possibly including other control measures which some EPOS systems have to aid licence holders e.g. time lock facility. That ".... management took" in the last sentence be changed to ".... management tool".
6	5.7	Change the word "agency" to "agent" at the 1st bullet point. At the 3 rd bullet point, there is reference to "use of drugs" could consideration be given to expanding the definition of drugs, possibly through a glossary?
6/7	5.8	Remove the 2 nd bullet point as this is a mandatory condition. Police Scotland queried the reasoning for the last bullet point being included within the policy.
8/9	6.5 & 7.5	Reference to CCTV and Security Industry Authority (SIA) could these be more clearly defined e.g. SIA is a mandatory condition after 1.00 a.m.
10	8.7	At the 6 th bullet point, remove "... drinking water free of charge and".
11	9.5	Rose Mary advised that generally, "bar area" is the physical bar where alcohol is served and that no children be permitted.

12	9.8	2 nd bullet point at “... in terms of section 105(5) of the Act”, it would be helpful to explain this section of the Act in “layman’s” terms. Last bullet point appears to be contradictory to paragraph 9.5 (see above).
13	10.7	The commencement of alcohol sales (on-sales) before 10.00 a.m. is considered to be early compared with other areas.
15	10.12	Reference was made to the different types of hospitality which takes place within certain Members’ Clubs. The management and control of these events should be set out within the Club Constitution. A supplementary page relative to Members’ Clubs; and Pavement Café Facilities was circulated by the Clerk.
16	11.8	Remove the words “bona fide”.
18	12.6	Insert the word “applications for” before “occasional licences for 18 th birthday parties”.
18	12.10	That the words “at least 5 weeks prior to the date of the proposed event” be highlighted in bold .
19	13	There were no areas of concern or evidence relating to overprovision within the Chief Constable’s report.
21		Late Opening Conditions It states that “person trained to the satisfaction of the Licensing Board”. However there is no guidance on what level of first aid is required.
General		The draft policy did not specifically refer to “adult entertainment” events and it was mentioned that events such as “cheeky butlers” nights were on the increase.

The underlined points were made in relation to the annex to the draft policy statement:

- the correlation between the statistics and the themes set out require to be stronger e.g. possibly include an explanation, or summary for the meaning behind the stats, as well as stating which theme the stat relates to
- there is a need for more evidence, but the evidence requires to actually work with the themes
- helpful to highlight that due to the NHS information being gathered and produced for the Forth Valley area, a high percentage of information/stats may not relate solely to the Falkirk area and if this is the case, explain why the information is important and to which theme it relates to.

After a short discussion, the Forum noted the following:

Overprovision

- although there was no evidence to suggest that there was overprovision within the Falkirk Council area, it was recognised that there was an increase in the over consumption of alcohol
- since the 2005 Act came into force, the number of licensed premises within the area had changed only slightly

- the difficulties in proving a direct causal link between alcohol related problems and specific licensed premises
- a locality is determined by the Licensing Board

E-Cigarettes

- to date, this issue has not been addressed by the Licensing Board

Falkirk Alcohol and Drug Partnership Annual Report 2013/14

- the Annual Report, which had recently been published, would be circulated to Members prior to the next meeting

4. ANY OTHER COMPETENT BUSINESS

Stretch Limousines/Boogie Bus

Clarification was sought on whether alcohol supplied when hiring this type of vehicle required to be licensed. The Licensing Forum noted that supplying alcohol from a vehicle requires to be licensed, if there has been a charge for alcohol as part of the hire package.

5. DATE OF NEXT MEETING

Thursday 23 October 2014 at 2.30 p.m.