Item 1

9th May 2023

LOCAL LICENSING FORUM'S MINUTES.

Glasgow, 14th March 2023.

Local Licensing Forum.

Present: Donald MacLeod, Concert Promoters' Association (Chair); Daniel Carter, NHS Greater Glasgow and Clyde; John Ferguson, Community Resident – North East Area; Lise Fisher, Neighbourhoods, Regeneration and Sustainability, Glasgow City Council; Brian Fulton, Night Time Industry Association; Constable Gavin Frew, Police Scotland (Substitute for Inspector Gareth Griffiths); Billy Gold, Scottish Licensed Trade Association; Brian McMahon, Glasgow Pub Watch Groups (Substitute for Matthew Reilly); Archie Maciver, Licensing lawyer representative (Substitute for Jack Cummins); 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; Jack Cummins, Licensing lawyer representative; Inspector Gareth Griffiths, Police Scotland; Chris McGuiness, Greater Glasgow Hotels' Association; Fiona Moss, Glasgow City Health and Social Care Partnership; and Matthew Reilly, Glasgow Pub Watch Groups.

Attending: G McDermid (Clerk); I Miller, Legal Advisor to the Forum; G McNaught, Clerk to the City of Glasgow Licensing Board; and Constable B Rooney, Police Scotland

Chair.

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

Appointment of Convener approved.

2 Iain 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 Donald MacLeod as Convener.

Vacation and appointment of Chair.

3 Iain Miller, Legal Advisor to the Forum, vacated the chair, which was taken by Donald MacLeod.

Membership update noted.

4 The Forum heard and noted a verbal update by the Clerk to the Forum regarding its membership, advising that

(1) at its meeting on 8th December 2022, Glasgow City Council had approved the appointment of

(a) Daniel Carter in place of Emilia Crighton as the representative from NHS Greater Glasgow and Clyde; and

(b) Chris McGuinness in place of Brian McNelis as the representative from Greater Glasgow Hotels' Association; and

(2) he had received correspondence confirming that Glasgow Club Watch Group had now joined the Night Time Industry Association (NTIA) and that Brian Fulton would represent the NTIA going forward on the Forum.

Minutes of previous meeting approved.

5 The minutes of the previous meeting of 29th November 2022 were submitted and approved.

Licensing (Scotland) Act 2005 – City of Glasgow Licensing Board's 2021/22 annual financial report – Update on request for additional information on reasons for difference in net expenditure in 2021/22 in comparison with 2019/20 noted.

6 With reference to the minutes of 29th November 2022 when, having considered a report regarding the publication of the Licensing Board's 2021/2022 annual financial report, the Forum had noted the terms of the said report and requested the Clerk to the Licensing Board, in consultation with Financial Services, Glasgow City Council (GCC), to report to the next meeting providing further information on the reasons for the difference in net expenditure in 2021/22 in comparison with 2019/20, the Forum heard and noted a verbal update by the Clerk to the Forum regarding the matter, advising that

(1) GCC used SAP to manage its essential business processes and that due to technical issues with the system, GCC's Financial Services had been unable to provide this information; and

(2) the Clerk to the Licensing Board would arrange for a report regarding the matter to be submitted to the next meeting on 9th May 2023.

Licensing (Scotland) Act 2005 – Response by Sub-group to certain parts of the City of Glasgow Licensing Board's Licensing Policy Statement as part of pre-consultation exercise dealt with – Reference to City of Glasgow Licensing Board – Declaration of interest.

