

ABERDEEN LOCAL LICENSING FORUM

11 June 2009

Present:- George Wyatt, Vice-Convener; Jennie Biggs (Alcohol and Drugs Partnership), Ken Eddie, Sohail Faruqi, Sandy Kelman (substituting for Dr. Lesley Wilkie), Gerard Rattray, Diane Sande (Licensing Standards Officer), Constable Fiona Duncan (substituting for Inspector John Soutar), Grampian Police), Depute Provost John West and Bob Westland (Community Safety).

Also:- Constable Kerry Park (Grampian Police).

APOLOGIES

1. Apologies were intimated on behalf of Allan McIntosh, Convener, William Christie, Mary Crawford, Councillor Martin Greig, Ian Haddock, Murray Leys, Conor McKay (Youth representative), David Pattinson, Inspector John Soutar (Constable Fiona Duncan substituting) and Dr. Lesley Wilkie (Sandy Kelman substituting).

WELCOME

2. Bob Westland was welcomed to his first meeting of the Forum.

MINUTES

3. The Forum had before the Minutes of the Meeting held on 23 April, 2009 and of the Forum Sub-Committee meeting held on 28 May, 2009.

The Forum resolved:-
to approve the Minutes.

MEMBERSHIP OF THE FORUM

4. The Forum was advised that Conor McKay was the new Youth Representative having been nominated by the Aberdeen Youth Council. Constable Fiona Duncan, Grampian Police advised that the Unight organisation wishes its Chairman to be a member of the Forum and it was noted that the chairmanship of Unight rotates on a three monthly basis. The Forum also considered a request from the Co-operative Group for the Aberdeen Area Operational Manager to join the Forum from a personal licence perspective and bringing experience of off-sales work.

The Forum also considered in the light of the current membership it would be appropriate to offer alternate start times for meetings namely 2.00pm and 5.00pm.

The Forum resolved:-

- (i) to approve that the Chairperson of the Aberdeen Unight Scheme (as per their rota) and the Aberdeen Area Operations Manager from the Co-operative Group join the Forum on the understanding that the nominee from the Co-operative Group is part of a relevant national Association in order to provide information to and from the Forum from a broad perspective rather than only the Co-operative shops in Aberdeen;
- (ii) to request the Clerk to advise all members of the Forum of the change in the start time for Forum meetings so that the timetable for the rest of 2009 would be as follows- 30 July 2009 – 2.00pm, 17 September, 2009 – 5.00pm, and 12 November, 2009 – 2.00pm. The Forum will be advised of any adverse reaction from the membership to the proposed change and this arrangement, if accepted, will be used for meetings in 2010.

UPDATE ON “ALCOHOL RELATED DISORDER PROFILE – ABERDEEN CITY CENTRE” REPORT

5. Jennie Biggs advised that she was a member of the small Working Group established by The Aberdeen City Alliance to work on the issues and challenges arising from the report entitled “Alcohol Related Disorder Profile – Aberdeen City Centre”. An extract from the report on licensing issues was considered by the Forum at its meeting on 23 April, 2009. Neil Carnegie, Community Safety Manager, has already agreed to attend a future Forum meeting to provide an update on the work of the Group after they report again to The Aberdeen City Alliance.

Jennie Biggs circulated the Alcohol signpost card material which will shortly be piloted for four months. The material provides contact information and it is in fact a brief intervention in its own right as it encourages people to think about the consequences of alcohol misuse at the point where it has had the most impact on their lives, for example, when they are receiving treatment after an accident at least partially attributable to excessive drinking. Emergency services have agreed to distribute the signpost cards and Alcohol Support has agreed to monitor use of the cards to help assess their effectiveness. A number of GP practices have signed up for the brief intervention initiative and they will also be monitoring if patients show awareness of the publicity material. Unfortunately due to the volume of calls, NHS 24 cannot monitor whether callers have seen the material and are making contact as a result of reading it. The Forum was pleased to note that some public houses are keen to display the material and if there are sufficient supplies, signpost cards will also be given to the Street Pastors Scheme to distribute.

The Forum resolved:-

to thank Jennie Biggs for her update and hoped that the brief interventions initiative and publicity material will prove effective.

IRRESPONSIBLE DRINKS PROMOTIONS

6. The Forum noted a briefing paper prepared by Diane Sande, Licensing Standards Officer, which sets out the statutory provisions in relation to discouraging irresponsible drinks promotions. The Forum noted that further guidance from the

Scottish Government is likely to be published and that the forthcoming Health Bill may target off-sales promotions and raise the profile of this issue.

