

# Notice of meeting and agenda

## Licensing Forum

**10.00, Monday 15 April 2013 - Diamond Jubilee Room, City Chambers)**

Please note that members of the Licensing Board will join Forum members for a subsequent joint meeting.

This is a public meeting and members of the public are welcome to attend

### Contact

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### 1. Agenda

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- 1.1 Linda Bowie of Alcohol Focus Scotland will give a short presentation on her role and how she and the Forum can work together.
- 1.2 Minutes of last meeting (26 February 2013)
- 1.3 Matters arising from Forum meeting 26 February 2013
  - 1.3.1 Responses on Planning conditions
  - 1.3.2 Other matters arising
- 1.4 Updates from sub-groups:
  - 1.4.1 Children and Young Persons
  - 1.4.2 Provision
  - 1.4.3 Sunday Opening (NB [Appendix 1](#) attached)
- 1.5 AOCB
- 1.6 DONM

### 2. Forum Members

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## **Licensing Standards Officer**

- Ken Fairgrieve

## **Licence Holders and Persons With Relevant Interests**

- Alison Magill
- Graeme Arnott
- James Wilkie
- Rosaleen Harley
- William Strachan
- Dennis Williams
- John Murphy
- Ian Lovie
- Peter Swanson

## **Lothian and Borders Police**

- Inspector Dianne Bruce

## **Health, Education & Social Work**

- Dr Fiona Watson
- Jim Sherval

## **Young Persons**

- Maximilian Crema

## **Residents**

- Chris Wigglesworth
- Eddie Thorn (North rep.)
- John Clark (East rep.)
- John Loudon (West rep.) (**Convener**)
- Maria Kelly (South West rep.)
- Samuel Piacentini (City Centre/Leith rep.)
- Robin Morris (South rep.)

## **3. Terms of reference of the Forum**

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- 3.1 To keep the liquor licensing system in the Council area under regular review and to seek to stimulate debate on matters relevant to the system.

- 3.2 To respond to consultation exercises undertaken by the Board and the Scottish Executive.
- 3.3 To consider the implications of relevant local data and statistics for the liquor licensing system in the Council area;
- 3.4 To meet the Board at least once per year.
- 3.5 To give advice and make recommendations to the Board on relevant matters, except individual licensing applications.

## **Information about the Licensing Forum**

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The Licensing (Scotland) Act 2005 requires each council to establish a Local Licensing Forum. The Licensing Forum represents the views of people concerned with the operation of the alcohol/liquor licensing system in the City of Edinburgh.

The Forum keeps under review the operation of the alcohol licensing system and gives advice and makes recommendations to the Licensing Board. However, it can not give advice or make recommendations on any individual case or the Licensing Board's consideration of any individual application.

The Forum is appointed to represent the views of organisations and the citizens of people in the City of Edinburgh Council area.

## **Further information**

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If you have any questions about the agenda or meeting arrangements, please contact Isla Burton, Community Safety, City of Edinburgh Council, Business Centre 2.02, East Neighbourhood Centre, 101 Niddrie Mains Road, Edinburgh EH16 4DS, Tel 0131 469 5796, email [isla.burton@edinburgh.gov.uk](mailto:isla.burton@edinburgh.gov.uk).

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting by contacting Isla Burton (details above).

The agenda, minutes and public reports for this meeting can be viewed online by going to [www.edinburgh.gov.uk/licensingforum](http://www.edinburgh.gov.uk/licensingforum).

## Appendix 1

### **Note of conclusions and recommendations or meeting of the Licensing Forum sub group on Sunday hours held at the offices of Caledonian Heritable Ltd 4 Hope Street Edinburgh on 20<sup>th</sup> March 2013 at the kind invitation of Graeme Arnott.**

In attendance John Loudon, Robin Morris, Graeme Arnott, Patrick Browne (Standing in for John Murphy), Jim Wilkie, Peter Swanson

Apologies; - Lynne Symington, Eddie Thorn and Alison Magill

Good wide ranging debate

#### **Matters to note:-**

Many premises, in particular sporting and other clubs open early on Sundays, off sales are also available from 10am and some premises have earlier opening times by virtue of grandfathering of hours from 1976 Act. This is significant and in many cases unfair completion for the licensed trade.

No particular problems, concerns or general issues are known to have arisen over Sunday morning opening hours elsewhere in Scotland.

Edinburgh is the capital city and is not currently offering reasonable facilities for hospitality on Sunday mornings e.g. hotels, pubs, and restaurants cannot offer brunch/lunch with a glass of wine before 12-30pm. Many visitors to the city are looking for morning facilities e.g. having finished a visit to the castle or such like before noon.

If Sunday morning opening hours were available not all premises would apply for these as it would need a major variation of their premises licence and they may not wish to have or to offer such hours.

The management of licensed premises tend to know their customers and these premises operate in a well run, safe and controlled environment with proper toilet facilities. Many premises also offer a wide range of food. Better to have locally known people using such facilities than for those who wish a drink to simply buy from off sales and then consume wherever they want without control or facilities.

With the 2005 Act and the introduction of LSO's there is now an easy and rapid mechanism for identifying and resolving any problems that might arise. LSO's and/or the Board have wide ranging immediate and effective powers to deal with any such problems although it was not envisaged they would need to do so.

If the current policy were amended to allow hours on a Sunday morning then it should still be on the basis of each case on its own merits. The Board should also retain flexibility to grant occasional licences outwith basic policy hours to deal with unusual occasions that arise such as the Rugby World Cup.

After much debate about opening hours and having regard to the e mailed comments made by Eddie Thorn the group decided to recommend to the Forum that:-

**The Forum request the Board to amend its general policy to allow opening hours on Sunday mornings for those premises that wish to apply for these but still on a case by case basis.**

**That the general opening hours be either from 10am or 11am, as the Forum decides, to reflect expected demand and to provide hospitality during hours already enjoyed by many other licensed facilities in our city.**