

Public Document Pack



ABERDEEN CITY COUNCIL

To: Allan McIntosh, Convener; George Wyatt, Vice-Convener; Craig Adams and Gerard Rattray (Representatives of Holders of Premises Licences/Personal Licences); Inspector John Soutar (Grampian Police); Sandy Kelman (Alcohol and Drugs Partnership); David Wright (Education); Tom Cowan (Social Care); Linda Smith (Health); Heather Manning (Samaritans); Gordon Riddel, Michelle Wall and Bob Westland (Community Safety); Mary Crawford, Ken Eddie and Councillor Martin Greig (Representatives of Residents within the Forum's Area); Barry Black and Callum Martin (Representative of Youth) and Diane Sande (Licensing Standards Officer).

Town House,
ABERDEEN 8 February 2012

LOCAL LICENSING FORUM

The Members of the **LOCAL LICENSING FORUM** are requested to meet in Committee Room 5 - Town House on **THURSDAY, 16 FEBRUARY 2012 at 2.00 pm.**

RODERICK MACBEATH
ACTING SENIOR DEMOCRATIC SERVICES MANAGER

B U S I N E S S

- 1 Election of Forum Convener and Vice Convener
- 2 New Members (Pages 1 - 4)
 - (i) Heather Manning – Aberdeen Samaritans
 - (ii) Callum Martin – President (Education & Welfare), RGU:Union

MINUTES AND WORKPLAN

- 3a Minute of Meeting of Local Licensing Forum of 17 November 2011 (Pages 5 - 12)
- 3b Agenda and Minute of Licensing Board meeting of 18 October 2011
(Pages 13 - 22)
The agenda for this meeting can be found at:
<http://councilcommittees/mgConvert2PDF.aspx?ID=1980&T=10>
- 3c Workplan (Pages 23 - 26)
- 3d Door Supervisors Working Group of 26 January 2012 (Pages 27 - 28)

INTELLIGENCE (TO INFORM THE WORKING OF THE LICENSING FORUM)

- 4a Statistical Information
- 4b Update from Licensing Standards Officer
- 4c Community Intelligence - City Voice Update

MATTERS ARISING

- 5a Alcohol Focus Scotland Regional Licensing Event - Discussion (Pages 29 - 30)
- 5b Licensing Forum correspondence - for noting (Pages 31 - 44)
- (i) Email to Mr Beattie regarding the decision of the Forum not to appoint him.
 - (ii) Email to Rev. Bowyer regarding his noted interest in applying to join the Forum.
 - (iii) Email to Mr Leith regarding the decision of the Forum not to appoint him.
 - (iv) Email to Ms Manning regarding the decision of the Forum to invite her to join the Forum as a member.
 - (v) Email to Mr Anderson regarding the Forum meeting of 17 November 2011.
 - (vi) Email to Mr Wyatt regarding the Vice Convener position on the Forum.
 - (vii) Email to Ms. Sande regarding the possibility of a presentation/explanation of the inspection process.

5c Any Other Competent Business

6 Date of the Next Meeting - 12 April 2012

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

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FULL NAME (PLEASE PRINT)	HEATHER MANNING
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ADDRESS, INCLUDING POSTCODE	ABERDEEN SAMARITANS 60, DEE STREET ABERDEEN AB11 6DS
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E-MAIL ADDRESS	
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TELEPHONE NUMBER	
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WHICH OF THE FOLLOWING CATEGORIES APPLY TO YOU	HEALTH, EDUCATION, SOCIAL WORK <input type="checkbox"/> YOUNG PERSON (aged 16 and over) <input type="checkbox"/> RESIDENT IN THE FORUM AREA <input type="checkbox"/> HOLDER OF A PREMISES/PERSONAL (LIQUOR) LICENCE <input type="checkbox"/> OTHER (such as emergency services, council services, alcohol agencies, any person not falling into any of the above categories having an interest in alcohol and licensing issues) <input checked="" type="checkbox"/>
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IF YOU ARE A LICENCE HOLDER PLEASE GIVE THE NAME, FULL ADDRESS OF THE PREMISES AND DETAILS OF THE LICENCE YOU HOLD IN THE FORUM AREA	
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The Forums' role is to keep under review the licensing boards' decisions and consider the impact of those decisions at local level. Keeping in mind the Objectives of the Licensing (Scotland) Act 2005 the forums may give advice and make recommendations to the licensing board. The objectives are:

