

NOTICE OF MEETING

MIDLOTHIAN LOCAL LICENSING FORUM

Venue: Committee Room, Midlothian House

Date: Friday 13th November 2015

Time: 10:00 – 12:00

AGENDA

1	Welcome and Apologies	
2	Minutes of the previous meeting <ul style="list-style-type: none">• Forum meeting – 14th August 2015• Actions	R R
3	Minutes of the licensing Board – latest approved minutes: 16 th June 2015 15 th Sept 2015	R
4	Licensing update report:	R
5	Combating youth alcohol consumption	R
6	Overprovision consultation	R
7	Licensing Forum – future action plan	R
8	Future meeting dates	R
9	Any Other Business	
10	Date of next meeting: To be confirmed	
(R) = report attached (V) = verbal update (TF) = to follow		

MINUTES of MEETING of the **LOCAL LICENSING FORUM** held in the Committee Room, Midlothian House on 14th August 2015 at 10.00 am.

Present:-

Representatives of Residents within the Forum's Area: Derek Couper, Alistair Mackintosh

Representatives of holders of premises licences/ personal licences: Gemma Shand (personal license holder), Logan Bryce (Sainsburys, Salters Rd), Adam Bolton (The Laird & Dog)

Representative of Police, Health, Education, Social Work, Midlothian Council: Chief Inspector Kenny Simpson (Police Scotland), PC Gordon Milne (Police Scotland), Jim Sherval (NHS Lothian), Elizabeth Oldcorn (NHS Lothian), Mark Richardson (Licensing Standards Officer)

In Attendance: - Rosie Kendall (Community Safety Manager/ Clerk to the Forum, chaired the meeting), Magda Clark (Community Safety Development Officer), Dougie Paterson (CAP)

Apologies: Alasdair Gow (chair), Kevin Anderson (Head of Housing and Customer Services) Bill Kerr-Smith (Federation of Community Councils), Jim Leslie, John Thayers.

1. Welcome and Apologies

Rosie Kendall welcomed Forum members

2. Minutes of the previous meeting

The minute of the meeting held on 15th May 2015 were discussed and one change to the date on the minute agreed. Subject to the date change, the minute was approved as a correct record by Derek Couper and Gemma Shand.

The action plan was discussed – updated copy to be circulated with this minute.

Dougie highlighted two proxy purchase/ challenge 25 campaigns he is aware of, in Motherwell and East Edinburgh. The Forum discussed the effectiveness of the challenge 25 campaigns. Dougie explained that these campaigns aim to raise awareness of challenge 25, working with retailers and assisting smaller stores with training and resources. Dougie highlighted the benefit of undertaking regular visits.

Action: Dougie to look into whether there are any CAP proxy purchase posters

Action: Gordon to check if the Police have any proxy purchase posters

The Forum discussed test purchasing, the recruitment of young people and whether those recruited to undertake test purchases could get involved with the Forum. They are unlikely to become Forum members as they can only undertake test purchases for a short period of time, however their involvement in the Forum will be considered once they have been recruited.

Action: Kenny to progress Midlothian test purchase operation. Update to be provided at

November meeting.

3. Licensing Board minutes

none

4. Licensing update report

Rosie, Mark and Kenny presented update reports. Kenny highlighted concerns regarding youth alcohol consumption. The detail provided in the report was praised by Jim Sherval.

Action: *Rosie to contact the Council cleansing department to ascertain if they have any information about the volume, type and location of discarded bottles cleared.*

Mark Richardson outlined that interagency working with problematic premises had ultimately had a positive outcome. On that note Kenny stated that the premises which Police had worked with on improvements were very receptive and positive which is really encouraging.

Rosie highlighted that Best Bar None invitations have been sent out with 4 positive responses so far. PC Frances Little (Crime Prevention Officer) will be carrying out visits to licensed premises in the overprovided area to encourage them to take part in the scheme.

5. Education letter response

The Forum agreed that it is reassuring to know that schools comply with the requirement of education within Curriculum for Excellence however since it is a decision of Head Teachers and Deputy Head Teachers to choose topics it was suggested that the Forum could play a role in suggesting topics / age groups etc. The Forum could bring to the attention of the Deputy or Head Teacher any spikes in reports relating to alcohol consumption amongst pupils from particular school, point out emerging trends and suggest topics to be covered as part of the Curriculum for Excellence "toolbox". The Forum agreed that further information is required regarding the resources teachers have available.

Action: *Rosie/John to work on a youth education report to be presented to the November Forum meeting.*

6. Community Alcohol Partnerships

Dougie Paterson provided a presentation on the work of Community Alcohol Partnerships (CAPs) across the UK. CAPs were introduced in 2007 as a model of addressing underage drinking. The model consists of 3 key approaches:

- Enforcement
- Education
- Changing public perceptions and linking with the community

CAPs are Problem Solving Partnerships, focussing on a local approach within small areas. Each CAP has got its own objectives and stakeholders decide what the objectives are. For example, some of the East Edinburgh CAP objectives include: Improving young peoples health, Increasing awareness of risks, Decreasing proxy purchase levels, Decreasing youth alcohol consumption, Reducing antisocial behaviour.

There is a focus on intelligence gathering and information sharing. CAP meetings should be "light" in admin, not minuted, couple of hours action focused. CAP is a good intelligence

gathering mechanism on which basis actions are taken. Retailers are part of the solutions and agreed actions. The Retail Standard Group is associated with CAP.

The Edinburgh CAP is led by the Police. Those involved include youth projects and Queen Margaret University.

DP suggested engaging with Edinburgh CAP, visit and experience the work first hand.

Action: *Rosie, Gordon and one other area inspector to attend the Edinburgh CAP meeting in Niddrie on 3rd Sept at 10.00am*

A pilot programme embedded within existing structures seems to be the most feasible model for Midlothian. In terms of the local residents involvement, liaison with/respresentation of neighbourhood planning and community council groups is recommended. CAP's can work on areas such as promoting Challenge 25, increasing awareness, informing communities on what's happening in local areas via press articles and use of social media.

It was suggested that groups represented on the Midlothian CAP could include representatives from : Police, Community Safety, residents, retailers, MYPAS, Street Workers (LLLE), Sainsburys.

