Item 2

29th November 2022

LOCAL LICENSING FORUM'S MINUTES.

Glasgow, 6th September 2022.

Local Licensing Forum.

Present: Brian Fulton, Glasgow Clubwatch Group (Chair); Andy Clark, Concert Promoters' Association (Substitute for Donald MacLeod); Lise Fisher, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council; Billy Gold, Scottish Licensed Trade Association; Inspector Gareth Griffiths, Police Scotland; Andrew Hunter, Licensing lawyer representative (Substitute for Jack Cummins); Susan McKay, Glasgow Chamber of Commerce (Substitute for Stuart Patrick); Brian McNelis, Greater Glasgow Hotels' Association; Jamie Mackie, Scottish Grocers' Federation (Substitute for Pete Cheema); Bailie Margaret Morgan, Glasgow City Council; Adam Morrow, National Union of Students; Bailie Hanif Raja, Glasgow City Council; Matthew Reilly, Glasgow Pub Watch Groups; Paul Stewart, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council; Luke Tracey, Glasgow Restaurateurs' Association; and Beartrix Von Wissman, NHS Greater Glasgow and Clyde.

Apologies: Pete Cheema, Scottish Grocers' Federation; Emilia Crighton, NHS Greater Glasgow and Clyde; Jack Cummins, Licensing lawyer representative; Donald MacLeod, Concert Promoters' Association; Stuart Patrick, Glasgow Chamber of Commerce; and Julie Pearson, Glasgow Life.

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

Chair.

1 I Miller, Legal Advisor to the Forum, assumed the Chair and called the meeting to order.

Membership and Terms of Reference noted etc.

2 With reference to the minutes of Glasgow City Council of 19th May 2022 when the re-establishment, membership and Terms of Reference of the Local Licensing Forum had been approved, there was submitted and noted a report by the Council's Director of Legal and Administration regarding the matter

(1) advising that

(a) the Terms of Reference of the Local Licensing Forum were as follows:-

(i) To keep under review the operation of the Licensing (Scotland) Act 2005 in the City of Glasgow;

(ii) To keep under review the exercise by the Licensing Board of its functions under the said Act; and

(iii) To give such advice and make recommendations to the Licensing Board in relation to those matters as the Forum considers appropriate;

(b) the current membership was as follows:-

Name	*Body/Organisation*
Billy Gold	Scottish Licensed Trade Association
Pete Cheema	Scottish Grocers' Federation
Donald MacLeod	Concert Promoters' Association
Brian McNelis	Greater Glasgow Hotels' Association
Luke Tracey	Glasgow Restaurateurs' Association
Brian Fulton	Glasgow Clubwatch Group
Matthew Reilly	Glasgow Pubwatch Groups
Chief Constable	Police Scotland
Dr Emilia Crighton	NHS Greater Glasgow and Clyde
Fiona Moss	Glasgow City Health and Social Care Partnership
Adam Morrow	National Union of Students
To be appointed	Community Resident – North East Area
To be appointed	Community Resident – North West Area
To be appointed	Community Resident – South Area
Bailie Margaret Morgan	Glasgow City Council
Bailie Hanif Raja	Glasgow City Council

Jack Cummins	Licensing lawyer representative
Paul Stewart	Senior Licensing Standards Officer, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council
Stuart Patrick	Glasgow Chamber of Commerce
Julie Pearson	Glasgow Life
Lise Fisher	City Centre Team, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council;

(c) the current membership comprised of 18 members but this would increase to 21 members following the appointment of the 3 Community Resident positions, as detailed above;

(d) an election process was currently being undertaken by the Council's Community Empowerment Services in relation to the 3 Community Resident positions whereby nominations would be sought from Community Councils in the city and that it was anticipated that these appointments would be made prior to the next meeting; and

(e) the quorum for meetings of the Forum was presently 9, however, this would increase to 11 following the appointment of the 3 Community Residents; and

(2) attaching an extract from the minutes of Glasgow City Council of 19th May 2022 and the relevant committee report as appendices 1 and 2 to the report.

Code of Conduct approved etc.

3 There was submitted a report by the Council's Director of Legal and Administration attaching a proposed Code of Conduct for meetings of the Forum.

After consideration, the Forum

(1) approved the Code of Conduct, as detailed in the appendix to the report; and

(2) noted that for any matter that required procedural guidance not detailed within the Code of Conduct, the Council and Committee Standing Orders would be applied so far as they were relevant.

Appointment of Convener approved.

4 I Miller, Legal Advisor to the Forum, reported on the procedure for the

appointment of the Convener of the Local Licensing Forum.

After consideration, the Forum appointed D MacLeod as Convener.