7 With reference to the minutes of 6th September 2022 when the Forum had agreed the establishment, membership and Terms of Reference of a Sub-group to prepare a draft response to the City of Glasgow Licensing Board's "Policy on Licensed Hours" and "Overprovision Assessment and general approach to the consideration of Overprovision" as part of the pre-consultation exercise towards the development of the fifth edition of the Board's Licensing Policy Statement, there was submitted a report by the Sub-group regarding the matter, advising

(1) that the Sub-group had met on 5 occasions between October 2022 and February 2023;

(2) that in terms of the information that required to be gathered to inform the draft response, it was clear from the outset that the position had to be evidence based and that the Board's pre-consultation questionnaire entitled "Licensing (Scotland) Act 2005 – Informing Development of the New Licensing Policy Statement" had acted as a guide;

(3) of the evidence used to inform the Sub-group's draft response, as detailed in the report;

(4) that the Sub-group was made up of a diverse group of members who represented a range of vastly different perspectives of stakeholders working within and affected by the licensing community and beyond and that the response aimed to strike a balance and reach a position which best reflected the views of all members of the Forum; and

(5) of the Sub-group's draft response to the Board's "Policy on Licensed Hours" and "Overprovision Assessment and general approach to the consideration of Overprovision", as detailed in paragraphs 4, 5 and 6 of the report.

After consideration, the Forum

(a) approved the terms of the draft response by the Sub-group to the Board's "Policy on Licensed Hours" and referred it to the Board as its response to the pre-consultation exercise in relation to this matter;

(b) continued consideration of the terms of the draft response by the Sub-group to the Board's "Overprovision Assessment and general approach to the consideration of Overprovision" to the next meeting to allow the Sub-Group additional time to continue its assessment of health and crime data; and

(c) noted remarks by the Convener thanking Iain Miller for facilitating the work of the Sub-group and for the preparation of the report.

In terms of paragraph 8 of the Forum's Code of Conduct and Standing Order No 27 of the Council and Committee Standing Orders, Bailie Margaret Morgan declared an interest in this item and left the room during its consideration.

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

8 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 July to December 2022, advising

(1) that Licensing Standards 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 and extended hours applications, which had shown a marked increase as a result of the variety and number of small to medium scale events taking place and the introduction of the 6 month outdoor licensed area process;

(3) that Licensing Standards had dealt with 121 complaints, which mainly related to outdoor drinking, noise and anti-social behaviour and had been dealt with working in conjunction with partner agencies and services;

(4) that Licensing Standards had also dealt with 230 enquiries, which mainly related to applications or to legislative processes/procedures; and

(5) of interest and stakeholder group activity undertaken by officers, which included guidance, monitoring and enforcement in relation to the high number

of events/concerts taking place in the city and engagement work with licence holders on a range of best practice issues.

After consideration, the Forum noted

(i) the contents of the report; and

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

(A) there was a general discussion regarding licensing complaints and it was highlighted that although there had been a small decrease from the last 6 month period, there had been a greater number of technical complaints from the public that required more detailed investigation by officers, such as premises where no designated manager had been in attendance and issues in relation to compliance with legislative procedures;

(B) with regard to the above, members discussed the number of noise complaints in relation to licensed premises and it was highlighted that although there had been a significant number of such complaints following the end of lockdown, the number of such complaints had now returned to a more normal level;

(C) attention was drawn to the increasing number of noise complaints from residents within the city centre in relation to commercial premises generally; and

(D) there was a general discussion regarding the increase in the number of applications for occasional licences/extended hours and it was suggested that in the current economic climate many organisations/businesses were looking to maximise their revenue.

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

9 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 July to December 2022, advising

(1) of the initiatives concerned, namely:-

(a) Best Bar None Glasgow Developments;

(b) Nite Zones;

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

(d) Digital Radio Network;

(2) 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;

(ii) that an amended report would be circulated to members incorporating statistical information in relation to the usage of Glasgow's Nite Zones for September and December 2022; and

(iii) that Lise Fisher would liaise with Billy Gold directly in relation to concerns expressed at the meeting regarding the introduction of the Deposit Return Scheme and the implications for the uplift of commercial waste from licensed premises in the city.

Date of next meeting noted etc.

10 The Forum noted that the next meeting would be held on Tuesday, 9th May 2023 at 1400 hours and that all items of business should be submitted to the Clerk to the Forum by Tuesday, 18th April 2023.