

FALKIRK COUNCIL

MINUTE of MEETING of the FALKIRK LOCAL LICENSING FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 24 OCTOBER 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); Charles Gillespie (Person resident in Forum Area); Aileen Holliday (NHS Forth Valley); Madelene Hunt (Person resident in Forum Area); Nash Lalli (Personal Licence Holder); Warren Luke (Person resident in Forum Area); Eddie McLennan (Education) (Substitute for Lorraine Fisher); Inspector Mandy Paterson (Police Scotland) (Substitute for Chief Inspector Waddell); Thomas Ross (Licensing Standards Officer), and Kate Smith (Young Person).

**APOLOGIES:**

Jill Bennet (Person resident in Forum Area); Lorraine Fisher (Education); Ian Lovie (Scottish Grocers Federation); Bruce Rennie (District Bowling Association); Chief Inspector Alan Waddell (Area Commander, Police Scotland); Alison Barr (Consumer Protection Manager); Rose Mary Glackin (Clerk to the Licensing Board), and Brian Pirie (Democratic Services Manager).

**CHAIR:**

Gordon Emslie.

**COUNCIL OFFICERS**

**PRESENT:**

Arlene Fraser, Committee Services Officer.

**1. WELCOME**

Gordon welcomed Charles Gillespie to his first meeting of the Licensing Forum. Mr Gillespie had been appointed due to the resignation of Mike Calvert.

Noted.

**2. MINUTE**

The minute of the last meeting held on 20 August 2013 was approved, subject to the word "Chief" being inserted before Alan Waddell's title.

**3. MATTERS ARISING FROM THE MINUTE**

**2.1 Draft Policy Statement - Update**

Gordon confirmed that a Working Group had been set up and a meeting had taken place with Rose Mary Glackin. He advised that the Working Group had looked at the draft licensing policy statement which was consulted on during 2011, together with statistical information

which had been provided by the Clerk. At the time of the Working Group meeting, the annual report by Police Scotland had still to be published.

The Group had suggested a few amendments to the layout and content to the draft policy statement and had also discussed at length the definition and procedures for granting occasional licences and options for tighter control measures.

Arlene advised that Rose Mary was currently seeking additional information, but in terms of the information she had, suggested that there are no trouble hot spots or overprovision within our area. The specific information she requested from the Licensing Section also suggested that provision was stable within the authority area.

**Noted** that the Working Group would meet with the Clerk again, once her information gathering exercise was complete.

#### **4. CHIEF CONSTABLE'S REPORT FOR APRIL 2012 TO MARCH 2013**

A copy of the Chief Constable's report for April 2012 to March 2013 had been previously circulated for members' information.

Gordon advised that there was nothing in the report to suggest that there are no identified hot spot areas but made reference to peak activity within certain areas at specific times which is consistent with other large towns in Scotland.

He referred to the "Intervention Process" which is set out within Part 1 of the Report and which forms part of Police Scotland's operational policing toolkit. Inspector Paterson and Thomas Ross both gave an explanation on the intervention process and the support available to management of licensed premises.

The Forum was advised that:-

- Police Scotland are duty bound to investigate a licensed premise where there is continued incidents of violence and/or disorder
- Police Scotland together with the Licensing Standards Officer visit the premise to give appropriate advice to management and to ensure that there are no breaches of their licence conditions
- if necessary, an action plan is drawn up with crime prevention/reduction recommendations provided by the Licensing Department in close consultation with the premises licence holder
- the intervention agreement follows SMART objective settings; Specific, Measurable, Achievable, Realistic and Timed
- Police Scotland have implemented weekend policing plans on Friday and Saturdays 2100 hrs to 0300 hrs
- premises where management have been visited and given advice are routinely factored into the weekend policing plan
- the intervention system is a useful tool and is designed to support the management of licensed premises before a premises licence review is sought. However, a serious or significant incident can merit an immediate review application without any recourse to the use of an intervention
- there have not been a large number of interventions within the Falkirk area

The Forum went on to discuss the initiatives and joint partnership working carried out by Police Scotland, Falkirk Alcohol and Drug Partnership and other agencies in preventing the sale and supply of alcohol to children and young people.

Inspector Paterson advised that Police Scotland were concerned about the number of agency sales and that normally, an agent doesn't purchase alcohol for only one child, but supplies to a group(s) of youths which can result in a negative impact on communities.

It was recognised that some youngsters were acquiring their alcohol from their parents or close family relatives on a frequent basis. The consumption and supply of alcohol to children and young people could also result in child protection issues.

Concern was raised in relation to the criminal justice system and the lack of publicity/press covering on the consequences for those involved in agency sales. It was highlighted that there are very little repercussions for the underage person who attempted to acquire the alcohol through an adult agent.

Reference was made to the change in drinking habits in that the consumption of alcohol has risen but the sale of alcohol has declined and what effect this has on the licensed trade. Another problem affecting the trade is the increase in availability of bootleg alcohol which can be dangerous as the source and content is unknown.

The Forum **noted** the Chief Constable's annual report.

## **5. OPEN DISCUSSION – JOINT MEETING OF LICENSING BOARD AND FORUM**

The Convener sought suggestions from the members on issues they felt would be relevant to be discussed at the meeting with the Board on 19 December.

Thomas asked whether there would be a new policy in place by December or whether the consultation process would still be on-going and also when would the Board look at overprovision again.

An area of concern which the Forum had identified was occasional licence applications and potential issues which could arise. Thomas suggested that it maybe be helpful for the Forum to have an analysis showing the number of occasional licence applications which should also include a breakdown of the number of applications by voluntary organisations and those applied for by personal licence holders.

**Agreed** that Gordon write to the licensing Section and the Clerk to seek clarification on the following:

- when will Falkirk Licensing Board be reviewing its policy on overprovision?
- will the draft Licensing Policy Statement currently being worked on, be available in advance of the joint meeting on 18 December or will it still be out for consultation?
- information and analysis in relation to the granting of occasional licences.

**Noted** that the Forum seek an update from the Licensing Board at their meeting in December on the draft policy; overprovision assessment, and whether occasional licences was an area of concern for the Board.

## **6. ANY OTHER COMPETENT BUSINESS**

### **6.1 Sectarian Behaviour**

Reference was made to publicity on trains in relation to sectarian language/behaviour, football violence and how these were managed within licensed premises.

Thomas advised that, in the main, Designated Premises Managers and thereafter staff were responsible for the management and control of their premises but that this type of behaviour had, as yet not resulted in any complaint to the Licensing Section.

Inspector Paterson stated that since the implementation of legislation, there had only been a few incidents involving sectarianism. However, she was aware that in certain parts of the country this was an issue. She also referred to the increase in hate and racially motivated crimes which was a concern.

Mention was made of problems associated with learned behaviour and the initiatives to address this through Education's Curriculum for Excellence.

## **6.2 Dates of Meetings**

Arlene advised that she had identified provisional dates for meetings of the Forum for 2014 but sought views on the whether to continue with both afternoon and evening meetings.

**Agreed** to continue with alternate afternoon and evening meetings.

**Noted** that a report detailing the proposed dates would be submitted to the next meeting of the Forum.