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

<p>WHY DO YOU WANT TO BE PART OF THE FORUM?</p>	<p>Samaritans are always interested in engaging with community + keeping vulnerable people 'safe' - This seems like a good opportunity to do that.</p>
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<p>PLEASE GIVE A BRIEF STATEMENT ABOUT WHAT YOU CAN BRING TO THE FORUM DETAILING MEMBERSHIP OF ANY ORGANISATIONS OR NETWORK GROUPS/COMMUNITY PARTNERSHIPS YOU ARE PART OF.</p>	<p>Samaritans are key members of the Aberdeen City Choose Life Forum, networking with all the organisations in the city who have a remit to prevent suicide, these include Grampian Police, CRUSE, Foyer etc. We have 50 yrs experience in engaging with people who may feel vulnerable, in the city + feel we will be able to</p>
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make a valuable contribution to the forum.

Please return completed forms to:- Grant Webster, Committee Services, Legal & Democratic, Aberdeen City Council, Room 1-30, Town House, Broad Street, Aberdeen, AB10 1AQ

APPLICATION FORM FOR MEMBERSHIP OF THE LOCAL LICENSING FORUM

FULL NAME (PLEASE PRINT)	Callum MARTIN PRESIDENT - EDUCATION & WELFARE
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ADDRESS, INCLUDING POSTCODE	REGU Union 60 Schoolhill Aberdeen AB10 1JQ
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E-MAIL ADDRESS	[Handwritten email address]
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TELEPHONE NUMBER	[Handwritten telephone number]
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WHICH OF THE FOLLOWING CATEGORIES APPLY TO YOU	<p>HEALTH, EDUCATION, SOCIAL WORK <input checked="" type="checkbox"/></p> <p>YOUNG PERSON (aged 16 and over) <input checked="" type="checkbox"/></p> <p>RESIDENT IN THE FORUM AREA <input type="checkbox"/></p> <p>HOLDER OF A PREMISES/PERSONAL (LIQUOR) LICENCE <input type="checkbox"/></p> <p>OTHER (such as emergency services, council services, alcohol agencies, any person not falling into any of the above categories having an interest in alcohol and licensing issues) <input type="checkbox"/></p>
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IF YOU ARE A LICENCE HOLDER PLEASE GIVE THE NAME, FULL ADDRESS OF THE PREMISES AND DETAILS OF THE LICENCE YOU HOLD IN THE FORUM AREA	[Blank space for licence details]
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The Forums' role is to keep under review the licensing boards' decisions and consider the impact of those decisions at local level. Keeping in mind the Objectives of the Licensing (Scotland) Act 2005 the forums may give advice and make recommendations to the licensing board. The objectives are:

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

<p>WHY DO YOU WANT TO BE PART OF THE FORUM?</p>	<p>To provide input and feedback with the relevance to the student population and also the generic education and welfare elements.</p>
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<p>PLEASE GIVE A BRIEF STATEMENT ABOUT WHAT YOU CAN BRING TO THE FORUM DETAILING MEMBERSHIP OF ANY ORGANISATIONS OR NETWORK GROUPS/COMMUNITY PARTNERSHIPS YOU ARE PART OF.</p>	<p>I am the elected Student President - Education and welfare for Robert Gordon University - Scotland's number one modern university. Being an exec member and trustee of the union, which has a bar, I have a lot of knowledge of the sector. I also specialise in the representation of students across the city and locally. I am a delegate member of the NUS, and work closely on drink aware campaigns. The students of Aberdeen have forged the "Forbes Students' Union" which I sit on, and this represents the full body of students.</p>
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LOCAL LICENSING FORUM

Thursday, 17 November 2011

Present: Alan McIntosh, David Wright, Ken Eddie, Gerard Rattray, Inspector John Soutar, Michelle Wall, Linda Smith, Sandy Kelman, Councillor Martin Greig, and Raymond Morrison.

Also Present: Fiona McQuillan, Grampian Police, Tom Snowling, Martin Allan, Grant Webster, Clerk to the Local Licensing Forum.

