

Gifford Community Council

*Minutes of Special Meeting on 9 February 2010 at 7.30pm
to discuss a proposal for a ban on drinking alcohol in public*

Present- Community Councillors- John O'Connor (Chair), JT (Sec), EW (Treasurer), AMcC, MMas, MMcD, EJWS, ST.

(Police) PC Lynne Black; (Public): Keith Adams, David Griffiths, Keith Hare, Wendy Marlow, Colin Mowatt, Frances Mowatt, Hamish Steven, Sally Young, and some others.

John O'Connor opened the meeting and welcomed those present. Explaining the context of the meeting, he said that a ballot was also ongoing and would be counted on 20 February. He introduced PC Black, saying the proposal had been made by the Police earlier in 2009. At that time there had been a record of some incidents in the Bleachfield and elsewhere, although by June 2009 this had quietened down. The ban, if implemented would involve spot fines of £40, or if a case came to court, could attract a maximum penalty of £500 and entail a criminal record.

At its October 2009 meeting the GCC had noted a feeling in favour of a ban. But at the meeting of November, an opposite view had been expressed by members of the public. JS noted that the GCC had been given the impression that, if there were no ban, Gifford might find itself the only population centre without one, with the risk that people might gravitate to Gifford to take part in public drinking. This turned out to be incorrect since a number of places are without a ban.

It was also noted, regarding other centres, that North Berwick had decided to stick with its current limited ban applying to Friday, Saturday and Sunday nights only. GCC had been given the impression that they were likely to move to a total ban. GCC were also led to believe that Kenny MacAskill the Justice Minister had instigated the effort to have a ban imposed in Gifford. This was not so.

The Chairman reported he had had one letter from a resident couple who were opposed to a ban. Given the complaint in November 2009 that residents were largely unaware of the issue, despite extensive advertisement by the GCC, JS asked the meeting's advice about how matters could be effectively communicated. Use of the Newsletter was suggested. The GCC web-site had not been functioning at the time.

Frances Mowatt asked the purpose of the present meeting if the ballot was not yet to be counted? It was said that a final decision was likely at the GCC meeting of 8 March, taking into account both this meeting and the ballot. Several members of the public expressed unhappiness that the GCC had had misleading information from the Police, e.g. about the position in other centres.

PC Black said she had not personally been present at the meeting where the information had been given and so could not comment on that. She explained that the Police had no intention of using the power oppressively, but rather wanted it as a back-up power where real nuisance was occurring. She agreed that other powers already existed, e.g. drinking by those under 18 is already forbidden. There had been an incident in the Waldens area involving young people over 18 where people from Musselburgh, Haddington and elsewhere had been involved. Keith Hare expressed concern that too much might depend on different interpretations of the law by different officers. He felt Gifford was not a trouble spot. Noting the tendency of opinions expressed, the Chairman asked if anyone wished to speak in support of a ban; no-one did.

The Chairman explained that a ban would affect private land if the public had access to it. He went on to explain in detail how the counting of the ballot would be carried out and closed the meeting.