

JOINT MEETING OF INVERCLYDE LICENSING BOARD AND LICENSING FORUM

THURSDAY 10 NOVEMBER 2016 AT 10.00 A.M.

- Present:** Licensing Board Members
Provost Moran, Councillors Ahlfeld, Brennan, Loughran, and Shepherd.
- Forum Members
A Smith, A Howlett, A Bethel, I Hamil, Sergeant J Curran, Councillor L Rebecchi, M
McConnachie, M O'Neill Craig.
- Chair:** Councillor Ahlfeld (in place of I Hamil)
- In attendance:** J Douglas, F Denver (for Clerk to the Board); PC A Whitelaw. PC D McEwan, Police
Scotland.
- Apologies:** Apologies for absence were intimated on behalf of Councillor Wilson and Annemarie
Black Licensing Standards Officer.

Mr Douglas advised that Councillor Ahlfeld chaired the last joint meeting and it therefore falls to Mr Hamil, Chair of the Licensing Forum to Chair today's meeting. Mr Hamil declined this position and invited Councillor Ahlfeld to be appointed as Chair, which was unanimously agreed.

LICENSING (SCOTLAND) ACT 2005

Minute of Licensing Board Meeting on 14 April 2016: The Queen's 90th Birthday Celebrations

Forum members raised their concerns on the decision of the Board to invite applications for the above event and any similar events where a blanket extension may have been appropriate. They were also concerned as to the appearance of advertising these events to licence holders in order to make application.

A discussion followed with all parties and Mr Douglas confirmed that events of this nature being of local or national significance are encompassed in the legislation and permit Boards to deal with as they think fit. Consideration was given to this particular event following a request by a pub chain predominantly with premises based in England. During discussions the Festive Season Policy was given as an example of how the Board utilise Section 67 of the Licensing (Scotland) Act 2005. Sergeant Curran endorsed the operation of the Festive Season Policy and commented on how well the system works liaising with both the Board and licence holders. Provost Moran concluded by stating that the Board understand the Forum's concerns but this event was not one which the Board deals with on a regular basis, it was a one-off isolated event of national significance and was treated as such.

PROTECTING CHILDREN AND YOUNG PEOPLE FROM HARM

Mr A Smith expressed the Forum's views on the Board's decision to grant an application permitting children and young persons to stay in licensed premises beyond the Board's Policy at a Hogmanay event.

Mr Douglas advised that the Board considered the application on its own merit and confirmed that a number of conditions were put in place for the carrying on of the function in conjunction with Police Scotland and the licence holder. Councillor Ahlfeld assured Forum members that the Board takes very seriously the objective of protecting children from harm and provided examples of various occasions when this has been carried out including the terms of the aforementioned application. A general discussion followed between all parties on this subject and responsibility of parents/guardians and licence holders.

POLICE SCOTLAND: CHIEF CONSTABLE'S REPORT – 1 APRIL 2015 – 31 MARCH 2016

Councillor Ahlfeld informed the members that he was delighted with the results of the Chief Constable's report and invited Police Scotland to comment on the report. Sergeant Curran highlighted a number of points within the report and provided detailed information as to the three levels of monitoring premises. Councillor Ahlfeld intimated the report reflects how the Board operates and the admirable relationship between the Board and Police Scotland.

LICENSING BOARD POLICY – OVERPROVISION

Mr Douglas advised that it has been three years since the Board introduced their Overprovision Policy with evidence being produced by the Forum and NHS. He intimated that the Board are looking to the Forum to provide further information to show how the Overprovision Policy has had an impact.

Councillor Ahlfeld addressed the meeting on his concerns of the Policy and sought the Forum's assistance in providing further information and stats if possible. M McConnachie of the Forum agreed that the Forum would take on this task.

AOCB

Licensing Staff

Councillor Rebecchi raised an issue concerning staff working in licensed premises where the licence holder or designated premises manager was unable to do so due to ill health or unforeseen circumstances. Mr Douglas advised that a member of staff can remain on the premises as long as they have completed the required training, records of which should be held on the premises.

Members Clubs – Advertising

Councillor Rebecchi raised an interest in the number of advertisements relating to Club premises for events with the wording of *Members and Invited Guests* and if this is permitted within the legislation. Mr Douglas advised on the regulations for the operation of Clubs. He offered to Councillor Rebecchi, if preferred, that a meeting could be arranged between them to go over any particular case.

Premises Licence Applications

The Chair permitted Mr Bradley, member of the public to address the meeting. Mr Bradley spoke of the changes in liquor licensing and in particular to applications no longer being advertised in the local newspaper and his concerns regarding anti-social behaviour.

The Chair acknowledged Mr Bradley's views.

DATE OF NEXT MEETING

Mr Douglas asked if Members wished to meet prior to the local elections to discuss the feedback from the Forum on overprovision. Members unanimously agreed that the discussions should take place with the new Members of the Board and a meeting be arranged after new Members have been appointed.