The Forum considered the related issue of the trend in some licensed premises in Aberdeen to offer polycarbonate glasses. Although there have only been a few serious assaults caused by glasses, the use of polycarbonate glasses is one of the reference criteria in the checklist used as part of the Best Bar None Scheme and it is clearly a safety measure.

The Forum noted that the Aberdeen Community Safety Partnership has no funding to provide polycarbonate glasses unlike the position in relation to the Dundee Partnership which had an underspend in December 2008 from its Scottish Government grant and was able to fund the purchase of polycarbonate glassware. It was also noted that Glasgow Licensing Board has imposed a condition on licensees to serve alcohol in plastic bottles and glasses. It is expected that the report back on the "Alcohol Related Disorder Profile – Aberdeen City Centre" report will include consideration of measures to encourage provision of polycarbonate glasses.

The Forum resolved:-

to note the position and await further updates in the light of Scottish Government and The Aberdeen City Alliance consideration of effective actions to discourage irresponsible drinks promotions.

CURFEW CONSULTATION

7. The Forum noted that the City Council decided at its meeting on 20th May, 2009 to oppose the Licensing Board's plans for a 12.30am curfew on city clubs. The position of the Aberdeen City Alcohol and Drugs Partnership (now the Alcohol and Drugs Partnership) which indicated a preference to revoke a curfew condition was noted together with their recommendations that the Licensing Board consider the use of the over-provision policy in due course and a mandatory charge for entrance to late night premises. As previously discussed by the Forum, the Alcohol and Drugs Partnership supports a comprehensive approach to the issue of addressing city centre disorder. This requires measures to address transport, closing times for hot food premises and enforcement of current legislation which prevents the sale of alcohol to people who are already intoxicated. Jennie Biggs advised the Forum that together with colleagues she was working on a training programme for staff working in licensed premises to equip them with techniques to cope with customers who have consumed excessive amounts of alcohol.

The Forum considered their understanding of the implications of including a curfew in the Licensing Board's Statement of Licensing Policy and reluctantly accepted that there was a need for a curfew but that it should not come into effect until 2.00am or later.

Please note following the meeting consultation with the Clerk to the Licensing Board took place and it was confirmed that the current Statement of Licensing Policy would not prevent the Licensing Board from revoking a curfew provision.

The Forum considered the invitation to be represented at a consultation meeting arranged by the Licensing Board into the entry condition for late opening of premises and it was agreed to ask Allan McIntosh, the Convener, to attend.

The Forum resolved:-

to request that the Convener, Allan McIntosh, represent the Forum at the consultation meeting on 17 June, 2009 pointing out the Forum's position now is that they would prefer that a curfew condition was not imposed but if it is necessary it should be imposed no earlier than 2.00am and that he should ask the representatives of the Licensing Board how they intend to monitor and evaluate the outcome of the introduction of a curfew and to request that this process be put in the public domain in the interests of transparency.

INFORMATION ON LICENSING BOARD POLICY FRAMEWORKS

8. The Forum considered information on the Licensing Board Policy Statements in respect of Aberdeen, Fife and Glasgow and noted that the strategic assessment currently being undertaken by Aberdeen Community Safety Partnership includes consideration of data which would be relevant to the work of the Forum. It was noted that each Licensing Board produces a Policy Statement which reflects the needs of its own area and the Forum was reminded that it was consulted on the draft Statement of Licensing Policy for Aberdeen.

The Forum resolved:-

to request the Sub-Committee to examine the information on the policy frameworks of other Licensing Boards in more detail and advise the Forum of any issues they consider appropriate for further consideration.

STATISTICAL INFORMATION

9. Constable Fiona Duncan, Grampian Police, provided information giving a comparison of reported liquor licensing related offences to illustrate the effects of an initiative by Inspector John Soutar to raise awareness of the offences under licensing legislation rather than have police officers only deal with these crimes in terms of the common law such as Breach of the Peace. The relevant figures are as follows –

| <u>Offence</u> | <u>14/11/07 – 14/5/08</u> | <u>14/11/08 – 14/5/09</u> |
|--|---------------------------|---------------------------|
| Disorderly conduct on licensed premises | 2 | 9 |
| Attempting to enter licensed premises while drunk | 8 | 3 |
| Licensee, employee or agent drunk on licensed premises | 2 | 1 |
| Sale of alcohol to persons aged under 18 | 5 | 3 |
| Person under 18 buying or consuming alcohol in a bar | 0 | 2 |
| Purchase of alcohol for a person under 18 in a bar | 3 | 3 |
| Refusal to leave licensed premises | 13 | 20 |