Action: *Rosie to set up a meeting to discuss setting up a CAP.*

Logan noted that the CAP should involve more people who are residents who experience the effects of underage drinking daily which the Forum agreed was a valid comment.

Action: *Gemma to promote CAP on Facebook to involve local residents.*

Jim Sherval highlighted that underage drinking is only one element of the overall alcohol consumption problem. However intervening early to reduce future alcohol intake and drinking above the limit should assist. It is important to include young people/ students (universities) in the work of CAP to attempt to change the relationship young people have with alcohol. Ultimately we are looking to improve the health of the population in the long run.

Action: *Rosie to discuss the CAP with Martin Bonnar.*

7. Licensing Forum – future action plan

Rosie introduced the draft Forum action plan, highlighting that the aim is to plan some of the Forum's work and activities in advance. The Forum's main (statutory) role is to build trust with license holders and the Licensing Board by giving impartial and effective advice and practical recommendations to the Board.

Rosie asked the Forum for ideas on what else the Forum can do to assist with achieving the 5 main licencing objectives.

Action: *All to contact Rosie with ideas for the action plan*

8. Any other business

MIDFEST :

Rosie and Magda have arranged for the Forum to have a stand within the "Community Safety Village" at the MIDFEST family fun day on Sunday 13th September. Magda has

arranged beer goggles and there will be games using these but other ideas are needed. Rosie asked Forum members for ideas on how to promote responsible alcohol consumption at the Forum's stand at the event. Volunteers are also needed to man the stand. Elizabeth offered to check Public Health resources. Kenny suggested having a Mocktail Bar. Adam offered to assist (cocktail recipes).

Action: Magda to contact Paul Richardson re 'Mocktail bar'

Action: Adam to provide Mocktail recipes and any other assistance possible

Action: All to consider how they can assist at the event – For example, manning the 'mocktail bar', manning the stand, providing mocktail ingredients.

Action: Elizabeth to check Public Health resources

Future meeting dates:

Future meeting dates to be set for next meeting but they likely to be early March 2016, middle of May, middle August and middle of November. Rosie asked if the Forum were broadly happy with meeting at those times of the year. No objections were received.

Action: Rosie to provide future meeting dates at November meeting.

Reminder of a next joint meeting on 13th October

Date of Next Meeting

The Forum noted that the next scheduled Forum meeting was due to take place on Tuesday 13th October at 10.30am. This will be a joint meeting with the Forum and will take place in Midlothian House, Committee Room, Buccleuch Street, Dalkeith.

The meeting terminated at 11.30am

category	MTG DATE	ACTION	LEAD	Due	STATUS	NOTE
Board Policy	15/05/15	RK to write to the board to request clarification of their approach to dismissing review hearings as unsubstantiated when a member of staff has been convicted of a criminal offence within the premises	RK/AG		In progress	9/6/15: letter has been sent & was discussed at 15/9/15 Board meeting. Awaiting written response from the Board.
	15/05/15	RK to write to the Board raising concerns regarding the overprovision policy and how this has been adhered to. Letter to be circulated with the forum minute	RK/AG		In progress	9/6/15: letter has been sent & was discussed at 15/9/15 Board meeting. Awaiting written response from the Board.
	15/05/15	NHS to request a 'statement of objections' which each objector is entitled to	JS		In progress	JS has requested this, awaiting response. Query regarding time limit for making this request.
	15/05/15	RK to pull together a summary of Board activity and speak to the licensing section about whether this can be publicised. This would include number of licensed premises in each area and a summary of board decisions.	RK		In progress	7/8/15: RK has pulled this together. Discussion with legal re what can be published is required.
	15/05/15	RK to speak to the licensing department regarding a festive licensing policy	RK		Completed	9/11/15: This is not something the Board would seek to implement.
Proxy/ underage purchase	15/05/15	Licensing Forum to write to all licensed Off Sales to raise awareness of proxy purchase and provide list of things to look out for e.g. correct change, order list, buying specific drinks	RK		In progress	28/7/15: Proxy purchase poster required. Discuss at 14/7/15 meeting.
	14/08/15	Dougie to look into whether there are any CAP proxy purchase posters	DP	21/08/15	In progress	9/11/15: posters have been sent to RK
	14/08/15	Gordon to check if the Police have any proxy purchase posters	GM	21/08/15	In progress	
	14/08/15	RK to contact the Council cleansing department to ascertain if they have any information about the volume, type and location of discarded bottles cleared.	RK	21/08/15	Completed	9/11/15: Unfortunately this information is not captured.
	14/08/15	KS to progress Midlothian test purchase operation. Update to be provided at November meeting.	RK	30/11/15	In progress	9/11/15: Verbal update expected at Nov meeting. Sgt Colin Deans has met with his counterpart in East Lothian and this is progressing.
	14/08/15	RK/JT to work on a youth education report to be presented to the November Forum meeting.	JT/RK		In progress	9/11/15: To be rolled into sub group proposal.
	14/08/15	Rosie, Gordon and one other area inspector to attend the Edinburgh CAP meeting in Niddrie on 3rd Sept at 10.00am			Completed	3/9/15: Meeting attended by Rosie and Gordon.
	14/08/15	Rosie to set up a meeting to discuss setting up a CAP.			Completed	29/9/15: Meeting held on 29th Sept.
	14/08/15	Gemma to promote CAP on Facebook to involve local residents.				
	14/08/15	Rosie to discuss the CAP with Martin Bonnar.			Completed	29/9/15: Discussion held on 29th Sept.
Publicity	15/05/15	Consider targeting specific leaflets in problem areas. alcohol leaflets to be distributed to Council premises - libraries, leisure centres and receptions	RK		In progress	14/8/15: RK to discuss with Jane Milne
	15/05/15	JT to send electronic copy of leaflets to RK so this can be placed online/used on partner social media pages	JT		In progress	14/8/15: RK to request this from JT

