

**FALKIRK COUNCIL**

**Minute of meeting of the Falkirk Local Licensing Forum held in the Municipal Buildings, Falkirk on Thursday 1 November 2018 at 3.30 p.m.**

**Present**

**Forum members** Gordon Emslie (Trade); David Gibson (Social Work); John Hamilton (Trade); Aileen Holliday (Health); Madelene Hunt (Public); Andy Kane (Public); Michael Kleist (Public); Ian Lovie (Trade); Sergeant Claire Mackenzie (Police Scotland); Ruth McDonald (Health).

**Apologies** Chief Inspector Damian Armstrong; Thomas Ross (Licensing Standards Officer), and Mark Stevenson (Trade).

**Chair:** Gordon Emslie.

**Also present** Alison Barr, Consumer Protection Manager; Arlene Fraser, Committee Officer, and PC Gordon Hutchison (Police Scotland).

**1. Minutes**

The Forum:-

- (a) **approved** the minute of meeting of the Licensing Forum held on 8 May 2018, and
- (b) **agreed** the note of meeting of the Licensing Forum held on 28 August 2018.

**2. Matters Arising**

There were no matters arising.

**3. Licensing (Scotland) Act 2005  
Chief Constable's Report for 1 April 2017 to 31 March 2018**

A copy of the Chief Constable's annual report for 2017/18 had been previously circulated for members' information. The report set out the Chief Constable's views on matters relating to policing in connection with the operation of the Licensing (Scotland) Act 2005 in the Board's area in the previous year and the following year, and also any steps taken, or to be taken, to prevent the sale or supply of alcohol to those under 18 years.

Sergeant Claire Mackenzie highlighted the following from 2017/18 annual report:

- the successful partnership working involving internal and external departments, including Licensing Standards Officers, UK Border Agency, local community Police, Security Industry Authority (SIA), and HMRC
- the different methods of interventions applied to ensure prompt action is taken when areas of concern have been identified around licensed premises
- there was a reduction from 10 to 4 licensed premises being monitored from that of the previous year
- no applications were made by the Chief Constable to the Licensing Board to review a Premises Licence
- the Chief Constable had submitted objections to the Licensing Board in respect of 3 personal licence applications
- no requests had been made to the Licensing Board to revoke a personal licence
- the partnership working to prevent the sale or supply of alcohol to children and young people and the relevant activity during the reporting period
- the importance of information sharing and intelligence used to help tackle serious and organised crime in the area

The Forum had an open discussion which included the following:-

- there was no reference in the annual report relating to the problems associated with out of hours on-line alcohol sales and the challenges this activity causes or how this is being addressed
- Police Scotland's test purchase process

In response, Sergeant Mackenzie advised that on-line and social media activity involving the sale of alcohol was currently being addressed and that work was ongoing. She also advised that the current test purchase procedures were under review and had been suspended until this process was complete.

Discussion took place in relation to minimum pricing and, in particular, its impact on the reduction in sales of strong white cider and the methods being used to obtain this by consumers at below the minimum price. Mention was also made to bulk alcohol purchases at cash and carry outlets and that these premises were licensed by HMRC not the local authority, and what, if any criteria was required for purchasing alcohol from these outlets.

Thereafter a discussion took place regarding problems PubWatch had encountered in relation to information/image sharing within the licensed trade in Falkirk, and in particular to a recent incident which occurred in Falkirk town centre. The importance on the ability to share information between licensed premises was raised. It was recognised that information sharing might not be as straightforward, due to the introduction of GDPR legislation. It was felt that there was a gap in relation to provision for support/advice for licence holders in the area and how this could be addressed.

Clarification on the legalities and the extent of exclusion orders was sought.

Sergeant Mackenzie advised that a sharing protocol is essential and that in other towns, such as Dunfermline, a protocol was in place. She would liaise with colleagues and ascertain how they undertake information sharing in other areas.

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

Sergeant Mackenzie left the meeting after this item.

#### **4. Draft Statement of Licensing Policy**

The Licensing Forum's proposed response to the consultation on the draft Statement of Licensing Policy had been previously circulated for members' information.

A Working Group of the Licensing Forum had been set up which had been tasked to look at all elements of the policy, draft a response on behalf of the Licensing Forum for agreement, and thereafter submit this to the Clerk of the Licensing Board.

The Licensing Forum **agreed** the proposed response for submission.

Alison Barr advised that the Licensing Board Sub-Group would consider all responses/comments received and once concluded, would submit the amended Statement of Licensing Policy to a future meeting of the Licensing Board for consideration.

#### **5. Dates of Licensing Forum Meetings - 2019**

The Forum **agreed** the dates of meetings for 2019, namely:-

- Tuesday 19 February at 6.00 p.m.
- Thursday 25 April at 3.30 p.m.
- Tuesday 27 August at 6.00 p.m.
- Thursday 31 October at 3.30 p.m.

A date for the joint meeting between the Licensing Board and Licensing Forum would be advised once identified.

#### **6. Date of Next Meeting**

Tuesday 19 February 2019 at 6.00 p.m.