

# Minute

## Orkney Local Licensing Forum

Wednesday, 24 January 2024, 11:00.

Committee Room 1, Council Offices, School Place, Kirkwall.



## Present

- Representative of Holders of Premises Licences and Personal Licences:
  - Malcolm Stout.
- Representative of Persons having functions relating to Health, Education or Social Work:
  - Sara Lewis, (via Microsoft Teams).
- Representatives of Persons Resident within the Forum's Area:
  - Barry Cockerham (via Microsoft Teams).
  - Angela Chambers.
  - Andy McGinn.
- Licensing Standards Officer:
  - Nick Blowfield.
- Representative of the Chief Constable of Police Scotland:
  - Chief Inspector Scott Robertson.
- Representative of Scottish Fire and Rescue Service:
  - David McGroarty, Group Commander (via Microsoft Teams).

## Clerk

- Hazel Flett, Service Manager (Governance), Orkney Islands Council.

## In Attendance

- Orkney Islands Council:
  - Nick Long, Service Manager (Environmental Health).

## Observing

- Orkney Islands Area Licensing Board:
  - Duncan A Tullock.

## **Apologies**

- Representative of Holders of Premises Licences and Personal Licences:
  - Kelly-Marie McGuigan.
  - Jean Tulloch.
- Representative of local Health Board:
  - Dr Louise Wilson.

## **Not Present**

- Representative of Persons Resident within the Forum's Area:
  - Bob Mackenzie.

## **Chair**

- Hazel Flett, Service Manager (Governance) (for Item 1).
- Andy McGinn, Convener (for Items 2 to 14).

## **1. Appointment of Convener**

The Service Manager (Governance) welcomed everyone to the meeting and advised that, in terms of the Constitution, as this was the first meeting in the calendar year, one of the members of the Forum must be elected to be the Convener.

The Service Manager (Governance) thereafter asked for nominations for Convener.

Angela Chambers, seconded by Malcolm Stout, proposed Andy McGinn.

Chief Inspector Scott Robertson proposed Nick Blowfield, Licensing Standards Officer. On receiving no seconder, his nomination fell.

There being no other nominations, Andy McGinn was elected Convener of the Licensing Forum.

Andy McGinn took the Chair for the remainder of the meeting.

## **2. Appointment of Depute Convener**

The Convener, seconded by Malcolm Stout, proposed Angela Chambers as Depute Convener. There being no other nominations, Angela Chambers was elected Depute Convener of the Licensing Forum.

## **3. Minute of Previous Meeting**

There had been previously circulated the draft Minute of the Meeting of the Licensing Forum held on 3 November 2023.

The Convener advised that, in the fifth paragraph of Item 4, Potential Establishment of National Licensing Forum Group, on page 4 of the draft Minute, "Angela Crawford" should read "Angela Chambers".

Nick Long advised that, in trying to cover the duties of Licensing Standards Officer (LSO), it would be useful if more than one officer could attend meetings, but with only one vote. The Convener referred to the Constitution which stated one Licensing Standards Officer, as well as the LSO's update report which continually referred to limitations with the current staffing arrangements, and suggested that, in his opinion, there was no advantage to having more than one person from Environmental Health in attendance.

Nick Blowfield left the meeting at this point.

Chief Inspector Scott Robertson asked what the issue would be with more than one LSO in attendance, but with only one vote. The Convener again referred to the Constitution, and, on asking other members for their views, there was no dissent.

With reference to Item 4, Potential Establishment of National Licensing Forum Group, Nick Long clarified that he had been invited to attend meetings in his capacity as Licensing Standards Officer.

On the motion of Angela Chambers, seconded by Malcolm Stout, the Forum resolved to approve the Minute of the Meeting of the Licensing Forum held on 3 November 2023 as a true record, subject to the amendment referred to above.

## **4. Matters Arising**

### **4.1. Membership of Forum – Young People**

The Service Manager (Governance) advised that, due to ongoing staffing issues, she had been unable to progress development of an application form.

Angela Chambers advised that she had been approached by a young person who would be willing to join the Forum. The Service Manager (Governance) asked Angela Chambers to provide her with contact details and she would progress the application.

### **4.2. Orkney Licensing Report for 2022/23**

The Service Manager (Governance) advised that, although the previous Minute advised that the Chief Constable's Annual Report would be circulated to all members as soon as possible after that meeting, this had been overlooked and the report was subsequently circulated with the papers for this meeting.

In response to various matters raised by members, Chief Inspector Scott Robertson advised as follows:

- Licensed premises inspections were mainly focused on premises in Kirkwall and the mainland, with any inspections of premises in the isles being planned.
- Investigating sales in both off-sales and on-sales premises to underage persons was usually intelligence led, rather than sending young people into the premises (test purchasing), which required training and resources. There was not an identified need for this in Orkney.

There followed a discussion on causes of underage drinking in Orkney, as well as solutions, including education and potential implications for licensees. Since “happy hours” were banned, more people were drinking at home or elsewhere, before going to pubs later in the evening, where the pub staff then had to deal with the consequences and were often “blamed”. Previously, pubs were seen as a social meeting place, with a controlled environment, particularly in relation to alcohol measures.