Constable Duncan confirmed that it is an offence to be intoxicated on licensed premises but no figures have been recorded for that offence. She confirmed that Grampian

Police have not yet started test purchases in respect on-sales premises in respect of persons under 18 years of age. Efforts are focused on off-sales premises. The Forum agreed that the next Freshers Week provides an opportunity to assess the impact of the Alcohol Strategy and the contributions from partner organisations in trying to minimise the adverse impacts of drinks promotions during that week. Jennie Biggs advised that Aberdeen College and RGU have signed up to the Alcohol Strategy but the University of Aberdeen has not. Efforts are being made to re-establish a working relationship with the University of Aberdeen's Students Association. Sohail Faruqi advised that as part of the school curriculum an emphasis is placed on healthy lifestyle choices and social responsibility to try to ensure school pupils develop responsible attitudes towards alcohol.

Sandy Kelman advised the Forum that it would be informed of progress regarding the brief interventions initiative and he explained the significance of the HEAT targets (Health, Efficiency, Access and Treatment). Sandy advised that the capacity of substance misuse services is increasing as a result of further investment by the Scottish Government, NHS Grampian and its partners. The standard target is a period of eighteen weeks from referral to the commencement of treatment. It is possible that the target for access to drug treatment services could be three weeks and it is anticipated a target for access to alcohol related services will be set in 2011. A system will need to be developed to ensure that treatment is received by clients within the target period and that statistics on performance are appropriately recorded. In future it will be possible to report to the Forum on progress against relevant HEAT targets.

It was confirmed that the Licensing Board is obliged to report to the Scottish Government on relevant statistics and in due course the Forum will receive a copy of the information. It was noted that the Legal Manager (Licensing Team) has advised that work has not yet started on preparing the overprovision mapping. It is understood no other Licensing Board has completed this task which is an essential component of producing the required overprovision statement. The Legal Manager has confirmed that the Forum as a statutory consultee will have an opportunity to comment on any proposed review/amendment of the Statement of Licensing Policy.

George Wyatt advised the Forum of his role on a national trading body, the Licensed Trade Association, and he is in a good position to put forward issues on behalf of the Forum and receive information from the relevant Minister in the Scottish Government.

The Forum resolved:-

to await progress in collation of relevant statistical data and in achieving the objectives of the Alcohol Strategy and to continue to develop its own role in relation to the Strategy in encouraging greater partnership working.

JOINT MEETING WITH LICENSING BOARD

10. The Forum considered a suitable date for the joint meeting with the Licensing Board.

The Forum resolved:-

to suggest that the joint meeting with the Licensing Board take place on Thursday, 20 August at 2.00pm. (Please note following the meeting, the Licensing Board requested that the meeting be held at 10.00am rather than 2.00pm.)

WORKPLAN

11. The Forum noted the workplan and agreed that it would be useful to write again to Community Councils and Forums/Networks in parts of the city not covered by Community Councils to enquire if they have any issues or concerns they would wish considered by the Forum. It was noted that Conor McKay, is the Youth Council representative on the Forum and therefore the Youth Council will be able to raise any concerns with the Forum via Conor. The Forum noted in relation to the request for an outline from the Licensing Board of the measures they will employ to ensure compliance with the five principles that we have no detailed information other than the broad references made in their Statement of Licensing Policy. Attendance by Forum members at meetings of the Licensing Board has provided some practical knowledge of the application of the principles but it would be useful to have further information from the Board.

The Forum resolved:-

to request the Clerk to write to Community Councils and Neighbourhood Forums/Networks requesting them to raise any concerns/issues with the Forum and in due course to consider via the Sub-Committee the communication strategy required to raise awareness of the work of the Forum.

MEMBERS CLUBS

12. Diane Sande, Licensing Standards Officer, informed the Forum that there are 54 members' clubs operating in Aberdeen at the present time. She is undertaking visits and Environmental Health and Building Standards colleagues are undertaking visitors/inspections to ensure that these clubs comply with licensing requirements. Diane is ensuring Managers are aware of the need for staff to be trained and they are being encouraged to apply for personal licences. She confirmed that in terms of the relevant regulations, members and guests must sign in to the premises and receive copies of the constitution. Occasional licences can be applied for which permit use by non-members. The Forum noted information from the Scottish Licensed Trade newspaper that Glasgow Licensing Board has closed down three adult clubs in Glasgow as they had been guilty of irresponsible drinks promotions.

NEXT MEETING

13. It was confirmed that the next Forum meeting would take place on Thursday, 30 July at 2.00pm and the next Sub-Committee meeting will take place on Thursday, 16 July at 4.00pm.