LICENSING FORUM - MASTER ACTION LOG 2015

category	MTG DATE	ACTION	LEAD	Due	STATUS	NOTE
	15/05/15	JL to draft a letter to remind premises of their obligations regarding occasional licenses. Letter to be sent out to those premises who this is likely to apply to (JL to provide a list)	JL		In progress	28/7/15: Draft letter sent to RK. List of premises now confirmed and letter will be sent out w/b 10/8/15 14/8/15: RK to ask JL to send letter
	15/05/15	All to consider engaging ways the Forum can contribute to MIDFEST (12th Sept) and the family fun day (13th Sept)	All	21/08/15	Completed	9/11/15: Licensing Forum participated in the Family fun day at MIDFEST, providing a Mocktail bar and beer goggle games. Thanks to all who assisted.
	14/08/15	MC to contact Paul Richardson re 'Mocktail bar'	MC	21/08/15	Completed	09/11/15: Completed
	14/08/15	AB to provide mocktail recipes and any other assistance possible	AB	21/08/15	Completed	09/11/15: Completed
	14/08/15	EO to check Public Health resources	EO	21/08/15	Completed	09/11/15: Completed
	14/08/15	All to consider how they can assist at the event – For example, manning the 'mocktail bar', manning the stand, providing mocktail ingredients.	ALL	21/08/15	Completed	09/11/15: Completed
Youth work	15/05/15	MYPAS to be invited to attend a Forum meeting to provide a presentation on their work.	JT		In progress	14/8/15: RK to invite to November Forum meeting
	15/05/15	Action: Consideration to be given to inviting Alcohol Focus Scotland to attend a Forum meeting to provide a presentation on youth alcohol consumption.	JT/AG		In progress	14/8/15: Invited to October joint meeting
Strategic/admin	13/02/15	RK to arrange the annual joint meeting of the Board and Forum.	RK	in 2015	In progress	7/8/15: scheduled for 10.30am on 13th October 2015. Joint meeting to include: o Overprovision training session o Alcohol focus Scotland to attend the joint Forum and Board meeting to provide a presentation on the Midlothian findings arising from the CRESH research on the relationship between alcohol-related illnesses and deaths across Scotland and local availability of alcohol outlets This meeting was cancelled due to pending overprovision work.
	15/05/15	RK to produce a draft Forum action plan for discussion at the next meeting.	RK/ All		In progress	7/8/15: Draft action plan placed on August forum agenda. Forum members to contact RK with any comments. To be placed on November meeting
	15/05/15	RK to look into developing a Forum logo.	RK		In progress	7/8/15: RK has spoken to the Council Communications department and this will have to be developed externally. RK progressing

**Tuesday
15 September 2015
Licensing Board
Paper No 1**

MINUTES of MEETING of MIDLOTHIAN LICENSING BOARD held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith, on Tuesday, 16 June 2015 at 10am.

Present: - Messrs Constable (Chairman), Rosie, Wallace, Milligan, Bennett and Mrs Russell.

Apologies: - Messrs Coventry, Thompson, Montgomery and Imrie

1. **Minutes**

The Minute of the Meeting, dated 12 May 2015 was submitted and approved.

2. **Licensing Forum**

The Board agreed that the letter dated 9 June 2015 from Alasdair Gow, Convenor of the Licensing Forum be considered at the Meeting of the Licensing Board on 15 September 2015.

3. **Licensing (Scotland) Act 2005 – Application for Variation of Premises Licence – Dalkeith Miners Club, 8 Woodburn Road, Dalkeith**

With regard to the Application by Dalkeith Miners Club, after hearing all parties and noting all reports were satisfactory, the Board granted the Application.

4. **Licensing (Scotland) Act 2005 – Application for Variation to Premises Licence – County Hotel, 152-156 High Street, Bonnyrigg**

With regard to the Application by Diamondgrove Limited, the applicant's agent, Alistair Macdonald advised the Board that the outdoor drinking area shall be outlined with a fence or barrier, that the outside drinking area shall cease at 10pm, the outside area shall be cleared at 10pm and that the area shall be clearly marked on the plans. After hearing all parties, the Board granted the Application.

5. **Licensing (Scotland) Act 2005 – Application for Transfer of Premises Licence – Justinlees Inn, Eskbank Toll, Dalkeith**

With regard to the Application by Mitchells and Butlers, the Board noted the relevant convictions listed on the report from Police Scotland, dated 3 June 2015 and granted the Application

The Meeting terminated at 10.15am

**Tuesday
27 October 2015
Licensing Board
Paper No 1**

MINUTES of MEETING of MIDLOTHIAN LICENSING BOARD held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith, on Tuesday, 15 September 2015 at 10am.

Present: - Messrs Rosie (Chairman), Coventry, Wallace, Milligan, Bennett and Mrs Russell.

Apologies: - Messrs Constable, Montgomery and Imrie

1. Chairman

In the absence of Mr Constable, the Board agreed that Mr Rosie chair the Meeting.

2. Minutes

The Minute of the Meeting, dated 16 June 2015 was submitted and approved.

3. Licensing (Scotland) Act 2005 – Application for Variation to Premises Licence – Lidl, 5a Newmills Road, Dalkeith

With regard to the Application by Lidl UK GmbH, after hearing the applicant's Agent, Alistair Macdonald in support of the application. Mr Milligan seconded by Mr Bennett moved that the application be granted. The Board granted the Application.

4. Licensing (Scotland) Act 2005 – Application for Variation to Premises Licence – Lidl, High Street, Penicuik

The Board noted all reports were satisfactory and granted the application.

5. **Licensing (Scotland) Act 2005 – Application for Variation to Premises Licence - The Cavaliere, 122-128 High Street, Dalkeith**

The Board noted all reports were satisfactory and granted the application.

6. **Licensing (Scotland) Act 2005 – Application for Variation to Premises Licence - L’Italiano, 119 Hunterfield Road, Gorebridge (formerly known as Hunterfield Tavern)**

The Board heard the applicant’s agent, Alistair Macdonald, in support of the application that children and young persons be permitted to remain on the premises until 12 midnight if accompanied by a responsible adult having a meal and referred to the report by Police, Scotland which recommended the application be restricted so that children could remain on the premises only until 10pm, young persons to remain on the premises until the terminal hour of 12 midnight if consuming a meal and accompanied by a responsible person and otherwise they will require to vacate the premises by 10pm. Mr Wallace seconded by Mrs Russell moved that the application be granted to 10pm. As an amendment, Mr Milligan seconded by Mr Bennett moved that the application be granted as sought. After receiving 3 votes for the motion and 3 votes for the amendment, on the casting vote of the Chairman, the application was granted to 12 midnight.