Apologies: Bob Westland, Tom Cowan, Mary Crawford and Craig Adams.

ELECTION OF FORUM CONVENER AND VICE CONVENER

1. Due to the absence of the Vice Convener, it was decided to defer this item to the next meeting. For this meeting only, Alan McIntosh took the Chair.

The Forum resolved:-

to defer this item to the next meeting and invite Alan McIntosh to take the Chair for this meeting only.

MINUTE OF MEETING OF LOCAL LICENSING FORUM OF 8 SEPTEMBER 2011

2. The Forum had before it the minute of the meeting held on 8 September 2011.

The Forum resolved:-

to approve the minute.

MATTERS ARISING

(a) CURRENT COMPOSITION OF LICENSING FORUM MEMBERSHIP AND IDENTIFIED GAPS

3. With reference to Article 11 of the minute of the meeting of 8 September 2011, the Forum had before it details of the current composition of the Licensing Forum. The clerk spoke to the paper highlighting that the Forum are allowed a maximum of 21 members and currently there were 18 members. One of the vacancies was earmarked for a student representative and the clerk advised that he had contacted both Robert Gordon University and Aberdeen University and was waiting for them to submit a representative to the Forum. As such, the clerk advised the Forum that there were 2 available vacancies and the Forum had delegated powers to decide whether to fill those

identified vacancies or not.

The Forum resolved:-

to note the information given

(b) LOCAL LICENSING FORUM VACANCIES/RECENT APPLICATIONS

4. With reference to Article 11 of the minute of the meeting of 8 September 2011, the Forum had before it information on 3 applicants looking to become members of the Local Licensing Forum. As 2 of the applications were from members of the licence trade, the Forum discussed the need to maintain a good mix of interested parties. The Forum considered whether it would be possible for the members allocated as Representatives of Holders of Premises Licences/Personal Licences to be allowed substitutes in periods of non-attendance. The clerk advised that he would have to check the legislation and revert to the Forum at a later date. The final application was from Aberdeen Samaritans and, after discussion, it was decided that they could be a positive addition to the workings of the Forum.

The Forum resolved:-

- (i) to contact the two applicants from the licensed trade to advise them that they were unsuccessful this time;
- (ii) to instruct the clerk to investigate the possibility of appointing substitute members for the Representatives of Premises Licences/Personal Licences; and
- (iii) to contact the applicant from Aberdeen Samaritans to advise them that they were successful in their application.

AGENDA AND MINUTE OF LICENSING BOARD MEETING OF 28 JUNE 2011

5. With reference to Article 4 of the minute of the meeting of 11 November 2010, the Forum had before it a copy of the minute of the meeting of the Licensing Board of 28 June 2011.

Sandy Kelman asked why the minute attached was from the meeting of 28 June when there had been further meetings of the Licensing Board since then, one of which he had been in attendance for. The clerk advised that standard council operating procedures was for the minute to be approved by the Board/Committee at its subsequent meeting prior to being published for the public. This can, however, lead to there being a delay between the meeting of the Licensing Board and the Forum seeing the minute for the same meeting.

With regards to Article 4 of the minute of the meeting of 8 September 2011, where the clerk was instructed to invite a member of the Licensing Board to attend all future meetings of the Licensing Forum to talk to the Licensing Board agenda and minutes, the Forum heard a response from Eric Anderson, Depute Clerk to Licensing Board. He advised;

'I placed the Forum's request before the Licensing Board at its meeting of 18 October for its consideration.

The Members decided unanimously to refuse the request.

The Board considered that its members are already fulfilling its statutory requirements in respect of its relationship with the Forum. If there was any proposal which the Forum wished to raise in regard to the Board's policy this could be put to the Board for its consideration collectively through the clerk or discussed at the twice – yearly meetings. As far as the Board's other business is concerned, as members of the Forum are aware, it would be inappropriate to discuss matters relating to individual applications.'

The Forum expressed their disappointment at this, stressing that they felt that the Board could be quite dismissive of the work of the Forum at times. Michelle Wall advised that she felt the position and power of the Forum needed to be re-addressed.

