

## Committee Minutes

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# The City of Edinburgh Licensing Forum

Edinburgh, 7 February 2012

### Present:-

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

**Health, Education and Social Work** – Jim Sherval (NHS Lothian)(Substituting for Alison McCallum).

**Residents** – John Clark (Craigmillar Community Council,) Robin L Morris (Merchiston Community Council) and Samuel Piacentini (Old Town Community Council).

**Young Persons** – Michael Baron and Philippa Faulkner.

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

**Licensing Standards Officer** – Kenneth Fairgrieve.

## 1 Appointment of Convener

### Decision

To appoint John Loudon as Convener.

## 2 Minutes of Meetings of 24 November 2011

### Decision

To approve the minutes of the meetings of the Licensing Forum and the Joint Meeting with the Licensing Board of 24 November 2011 as correct records

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## **Matters Arising**

### **Item 5(b) of Forum Minute of 24 November 2011 – Appointment of the Forum**

John Loudon requested further information on proposals for the reappointment of the Forum after the Local Government elections in May 2012.

Robert Millar, Depute Clerk to the Licensing Board advised that since the Forum's last meeting a report on reappointment had been prepared, but that the view taken by the Director of Corporate Governance was that as the Forum was a separate body from the Council reports for the Forum should be prepared by its own membership and not by council officers.

He further advised that under the realignment of management arrangements within the council, the Licensing Section apart from the legal staff had been transferred to the Department of Services for Communities. The existing Forum required to be reappointed after the Council elections and that he would be meeting with the Director of Services for Communities to discuss this, however if members had any views on the reappointment process they should forward these to him.

## **Decision**

- 1) The Convener to request information from the National Licensing officer on the operation of other Forums.
- 2) The Convener to draft and circulate a note of suggestions to Forum members to comment on.
- 3) The Convener to request a meeting with the Director of Services for Communities to discuss proposals for the reappointment of the Forum.

## **3 Proposed Youth Event**

Michael Baron gave an update on proposals for the Youth Event.

## **Decision**

- 1) To note the update.
- 2) To recommend a budget of up to £150 for the meeting of the Focus Group subject to approval by the Director of Corporate Governance

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#### **4 Alcohol Focus Regional Event**

Michael Baron gave an update on the Alcohol Focus Regional Event which had taken place in Edinburgh on 6 February 2012.

##### **Decision**

To note the update.

#### **5 Overprovision**

The Forum had been requested to respond to the Licensing Boards consultation in respect a proposal to publish a supplementary statement of licensing policy regarding its approach to overprovision.

The Forum had been provided with the report that had been considered by the Board on 28 November 2011 together with statistical information in regard to the geographical distribution of licences throughout the city.

The Forum was requested to complete a questionnaire that had been provided by the board and to make any additional comments as it considered applicable.

##### **Decision**

On a majority decision for each of the following the Forum agreed to advise the board:-

- 1) The Forum considered that there was a high level of availability of alcohol within Edinburgh.
- 2) The Forum strongly agreed that the entire area might be overprovided with off-sales premises.
- 3) The Forum strongly agreed that applications increasing off-sales capacity in Edinburgh were likely to be inconsistent with any or all of the licensing objectives of preventing crime and disorder, securing public safety; preventing public nuisance; protecting and improving public health; and protecting children from harm.
- 4) The Forum were also of the opinion that
  - (i) The Board should have allocated more time for consultation to be undertaken.

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- (ii) When assessing applications the Board should examine the proposed operating plan and proposals more closely when exercising their discretion and should if necessary, seek more information it might required before determining any application.
- (iii) That the statistics provided in regard to the debate on overprovision were capable of a variety of interpretations and did not take account of visitors to the City (the second largest destination in the UK) nor of peak and trough demand and that there may be unintended consequences arising from any policy decision on overprovision.

## **6 Extended Hours over the Festive Period**

Patrick Brown indicated that some of the members of his Association considered the dates for extended hours over the festive period to be ambiguous and required to be clarified.

The Depute Clerk to the Licensing Board explained that the dates for extended hours over the festive period were the same each year from 18 December to 3 January and would be contained in the operating plan or if an application for extended hours was required for this period the dates were clearly advertised on the Council website along with instructions on how to apply.

Some applications had been received for extensions had been received for extensions out with this period and these had been considered on their individual merits.

### **Decision**

To note the position.

## **7 Items Raised by Members**

### **Item Raised by John Murphy**

### **Decision**

To note that the Board would consider its position regarding extended hours over the Diamond Jubilee celebrations at future meeting.

## **8 Date of Next Meeting**

Monday, 2 April 2012 at 2.00 pm in the City Chambers.