

## Committee Minutes

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# The City of Edinburgh Licensing Forum

Edinburgh, 6 September 2011

### Present:-

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

**Health, Education and Social Work** – Meichelle Walker (Edinburgh & Lothian Council on Alcohol), Jim Sherval (NHS Lothian) and Fiona Watson (NHS Lothian)

**Residents** – Stewart Blaik (Leith Central Community Council), John Clark (Craigmillar Community Council), Robin Morris (Merchiston Community Council) and Samuel Piacentini (Old Town Community Council)

**Young Persons** – Philippa Faulkner (Edinburgh University Students Association)

**Lothian and Borders Police** – Inspector Gordon Hunter

**Licensing Standards Officer** – Martin Rich

## 1 Minute of Meeting of 5 July 2011

### Decision

To approve the minute of the meeting of 5 July 2011 as a correct record.

## 2 Public Aspects of Overprovision – Work in Progress

Jim Sherval (NHS Lothian) gave an update on the progress towards an assessment on overprovision in the City.

In addition to the health data, data from the Police on offences connected to alcohol had been added. A recently published database of licences in

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Edinburgh supplied by the Licensing Board had also been analysed to identify the location and type of licences in different areas of the city.

Work was ongoing on this assessment and further analysis of the database statistics would be undertaken with the aim to present a paper on overprovision to the Licensing Board.

Discussion by the Forum focussed on the following areas:

- Supermarkets sold more alcohol than other off-sales premises and this should be reflected in any analysis on overprovision.
- The Licensing (Scotland) Act 2005 provides greater control for the Licensing Board in regard to premises expanding, as any change in the size of shelf space for alcohol had to be approved by the Board.
- Further work should be undertaken to enable the Licensing Board and the Planning Authority to operate in a joined up manner.

#### **Decision**

To note the presentation.

### **3 Overprovision in Regard to the Six City Centre Areas**

Robert Millar (Depute Clerk to the Licensing Board) explained that the Board were content with the existing areas and policy in regard to overprovision and would need further information and analysis before they re-examined their policy.

#### **Decision**

To note the update.

### **4 Licensing Standards Officers Report**

Martin Rich (Licensing Manager) gave an update on the current operation of the Licensing Standards Service over the period April 2010 – March 2011. Details were also provided on the service objectives for the year to March 2012.

In response to questions by the Forum, Martin Rich indicated the following:

- Licensing Standards Officers (LSOs) would be dealing with entertainment noise complaints throughout the week from 1 October 2011.

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- The Licensing Standards Service always attempted to resolve areas of concern through dialogue before a non-compliance notice was issued.
- The Service was undertaking a number of projects in the next year with the overall aim of improving the Service and relationships throughout the city.

### **Decision**

To note the update.

(Reference – report by the Licensing Manager, circulated.)

## **5 Forum's Priorities**

John Loudon indicated that the Forum should focus their efforts on two or three issues to maximise the Forum's work and outlined areas that could be examined.

The Forum's discussion focussed on the following areas:

- It was important for the Forum to focus on the information they needed to examine a particular area rather than acquire statistics.
- A discussion had taken place with the Convener of the Licensing Board on what the Board wished the Forum to look at.
- If members have issues with individual licences they should raise them with a Licensing Standards Officer.
- The merits of the youth event and if it was progressed, what age groups should be targeted.

### **Decision**

- 1) To progress with the youth event in partnership with one or more bodies and to seek to engage a variety of young people with the objective of gaining their views on licensing and alcohol issues.
- 2) To support the use of Facebook and/or Twitter for communication.
- 3) To note that Philippa Faulkner and Meichelle Walker had expressed an interest in contributing to the organisation of the youth event.
- 4) To inform the Convener of any preferences or ideas for areas that the Forum should focus their efforts on.
- 5) To note that the Convener would speak with Robert Millar on which areas of the performance of the Licensing Board it could receive statistics on.

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(Reference – Paper by John Loudon, circulated.)

## **6 Licensing Objectives and Non-alcoholic Products**

The Forum considered the Convener's note in regard to the Licensing objectives and in particular in regard to the objective of Protecting and improving public health which it was acknowledged was one of the most difficult for any board to deal with.

Currently it was quite difficult to find non or low alcoholic beer, lager, wine, cider as in the larger supermarkets chains it was all intermixed with their normal alcohol ranges and takes up space in an area designated for the sale of alcohol. These stores take the view that such products are considered to be "alcohol" and as such only saleable to those over 18's and after 10am. This was not the law, which indicated in the 2005 Act S2 (1) (b) (i) that 'a product with less than 0.5% alcohol was not alcohol,' but was simply company policy.

The Forum indicated that it was time that both the companies and Board policies were changed to reflect the correct position and to assist in meeting the licensing objective of protecting and improving public health.

It was noted that it was simple task for stores to reprogram their till systems to permit sales of non or low alcoholic product (under 0.5% Alcohol) during their normal opening hours.

### **Decision**

- 1) To recommend to the Board that they amend their Policy statement to seek to persuade supermarkets, but not necessarily convenience stores or corner shops, with off sales premises licences to encourage people to buy non alcoholic or low alcohol products.
- 2) To recommend that the Board should amend their policy to say that they would wish to see a separate individual display of non or low alcoholic beer, lager, wine and cider that larger supermarkets offer with no time or age restrictions on their purchase. This would make such products much easier to find and would promote, in a positive way, the ranges of non or low alcoholic beer, lager, wine, cider. This would help meet the objective of protecting and improving public health by encouraging people to buy these products as opposed to alcoholic ones.

(Reference – Paper by John Loudon, circulated.)

## **7 Date of Next Meeting**

### **Decision**

To note that the next meeting would take place at 2pm on 24 October 2011 with the joint meeting with the Licensing Board provisionally taking place on the same day at 3pm.