Vacation and appointment of Chair.

5 I Miller, Legal Advisor to the Forum, vacated the chair, which was taken by B Fulton in the absence of D MacLeod.

Minutes of previous meeting approved.

6 The minutes of the previous meeting of 15th February 2022 were submitted and approved.

Licensing (Scotland) Act 2005 – Development of Licensing Policy Statement – Establishment of Sub-group approved etc.

7 There was submitted a report by the Council's Director of Legal and Administration regarding the proposed establishment of a Sub-group to prepare a draft response to part of the City of Glasgow Licensing Board's Licensing Policy Statement as part of the pre-consultation exercise being undertaken towards the development of the fifth edition of the said Policy Statement, advising

(1) that in the autumn, the Board would begin a pre-consultation exercise with various interested groups on the issues they believe should be addressed in the fifth edition of its Licensing Policy Statement in order to promote the licensing objectives;

(2) that as part of the said pre-consultation exercise, it was proposed that a Sub-group be established from the membership of the Forum to prepare a draft response to the Licensing Board's Licensing Policy Statement in relation to its 'Policy on Licensed Hours' and 'Overprovision Assessment and general approach to the consideration of Overprovision';

(3) of the proposed membership composition and Terms of Reference of the said Sub-group; and

(4) that it was proposed that the draft response be submitted to a meeting of the Forum on 14th February 2023 for approval.

After consideration, the Forum

(a) approved

(i) the establishment and Terms of Reference of the said Sub-group as detailed in paragraph 2 of the report; and

(ii) the membership of the said Sub-group as follows:-

Name	*Body/Organisation*
Donald MacLeod	Concert Promoters' Association (Chair)
Brian Fulton	Glasgow Clubwatch Group
Pete Cheema	Scottish Grocers' Federation
Inspector Gareth Griffiths (for Chief Constable)	Police Scotland
Fiona Moss	Glasgow City Health and Social Care Partnership
To be confirmed	Community Resident
Stuart Patrick	Glasgow Chamber of Commerce; and

(b) agreed that

(i) if members could not attend any meetings of the Sub-group they could send a substitute who could represent the views of the body/organisation they represent and that in the case of the Community Resident member they could send either of the 2 other Community Resident members on the Forum; and

(ii) as the 3 Community Residents had not yet been appointed, they should agree between themselves which of them would be the member of the Sub-group.

City of Glasgow Licensing Board – 2021/22 annual functions report noted etc.

8 There was submitted a report by the Depute Clerk to the City of Glasgow Licensing Board on the annual functions of the Licensing Board over 2021/22, in terms of section 9A of the Licensing (Scotland) Act 2005, advising of

(1) various statements of how the Licensing Board had regard to both the licensing objectives and its Licensing Policy Statement;

(2) a summary of decisions made by (or on behalf of) the Licensing Board during 2021/22;

(3) information on the number of licences in force as at 31st March 2022 and in relation to the administration of the Board and its membership; and

(4) the Licensing Board's response to the COVID-19 pandemic.

After consideration, the Forum noted

(a) the contents of the report; and

(b) that with regard to the submission of applications for occasional licences for outdoor areas from 1st October 2022, separate applications must now be submitted both 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..

Licensing (Scotland) Act 2005 - Update on licensing standards issues noted etc.

9 There was submitted a report by the Council's Executive Director of Neighbourhoods, Regeneration and Sustainability providing an update on licensing standards issues in respect of the period from January to June 2022, advising

(1) that Licensing Standards, as statutory nominees, had provided comment on various applications, as detailed in the report, which included applications for

(a) new and provisional premises licences;

(b) major variation;

(c) occasional licences; and

(d) extended hours;

(2) of the nature of some of the applications submitted, which related to

(a) requests for inclusion of additional facilities, such as outdoor drinking areas;

(b) off sales consumption, including delivery services;

(c) the regularisation of previously granted temporary permissions; and

(d) occasional Licences for small and large-scale events held in the city, which had shown a marked increase;

(3) that Licensing Standards had dealt with 133 complaints, which mainly related to outdoor drinking, noise and anti-social behaviour, which had been dealt with working in conjunction with partner agencies and services;

(4) that Licensing Standards had also dealt with 240 enquiries, which mainly related to applications or to the legislative process; and

(5) of interest and stakeholder group activity undertaken by officers, which included disseminating information on various events held in the city to residents and licensed premises and also work undertaken on resurrecting a number of Pub Watch, Club Watch and Off Sales Watch meetings.