7. **Licensing Forum**

The Board heard Alasdair Gow, the Convener of the Licensing Forum who sought clarification on the Board’s approach to criminal offences and the implementation of the Overprovision Policy.

The Board having heard the Clerk in explanation on criminal offences, noted the position and agreed to re-examine the question of overprovision.

8. Air Weapons and Licensing (Scotland) Act 2015

The Board noted the Air Weapons and Licensing (Scotland) Act 2015 had received Royal Assent but its terms were not yet in force.

9. Licensing (Scotland) Act 2005 – Application for Personal Licence – Cyndy Parkes

The Board agreed to consider an application for Personal Licence by Cyndy Parkes as a matter of urgency. Having heard that although Ms Parkes had a relevant conviction, Police Scotland, did not object to her application, the Board granted the licence.

The Meeting terminated at 11.06 am

Community Safety Partnership and Licensing update
Period 1 August – 31st October

1. Summary of alcohol related crime and disorder

Information from the monthly Community Safety Delivery Group

Month	Alcohol Fuelled crime	Violent Crime
August	Between 1 August - 31 October there were 1651 crimes recorded by Police in Midlothian. 129 crimes were tagged with the aggravator alcohol. Common assault and threatening and abusive behaviour/breach of the peace made up 69% of all alcohol related crimes during the period, with 26% of all crimes occurring the Dalkeith Town Centre area. A further 12%-14% each occurred in Mayfield, Bonnyrigg and Newtongrange.	Two of three serious assaults were linked to alcohol consumption
September		25 serious violent crimes committed. A high proportion of assaults are linked to alcohol consumption with 59% committed whilst the offender and/or the victim was under the influence
October		NHS injury surveillance data: Two unreported assaults occurred in licensed premises

Problem / Monitored License Premises

There are currently no monitored or problematic licensed premises in Midlothian. The Community Policing Team carried out 13 visits to licensed premises during October (both on and off sales).

Information from Streetwork reports

- To be added for future Forum meetings

2. Licensing Board activity

There are currently no problem/ monitored premises in Midlothian

Licensing Board – activity update since 1 August 2015

The Board has met twice since the start of August:

15th September 2015:

- Lidl Dalkeith requested extended capacity – this was granted
- The Caveliere, Dalkeith requested to increase capacity & alter operating plan – this was granted

- L'Italiano (Hunterfield Tavern), Gorebridge requested to be allowed children and young people on the premises until midnight – this was granted
- A personal license was granted

27th October 2015:

- The chase & beetroot bar, Bonnyrigg request to vary layout and operating plan
- The Polton Inn, Bonnyrigg request to allow children and young people access until 9pm

3. Police Licensing Update

Between August and October there have been 275 recorded incidents related to alcohol. These range from fights within licensed premises, drunk youths, youths attempting agent purchase, shoplifting /other crime linked to licensed premises, dispersal of licensed premises and proactive visits to licensed premises (though this is not an exhaustive list).

In general most of the incidents have been relatively minor in nature with premises dealing with the incidents appropriately. There was a serious assault in Dalkeith however the perpetrator was traced and reported to Crown office procurator fiscal service and placed on pub watch.

There has been an upsurge in criminal targeting licensing premises by way of housebreaking with four recorded in this period.

Midstock passed without incident and was well attended with 4500 attending on the Saturday.

Plans are progressing for test purchase operations to be undertaken in the near future in Midlothian.

I have also been joined by a Licensing administrator, Paul Hamilton, who is undertaking administrative tasks within the Licensing department. This has allowed me to conduct an increased number of proactive visits to on/off sales licensed premises. (44 for this period)

I also delivered pub watch banning letters to the individuals concerned on behalf of Dalkeith pub watch.

Environmental Health Licensing update

No update available.

4. Best Bar None

To date 7 applications have been received from premises in Newtongrange, Lasswade, Penicuik, Eskbank, Penicuik, Dalkeith and Bonnyrigg. Last year 4 licensed premises participated. To date SFRS have completed 4 visits to premises who have all passed. Communications with all 7 remain positive at this time. Contact has now been made with the external assessor and assessment dates are being arranged for the 7 premises

5. Air Weapons and Licensing Act

This has now received royal assent but the terms are not yet in force. There are no commencement orders yet so no indication of when terms will be in force. The Scottish Government have promised a lead in time and an information period to let people know about the changes so terms are unlikely to sneak in under the radar.

A partnership approach to addressing youth alcohol consumption in Midlothian

Introduction

This report sets out proposals for addressing youth alcohol consumption in Midlothian, primarily in the Dalkeith area.

