

FALKIRK COUNCIL

MINUTE of MEETING of the FALKIRK LOCAL LICENSING FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 23 AUGUST 2016 at 6.00 p.m.

FORUM MEMBERS

PRESENT: Inspector Billy Drummond (Police Scotland); Gordon Emslie (Personal Licence holder); Lorraine Fisher (Education); Aileen Holliday (NHS Forth Valley); David Gibson (Social Work); Madelene Hunt (Person resident in Forum Area); Nash Lalli (Personal Licenceholder); Ian Lovie (Scottish Grocers Federation); Bruce Rennie (District Bowling Association); and Kate Smith (Young Person).

ALSO PRESENT: Sergeant Marie White, Police Scotland.

APOLOGIES: Jill Bennet (Person resident in Forum Area); Caird Forsyth (Falkirk Alcohol and Drug Partnership); Charles Gillespie (Person resident in Forum Area); Rose Mary Glackin (Clerk to Falkirk Council Licensing Board); Warren Luke (Person resident in Forum Area); and Thomas Ross (Licensing Standards Officer).

CHAIR: Gordon Emslie.

COUNCIL OFFICERS

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

1. MINUTES

The Forum **approved** the minute of meeting held on 26 May 2016.

2. MATTERS ARISING FROM MINUTES

Community Alcohol Partnerships (CAPS)

Ian Lovie advised that he would confirm with the Convener once a member of the Edinburgh CAP had agreed to attend a future meeting of the forum.

Noted.

On-line sales

During a short discussion relating to the online purchase of alcohol, the following points were made:

- the differing legislation relating to the sale of alcohol in Scotland from that of the rest of the UK
- the core off-sales hours during which alcohol can be sold

- the challenges associated with the online age verification process
- the responsibility of the person delivering the alcohol to ensure appropriate age verification checks in line with Challenge 25
- alcohol cannot be delivered between 12 midnight and 0600 hrs, irrespective of when it was purchased
- no alcohol is dispatched prior to 1000 hrs
- Police Scotland are currently considering the option of using test purchasers to identifying online offences

Noted.

3. LICENSING OBJECTIVES – PREVENTING PUBLIC NUISANCE

Members of the forum had an open discussion on the licensing objective “preventing public nuisance”, during which the following was highlighted:-

- there is no legal definition of “public nuisance”
- disorderly, threatening or abusive behaviour normally falls within the scope of a breach of the peace offence
- crimes of disorderly conduct are now more commonly prosecuted under s.38 of the Criminal Justice and Licensing (Scotland) Act 2010
- any person may request the licensing board to review a premises licence if they are of the opinion that a licensing objective has been breached
- the collaborative work undertaken by the licensing section and the Council’s Environmental Health, Noise Team
- attendance by officers from the Noise Team, outwith hours to monitor noise levels from licensed premises has now ceased
- examples of the various conditions which the Licensing Board has attached to premises licences to alleviate noise, litter and anti-social behaviour
- the intervention work carried out by the licensing standards officer to help resolve public nuisance issues highlighted by residents
- the intervention work recently carried out by Police Scotland and the management of a nightclub to ensure that a robust age verification system is in place to eradicate under-age patrons
- the various forms of fake identification and the impact these cause

Noted.

4. LICENSING FORUM’S CONSTITUTION

The forum discussed the current constitution and the recruitment process which would be undertaken in 2017. Further information on the recruitment process would be forthcoming prior to the local government elections which take place on 4 May 2017.

Noted.

5. ANY OTHER COMPETENT BUSINESS

Alcohol Focus Scotland (AFS) Regional Events

Members were advised that AFS were holding free regional licensing events for licensing board and forums members. The events were mainly to discuss and explore experiences and learning gained over the last four years, and to identify areas of on-going challenges within licensing. Registration forms were available for members who wished to attend.

Noted.

Psychoactive Substances Act

Reference was made to Psychoactive Substances Act which came into force on 26 May 2016. It was highlighted that some new psychoactive substances (NPS) have been directly linked to emergency hospital admissions and, in some cases, deaths. Due to the limited research into the risks of NPS, they can have very different effects on users and the risks and side effects are increased if used with alcohol.

Aileen Holiday advised that there is list of codes used for recording deaths that are linked to alcohol and that she would provide these at the next meeting of the forum.

Noted.

6. DATE OF NEXT MEETING

The Forum noted that the next meeting was on Thursday 27 October 2016 at 2.00 p.m.