The Forum resolved:-
to note the update

NATIONAL LICENSING CONFERENCE

(a) AFS REPORT – RE-THINKING ALCOHOL LICENSING

6. With reference to Article 9 of the minute of the meeting of 8 September 2011, the Forum heard from Inspector John Soutar.

Inspector Soutar expressed his thanks to the Forum for allowing him to attend the event on their behalf, stating that he found it to be informative. He advised the Forum that the main theme for the conference was the recent Alcohol Focus Scotland and Scottish Health Action on Alcohol Problems publication, Re-thinking Alcohol Licensing. The conference considered the trend in alcohol consumption; levels and patterns of alcohol harm; diversification of retail practices and changing drinking behaviour in Scotland. He advised that there was also discussion on the policy context of the Licensing (Scotland) Act 2005 which moved licensing from an application-driven process to a policy-driven one. Attendees heard a presentation by Sir Crispin Agnew QC which advised that, while adopting a Licensing policy based upon the five Licensing objectives was seen as the correct thing to do, there appeared to be a lack of cohesive work between the 52 various Licensing Boards across the country. The report included statistical information on drinking in Scotland and the conference heard from Shona Robison, Minister for Commonwealth Games and Sport, who gave a talk on minimum pricing and the social responsibility levy.

Sandy Kelman advised the Forum that he was also in attendance at the conference and informed them that he did not see anybody from the Aberdeen Licensing Board at the conference.

The Forum resolved:-

- (i) to write to the Licensing Board to ask whether any of their members had attended the conference; and
- (ii) to note the update given.

INTELLIGENCE (TO INFORM THE WORKING OF THE LICENSING FORUM)

(a) STATISTICAL INFORMATION

7. The Chairperson asked if the representatives present had any statistical information they wished to share with the Forum.

Inspector John Soutar (Grampian Police) informed the Forum that there were 4 reported serious assaults over the past 3 month period. This signified a downward trend in relation to serious assaults. With regards to minor assaults, they had seen a slight upward trend but advised that this is probably due to premises being more likely to report minor assaults. He advised the Forum that consistent standards and joint working with UNIGHT, Pubwatch etc. was having a positive effect upon these figures. He advised that there was a more balanced approach taken with regards to convictions of door stewards for assaults, with an aim to establishing a working relationship between door stewards and the police.

Michelle Wall, UNIGHT, advised the Forum that they had the same number of members as last time (23) and that they were currently working with the police on their 'Is It Worth It?' campaign for schools.

David Wright advised the Forum that they had recently held a meeting with statutory bodies to discuss how they could be utilising statistical information better and if there were any other information that should be considered.

(b) UPDATE FROM LICENSING STANDARDS OFFICER

8. The Forum received an oral update from Raymond Morrison, Senior Authorised Licensing Standards Officer. He advised the Forum that joint operations with the Police were continuing. Recently they had focused on Members Clubs and found that most were compliant. Of the ones that weren't, compliance notices were issued and followed up on appropriately. On 1 October, the next tranche of legislation from Licensing (Scotland) Act 2005 came into force, including Challenge 25. He advised the Forum that the recent additions to the legislation targeted the offsales sector more than had previously been done with restriction set upon alcohol advertising. He advised the Forum that there is currently work being undertaken by the Forum convener in Perth collating information on the work of Licensing Standards Officers across the country. Upon average, a LSO will cover 200 premises each. Aberdeen City Council's LSO covers 325 premises which is above average. However, he advised the Forum that there were 6 other cities which had a higher LSO/premises ratio.

Alan McIntosh asked Raymond if it would be possible for Licensing Forum members to attend inspections/visits with the LSO in the future. Raymond advised that he would check this and revert with an answer but advised that it may be possible for the LSO to give the Forum a presentation at a future meeting on visit protocols and procedures.

With reference to Article 8 of the minute of its meeting of 8 September 2011, Sandy Kelman asked whether it would be possible for the Depute Clerk to the Licensing Board to give the Forum a briefing on the recent changes to the Licensing (Scotland) Act 2005 caused by the implementation of the Alcohol etc. (Scotland) Act 2010 on 1 October 2011. Mr Morrison advised that most of the legal advice given to the LSO's is relatively 'in-house' so there may be a wariness to imparting any advice to external parties. The Forum decided to invite the Depute Clerk to a future meeting to discuss this.

