

Licensing Forum  
21 January 2014 1.30pm  
European Room City Chambers

**Present:** Ken Fairgrieve (City of Edinburgh Council), Bill Strachan (S.L.T.A), Sam Piacentini (Old Town CC), John Murphy (SPBA), Alison Magill (Licensee), Inspector Dianne Bruce (Police Scotland), John Loudon (Convenor), Robin Morris (Merchiston CC – South Rep), Graeme Arnott (CHL – Licensee), Peter Swanson (Licensee), Tracey McLean (City of Edinburgh Council – Minute Taker), Chas Booth (City of Edinburgh Council – Licensing Board), Isla Burton (Facilitator), James Wilkie, Chris Wigglesworth, Norman Tinlin, Eddie Torn, Mary Moriaty, Bridget Stevens

**Apologies:** Rosaleen Harley, Jim Sherval, Robert Millar, Nick Fraser, Dennis Williams, Ian Lovie

## **Agenda**

1. **Apologies:** Please see above
2. **Appointment of Convenor** - John Murphy nominated John Loudon, this was seconded by Sam Piacentini – John accepted.
3. **Minutes from meeting on 8 October 2014** – agreed
4. **Consideration of the following documents (circulated)**
  - 4.1 & 4.2 John Loudon proposes that the Board should lobby the Scottish Government to be able to adjust their policy as and when needed rather than having to keep the same policy for 3 years and that some flexibility would be best – this suggestion will be forward to the Board. Chris Wigglesworth had some concerns about the over provision policy, the Convenor informed the Forum that over provision is a complex area and the Board has agreed to take more care when considering applications. Diane Bruce kindly suggested monitoring what has been granted in the next 6 months to see what premises licences have been granted in areas of overprovision and special concern and to note any reviews in those areas and what the outcome was .- this was agreed.

Chris Wigglesworth raised the issue of premises reviews and that the Community Councils were not informed when premises in their areas were at the Board. The Convenor informed the Forum that there was no requirement in the Act for this; it was discussed that a review could be due to a police matter which would not concern any Community Council. Some Forum members would still like to be informed about reviews in their areas and it was agreed to speak to the Community Liaison Officer for more information on Committee/Board meetings. Diane Bruce stated that she had seen an improvement in premises due to the review process.

4.3 The Forum agreed with Edinburgh Drugs & Alcohol partnership and the more information the better. It was suggested that the Board lobby Government when the new Licensing Bill comes forward for consultation to get the definition of capacity changed to something more meaningful. The Forum agreed that this recommendation be put to the Board.

**5. To consider a response to a requested to the Board on the number of occasional licences granted for units in Princes Street Gardens and St Andrews Square.**

It was confirmed to the Forum that each area had 3 Occasional licenses granted for the festive period which equated to £30.00 for each area. the Convenor informed the Forum that he had gone to the areas in response to concerns being expressed about the occasional licences and the conditions of grant and in particular that there were nowhere near enough toilet facilities and that the ones that were there lacked cleanliness. Both Ken Fairgrieve and Diane Bruce explained what each of their sections commented on, but neither section made comment on the toilet provision. Ken also advised that Public Entertainment Licences had also been issued.

Forum members were particularly concerned that those who serve the city by way of established businesses, paying rates and employing permanent staff were put at a significant disadvantage with the grant of these occasional licences where e.g. the sanitary accommodation being provided would simply be neither sufficient nor acceptable for a normal premises licence. It was noted that those considering and then granting these occasional licences did not appear to have had proper regard to the licensing objectives, in particular that of protecting and improving public health.

At least one Forum member wished to be present at any future Board hearing to consider similar applications.

Given the level of concern about the matter it was agreed that the Forum would ask the Board for statistical and other related information in regard to the grant of these occasional licences. The Convenor agreed to draft something that might be appropriate to send to the Board..

**6. To consider what the Forum might do over the coming year and to consider any suggestions from Forum members in this regard.**

Norman Tinlin suggested more information on an ongoing basis from Jim Sherval from NHS and the costs of people going to hospital re alcohol related visits.

Chris Wigglesworth would like off sale capacity figures – it was agreed that these would be provided - Tracey McLean would prepare this report.

Robin Morris .asked if the Planning Committee and the Licensing Board could work more closely together but the Convenor explained that this could not happen as very different Acts. Eddie Thorn would like to see what premises are now in Shandwick Place –it was agreed that this information will be provided by Tracey McLean.

Peter Swanston enquired if there was a reporting facility from police on how situations were handled by licence holders. Diane Bruce explained that reports did not give a ratio of good or bad handled situations they were all just on one report but that the police would no longer present this style of report to the Licensing Board.

**7. Next date of meeting**

The next meeting will be on Tuesday 1 April 2014 at 10am – Isla will confirm the location as soon as she has booked a room.