Background

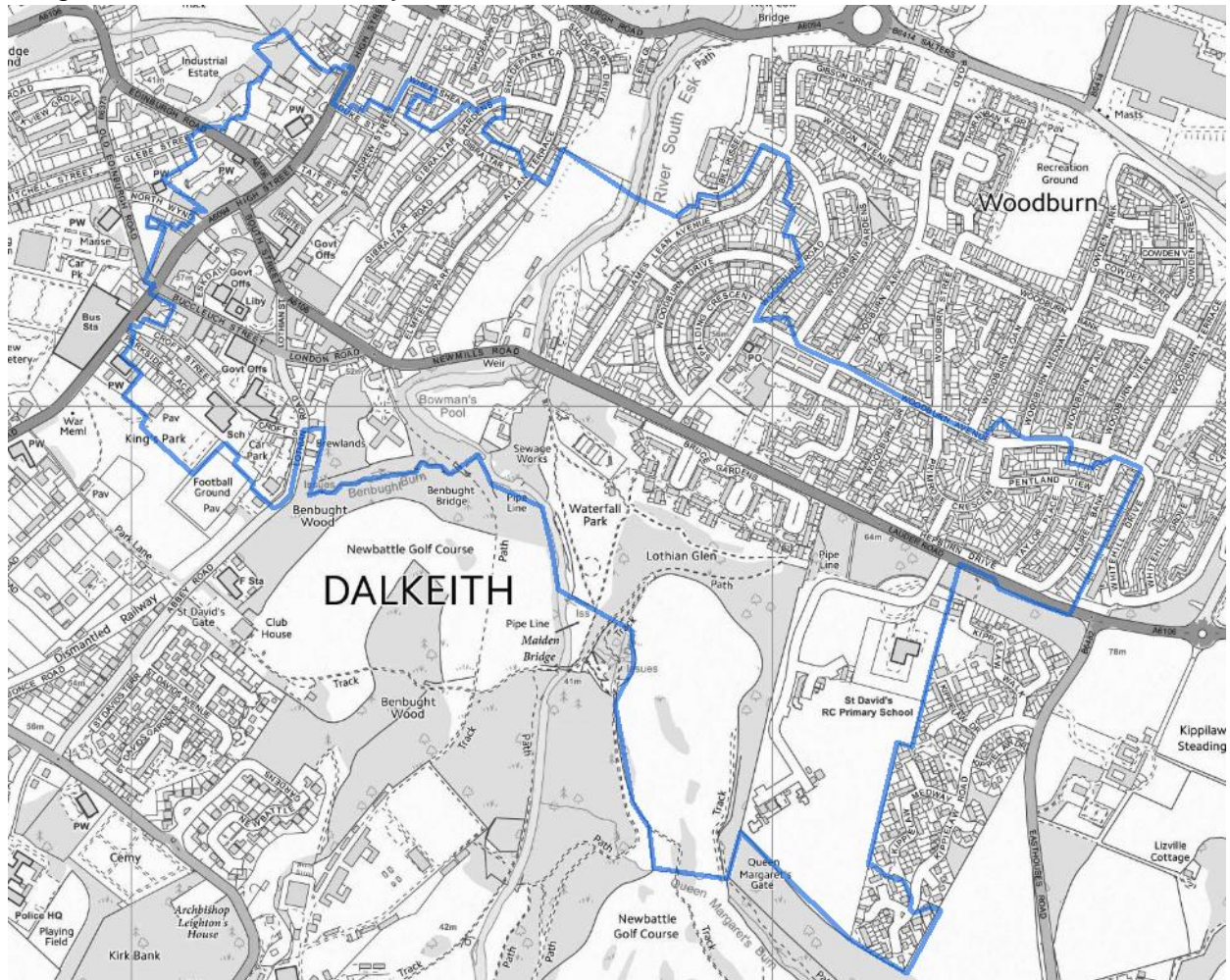
The 2013 Midlothian Alcohol Misuse Profile based on Police Scotland data and NHS statistics indicated that Dalkeith was the highest for all summary categories:

- level of alcohol related **crime**
- number of alcohol related **ASB incidents**
- rate of licensed **premises**
- **domestic abuse** incidents fuelled by alcohol
- **patients hospitalised** with alcohol conditions

A recently updated profile for the Dalkeith area indicates the following:

- The number of licensed premises in the Dalkeith locality has remained the same through 2014/15 as the previous year.
- There were 109 incidents in licensed premises (ILPs) in Dalkeith between 1 November 2014 and 31 July 2015, an increase of 9 incidents compared to the same period the previous year.
- There has been a 52% increase in ASB calls believed to be linked to alcohol related nuisance made to police in 2014/15 compared to the same 10-month period the previous year.
- Overall in the Dalkeith locality there has been an increase of 101 ASB calls between 2013/14 and 2014/15 - the majority of this increase (91%) is a result of an increase in calls on Friday and Saturday evenings/early morning between 17:00 and 03:59.
- There were 5 offences of drink driving recorded in the Dalkeith locality in 2013/14. During the same period in 2014/15 there were a further 2 offences (7 in total) recorded – all but one offence was committed between 22:00 and 03:15.

Diagram 1 – Dalkeith locality



Community Alcohol Partnerships

On 14th August 2015, A representative from Community Alcohol Partnerships provided a presentation to members of the Midlothian Licensing Forum. This set out how CAP's operate and invited the Forum to consider establishing a Midlothian CAP.

Community Alcohol Partnerships (CAPs) operate across the UK. CAPs were introduced in 2007 as a model of addressing underage drinking. The CAP model consists of 3 key approaches:

- Enforcement
- Education
- Changing public perceptions and linking with the community

CAPs are Problem Solving Partnerships, focussing on a local approach within small areas. Each CAP has got it's own objectives and stakeholders decide what the objectives are.

For example, some of the East Edinburgh CAP objectives include:

- Improving young peoples health,
- Increasing awareness of risks,
- Decreasing proxy purchase levels,
- Decreasing youth alcohol consumption,
- Reducing antisocial behaviour.

There is a focus on intelligence gathering and information sharing. CAP meetings should be “light” in admin, not minuted, last a couple of hours and be action focused. CAP is a good intelligence gathering mechanism on which basis actions are taken. Retailers are part of the solutions and agreed actions. The Retail Standard Group is associated with CAP. The Edinburgh CAP is led by the Police. Those involved include local youth projects and Queen Margaret University.

In terms of the local residents involvement, liaison with/resrepresentation of neighbourhood planning and community council groups is recommended. CAP’s can work on areas such as promoting Challenge 25, increasing awareness, informing communities on what’s happening in local areas via press articles and use of social media.

Midlothian proposal

Initial discussions indicate that a partnership aimed at targetting youth alcohol consumption in the Dalkeith/Woodburn area would be beneficial.

A partnership group could be established on a pilot basis for an initial period of one year.

A programme embedded within existing structures seems to be the most feasible model for Midlothian. This is to avoid creation of entirely new structures and building on established partnerships.

The Community Safety Partnership needs to consider whether to establish the partnership under the CAP banner. CAP is an alcohol industry funded initiative receiving funding from both alcohol industry retailers and producers. CAP’s have the advantage of support from the Retail of Alcohol Standards Group (RASG) which could prove advantageous when bringing retailers on board. However the Licensing Forum already includes Licensed Premises from within the Dalkeith area and it is hoped that these premises would work to support others.

Membership

Further discussion is required but an example of departments/ organisations that could be represented on the group targetting youth alcohol consumption is provided below:

Core	Extended members	Wider
Police LLE (Street workers) Community Safety Education (Schools/college) Major retailers from area: Morrisons LIDL Sainsburys SPAR Woodburn	Licensed premises Health Trading standards Residents MELDAP MYPAS Youth projects in area e.g. Bill Russell, Woodburn PSP Dalkeith/Woodburn Neighbourhood Planning reps	Plusone mentoring

Dalkeith/Woodburn Objectives

It is expected that the key aim of the group would be to bring retailers on board to encourage responsible retailing and best practice within the target area.