(c) COMMUNITY INTELLIGENCE

9. With reference to Article 6 of the minute of its meeting of 8 September 2011, the Forum received a presentation from Tom Snowling, Senior Research Officer, Aberdeen City Council, on Aberdeen City Voice.

Aberdeen City Voice is the name given to a panel of Aberdeen residents who are contacted on a regular basis and asked for their views on a range of issues. It is one of the key methods used by the Council and its Partners to find out what people think about local services. At the moment around 1,000 people are part of the City Voice and they make up a representative sample of Aberdeen's population. It has been running for 8 years and is funded by Community Planning partnerships, producing 3 questionnaires a year. Mr Snowling advised the Forum that all council services and community planning groups can submit questions for the questionnaires and they are arranged around general themes throughout the year. He advised the Forum that questions regarding alcohol consumption had been submitted previously by Aberdeen City Council and suggested that he could arrange for the questionnaires and results to be distributed among the members.

In relation to this, Sandy Kelman suggested to members that he would be willing to receive suggested questions from members and collate a joint submission for the next questionnaire deadline.

The Forum resolved:-

- (i) to invite Eric Anderson, Depute Clerk to Licensing Board, to attend a future meeting on the Licensing Forum to discuss the recent changes to Licensing (Scotland) Act 2005 caused by the implementation of the Alcohol etc. (Scotland) Act 2010 on 1 October 2011;
- (ii) to instruct Raymond Morrison to investigate the possibility of Licensing Forum members attending inspections/visits with the LSO;
- (iii) to submit potential City Voice questions to Sandy Kelman for collation into a Forum submission; and
- (iv) to note the updates given.

WORKPLAN

10. The Forum had before it the workplan of the Local Licensing Forum. The Chair went through each issue on the workplan and updates were noted.

With regards to article 10 of the minute of its meeting of 8 September 2011, the Forum asked whether there had been any further movement towards setting up and holding a

meeting of the Licensing Board Working Group to look at door stewarding, of which the Forum had 4 nominated members. The clerk advised the Forum that, after their meeting of 8 September, he had submitted the details of the 4 Forum members to the Depute Clerk to Licensing Board. Given that it was a Licensing Board working group it was now up to the Depute Clerk to Licensing Board to set up an inaugural meeting of the Group. The clerk advised that he would contact the Depute Clerk and ask for an update regarding this.

The Forum resolved:-

to note the updates given.

ANY OTHER COMPETENT BUSINESS

11. Linda Smith advised the Forum of a possible forthcoming regional event held in Aberdeen by Alcohol Focus Scotland. She advised that further information will be circulated among the members of the Forum once details had been identified.

Michelle Wall informed members of issues which had been raised regarding National ID cards not being accepted as a form of age verification by bars. She advised that many foreign nationals require their respective National ID card to enter the UK but cannot use it to buy alcohol. Inspector John Soutar advised that, at present, the Young Scot Pass card was seen as an acceptable form of age verification and there was currently discussion ongoing between the Association of Chief Police Officers in Scotland (ACPOS) and the Government surrounding other acceptable forms of ID.

(a) ALCOHOL AND DRUGS PARTNERSHIP STOCKTAKE EVENT – PRESENTATIONS FROM SCOTTISH GOVERNMENT AND ALCOHOL FOCUS SCOTLAND

12. With reference to Article 12 of the minute of its meeting of 8 September 2011, the Forum had before it a copy of two presentations that took place at the Stocktake event.

The first presentation, 'Changing Scotland's Relationship with Alcohol' was given by Alison Douglas, Head of Alcohol Delivery, Scottish Government. It focused on the statistical relationship between alcohol and the population with regards to variance in consumption since 1900-2006, short term consequences, the wider impact of alcohol misuse, alcohol-related mortality, associated costs, and outlined the current strategy to combating these issues.

The second presentation, 'Rethinking Alcohol Licensing' was given by Mary Ellmers, Head of Training & Development, Alcohol Focus Scotland. It focused on variations in consumption with regards to changing cultures and availability, discussing the Scottish Government's approaches to Alcohol policy, before concluding with recommendations for Licensing Boards and Local Authorities on ways in which they could effectively tackle Scotland's Drink Culture.

