

Cramond & Barnton Community Council



**Incorporating Cramond, Barnton, Cammo and Quality Street
(West)**

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Professor Jason Leitch (Secretary, Dot Hartley),
National Clinical Director of Quality and Strategy,
Scottish Government
ST Andrew's House
Edinburgh EH1 3DB

26 November 2020

Dear Jason,

I hope this finds you – and finds you well. I am writing to you as tasked by the Community Council to bring to your attention the concerns of this community about the desirability of licensed premises offering a cashless or contactless option during Covid-19.

The Situation

That the Cramond Inn through the policy and actions of the licence holder in Tadcaster, North Yorkshire, declines to offer a cashless or contactless option for customers leaving the management team to continue to operate the cash only policy which pre-dated the Covid-19 pandemic. That in so doing the licence holder chooses to ignore the licencing guidelines promulgated by the Scottish Government and designed to offer a template for best and safe practice in licensed premises during Covid-19. Guidelines which are essentially founded on the overarching objective of mitigating risk in terms of “Do the Right Thing”. Guidelines which when flouted risk increased transmission of the virus. Yet when challenged as to why no cashless or contactless option is provided the Licence holder can evade the matter by simply not responding with apparent impunity.

The Primary Legislation

The 5 high level licensing objectives which fall out of the Licensing (Scotland) Act 2005 (The Act) are:

- Preventing crime and disorder;
- Securing public safety
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children from harm.

The Role of the Licensing Standards Officer

Among the responsibilities vested in Licensing Standards Officers arising out of the Act are those of providing guidance and information to interested parties; ensuring compliance by licence holders; and providing mediation service for the purpose of avoiding or resolving disputes.

The Considerations of the Cramond and Barnton Community Council

Incredulity – is probably the simplest way of describing the reaction of the Community Council to this issue and to the handling of the issue by the LSO and Board. We recognise that the matter is one which is covered by guidance and not, as is the case in terms of some aspects of the operation of licensed premises at this time, regulations. But they are intended to inform best – and safest – practice. As the LSO cannot or will not strive harder to mediate with the licence holder to address this matter then we felt compelled to bring the matter to your attention so that you and colleagues may reflect on whether compliance needs to be secured by means of regulations and enforcement. We understand from earlier exchanges that the Cramond Inn is not the only licensed premise under the responsibility of the City of Edinburgh Council Licensing Board which has elected not to offer a cashless or contactless option at this time. While the reported research about the transmission risks attaching to the handing of cash may be inconclusive the failure to offer an alternative is poor customer care and indeed seen by some as reckless both to staff and to customers. In the case of the Cramond Inn the current preparedness of the LSO to accept this without further challenge beyond follow-up e-mails is an action, or rather inaction, that could be seen as complicit with this recklessness.

When the time comes this Community wants to see the Cramond Inn open again (and this will be influenced largely by timings in the North of England); to see the local management team supported and enabled to do the right thing and we want to see it successful and becoming the community hub that it was once was. But where it- and other premises - operate in ways that flout the guidance then a higher level of risk prevails which in turn can impact across the trade by influencing Government decisions about the re-opening of premises more generally.

All the best, your sincerely,

Jan D Williamson

Ian Williamson

A copy of this letter goes to:

Dot Hartley, SG; Alex Cole-Hamilton, MSP; Colin Wilkinson, MD, Licensed Trade Association (Scotland); Councillors Kevin Lang, Louise Young, Graham Hutchison, Norman Work; Sean Hanlon (CEC); Tom Veitch (CEC).