Discussion with partners regarding specific objectives would be required but example objectives could include:

- Reducing antisocial behaviour
- Reducing youth alcohol consumption
- Preventing proxy purchase
- Deterring street drinking

Frequency and location of meetings

This would be agreed as part of establishing the group.

Actions

Actions would be determined by the group. As an example, actions undertaken by CAP's include:

- Joint patrols
- Education – including linking in with additional programmes
- Specific campaigns e.g. proxy purchase

Other meetings

It is expected that the group will build on and align with the work of the Midlothian Licensing Forum and Woodburn PSP.

Resources

It is expected that some resource would be required, although this would mostly be in kind staff time, for example:

- Organising meetings
- Meeting venues
- Co-ordinating actions such as joint patrols

Should the group be established as a CAP, the CAP may be able to provide some material such as posters but it is unclear what financial support (if any) would be available.

Recommendation

The Community Safety Delivery Group & Local Licensing Forum are asked to discuss options to address youth alcohol consumption, in particular:

- Is a new partnership group required?
- Should this group operate within existing structures using existing resources?

Report by Rosie Kendall

Date: 02/10/15



2015 Overprovision consultation

Report by Rosie Kendall, Community Safety Manager

1. Background

The first public consultation ran from the 4th – 30th April 2014. As part of the consultation the Midlothian alcohol profile and summary document were placed on the Midlothian Council website alongside a set of survey questions. A copy of the summary document is attached as Appendix 2. The following stakeholders were made aware of the consultation:

- All licensed premises in Midlothian
- Community Councils
- The Community Planning partnership, including all thematic groups
- The local health board (NHS Lothian)
- Police Scotland
- Licensing solicitors
- Voluntary agencies
- Major companies in Midlothian
- Midlothian and East Lothian Drug and Alcohol Partnership

Questions:

1. Based on the profile (and the summary document), please state whether you feel that the following areas are either overprovided, of concern or not (please select one option for each area)

Comments

2. Do you agree it is reasonable to reject any new licensing applications for those areas determined as being over provided?
3. Do you agree that there should be a presumption against new licences being granted in areas of concern?

28 responses were received. This included 24 Midlothian residents, 3 licence holders, 7 people working within Midlothian and 1 other.

2. 2015 Consultation

On 15th September 2015, the Licensing Board discussed a letter submitted by the Chair of the Licensing Forum. The letter sought clarification on the Boards approach to criminal offences and application of the overprovision policy. The Board agreed to re-examine the position of overprovision.

To assist the Board in this it has been agreed that a further public consultation be overtaken. The consultation questionnaire is attached as **Appendix 1**.

A £50 prize draw for one lucky respondent is being offered.

In 2009 1,465 responses were received to the Council's corporate strategy consultation – a significant improvement on previous participation numbers and largely attributed to the prize offered. It is hoped that offering a prize will act as an incentive for more people to participate in the consultation although it should be noted that the Corporate Strategy consultation was posted to every household as an insert in Midlothian News. Unfortunately this approach is not possible as Midlothian News is not currently being produced.

Circulation

The survey has been placed online and paper copies (with freepost envelopes) have been placed in:

- Libraries
- Council receptions
- Dentists
- Doctors surgeries

The following have been contacted to advise of the consultation (letter/email)

- All licensed premises in Midlothian (in writing)
- Community Councils (via e-mail)
- The Community Planning partnership, including all thematic groups (via e-mail)
- The local health board (in writing)
- Police Scotland (in writing)
- Licensing solicitors
- Voluntary agencies (via e-mail)
- Major companies in Midlothian (via e-mail)

An example letter is attached as **Appendix 2**.

Publicity

Publicity has included:

- Posters have been sent to all those who have been asked to make copies of the survey available.
- Advertisement on the Council website landing page.

- Midlothian Council Facebook page
- Midlothian Council Twitter account
- Partner facebook/ twitter
- Press release
- Advertise in Dalkeith miners
- Penicuik town cryer notified

An advertiser advert is also being considered.

Timescale:

The consultation commenced on 26th October and will be running until 26th November

Results will be prepared between the 26th November and 3rd December.

It is hoped that a special Board/Forum meeting could be held around the 4th December or as an addition to the Licensing Board meeting 8th December.

Recommendations

The licensing forum is asked to note the 2015 Overprovision consultation.

Midlothian Council – review of alcohol overprovision November 2015

Midlothian Council is considering its Licensing Overprovision Statement and we're asking for your help: for the chance to win £50 please complete and return this survey by 26th November 2015. Further information about the alcohol licensing and the option to complete the survey electronically can be found at www.midlothian.gov.uk/licensing-forum

(Please note that although Midlothian Council employees are entitled to take part in the survey, they are not entitled to enter the prize draw)

Background information

The Midlothian Licensing Board has a licensing Policy that guides its decision making. The Policy must include a statement as to the extent to which the Board considers there to be overprovision of licensed premises in any locality within the Board's area.

The Licensing Board policy states it will achieve the following objectives:

- preventing crime and disorder
- securing public safety
- preventing public nuisance
- protecting and improving public health
- protecting children from harm

In 2014, a profile of alcohol misuse In Midlothian was produced. The key findings of the profile were:

Dalkeith was found to be the highest for:

- level of alcohol related crime
- number of alcohol related Antisocial Behaviour incidents
- rate of licensed premises
- domestic abuse incidents fuelled by alcohol
- patients hospitalised with alcohol conditions

Penicuik South East, Gorebridge and Loanhead were also identified as areas of concern.

The alcohol profile and summary documents are available at: www.midlothian.gov.uk/licensing-forum

Following a public consultation, the Midlothian Licensing Board agreed that Dalkeith is overprovided, thereby resulting in a presumption of refusal for licences and applications for extensions/ additional capacity in Dalkeith unless the licensee can

demonstrate why granting their application would not be contrary to the overprovision policy.

One year on, a further public consultation is being undertaken to determine if the area continues to be overprovided. This consultation is also asking about other areas to determine if any further areas should be treated as overprovided.