The Forum resolved:-

to note the information as detailed.

(b) MEDIA REPORTS ON NORTHAMPTON NIGHTCLUB DEATH

13. The Forum heard from Sandy Kelman regarding media reports on deaths in a Northampton nightclub caused by overcrowding. He advised that an announcement given that coaches to take patrons home were leaving led to a stampede for the doors and at least one person was trampled to death in the rush. Investigations are underway into the conduct of the staff etc, at the venue. Mr Kelman asked whether the Licensing Board had considered potential overcrowding in relation to licensing conditions. Raymond Morrison advised that there may be some confusion with regards to what constitutes overcrowding in relation to the licensed premises as the venue capacity may be based upon overprovision figures as opposed to operational figures.

The Forum resolved:-

to note the update given.

MEETING DATES FOR 2012

14. The Forum had before it a list of proposed meeting dates and times for 2012 for approval.

The Forum resolved:-

to agree the proposed meeting dates and times.

DATE OF THE NEXT MEETING

15. It was confirmed that the next meeting of the Forum would be held on 16 February, 2012.

- **ALAN MCINTOSH, Chairperson**.

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LICENSING BOARD

ABERDEEN, 18 October 2011. Minute of Meeting of the LICENSING BOARD.
Present:- Councillor Jaffrey, Convener; and Councillors Collie, Cormie, Donnelly, Hunter, Robertson and John West.

LIST OF APPLICATIONS

1. The Board had before it, for its consideration, the applications listed in Appendix A to this minute.

The Board resolved:-

that all applications be determined on the basis shown in Appendix A.

PERSONAL LICENCE REVIEW HEARING - PERSONAL LICENCE NO. AC0514

2. The Board received notice from the Chief Constable in terms of Section 83(4)(b) of the Licensing (Scotland) Act 2005 confirming that the licence holder had been convicted of a relevant offence.

The Board heard the licence holder speak on his own behalf.

The Board resolved:-

to take no action in the matter.

REQUEST ON BEHALF OF THE LOCAL LICENSING FORUM

3. The Board received a request from the Local Licensing Forum "that the Licensing Board nominate a liaison from the members to attend the Licensing Forum for the purposes of building upon the working relationship between the two bodies". The nominee would be asked to attend future meetings of the Forum and feedback information to the Board.

The Board resolved:-

to refuse to grant the request.

DOOR SUPERVISORS WORKING GROUP

4. Reference is made to the minute of meeting of 28 June 2011, wherein the Board, following consideration of a remit from the Joint Meeting between the Licensing Board and the Local Licensing Forum to set up a short-life working group comprising members of the Board and Local Licensing Forum to consider the use of door supervisors in liquor licence premises and to make recommendations if appropriate to the Licensing Board, the Board had appointed four of their own members to the working group. The Board were now advised that the Local Licensing Forum had appointed

LICENSING BOARD
18 October 2011

four of their own members to the group and that arrangements could now be made for the group to meet.

The Board resolved to:-
to note the position.

ABERDEEN CITY ALCOHOL STRATEGY "STOCKTAKE" EVENT PROGRAMME

5. The Board had before them the programme of a "Stocktake" event to be held by Aberdeen and Drugs Partnership in support of the Aberdeen City Alcohol Strategy which was to take place on 27 October 2011.

Councillors Robertson and Hunter advised the Board that they intended to attend the event.

The Board resolved to:-
to note the position.
- **MURIEL JAFFREY, Convener.**

LICENSING BOARD
18 October 2011

APPENDIX A

1. **APPLICATION FOR GRANT OF PREMISES LICENCE**
Premises – Wine Raks, 8 St Swithin Street, Aberdeen

Mr Dawson, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

2. **APPLICATION FOR GRANT OF PREMISES LICENCE**
Premises – Trinity Hall, Trinity Corner, Holburn Street, Aberdeen

Mr Gunnyeon addressed the Board in support of his application.

The Board resolved:-
to grant the application.

3. **APPLICATION FOR GRANT OF PROVISIONAL PREMISES LICENCE**
Premises – Café Rouge, 8 Golden Square, Aberdeen

Mr Wood, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

4. **APPLICATION FOR VARIATION**
Premises – Aberdeen Douglas Hotel, 43-45 Market Street, Aberdeen

The Board heard Ms Robb, Solicitor, address the Board in support of the application.

