

FALKIRK COUNCIL

MINUTE of MEETING of the FALKIRK LOCAL LICENSING FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 21 MAY 2013 at 2.30 p.m.

FORUM MEMBERS

PRESENT:

Jill Bennet (Person resident in Forum Area); Gordon Emslie (Personal Licence Holder); Caird Forsyth (Falkirk Alcohol and Drug Partnership); Madelene Hunt (Person resident in Forum Area); Nash Lalli (Personal Licence Holder); Warren Luke (Person resident in Forum Area); Jane McLay (Substitute member, Scottish Grocers Federation); Thomas Ross (Licensing Standards Officer); Kate Smith (Young Person), and Alan Waddell (Area Commander, Police Scotland).

APOLOGIES:

Mike Calvert (Person resident in Forum Area); Lorraine Fisher (Education); Aileen Holliday (NHS Forth Valley), and Ian Lovie (Scottish Grocers Federation).

CHAIR:

Brian Pirie, Democratic Services Manager (Items 1 & 2)
Gordon Emslie (Items 3 – 6)

COUNCIL OFFICER

PRESENT:

Brian Pirie, Democratic Services Manager.

The following items have been recorded in the order that they were taken at the meeting.

1. THE ROLE OF LICENSING STANDARDS OFFICERS (LSO)

Thomas Ross gave the following presentation on the role of Licensing Standards Officer. The main points covered were as follows:-

Each Council is required to appoint one or more Licensing Standards Officers for their area. Falkirk Council has 2 full time Licensing Standards Officers, Thomas and Douglas Froud.

At present there are currently 400 licensed premises within the council area.

- the general function of LSO is to:
 - provide information and guidance concerning the operation of the Licensing (Scotland) Act 2005 which includes members of the public as well as to those in the licensed trade
 - supervise the compliance by the holders of personal licences, premises licences and occasional licences
 - provide a mediation service for the purpose of avoiding or resolving disputes
 - serve a notice under section 14 of the Act to the holder of a licence if any breach of mandatory and/or local conditions has taken place
 - make a premises licence review application in respect of a premise where a breach of the s.14 notice has taken place
 - make a premises licence review application if a breach of one or more of the five licensing objectives has occurred

An LSO has power to enter premises to carry out inspection of such substances, articles or documents found there but only if the premise have a licence or if an application for a licence has been submitted. In addition the LSO:-

- works closely with licence holders and building up good working relationships
- advises licence holders on specific licensing conditions which may be attached to their licence
- liaises with the public regarding complaints and particular concerns they may have which mostly relate to outdoor drinking/smoking areas, noise from premises, pricing concerns etc.
- monitors drinks promotions advertised via the press, facebook, flyers, posters etc.
- undertakes regular visits to licensed premises which are carried out on either a routine or spot check basis

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

- legislation on the unit price on multi-packs bought from off-sales
- difference in legislation between Scotland and other countries within the UK in regard to promotion and unit price
- the support given to licence holders by the LSOs
- the role of the licensing authority in terms of providing a timeframe for mandatory refresher training to licence holders which requires to be undertaken every 5 years
- the need to monitor procedures and timescale set out by the licensing section in undertaking the task to ensure refresher training has been undertaken by licence holders
- the role of the licensing board, the training undertaken by members and the costs involved
- the good practice and benefits of licensed premises having a refusals books
- efforts by the trade with the introduction of sophisticated technology e.g. tills/CCTV systems and how these impact on the sale and supply of alcohol

2. APPOINTMENT OF CONVENER

Nominations for the post of Convener were sought.

AGREED to appoint Gordon Emslie as Convener for 2013.

3. MINUTE

The minute of the last meeting held on 30 April was approved.

4. MATTERS ARISING FROM THE MINUTE

Item 2 – Draft Policy Statement Update

Following further discussion, the Forum **agreed** to write to the Licensing Board seeking a timeline for the review of the Policy Statement.

Item 6 – Any Other Competent Business – Licensing Forum Web Page

A draft web page was circulated for comment. **Agreed** to adopt the proposed format.

5. LICENSING FORUM CONSTITUTION

Brian proposed that a draft constitution, highlighting proposed changes be submitted to the next meeting for approval.

Agreed.

6. ANY OTHER COMPETENT BUSINESS

Pubwatch – Information

Caird highlighted that he would be giving a presentation on “legal highs” to Pubwatch and suggested that information on this area be circulated to the Forum.

While in broad agreement, the Convener suggested that the Forum should keep its focus on its main roles and proposed that “informative” documents should be made available via the web page.

The Convener also suggested that the Board’s web page could be used on a point of information for licence holders, prospective licence holders and it could include information on for example refresher training.