Item 2

5th December 2023

Glasgow, 29th November 2022.

Joint meeting of the Local Licensing Forum and the City of Glasgow Licensing Board.

Local Licensing Forum

Present: Donald MacLeod, Concert Promoters' Association (Chair); Gary Atkinson, Community Resident – North West Area; Daniel Carter, NHS Greater Glasgow and Clyde (substitute for Emilia Crighton); Andy Clark, Glasgow Clubwatch Group (substitute for Brian Fulton); John Ferguson, Community Resident – North East Area; Lise Fisher, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council; Billy Gold, Scottish Licensed Trade Association; Inspector Gareth Griffiths, Police Scotland; Audrey Junner, Licensing lawyer representative (substitute for Jack Cummins); Jamie Mackie, Scottish Grocers' Federation (substitute for Pete Cheema); Bailie Margaret Morgan, Glasgow City Council; Bailie Hanif Raja, Glasgow City Council; Elaina Smith, Glasgow City Health and Social Care Partnership (substitute for Fiona Moss); and Paul Stewart, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council.

Apologies: Pete Cheema, Scottish Grocers' Federation; Emilia Crighton, NHS Greater Glasgow and Clyde; Jack Cummins, Licensing lawyer representative; Brian Fulton, Glasgow Clubwatch Group; Adam Morrow, National Union of Students; Fiona Moss, Glasgow City Health and Social Care Partnership; Matthew Reilly, Glasgow Pub Watch Groups; and Luke Tracey, Glasgow Restaurateurs' Association.

City of Glasgow Licensing Board

Present: Bill Butler, Dan Hutchison, Thomas Kerr, Margaret Morgan and Eva Murray.

Apology: Alex Kerr.

Attending: G McDermid (Clerk); I Miller, Legal Advisor to the Forum; G McNaught, Clerk to the City of Glasgow Licensing Board; H Welsh, Chief Executive's Department, Glasgow City Council; and N Fitzgerald, ELEPHANT Study Research Team.

Chair of meeting – Position noted.

1 In terms of paragraph 3 of the Code of Conduct for joint meetings of the City of Glasgow Licensing Board and the Local Licensing Forum, it was noted that Donald MacLeod would chair the meeting.

Minutes of previous meeting approved.

2 The minutes of the previous meeting of 7th December 2021 were submitted and approved.

Evaluating Later or Expanded Premises Hours for Alcohol in the Night-time Economy (ELEPHANT) Research Study – Update noted etc.

3 With reference to the minutes of

(1) the Local Licensing Forum of 17th December 2019 when the Forum had agreed to provide support to the Evaluating Later or Expanded Premises Hours for Alcohol in the Night-time Economy (ELEPHANT) Research Study; and

(2) 8th December 2020 when the Board and Forum had noted a presentation by Professor Niamh Fitzgerald, ELEPHANT Study Research Team, regarding the said study,

there was submitted a report by Professor Niamh Fitzgerald, ELEPHANT Research Team, providing an update regarding the study, advising

(a) that the 3 year study was now in its 26th month, with all aspects progressing well;

(b) that the first local public engagement involvement groups with venue-goers and residents from Glasgow had been held in January 2022 and from Aberdeen in June 2022;

(c) that the said groups had inputted into the development and finalisation of materials for focus groups that would soon be conducted with members of the public within the relevant work package; and

(d) of progress in relation to each of the 5 work packages, as detailed in the report.

