

**FALKIRK COUNCIL**

**MINUTE of MEETING of the FALKIRK LOCAL LICENSING FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 24 FEBRUARY 2011 at 2.30 p.m.**

**FORUM MEMBERS**

**PRESENT:**

L Ainslie, Bo'ness Community Council; Sergeant B Daye, Central Scotland Police (substituting for R McGregor); C Forsyth, Corporate Policy Officer (Substance Misuse); B Flynn, The Scottish Licensed Trade Association; T Grieve, Brightons Community Council; Dr O Harding, NHS Forth Valley; T Ross, Licensing Standards Officer, and P Smith, BEDA.

**CONVENER:**

T Grieve.

**APOLOGIES:**

A Keir, Belhaven Leased Pubs; I Lovie & K Mackie, Scottish Grocers' Federation Ltd., and Superintendent R McGregor, Central Scotland Police.

**COUNCIL OFFICERS**

**PRESENT:**

B Pirie, Democratic Services Manager; A Barr, Consumer Protection Manager, and A Fraser, Committee Officer.

**ALSO ATTENDING:**

M Hunt, Bo'ness Community Council.

**1. MINUTE**

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Falkirk Local Licensing Forum held on 27 January 2011.

**2. MATTERS ARISING**

- Scottish Government Leaflet – You, Your Child and Alcohol

C Forsyth advised that a leaflet had been emailed to members of both the Local Licensing Forum and Falkirk Council Licensing Board for their information. He also advised that the leaflet had been circulated to local GP Surgeries, Pharmacies and to school pupils from P6 to S2.

**Noted.**

- Inviting Guest Speakers to address the Licensing Forum

A Fraser advised that she had been in contact with Alcohol Focus Scotland who had advised that depending on its future funding, it may be possible for a representative to attend a meeting of the Licensing Forum.

**Noted.**

- Membership of the Licensing Forum

B Pirie advised that membership of the Forum would be reviewed at the next Local Government Elections in May 2012.

He also advised that correspondence had been received from the Falkirk Central Community Council's (FCCC) representative advising that he had resigned from FCCC and therefore would no longer sit on the Forum. Mr Pirie confirmed that 5 of the 7 members of FCCC had resigned and that as a consequence, the future of the Community Council was unclear.

**Noted.**

### **3. REPRESENTATION ON LICENSING FORUM – REQUEST FOR SPORTS AND SOCIAL CLUB MEMBERSHIP**

There was submitted Report (circulated) by the Acting Director of Law and Administration advising the Forum that a request had been received from Michael Matheson, MSP to include in the Forum's membership representation from sports and social clubs.

Discussion focused on:-

- the original membership of the Licensing Forum
- the possibility of including representation from sports and social clubs to the membership during the review in May 2012
- the distinction between sports clubs and social clubs and whether there were local representative bodies which could articulate the views of individual clubs to the Forum

The Forum **agreed** to:-

- (1) write to Michael Matheson, MSP seeking clarification on his request, and
- (2) to discuss the matter at a future meeting of the Forum, once clarification had been received.

### **4. THE LICENSING (SCOTLAND) ACT 2005 UPDATE ON OVERPROVISION ASSESSMENT, ISSUING OF LICENCES AND THE REVIEW OF THE STATEMENT OF LICENSING POLICY**

There was submitted Report (tabled) by the Clerk to the Licensing Board providing an update on (a) the Licensing Board's Overprovision Assessment; (b) the issue of Premises Licences, and (c) the review of the Statement of Licensing Policy.

(a) Overprovision Assessment – Consultation Document

A Barr confirmed that the draft consultation document had been approved by the Licensing Board on 16 February 2011 and that the formal consultation exercise had commenced on 21 February 2011. She advised that all statutory consultees, including the Licensing Forum, had been sent a copy of the documentation. She further advised that letters had been sent to around 400 premises licence holders advising that the consultation document was available on the Council's website. Solicitors' firms within the Falkirk area, Edinburgh and Glasgow had also been furnished with the documentation.

Discussion took place on the following:-

- disappointment that the Forum had not been engaged/consulted during the pre-consultation exercise which had taken place late last year and therefore had no opportunity to debate the draft document, prior to the consultation process commencing
- concern that Licensing Forum members had not been sent copies of the documentation individually
- the current challenging trading environment
- noting from the consultation document, that the Falkirk Council area is below the national average for the number of licensed premises per head of population
- a lack of evidence to suggest that overprovision exists within the Falkirk Council area
- the varying reasons why 56 premises licences had lapsed during/after transition
- the latest alcohol statistics for Scotland, which were published on 22 February

The Forum **agreed:-**

- (1) to write to the Convener of Falkirk Council Licensing Board advising of the Forum's concerns that it had not been included in the pre-consultation exercise;
- (2) that the Consumer Protection Manager arrange to have the consultation document issued to all members of the Licensing Forum if they did not already have a copy;
- (3) that a meeting of the Licensing Forum be held on Thursday 10 March 2011 to discuss the Forum's response to the overprovision consultation document, and
- (4) that the alcohol statistics for Scotland 2011, published on 22 February be emailed to all members of the Licensing Forum for their information.

(b) Issue of Premises Licences

A Barr advised that all premises licences had been drafted and that, apart from a small number, would be issued by the deadline of 1 March 2011. She highlighted the amount of work involved in generating the licences due to transfer and variation applications submitted since transition.

**Noted.**

(c) Review of the Statement of Licensing Policy

A Barr advised that the Licensing Section were liaising with the Council's Legal Services to finalise the draft consultation document for approval by the Licensing Board prior to the consultation exercise commencing. It was anticipated that the finalised draft document would be presented to the Licensing Board at its next meeting on 16 March 2011.

Discussion took place on the following:-

- highlighting that Central Scotland Police area command covers 3 licensing board areas, Clackmannanshire, Stirling and Falkirk with each having their own distinct Licensing Policy
- areas within the existing Policy which require to be addressed
- the Statement of Licensing Policy can be reviewed at any time, if necessary
- the process for reviewing the Statement of Licensing Policy and the timing of Falkirk's review

**Noted.**

## 5. OPEN DISCUSSION

(a) Alcohol Advertisements

L Ainslie raised the issue of the impact and costs of full page alcohol advertisements placed in national newspapers by large supermarket chains.

Discussion took place on how supermarkets were permitted to sell alcohol at discounted prices, and that the only way to alleviate this would be to introduce minimum pricing.

**Noted.**

(b) Agenda Items

Discussion took place on agenda items for future meetings of the Licensing Forum.

The Forum **agreed** that the Licensing Standards Officer and representative from Central Scotland Police would submit reports to the Forum detailing relevant issues/information.