Alcohol related harm in the Dalkeith area over the last 12 months (September 2014-2015) has been reviewed. The full review document is available at: www.midlothian.gov.uk/licensing-forum. Headline findings are :

- The number of licensed premises in the Dalkeith locality has remained the same through 2014/15 as the previous year.
- There were 109 incidents in licensed premises (ILPs) in Dalkeith between 1 November 2014 and 31 July 2015, an increase of 9% (9 incidents) compared to the same period the previous year.
- There has been a 52% increase (92 calls) in ASB calls to the Police believed to be linked to alcohol related nuisance in 2014/15 compared to the same 10-month period the previous year.
- Overall, within the Dalkeith locality, there has been an increase of 101 ASB calls between 2013/14 and 2014/15 - the majority of this increase (91%) being the result of increased calls on Friday and Saturday evenings/early morning between 17:00 and 03:59.
- Drink driving offences recorded in the Dalkeith locality in 2013/14 stood at 5 whereas the same period in 2014/15 saw a further 2 offences (7 in total) recorded – all but one offence was committed between 22:00 and 03:15.
- 2014/15 data shows there were 39 alcohol related hospital stays for patients in the Dalkeith area, a figure statistically significantly worse than the national average.

Midlothian overprovision Questionnaire 2015

1. About you

Please tell us if you are a:

- member of the public
- licensed premises or
- representing a particular organisation

If you are representing an organisation please say which: _____

Do you live in Midlothian?

- Yes
- No – if no please skip to question 6

Which area do you live in:

- Bonnyrigg North
- Bonnyrigg South
- Dalkeith
- Easthouses
- Eskbank
- Gorebridge & Middleton
- Loanhead
- Mayfield
- Newbattle & Dalhousie
- Newtongrange
- North Gorebridge
- Pathhead and Rural East
- Penicuik East
- Penicuik North
- Penicuik Southeast
- Penicuik Southwest
- Pentland
- Rural South Midlothian
- Shawfair
- Thornybank
- Don't know or other area (please specify) _____

2. Please answer the following questions about alcohol consumption and purchase

Where do you most commonly buy alcohol:

- Supermarket
- Smaller shop
- Pub/Club
- Restaurant
- Online
- Do not purchase alcohol – please skip to question 3
- Other
- Rather not say

How long does it take you to travel to purchase alcohol

- Less than 10 minutes
- 10-30 minutes
- 30-60 minutes
- Not applicable
- Rather not say

Where are you most likely to consume alcohol?

- At home/ at a friends/family house
- In a pub/club
- In a restaurant
- Do not consume alcohol
- Other
- Rather not say

3. Please answer these questions about alcohol availability in your area

Do you think there are too few/enough/too many premises in your area?

	too many	about right	too few
Licensed Restaurants			
Pubs			
Clubs			
Large supermarkets			
Smaller licensed shops			
Other premises			
overall			
Don't know			

What do you think about the hours licensing premises are open in your area?

	Open too long	Just right	Not long enough
Licensed Restaurants			
Pubs			
Clubs			
Large supermarkets			
Smaller licensed shops			
Other premises			
overall			
Don't know			

**Have you ever been a victim of alcohol related crime or antisocial behaviour?
E.g. alcohol related noise, disorder, violence**

- Yes
- No
- Prefer not to say

General comments

Do you have any general comments to make about alcohol/alcohol availability?

4. Overprovision

Based on the 2012-13 profile of alcohol misuse (and summary table) and the updated data for Dalkeith,

Do you think that Dalkeith is overprovided for:

	Yes	No	Don't know
On sales (where you can consume alcohol on the premises)			
Off sales (where you buy alcohol to consume elsewhere)			
Both			

Please provide comments regarding your above answer(s)

Based on the evidence provided and your own view, please state whether you feel that the following areas are either overprovided, for on sales, off sales of both:

	Overprovided			Not overprovided		
	On sales	Off sales	Both	On sales	Off sales	Both
Bonnyrigg North						
Bonnyrigg South						
Dalkeith						
Easthouses						
Eskbank						
Gorebridge & Middleton						
Loanhead						
Mayfield						
Newbattle & Dalhousie						
Newtongrange						
North Gorebridge						
Pathhead and Rural East						
Penicuik East						
Penicuik North						
Penicuik Southeast						
Penicuik Southwest						
Pentland						
Rural South Midlothian						
Shawfair						
Thornycroft						

Please provide comments regarding your above answer(s):

5. If you would like to enter the prize draw, please provide the following:

Name _____

e-mail _____

or telephone number _____

Thank you for taking the time to complete the survey. Please return in the freepost envelope provided or hand to reception staff.

Customer and Housing
Services
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3ZN

Joint Director Health & Social
Care
Eibhlin McHugh

Midlothian Local Licensing Forum
13th November 2015
Item 6 – Appendix 2



23rd October 2015

Safer Communities & Shadow Reducing Reoffending Board

Dear Board members

**Midlothian Licensing Board
Overprovision Statement 2014-17: 2015 Consultation Questionnaire**

The Safer Communities & Shadow Reducing Reoffending Board is an important stakeholder and we value your opinion.

Midlothian Council is considering its Licensing Overprovision Statement and we're asking for your help

The Midlothian Licensing Board has a licensing Policy that guides its decision making. The Policy must include a statement as to the extent to which the Board considers there to be overprovision of licensed premises in any locality within the Board's area.

The Licensing Board policy states it will achieve the following objectives:

- preventing crime and disorder
- securing public safety
- preventing public nuisance
- protecting and improving public health
- protecting children from harm

In 2014, a profile of alcohol misuse In Midlothian was produced. The key findings of the profile were:

Dalkeith was found to be the highest for:

- level of alcohol related crime
- number of alcohol related Antisocial Behaviour incidents
- rate of licensed premises
- domestic abuse incidents fuelled by alcohol
- patients hospitalised with alcohol conditions

Penicuik South East, Gorebridge and Loanhead were also identified as areas of concern.