After consideration and having heard further from Professor Niamh Fitzgerald in response to a number of members' questions, the Board and Forum noted

(i) the contents of the report; and

(ii) the following comments and responses:-

(A) members discussed the policy approach taken in Glasgow and Aberdeen in relation to changes in late night opening hours and a number of positive comments were made by members in relation to the approach taken in Glasgow, in particular, referring to the content of the criteria considered by the Licensing Board in determining major variation applications from city centre nightclubs for the 4am pilot scheme;

(B) in response to clarification being sought as to when the study findings would be available, it was highlighted that although the study was for a 3 year period, it was hoped that some initial findings would be available to assist with the development of the Licensing Board's Policy Statement;

(C) members also discussed concerns regarding the safety of hospitality workers returning home from working in late night opening premises in the city centre and the need for better public transport generally, including the greater availability of taxis and private hire cars; and

(D) with the regard to the criteria considered by the Licensing Board in determining major variation applications for the 4am pilot scheme, it was highlighted that although the Licensing Board could not attach a condition of licence requiring premises to arrange for late night staff transport, this was included in the said criteria.

Review of City of Glasgow Licensing Board's work during 2022 – Presentation noted etc.

4 The Forum and Board heard a presentation by Gillian McNaught, Clerk to the City of Glasgow Licensing Board, regarding a review of the work of the Licensing Board during 2022, advising

(1) of various statistical information in relation to the processing of applications by the Licensing Board during 2022, highlighting that

(a) 49 new licence applications had been granted (7 new premises licences/42 new provisional licences) and 1 application for a new provisional licence had been refused (on and off sales) and then subsequently granted for on sales only; and

(b) 95 applications for approval of major variations had been granted (8 on sales, 43 off sales and 44 on and off sales) and that 2 applications had been refused (1 off sales and 1 on and off sales);

(2) of various statistical information in relation to the number of current licences in force, in particular, highlighting that there were currently 1,951 premises licences and 6,247 personal licences;

(3) that with regard to the submission of applications for occasional licences for outdoor areas from 1st October 2022, separate applications must now be submitted for an occasional licence and, where required, a Section 59 consent and paid for accordingly and that occasional licence applications could be made for up to 6 months;

(4) of the outcome of work undertaken by the Licensing Board in relation to a review of the 4am pilot scheme and of its decision to continue the scheme for a period of 18 months;

(5) of the appointment of the Licensing Board on 19th May 2022 by Glasgow City Council and of the subsequent appointment of Bailie Margaret Morgan as Convener and Councillor Bill Butler as Vice Convener; and

(6) of work being undertaken in relation to the review of the Licensing Board's Policy Statement, which would be finalised in November 2023, including the Local Licensing Forum's establishment of a Sub-group to prepare a draft response as part of the pre-consultation exercise in relation to the

(a) Policy on Licensed Hours; and

(b) Overprovision Assessment and general approach to the consideration of Overprovision.

After consideration and having heard further from Gillian McNaught in response to a number of members' questions, the Board and Forum noted

(i) the presentation;

(ii) the following comments and responses:-

(A) in response to concern expressed regarding the number of licences that had been granted in the Parkhead area, it was highlighted that in determining applications, the Licensing Board would have regard to Part 7 of the Licensing Policy Statement entitled "Overprovision Assessment and general approach to the consideration of Overprovision" but that each application would still be considered on its own merits and that there had to be appropriate grounds for refusal of any application;

(B) with regard to the above concern, it was also pointed out that this part of the Licensing Policy Statement would be reviewed as part of the development of the new Licensing Policy Statement, including consideration of the response by the Local Licensing Forum Sub-group as referred to at paragraph (6) (b) above; and

(C) in response to clarification being sought as to when the updated Scottish Government Section 142 guidance would be available, it was highlighted that it was hoped that it would be published by mid December 2022; and

(iii) that the Clerk to the Forum would arrange for the presentation slides to be emailed to all members after the meeting.

Glasgow Festive Safety Initiative 2022 – Presentation noted etc.

