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ABERDEEN CITY COUNCIL

To: Councillors Jaffrey (Convener), Boulton, Clark, Cormie, Donnelly, Hunter, Penny, Robertson and Young

And: Allan McIntosh, Convener; Craig Adams, Derek Murray, Gerard Rattray and George Wyatt (Representatives of Holders of Premises Licences/Personal Licences); Inspector John Soutar, Grampian Police; Sandy Kelman (Alcohol and Drugs Partnership); Sohail Faruqi (Education); Linda Smith (Health); Ian Donaldson, Mark Donlevy and Bob Westland (Community Safety); Mary Crawford, Ken Eddie, Councillors Martin Greig and John West (Representatives of Residents within the Forum's Area); Barry Black (Representative of Youth) and Diane Sande (Licensing Standards Officer).

Town House,
ABERDEEN, 24 November 2010

JOINT MEETING OF ABERDEEN CITY LICENSING BOARD AND ABERDEEN LOCAL LICENSING FORUM

The Members of the **LICENSING BOARD AND LOCAL LICENSING FORUM** are requested to meet in Committee Room 2 - Town House on **WEDNESDAY, 1 DECEMBER 2010 at 11.00 am.**

RODERICK MACBEATH
ACTING SENIOR DEMOCRATIC SERVICES MANAGER

BUSINESS

- 1 Apologies
- 2 Welcome and Appointment of Chairperson

Please note that at the joint meeting of the Board and the Forum on 17 June, 2008 it was agreed to have a rotating Chair at Joint Meetings. The meeting in April 2010 was chaired by Councillor Jaffrey, Convener of the Licensing Board. Therefore today's meeting should be chaired by Mr. George Wyatt, Vice-Convener of the Licensing Forum.

- 3 Update from Depute Clerk to Licensing Board
- 4 Forum Workplan (Pages 1 - 6)
- 5 Addressing the 5 Licensing Objectives
- 6 Number of Review Hearings
- 7 Prevention of Violent Behaviour
- 8 Criteria used in determining Licenses
- 9 Statistical Information
- 10 Understanding of Night Time Economy
- 11 Any Other Competent Business
- 12 Consideration of date of the next meeting

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Grant Webster on 01224 522607 or email gwebster@aberdeencity.gov.uk

ABERDEEN LOCAL LICENSING FORUM

WORKPLAN AS AT DECEMBER, 2010

Licensing Objectives (for reference) –

- (1) Preventing Crime and Disorder,
- (2) Securing Public Safety,
- (3) Preventing Public Nuisance,
- (4) Protecting and Improving Public Health, and
- (5) Protecting Children from Harm.

Remit of Local Licensing Forums as set out in the Licensing (Scotland) Act 2005 – keeping under review the operation of the Act in the Forum's area and in particular the exercise by the Licensing Board of their functions including giving advice and making recommendations to the Board in relation to those matters where the Forum considers it appropriate. The Act does not enable a Forum to review or give advice or make recommendations in relation to the exercise by a Board of their function in relation to a particular case. "Case" is taken to mean an application before a Board and in the interests of natural justice is also taken to mean individual licensed premises. The preferred route for consideration of complaints about the running of licensed premises is to write directly to the Clerk or Depute Clerk to the Licensing Board.

The Licensing (Scotland) Act 2005 requires Licensing Boards in exercising any of their functions to have regard to any advice given or recommendations made to them by a Local Licensing Forum and where the Board decides not to follow the advice or recommendation to give the Forum reasons for that decision, the Board must provide copies of relevant statistical information to the Forum as it may reasonably require for the purposes of its general functions.

Licensing Standards Officers have a general function of providing to interested persons information and guidance concerning the operation of the Act, supervising compliance with the Act and the conditions of their licences by holders of Premises Licences and Occasional Licences and mediate between communities and the trade or between any two parties where there is a need to resolve a local problem and develop a local solution. LSOs do not act as "policemen" with regard to licensing but they will liaise with the police and other relevant officials such as Environmental Health Officers in pursuit of the objectives of the Act.