The Board resolved:-
to grant the application.

LICENSING BOARD
18 October 2011

5. **APPLICATION FOR VARIATION**
Premises – Aitchie’s Ale House, 10 Trinity Street, Aberdeen

Mr Aitchieson addressed the Board in support of his application.

The Board resolved:-
to grant the application.

6. **APPLICATION FOR VARIATION**
Premises – Ask Restaurant, Unit FS8 Union Square, Aberdeen

Mr Park, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application on condition that the proposal to allow children entry without having to be accompanied by an adult is restricted to the age of 13 years and over.

7. **APPLICATION FOR VARIATION**
Premises – Buggy Browns, 7 Windmill Brae, Aberdeen

Ms Knox, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

8. **APPLICATION FOR VARIATION**
Premises – Ferryhill House Hotel, 169 Bon Accord Street, Aberdeen

The Board had before it for its consideration a letter of objection. The objector was not personally present. Mr Dawson, Solicitor, thereafter addressed the Board in support of the application.

The Board resolved:-
to grant the application.

LICENSING BOARD
18 October 2011

9. **APPLICATION FOR VARIATION**
Premises – Keystore, 121 – 125 Old Croft Place, Aberdeen

Mr Anthonymuthu addressed the Board in support of his application.

The Board resolved:-
to grant the application.

10. **APPLICATION FOR VARIATION**
Premises – La Bamba Restaurant, 23 Crown Terrace, Aberdeen

Mr Dawson, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

11. **APPLICATION FOR VARIATION**
Premises – La Tasca, 367 Union Street, Aberdeen

The Board had before it for its consideration a letter of objection. Mr Dawson, Solicitor, addressed the Board on behalf of the objector who was present and thereafter Ms Robb addressed the Board on behalf of the applicant.

Councillor Cormie moved:-
that the application be granted.

Councillor Donnelly moved as an amendment:-
that the application be granted on condition that the activity relating to salsa dancing be restricted to terminate at 23.00 hrs on Mondays to Thursdays.

On a division, there voted:- for the motion (2) – Councillors Cormie and Hunter; for the amendment (5) – the Convener; and Councillors Collie, Donnelly, Robertson and John West.

The Board resolved:-
to grant the application subject to the imposition of the said local condition.

LICENSING BOARD
18 October 2011

12. **APPLICATION FOR VARIATION**
Premises – Office, 7 Crown Street, Aberdeen

Ms Mitchell, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

13. **APPLICATION FOR VARIATION**
Premises – Pappagallos Restaurant, 242 Holburn Street, Aberdeen

The Board were advised that this application had been withdrawn.

14. **APPLICATION FOR VARIATION**
Premises – Pizza Express, 402 Union Street, Aberdeen

Mr Park, Solicitor, addressed the Board in support of the application.

Following concerns expressed by the Board, the applicant agreed that the age of the children being allowed entry to the premises unaccompanied by an adult would be restricted to 13 years or over.

The Board resolved:-
to grant the application subject to the said condition.

15. **APPLICATION FOR VARIATION**
Premises – Pizza Express, Caberstone House, 47 Belmont Street, Aberdeen

Mr Park, Solicitor, addressed the Board in support of the application.

Following concerns expressed by the Board, the applicant agreed that the age of the children being allowed entry to the premises unaccompanied by an adult would be restricted to 13 years or over.

The Board resolved:-
to grant the application subject to the said condition.

LICENSING BOARD
18 October 2011

16. **APPLICATION FOR VARIATION**
Premises – Prohibition, 31 Langstane Place, Aberdeen

Mr Dawson, Solicitor, addressed the Board in support of the application. He advised that part of the application which referred to the proposed provision of a moveable beauty tent was to be removed.

The Board resolved:-
to grant the application subject to the said deletion.

17. **APPLICATION FOR VARIATION**
Premises – The Country Club, Glashieburn, Bridge of Don, Aberdeen

Helen Merchant, a representative of the Club, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

18. **APPLICATION FOR VARIATION**
Premises – Tropeiro, 1 Golden Square, Aberdeen

The Board were advised that the application had been withdrawn.