Please ask for : Rosie Kendall, Community Safety Manager

Your Ref:
Our Ref:

**Tel: 0131 270 8918
Fax 0131 271 3243
Minicom 0131 271 3291
Legal Post LP4-Dalkeith
www.midlothian.gov.uk**

Customer and Housing
Services
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3ZN

Joint Director Health & Social
Care
Eibhlin McHugh



The alcohol profile and summary documents are available at:
www.midlothian.gov.uk/licensing-forum

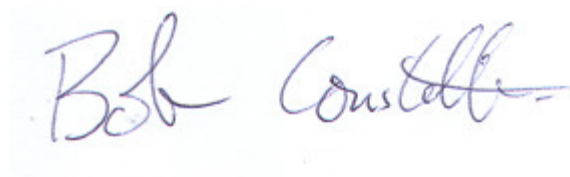
Following a public consultation, the Midlothian Licensing Board agreed that Dalkeith is overprovided, thereby resulting in a presumption of refusal for licences and applications for extensions/ additional capacity in Dalkeith unless the licensee can demonstrate why granting their application would not be contrary to the overprovision policy.

One year on, a further public consultation is being undertaken to determine if the area continues to be overprovided. This consultation is also asking about other areas to determine if any further areas should be treated as overprovided.

To assist the Board in making this decision, the public and key stakeholders are being asked to examine the profile, summary and an updated profile for the Dalkeith area and provide their opinion about whether different areas of Midlothian are over provided.

The survey closes on 26th November 2015. Please find enclosed a paper copy, alternatively the survey is also available online at www.midlothian.gov.uk/licensing-forum

Thank you for your participation



Councillor Bob Constable

Chair of the Midlothian Licensing Board

Please ask for : Rosie Kendall, Community Safety Manager

Your Ref:
Our Ref:

Tel: 0131 270 8918
Fax 0131 271 3243
Minicom 0131 271 3291
Legal Post LP4-Dalkeith
www.midlothian.gov.uk

Midlothian Licensing Forum action plan 2015/16

Remit:

The Forum will identify key issues affecting licensing in Midlothian and will develop and deliver constructive advice and recommendations on how to address these.

The Forum will establish an identity that is clearly separate from the Licensing Board. The Forum will strive to build trust with license holders and the Licensing Board by giving impartial and effective advice and practical recommendations to the Board.

The Licensing (Scotland) Act 2005 lists the licensing objectives as;

1. Preventing crime and disorder
2. Securing public safety
3. Preventing public nuisance
4. Protecting and improving public health
5. Protecting children from harm

The Licensing Board is required to promote these objectives through their policies and decisions. The Forum will be consulted by the Licensing Board when it formulates or reviews Licensing Board Policy statements.

Action Plan:

Priority	In place	Planned actions
Ensure the Licensing Board delivers the licensing objectives	<ul style="list-style-type: none"> • Attendance at Board meetings • All Board minutes reviewed by Forum • Annual Joint meeting • Letters submitted regarding specific issues • Statement of objection requests 	
Promote responsible alcohol consumption – adults	<ul style="list-style-type: none"> • Overprovision statement agreed 	<ul style="list-style-type: none"> • Involvement in MIDFEST family fun day • Leaflets for licensed premises
Deter youth alcohol consumption		<ul style="list-style-type: none"> • Promote proxy purchase initiatives • Encourage challenge 25 • Provide retailers with information about proxy purchase • Involvement in MIDFEST family fun day • Involvement in school alcohol education?
Reduce alcohol related crime and disorder	<ul style="list-style-type: none"> • Hate crime leaflets sent to licensed premises 	<ul style="list-style-type: none"> • Consider proposing that the licensing board adopts a festive licensing policy
Develop the Forum	<ul style="list-style-type: none"> • Recruitment campaign • New Remit agreed • New chair • Webpage 	<ul style="list-style-type: none"> • Youth recruitment • Involvement in MIDFEST family fun day • Review inactive members • Further improvements to web page • Development of logo
Ensure the licensing objectives are achieved	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Respond to national consultations

Midlothian Local Licensing Forum – Future Meeting Arrangements

Report by Rosie Kendall, Community Safety Manager/ Clerk of the Licensing Forum

1 Purpose of Report

To seek the approval of the Forum to extending the principles of the previously adopted meeting schedule and based on it agree a meeting schedule for 2016.

2 Background

At its November 2013 meetings, the Forum has normally agreed to fix a meeting schedule for the following year, based on a quarterly meeting cycle of February; May; August; and November, each year.

Meetings are normally held at 10.00am.

The agreed meeting schedule could be supplemented from time to time should the need arise with additional meetings, dates for which would be notified to Forum Members as soon as practical.

In addition, a date for the Annual Joint Meeting with the Midlothian Licensing Board Members also requires to be identified.

3 Meeting Schedule for 2015

The current schedule of meeting dates only covers 2015, with the last scheduled meeting being Friday 13th November 2015. An extension to the existing meeting schedule therefore requires to be approved in order to establish meeting dates for the Forum during 2016.

In addition, consideration also needs to be given to arrangements for the annual joint meeting with Members of the Midlothian Licensing Board.

4 Report Implications**4.1 Resource Implications**

There are no resource implications arising directly from this report.

4.2 Risk Implications

In accordance with the Licensing (Scotland) Act 2005, each local authority must establish a Local Licensing Forum (LLF) for their area, which is required to meet on at least four occasions including an annual Joint Meeting with Members of the local Licensing Board. Failure to do so could impede the discharge of business.

4.3/

4.3 Policy Implications

Strategy

There are no strategy implications arising from this report.

Consultation

This report aims to consult with Forum members regarding the proposed meeting dates for 2016, to ensure maximum attendance at the meetings.

Equalities

An equalities impact assessment has not been required in connection with this report.

Sustainability

There are no sustainability implications arising from this report.

5 Recommendations

The Forum is invited to:-

- (a) approve a Schedule of Meetings for 2016 based on the previously agreed timetable, as follows:-

Friday 26 February;
Friday 13 May;
Friday 12 August; and
Friday 11 November.

Meetings would normally be held at 10.00am on those dates;

- (b) note that the agreed meeting schedule could be supplemented from time to time should the need arise with additional meetings, dates for which would be notified to Forum Members as soon as practical; and
- (c) consider arrangements for the Annual Joint Meeting with Members of the Midlothian Licensing Board.

9 November 2015

Report Contact:

Rosie Kendall

Tel No: 0131 271 6654

Background papers: