

Joint Meeting Between Fife Licensing Board & Fife Licensing Forum



Due to Scottish Government guidance related to COVID-19, this meeting will be held remotely

Thursday, 26 November, 2020 - 2.00 p.m.

AGENDA

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(Functions report to follow) |
| 7. | IMPACT ON LICENSED TRADE OF CORONAVIRUS PANDEMIC - Discussion | |
| 9. | DATES OF MEETINGS 2021 – To be agreed. | |
| 10. | ANY OTHER COMPETENT BUSINESS | |

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19 November, 2020

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Agendas and papers for all Committee meetings can be accessed on
www.fife.gov.uk/committees

THE FIFE COUNCIL – JOINT MEETING OF FIFE LICENSING BOARD AND FIFE LICENSING FORUM - GLENROTHES.

25th April, 2019

2.00 p.m. – 4.00 p.m.

REPRESENTING FIFE LICENSING BOARD

Councillors Carol Lindsay (Convener), John Docherty, Andy Heer, Zoe Hisbent and Donald Lothian.

REPRESENTING FIFE LICENSING FORUM

Jeff Ellis (Convener), Jim Bett, Clare Campbell (NHS Fife), Izzy Corbin, Douglas Hardaker (LSO's), David Henderson, Gordon Hood (Police Scotland) and Paul Smith.

IN ATTENDANCE:

Susan Normansell, LSO, Steven Brown, LSO Environmental Health (Public Protection); PC Gary Kenhard, Crime Prevention Officer, Police Scotland (Fife Division); June Barrie, Legal Services Manager (Depute Clerk to Fife Licensing Board); and Diane Barnet, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE:

Fife Licensing Forum: John Barclay and Fiona Rattray.

Fife Licensing Board: Councillors Alistair Cameron, Garry Haldane and Ryan Smart.

1. WELCOME AND INTRODUCTIONS

Carol Lindsay, Convener of Fife Licensing Board, welcomed members of both the Fife Licensing Board (FLB) and Fife Licensing Forum (FLF) to the meeting.

2. MINUTE OF PREVIOUS MEETING

Members of FLB and the FLF considered the minute of the previous joint meeting on held on 26th April, 2018.

Decision

Members of FLB and FLF noted the previous minute of the joint meeting on 26th April, 2018.

3./

3. **THE PROVISION AND IMPACT OF ALCOHOL IN FIFE UPDATE – APRIL 2019**

Members of FLB and FLF considered a presentation by Claire Campbell, NHS Fife with input from Jim Bett, FAAS providing an update, to April 2019, relating to alcohol provision, alcohol consumption and alcohol related harm in Fife, including information about work ongoing in Fife and across Scotland to address alcohol related harm.

Decision

Members of FLB and FLF:-

- (a) welcomed the very informative presentation – copies of which were available on request;
- (b) requested consideration of the inclusion of information on internet sales in future presentations/information, where this was available.
- (c) agreed that FLF would write to the Scottish Government, expressing their concern that the minimum unit price of fifty pence was inadequate in addressing alcohol related harm, suggesting this be increased to at least £1 per unit – draft letter to be circulated to FLF members for comment prior to issuing.

4. **RENEWAL OF PERSONAL LICENCES**

Members of FLB and FLF considered an update by June Barrie, Depute Clerk to FLB on timescales relating to the requirement for the renewal of personal licences – by 31st August, 2019. Concerns were expressed regarding the very low percentage of applications received to date and the potential impact on staffing resources for both Fife Council and Fife Police in processing any influx of applications nearer the closing date.

Decision

Members of FLB and FLF:-

- (a) noted the update as provided by June Barrie;
- (b) considered that the number of existing licenses did not reflect the actual number of personal licenses expected to be renewed, eg, due to individuals leaving the industry;
- (c) were reassured that the necessary staff resources would be available in the event of any influx of applications for renewal.

5. **SCOTTISH GOVERNMENT CONSULTATION ON REVISED GUIDANCE FOR LICENSING BOARDS**

Decision

Members/

Members of FLB and FLF:-

- (a) noted the Consultation on Licensing (Scotland) Act 2005 – Section 142 Draft Revised Guidance for Licensing Boards and that the closing date for responses/comments was 11th June, 2019;
- (b) agreed to consider, specifically, Section 6 of the Consultation – related to Local Licensing Forums - at the next meeting of the FLF on 30th May, 2019; and
- (c) agreed to consider contacting the Scottish Government/Parliament to request an amendment to Legislation and Guidance to include the management and monitoring of remote/ internet sales.

6. THE BYSTANDER CAMPAIGN

Members of FLB and FLF considered a verbal update by PC Gary Kenhard on the Bystander Intervention piloted at the University of St. Andrews and the related 'Ask for Angela' initiative. The Bystander approach, initiated within Fife, was a resource to help prevent incidents of violence within the night time economy and, following the pilot, the approach was to be rolled out Fife-wide.

Decision

Members of FLB and FLF:-

- (a) noted that arrangements were progressing to officially launch the initiative Fife-wide as part of safer campaigns on the run up to the festive period; and
- (b) agreed to consider a more detailed presentation of the Bystander Intervention at the next meeting of the FLF on 30th May, 2019 to which FLB members were invited to attend.

7. QUESTIONS TO THE FORUM FROM THE BOARD

(a) **FLF – Performance**

Paul Smith commented about his involvement on six different Forums across Scotland and considered FLF was performing better than most.

In general, FLF had influenced work related to: overprovision and raising awareness of the wider environmental issues; had petitioned for minimum unit pricing; had input to the 'Ask for Angela' initiative, etc.

Decision

Members of FLB and FLF:-

- (a) agreed that the minutes of the FLF be made routinely available to FLB members;
- (b)/

- (b) acknowledged that, although there were issues with achieving a quorum at times, those FLF members who attended meetings on a regular basis were very knowledgeable and experienced;
- (c) noted from a Police perspective, that the FLF was very structured, and did what it was constituted to do, linking with and involving the Police and Licensing Standards Officers, etc, as appropriate; and
- (d) agreed, on the suggestion of Gordon Hood, Licensing Sergeant - in response to concerns raised about remote/internet sales - to a verbal presentation from the Police in relation to their recent visit to Amazon, at the next FLF meeting on 30th May, 2019.

8. **TOPICS REQUESTED FOR DISCUSSION TO THE BOARD FROM THE FORUM**

No questions were raised by FLF.

9. **REMAINING DATES OF MEETINGS OF FIFE LICENSING FORUM, 2019**

Decision

Members noted the remaining dates of Forum meetings for 2019 – to be held on Thursdays, in Fife House, Glenrothes, commencing at 2.00 p.m., as follows:-

- 30th May, 2019, Committee Room 3, 5th Floor, Fife House
- 15th August, 2019, Committee Room 1, 5th Floor, Fife House
- 14th November, 2019, Committee Room 3, 5th Floor, Fife House

10. **ANY OTHER COMPETENT BUSINESS**

(a) **Pop Up ‘Shooter’ Bars**

Members of FLB and FLF noted concerns raised by Paul Smith with regards ‘shooter’ bars and their negative impact on the personal welfare of clientele of the night time economy. Any concerns relating to premises licenses should be referred to Licensing Standard Officers, the Police and/or Licensing Team in the first instance.

(b) **Consultation – Fees for Occasional Licenses**

Members of FLB and FLF agreed to add this to the agenda of the next meeting of FLF on 30th May, 2019.

(c) **Consultation – Barclay Commission re Business Rates**

Members of FLB and FLF noted this consultation, as advised by Jeff Ellis, FLF Convener – related to rate rises (Draft Bill to Holyrood).