Both Nick Long and Sara Lewis asked what the Forum could do to help reduce the levels of underage drinking in Orkney. It was agreed that a meeting be held with a representative from the Alcohol and Drugs Partnership and report back to the next meeting of the Forum.

Nick Long advised that he was currently working on a programme for the Safe Islander event, targeted at secondary school pupils, and he would consider including more information on alcohol related matters.

## **5. Orkney Islands Area Licensing Board**

In the absence of the Legal Clerk, Orkney Islands Council, the Convener of the Licensing Board, Duncan Tullock, confirmed there was nothing of significance to report at this time.

## **6. Pubwatch**

The Service Manager (Governance) advised that Senga Flett, the Chair of Pubwatch, was unable to attend the meeting.

Chief Inspector Scott Robertson advised that an officer had been allocated work previously undertaken by Sergeant Simon Hay and he hoped to have an update by the next meeting on the reformation of Pubwatch.

The Convener asked that the Forum’s thanks be passed to Sergeant Hay on his national award.

## **7. Orkney Street Pastors**

There had been previously circulated a written update from Barry Cockerham on the work of the Orkney Street Pastors. Due to technical difficulties, although Barry Cockerham was present via Teams, he was unable to present his update.

The Convener thank Barry Cockerham for the ongoing work of the Street Pastors. Referring to the written update, the Convener was quite startled at the amount of rubbish collected, and asked whether littering was still an offence. Chief Inspector Scott Robertson confirmed that littering could incur a fixed penalty notice, but he did not have any statistics to hand.

In response to queries from members, Chief Inspector Scott Robertson confirmed that, with very few door stewards, it was difficult to police patrons leaving premises with glasses or bottles, particularly within the short section identified in the Street Pastors’ report, around the pierhead area. From his previous posting in Lothian, Chief Inspector Scott Robertson confirmed that, with the presence of door stewards, patrons were not permitted to leave the premises with glasses or bottles, which could then be used as a weapon. Locally this was not an issue.

## **8. Licensing Standards Officer**

There had been previously circulated a report on the work of the Licensing Standards Officer during the period 30 September 2023 to 15 January 2024.

In response to a query from the Convener, Nick Long advised that the Safety Advisory Group was a new multi-agency group acting as a one-stop shop contact for anyone organising a large event in Orkney, such as the Island Games. Although the Council's Policy and Resources Committee had agreed to the principle, the group had not yet been established.

## **9. Public Health**

There had been previously circulated a paper from NHS Orkney setting out alcohol-related hospital statistics, both locally and comparing across all Scottish NHS Boards, for 2021/22, being the latest published data.

Sara Lewis advised that Orkney was showing the second highest admission rate for new patients, with only the Western Isles higher. Locally, there had been a decrease in the number of admissions since 2012/13, which related to a small group of individuals with numerous admissions. In response to a query from the Convener, Sara Lewis clarified that the statistics were collated based on residency of the patient, so for example, if someone from Orkney had been admitted to a hospital on the Scottish mainland, this would still be counted against NHS Orkney and not the board in which the hospital was sited.

Angela Chambers suggested that, with access to The Balfour being easier than say a larger hospital in Glasgow, the same person being admitted 10 times would result in 10 admissions against NHS Orkney, so the statistics may not be easily correlated. However, Sara Lewis advised that Shetland, with a similar population, had a significantly lower rate of admissions, even in comparison with the Scottish average.

Regarding age breakdown of admissions, Sara Lewis advised this data was only available at a Scottish level, however the trend was for older people rather than young people.

## **10. Police Scotland**

Chief Inspector Scott Robertson gave a short update on Police Scotland activity since the last meeting, in that 189 inspections of licenced premises had been carried out in the period from 30 September 2023 to 21 January 2024, which equated to 10% of the overall number of licensed premises in the Highlands and Islands division. Although four incidents within licensed premises had been recorded, Police Scotland had no concerns with the operation of any of the licensed premises, who largely policed themselves, and there were no licensed premises in Orkney which had been elevated to the status of "monitor" or "problematic".

In response to a query from Angela Chambers regarding the Orkney Drugs Dog visiting licensed premises, Chief Inspector Scott Robertson confirmed that he would be meeting with the handler shortly to discuss, however he believed that visits had taken place over the festive season.

## **11. Scottish Fire and Rescue Service**

David McGroarty advised that Mick Marcus was doing a tremendous job with cross referrals resulting from home visits and liaising with other services to achieve positive outcomes. The Scottish Fire and Rescue Service was keen to work with Chief Inspector Scott Robertson to get Pubwatch back up and running, as they could provide some added value.

## **12. Any Other Competent Business**

Nick Long asked if anyone had any feedback on the “Ask for Angela” campaign locally. Angela Chambers advised that it did not work when she was involved in the licensed trade, as the response was usually “she’s no in the night”!

## **13. Date of Next Meeting**

It was agreed that the next meeting be held on Wednesday, 17 April 2024 at 11:00.

Dates for the remainder of 2024 were noted as follows:

- Wednesday, 10 July 2024 at 11:00.
- Wednesday, 6 November 2024 at 14:00
- Wednesday, 6 November 2024 at 15:30 – joint meeting with Orkney islands Area Licensing Board.

## **14. Conclusion of Meeting**

There being no further business, the Convener declared the meeting concluded at 12 noon.