5 The Board and Forum heard a presentation by Lise Fisher, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council, providing information on the delivery of the Glasgow Festive Safety Initiative 2022 in support of the night time economy, advising

(1) that the initiative would be held every Friday and Saturday between 2nd and 23rd December 2022 and would be delivered through a partnership approach involving Glasgow Alcohol and Drug Partnership, Police Scotland, Glasgow Taxis Ltd and various voluntary sector organisations;

(2) of matters considered in planning for this year's initiative, including the lessons learned from previous years;

(3) that the initiative would be delivered through the enhancement of the 'nitezone' provision in the city at the following 6 locations:-

(a) Sauchiehall Street;

(b) George Square North;

(c) Gordon Street;

(d) Albion Street;

(e) Pollokshaws Road; and

(f) Byres Road;

(4) that the following enhanced public safety initiatives would also be delivered:-

(a) Patrolling of 'nitezones' by Community Enforcement Officers;

(b) Police Scotland Festive Plan;

(c) Glasgow Street Pastors;

(d) Dedicated CCTV at the Glasgow Operations Centre; and

(e) Digital radio link to pubs, late night venues, street pastors, taxi marshalls, Glasgow Operations Centre and other voluntary services; and

(5) of various forms of communication to be used in relation to the delivery of the initiative, including social media/press, use of emails to Best Bar None premises and appropriate training.

After consideration and having heard further from Lise Fisher in response to a number of members' questions, the Board and Forum noted

(i) the presentation;

(ii) the following comments and responses:-

(A) members discussed the need for the delivery of naloxone training to appropriate staff working within certain licensed premises and it was highlighted that the Glasgow Alcohol and Drug Partnership had commissioned training on the issue and that information would be submitted to the Council's Licensing Section to be circulated as appropriate;

(B) with regard to the above matter, it was also suggested that this issue be discussed at a future meeting of the Local Licensing Forum;

(C) in response to further concerns regarding the need for better public transport from the city centre late at night, including the greater availability of taxis and private hire cars, it was highlighted that a report on the outcome of a review of the Private Hire car Overprovision Policy and Limitation of Taxi Licences Policy would be considered by the Council's Licensing and Regulatory Committee in March 2023; and

(D) various comments congratulating Lise Fisher and the City Centre Team on the delivery of the recent Best Bar None 2022 Annual Wards Initiative; and

(iii) that the Clerk to the Forum would arrange for the presentation slides to be emailed to all members after the meeting.

Licensing (Scotland) Act 2005 – Glasgow Annual Licensing Report for 2021/22 noted etc.

6 There was submitted the Glasgow Annual Licensing Report for 2021/22 by the Chief Constable, Police Scotland, in accordance with Section 12(A) of the Licensing (Scotland) Act 2005, advising of

(1) the 2-tier structure for licensing adopted by Police Scotland to support both national and local priorities through service delivery, which comprised the

Violence Prevention and Licensing Co-ordination Unit and licensing teams located in each of the 13 Local Policing Divisions;

(2) various information regarding the City of Glasgow Licensing Board's area, which was policed by the Greater Glasgow Division;

(3) the local policing priorities for the division as set out in the Local Policing Plan;

(4) work undertaken at a local level in relation to the operation of the Act by the Greater Glasgow Licensing Department, which was now led by Inspector Gareth Griffiths supported by 2 Sergeants, 6 Constables and 9 members of police staff;

(5) work undertaken in relation to preventing the sale or supply of alcohol to children or young people and tackling serious and organised crime; and

(6) the proposed activity for the year ahead.

After consideration and having heard further from Inspector Gareth Griffiths in response to a number of members' questions, the Board and Forum noted

(a) the report; and

(b) the following comments and responses:-

(i) in response to clarification being sought on whether officers from Police Scotland still regularly visited licensed premises, reference was made to page 15 of the report, which confirmed that on a day to day basis officers continually carried out inspections to off and on sales in the Board area, totalling 2,216 inspections during 2021/22; and

(ii) in response to a general discussion regarding how Police Scotland dealt with incidents that had occurred either within or in the vicinity of licensed premises, reference was made to pages 12 and 13 of the report, which outlined the various options that would be considered, including an 'interaction', 'intervention' and an application for a 'review' of a premises licence and/or personal licence.