No	Action/Decision agreed by Forum or Sub-Committee	Update/Outcome/Response	Referral to Licensing Board or Clerk (Yes/No) Reply (Yes/No)	Issue requires discussion at next Joint Meeting with Licensing Board (Yes/No)
(1)	Find out from communities what are their areas of concern	Issues raised by Community Councils, etc have been considered by the Forum and where appropriate action has been taken to make further enquiries. The Forum will await any further referrals from Community Councils or individuals. In August 2010 the Lead Group of the Civic Forum was advised of the opportunity to raise concerns and to submit comments to the Licensing Forum to consider as part of the review of the Statement of Licensing Policy.		
(2)	Improve intelligence in relation to statutory bodies.	The Forum is gaining experience as it considers topics and input from Forum members who are representatives of relevant agencies. The Forum has been represented at conferences and training events and will continue to do so.		
(3)	To receive reports from the Licensing Board containing relevant statistical information.	031110 – In discussion with Clerk to Licensing Board, sections 12 and 6(5) were cited as grounds to refuse statistical		

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(4)	<p>To request an outline from the Licensing Board on measures it will employ to ensure compliance with the five licensing objectives.</p> <p>This is being addressed as part of the review of the Statement of Licensing Policy.</p>	<p>information being provided to the Forum</p> <p>An assurance has been given by the Board at the second joint meeting with the Forum that the current Licensing Policy makes appropriate references to the objectives. At the joint meeting with the Board on 23/4/10 it was confirmed that it will continue to monitor statistical trends in relation to crime and if possible health and other indicators in order to evaluate contributions to the achievement of the licensing objectives.</p>		
(5)	Public Safety in the City Centre	Safer Aberdeen Forum Action Plan was circulated at last meeting (09/09/10) and is on agenda. Forum is asked to note information.		
(6)	Late Night Bus Services	A paper will be presented to Enterprise, Planning and Infrastructure on 9/11/10. Following that, an update will be sought.		
(7)	Staffing Levels – the Forum and the Sub-Committee noted that	A response to the issues raised was received on behalf of the		

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	<p>Aberdeen is the only city in Scotland to employ only one Licensing Standards Officer. Although information on staffing levels elsewhere in Scotland may be out-of-date there is no doubt the majority of local authority areas employ more than one Licensing Standards Officer.</p> <p>The Forum at its meeting on 25/2/10 noted the response set out in this Plan but agreed to write to the Chief Executive of the City Council now seeking her views on increasing the establishment of Licensing Standard Officers.</p> <p>The Chief Executive has asked the Director of Housing and Environment to reply to the Forum and thanked the Forum for drawing this matter to her attention.</p>	<p>relevant of Head of Service (Housing and Environment) in the City Council. The views of the Clerk to the Licensing Board were also sought. It was agreed it would be premature to formally request the Forum to write to the Chief Executive of the City Council requesting an increase in the number of Licensing Standards Officers employed by the City Council. The professional opinion is that as the Licensing (Scotland) Act 2005 has only been operational since 1/9/09, it is too soon to accurately assess workload. It is anticipated that demand for advice will decline and from experience in dealing with the trade there is evidence of a high level of co-operation and willingness to comply. The officers concerned have given a commitment to review the position to decide whether or not to prepare a business case to support a request for additional staff resources. Meantime the Forum is asked to note that in addition to the Licensing Standards Officer one other officer has been</p>		

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		<p>trained in the Licensing Act duties. During 2010 more of his time will be freed up to undertake some of the duties. Other staff have also received elements of LSO training and this should facilitate a more proactive approach in relation to visiting licensed premises. The LSO's Line Manager will continue to monitor her workload which is standard Council practice. It is suggested the Forum may wish to review the position at its meeting on 11/11/10 as any approach to the City Council to consider enhancing staff resources could be considered then as part of the 2011/12 Budget process.</p>		

ACTIONS FOR LICENSING FORUM IN
ALCOHOL STRATEGY 2009 – 2019 AND IN ALCOHOL RELATED DISORDER IN THE CITY CENTRE ACTION PLAN

- (1) Reducing Consumption – The Licensing Board will consult widely on specific measures to deliver and enhance their policy including receiving advice from the Licensing Forum.
- (2) Prevention (a) – Encouraging developments to increase access to food and non-alcoholic drinks in clubs and the licensed premises at night in liaison with Unight, the Licensing Board and City Centre/Safer Aberdeen Forum.
- (3) Prevention (b) – Review to establish how a more preventative approach to over-consumption of alcohol can be devised in partnership between the Licensing Board and the trade.
- (4) Prevention (c) – Attract different types of premises to offer family orientated entertainment such as late night coffee shops, cafes, etc. in liaison with the Licensing Board, Unight, Safer Aberdeen Forum and Economic Development staff.

committees/aberdeen local licensing forum/Notes/workplan may 2010