After consideration, the Forum noted

(i) the contents of the report; and

(ii) that with regard to concern expressed at the meeting regarding applicants being granted a number of occasional licences to operate a 'pop up' bar to sell food and alcohol from the same premises, such applications would now be referred to the Licensing Board for consideration in such circumstances but that each application would be considered on its own merits.

Managing the evening economy towards a safer city centre – Update noted etc.

10 There was submitted a report by the Council's Executive Director of Neighbourhoods, Regeneration and Sustainability providing an update on recent developments of Best Bar None Glasgow initiatives facilitated and supported by the Neighbourhoods, Regeneration and Sustainability City Centre Team in respect of the period from January to June 2022, advising

(1) of the initiatives concerned, namely:-

(a) Best Bar None Glasgow Developments;

(b) City Nite Zones;

(c) Voluntary Sector Partners, including Glasgow Street Pastors' Association and Glasgow Street Aid; and

(d) Digital Radio Network;

(2) that work undertaken by Best Bar None Glasgow had now fully recommenced after the previous COVID-19 situation and that all work had been supported by Neighbourhoods, Regeneration and Sustainability staff and enhanced through a multi-agency approach; and

(3) that all activities provided additional value and assistance to the City Centre Policing Plan, which provided an overall approach to crime and safety in the city centre.

After consideration, the Forum noted

(i) the contents of the report; and

(ii) the following comments and responses by members:-

(A) reference was made to alleged ‘drink spiking’ incidents within licensed premises and the importance that friends of any individual who had taken ill be as truthful as possible with stewards as to what they had consumed to ensure appropriate help could be sought;

(B) with regard to the above, it was suggested that some form of media message needed to be sent out, in particular, as a number of students would be arriving in the city over the next month to commence their studies;

(C) it was pointed out with regard to the above, that any such media message needed to be balanced and that if any individual did feel their drink had been ‘spiked’ them they should be encouraged to seek help;

(D) Lise Fisher would be undertaking some work in the run up to Freshers Week, including a media campaign, and would include an appropriate message taking into account the comments at (A), (B) and (C) above;

(E) Lise Fisher would arrange for further information on applications received for Best Bar None Glasgow to be issued to members through the Clerk, including a breakdown of the types of premises and their location; and

(F) with regard to the Challenge 25 policy, Lise Fisher would also seek advice on concerns that had been expressed regarding the checking of identification of persons who were transitioning from gender to gender and contact Brian Fulton directly.

Local Licensing Forum Survey – Action agreed.

11 There was submitted a report by the Council’s Director of Legal and Administration regarding a survey being undertaken by the Scottish Government of Local Licensing Forums nationally, advising that

(1) correspondence had been received from the Scottish Government regarding the said survey which was being undertaken to identify current levels of Forum activity and to ascertain what was working well and to hear of any suggestions on how Forums could be better supported or improved;

(2) the Scottish Government was working with Alcohol Focus Scotland to undertake the survey and that it was proposed that a representative from each Forum, or relevant officer if the Forum was inactive, provide one response to an online version of the survey available at https://www.surveymonkey.co.uk/r/LJJG6HD;

(3) the survey would be live for 3 months and that the survey questions should be discussed at a Forum meeting prior to the answers being submitted online;

(4) given that this Forum was active, it was suggested that the response be submitted by the Convener by end September 2022; and

(5) the Scottish Government intended to produce a summary report to share key findings with Forums and interested stakeholders but that any information would be anonymized so that answers of individual Forums could not be identified.

After consideration, the Forum agreed that

(a) the Convener submit a response on its behalf by end of September 2022;

(b) those members who wished to submit a written response to the survey questions, should submit their response to the Clerk via email by 16th September 2022 and that any responses received would be submitted to the Convener for consideration as part of the online response; and

(c) the Convener's draft response be issued to all members for any further comment prior to its submission online.

2022/23 work plan approved etc.

12 There was submitted a report by the Council's Director of Legal and Administration detailing a proposed work plan for the Forum in respect of the period from December 2022 to December 2023.

After consideration, the Forum

(1) approved the work plan as detailed in the report; and

(2) noted

(a) the future meeting dates for 2022/23, as detailed in the report;

(b) that the meeting dates in December 2022 and 2023 would be agreed following consultation with the Conveners of the Forum and Licensing Board;

(c) that any member was invited to ask for an item to be included on the agenda by the deadline date, as detailed in the report; and

(d) that in addition to the items listed in the work plan, officers would also look to include other reports/presentations on future agendas in relation to matters that could be of interest to members.

Death of Bailie Malcolm Cunning.

13 The Chair referred to the recent death of Bailie Malcolm Cunning, former Convener of the City of Glasgow Licensing Board.

The Forum extended its condolences to his family.