

Note of Meeting

City of Edinburgh Licensing Forum

Edinburgh, 7 March 2011

Present:-

Licence Holders and Persons With Relevant Interest – Robert Orr (Unight Edinburgh Nightclub Industry) (Convener), Rosaleen Harley (Individual Licensee), John Loudon (Law Society of Scotland), John G Murphy (Scottish Beer and Pub Association), David A Gould (Belhaven Pubs) and Bill Strachan (Scottish Licence Trade Association).

Health, Education & Social Work – Meichelle Walker (Edinburgh and Lothians Council on Alcohol), Jim Sherval (Lothian NHS) (substituting for Alison McCallum) and Alison Smith (Edinburgh Napier University).

Residents – Sam Piacentini (Old Town Community Council), Roland Reid (Leith Central Community Council) (substituting for Stewart Blaik), Norman Tinlin (Fairmilehead Community Council (substituting for Dennis Williams) and John Clark (Craigmillar Community Council).

Lothian and Borders Police – Sergeant Lynne Symington.

Licensing Standards Officer – Derek McGowan.

Young Person's Representative – Michael Baron.

1 Minute of Meeting of 13 September 2010

Decision

To approve the minute of the meeting of 13 September 2010 as a correct record.

2 Minute of Joint Meeting with the Licensing Board of 13 September 2010

Decision

To approve the minute of the joint meeting with the Licensing Board of 13 September 2010 as a correct record.

3 Licensing (Scotland) Act 2005 – Revision of Statement of Licensing Policy 2010 – Consultation with Licensing Forum

At the Forum's meeting with the Licensing Board on 13 September 2010 discussion had centred on Underage Drinking, Over Provision, Children and Young Person's in Licensed Premises and Promotions and Events in relation to the consultation on the Board's Statement of Licensing Policy for the three-year period commencing November 2010.

Robert Millar, Depute Clerk to the Licensing Board advised that the Statement of Licensing Policy had been adopted by the Board on 22 November 2010.

Prior to adopting the Statement, the Board had taken into account the representations made to them by the Licensing Forum on the following points.

Underage drinking, the Board agreed in relation to education and training to remind all licence holders of the offences under the new law; to work closely with the Edinburgh Drug and Alcohol programme regarding communication, particularly targeting parents; to communicate with Community Councils; building on recent improvements to the Board website and to refer the issue round the school curriculum to the Council with a recommendation for action.

On enforcement and compliance, there had been discussions with the Licensing Standards Officers and an agreement that six monthly general reports on Licensing Standards Officer activity to the Board and Forum should be made. The Licensing Standards Officers would hold further discussions with the Forum to establish what matters might be covered in the reports.

In relation to drinking in public, the Board agreed that this was a matter of concern but noted that the Council had primary responsibility for by-laws as a measure of control. It was agreed that the Licensing Standards Officers and police should hold discussions regarding targeting of identified problem areas. The Board would monitor this and would intend to be represented in discussions.

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In regard to over provision, the Board considered the detailed representations regarding the future licensing plan, links with communities, membership of best practice organisations etc. The Board decided that the issue was so significant that further work was required before coming to a decided view on future policy. The Board determined that the locality comprising the Grassmarket, Cowgate and other streets leading into these thoroughfares was over provided with premises offering the facilities of traditional pubs where consumption of alcohol is the principal attraction and premises offering off-sales. In this locality there would be a presumption against the grant of any further licences of the description stated although all applications continued be considered on their own merits. In particular, the Board would be willing to consider applications for restaurants, hotels and other premises which it determined not increase the problem deriving from the current high concentration of licensed premises in the locality and which would infill gaps in existing service provision would significantly enhance the quality of life for local residents and visitors alike. In addition the Board considered that there may be further localities which exhibited factors consistent with overprovision of licensed premises. These areas were Lothian Road/Princes Street, George Street, Greenside Place/Picardy Place, Market Street and Central Leith. The Board was not satisfied that it had all the information available to enable it to make a final determination at this stage and intended to continue consultation with the Forum, Chief Constable and other persons prior to making the final decision and if appropriate the supplementary licensing policy statement.

In relation to children and young persons, the Board noted the recommendations contained in the report by the Forum which were accepted without significant amendment and incorporated in the Board's statement of policy.

In relation to the report on promotions and event, the Board noted the recommendations contained in the report. The Board had concerns over the promotions which encouraged excessive drinking, and were aware that there was significant difficulties in addressing the concerns expressed. In particular the Board had no power to require the organisers of events to notify the police and Licensing Standards Officers as it was the Board itself which carried out this notification. The Board agreed that while there should be no specific reference in the statement of policy, licence holders should be advised of the Board and Forums concerns and should be reminded of their individual responsibility.

In conclusion, Mr Millar indicated that further discussions with the Forum in relation to the matter of overprovision was required and hoped to arrange meetings soon to progress this matter.

Decision

- 1) To request the Licensing Board to provide statistical information on overprovision in regard to the six city centre areas within three months.

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- 2) To request the Licensing Standards Officers and the Chief Constable to provide information on underage drinking for the Forum to consider at their next meeting in July.
- 3) To request the Board to reconsider putting a reference to promotions and events in the statement of policy.
- 4) To note that the Licensing Standards Officers were addressing issues regarding tables and chairs.
- 5) To note that budget information would be provided at the next meeting of the Forum.

(Reference – Statement of Policy 2010, submitted.)

4 National Licensing Conference 2011

Details were provided of the National Licensing Conference 2011 to be held in Glasgow on Thursday, 15 September 2011.

Decision

To request the Board to reserve places for Forum members.

5 Alcohol Policy Summit

Details were provided of the Alcohol Policy Summit to be held on 15 March 2011.

Decision

To take no action on the matter.

6 Consultation Working Party Report

Details were provided of a meeting held on 20 October 2010 which considered methods of engaging with young people on licensing issues.

Decision

- 1) To continue work on a youth consultation programme.
- 2) To agree the objectives outlined in the report.

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- 3) To identify resources necessary.
- 4) To consider the provision of web resources for the Forum.

7 Licensing Standards Officers' Report

Derek McGowan indicated that the Licensing Standards Officers had in the previous six months had investigated 2,869 complaints and had made over 2,500 visits to premises and 200 notices had been served. Licensing Standards Officers were working on projects with NHS Lothian, NHS Alcohol Partnership and the Fire and Rescue Service. They were also undertaking a pilot project with the ambulance service in regard to the number of calls from within licensed premises.

He further indicated that the main problem being encountered at this present time was a lack of understanding of licence holders on drinking up time and the enforcement of areas being occupied by tables and chairs outside premises.

Decision

To note that further reports would be submitted to a future meetings of the Forum.

8 Alcohol and Drug Strategy

Decision

To note that the Alcohol and Drug Strategy would be circulated to the next meeting