THE FIFE COUNCIL - FIFE LICENSING FORUM - GLENROTHES

14th November, 2019

2.00 p.m. – 3.35 p.m.

PRESENT: Jeff Ellis (Convener); John Barclay; Jim Bett; Douglas Hardaker, Lead Officer, Environmental Health (Public Protection); David Henderson; Ross Masterton, Police Scotland, Fife Division (on behalf of Gordon Hood, Licensing Sergeant); Paul Madill, Consultant, Public Health, NHS Fife; Fiona Rattray, Team Manager, Children & Families/ Criminal Justice Services; and Paul Smith.

ATTENDING: Cllr Alistair Cameron, Member of Fife Licensing Board; and Diane Barnet, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillor Carol Lindsay, Convener, Fife Licensing Board; Izzy Corbin; June Barrie, Depute Clerk to Fife Licensing Board; and Gordon Hood, Licensing Sergeant, Police Scotland, Fife Division.

1. WELCOME AND INTRODUCTIONS

Introductions were made around the table and the Forum acknowledged that Ross Masterton was in attendance on behalf of Gordon Hood, Licensing Sergeant, Police Scotland. The Forum also welcomed Councillor Alistair Cameron, member of the Fife Licensing Board.

2. MINUTE OF PREVIOUS MEETING

The Forum considered the minute of the previous meeting of 15th August, 2019.

Decision

The Forum:-

- (1) agreed to approve the minute;
- (2) arising from the minute, with reference to Para. 2. (3) - draft letter to the Scottish Government outlining concerns related to internet sales of alcohol; and Para. 4. (2) - draft letter to the Scottish Government suggesting an increase to minimum unit pricing - the Committee Officer would re-circulate the latest drafts to the Forum for final comment;
- (3) arising from the minute, with reference to Para. 5. (1) - copy list of licensed premises in relation to occasional licence applications, the Forum requested an update from the Depute Clerk to Fife Licensing Board; and
- (4) arising from the minute, with reference to Para. 11. - EpiPens for Anaphylaxis - requested that the request for consideration of the availability of EpiPens in licensed premises on a voluntary basis, be progressed by/with Public Health (NHS Fife), as appropriate.

3. THE BYSTANDER CAMPAIGN

Decision

The Forum agreed to defer presentation of this item to its next meeting - on 6th February, 2020 - in the absence of Gordon Hood, Licensing Sergeant, Police Scotland, Fife Division.

4. UPDATES FROM FIFE LICENSING BOARD

The Forum considered reports detailing the business of the Fife Licensing Board - 'List of Decisions' - from the Board meetings of 12th August and 9th September, 2019, which were sub-divided into: New Grant(s); Provisional(s); Variation (Major)(s); Premises Licence Review(s), Personal License(s) and Personal Licence Review(s).

Decision

The Forum noted the decisions of the Board meetings on 12th August and 9th September, 2019.

5. POLICE SCOTLAND - FIFE DIVISION REPORT (FROM AUGUST, 2019 TO DATE)

The Forum considered Police Scotland's Fife Division Report to November, 2019, previously circulated to members, detailing 21 premises within Fife which were categorised as green (premises which came to the attention of the Police and which were being monitored).

Decision

The Forum noted the update.

6. ACTIVITIES OF LICENSING STANDARDS OFFICERS

The Forum considered an update by Douglas Hardaker, Lead Officer, Environmental Health (Public Protection) since the last meeting, including: reviews of two premises licences relating to public nuisance; the selling of alcoholic 'slushies' which contravened legal obligations and had since ceased; and premises selling fake Smirnoff - a practice which was likely to lead to reviews of premises licences and possibly prosecutions.

Decision

The Forum:

- (1) noted the update on the activities of Licensing Standards Officers since the last Forum meeting; and
- (2) noted the update on the hearings held on 4th November, 2019 to consider the aforementioned reviews of premises licences.

7. ALCOHOL FOCUS SCOTLAND - NEWSLETTERS TO BE ACCESSED VIA WEBSITE

The Forum was advised that eFocus Newsletters could be accessed directly through an electronic link to the Alcohol Focus Scotland website.

Decision

The Forum noted the update.

8. ANY OTHER COMPETENT BUSINESS

Jim Bett left the meeting during consideration of the following.

(a) Occasional Licenses

The Forum raised general concerns regarding the Fife Licensing Board's apparent restrictions within legislation when determining occasional licenses.

Decision

The Forum agreed:-

- (1) to receive further guidance from the Depute Clerk to the Fife Licensing Board regarding the process for approval, or otherwise, of occasional licenses; and
- (2) that Paul Madill circulate, for their information, a weblink to the Children's Parliament Consultation on an 'Alcohol-free Childhood'.

(b) Membership of Fife Licensing Forum

The Forum considered membership of the Forum in the context of regular attendance.

Decision

The Forum requested consideration of a review of the current membership with a view to increasing attendance/ interest.

9. PROPOSED DATES OF MEETINGS 2020

Decision

The Forum noted and agreed the provisional dates for 2020 (and apologies for absence in advance). All meetings to be held on Thursdays at 2.00 p.m. in Fife House, Glenrothes:

- 6th February, 2020, Committee Room 3, 5th Floor (*apologies - Paul Madill*)
- 23rd April, 2020, Conference Room 1, Ground Floor
(Joint Meeting with Fife Licensing Board)
- 28th/

2019 FLF 4

- 28th May, 2020, Committee Room 3, 5th Floor (*apologies – Paul Smith*)
- 13th August, 2020, Committee Room 3, 5th Floor
- 26th November, 2020, Committee Room 3, 5th Floor

Fife Council - Alcohol Statement

A42229

	Submitted 19/20	Submitted 18/19	Variance from Previous Return	Variance %
<u>Income</u>	£	£		
Income (Licensing Fees)	-438,044	-439,493	1,450	-0.3%
	-438,044	-439,493	-439,493	
<u>Expenditure</u>				
Staff Costs - LSO	171,898	165,467	6,431	3.9%
Staff Costs - Other	175,150	141,128	34,023	24.1%
Transport	415	436	-21	-4.8%
Supplies & Services	12,374	19,268	-6,894	-35.8%
Overheads	58,554	72,850	-14,296	-19.6%
	418,391	399,148	399,148	
(Surplus)/Deficit	-19,652	-40,345	20,693	-51.3%

Breakdown of Overheads

Licence for Northgate Glamis	7,531	7,002	529
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CSS Charges

IAS19 HOLIDAY PAY	0	0	0
IAS19 PENSION ADJUSTMENT	0	0	0
CHANGE & IMPROVEMENT CHARGE	#VALUE!	224	#VALUE!
COMMS & CUSTOMER INSIGHT CHARGE	#VALUE!	253	#VALUE!
CONTACT CENTRE CHARGE	#VALUE!	522	#VALUE!
CUSTOMER SERVICE EXPERIENCE CHARGE	#VALUE!	170	#VALUE!
CUSTOMER SOLUTIONS CHARGE	#VALUE!	107	#VALUE!
HUMAN RESOURCES CHARGE	#VALUE!	847	#VALUE!
LEGAL SERVICES CHARGE	#VALUE!	29,105	#VALUE!
LEGAL SERVICES MANAGEMENT CHARGE	#VALUE!	269	#VALUE!
LOCAL OFFICE NETWORK CHARGE	#VALUE!	27,396	#VALUE!
ONLINE SERVICES CHARGE	#VALUE!	0	#VALUE!
POLICY & COMMS CHARGE	#VALUE!	196	#VALUE!
REVENUE & EXCHEQUER CHARGE	#VALUE!	6,759	#VALUE!
	#VALUE!	65,848	#VALUE!
Total Overheads	#VALUE!	72,850	#VALUE!
	#VALUE!		