19. **APPLICATION FOR TRANSFER**
Premises – Malmaison Hotel, 51 Queens Road, Aberdeen

Ms Robb, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

LICENSING BOARD

18 October 2011

19(a) APPLICATION FOR VARIATION
Premises – O'Donoghue's, 56 Justice Mill Lane, Aberdeen

Kathleen Flynn, a representative of the applicant, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

20. APPLICATION FOR PERSONAL LICENCE
Application Ref. No. 1/20

The applicant failed to appear.

The Board resolved:-
to defer consideration of the application to allow the Clerk to write again to the applicant seeking a response and to notify the applicant that, if no response to the letter was forthcoming within fourteen days of the date thereof, the Board would consider that the application had been withdrawn.

21. APPLICATION FOR PERSONAL LICENCE
Application Ref. No. 1/21

The applicant appeared before the Board.

The Board had before it a letter from Grampian Police indicating that they had been unable to interview the applicant and therefore were unable to complete their enquiries.

The applicant agreed to make himself available to the Police as soon as possible in order that their enquiries could be concluded.

The Board resolved:-
to defer consideration of the application to allow the applicant to be interviewed by the Police and on the understanding that (a) a clear report was thereafter submitted by the police to allow the application to be granted under delegated powers; and (b) should the police be unable to provide a clear report that the application would be next considered at the Board's meeting on 13 December 2011.

LICENSING BOARD
18 October 2011

22. **APPLICATION FOR PERSONAL LICENCE**
Application Ref. No. 1/22

The Board was advised that the application had been granted by delegated powers.

23. **APPLICATION FOR PERSONAL LICENCE**
Application Ref. No. 1/23

The applicant failed to appear.

The Board resolved:-

to defer consideration of the application to allow the Clerk to write again to the applicant seeking a response and to notify the applicant that, if no response to the letter was forthcoming within fourteen days of the date thereof, the Board would consider that the application had been withdrawn.

24. **APPLICATION FOR GRANT OF BETTING (OTHER)**
Premises – Ladbrokes, Headland House, 469/473 Union Street, Aberdeen

Mr Dalziel, representative of the applicant company, addressed the Board in support of the application.

The Board resolved:-

to grant the application.

25. **APPLICATION FOR GRANT OF BETTING (OTHER)**
Premises – William Hill, 231 George Street, Aberdeen

Mr Buchanan, representative of the applicant company, addressed the Board in support of the application.

The Board resolved:-

to grant the application.

LICENSING BOARD
18 October 2011

26. **APPLICATION FOR GRANT OF BETTING (OTHER) – VARIATION**
Premises – William Hill, 11 School Road, Aberdeen

Mr Buchanan, a representative of the applicant company, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

ABERDEEN LOCAL LICENSING FORUM

WORKPLAN AS AT NOVEMBER, 2011

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	The Community Council Liaison Officer is now included in the distribution list of the Forum so that she can disseminate a request for continued communication to all community councils.		
(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.	The Forum and Board will continue to liaise at joint meetings. An invite to the Depute Clerk of the Board to attend a meeting to discuss incoming legislation was made.		
(4)	To request an outline from the Licensing Board on measures it will employ to ensure compliance with the five licensing objectives. This is being addressed as part	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		

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)
(5)	<p>of the review of the Statement of Licensing Policy.</p> <p>Staffing Levels – the Forum and the Sub-Committee noted that 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>to the achievement of the licensing objectives.</p> <p>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 trained in the Licensing Act 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.</p>		
(6)	Door Supervisors Working Group	The Group met for the first time on 26 January 2012. The Forum will receive regular updates from the representative members.		

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

Agenda Item 3d

Group members

I refer to the group meeting which took place last week and have prepared the following note of the meeting which contains a summary of what had been agreed. You will note that the next meeting will take place on 27th of this month.

I refer to the meeting of the Door Supervisors Working Group held on 26 January 2012.

The Group agreed the following :

- 1) The Group has requested that the police examine liquor licensed premises in the city centre with a view to identifying whether or not there are inconsistencies in respect of the requirement for the use of door supervisors at liquor licensed premises and the potential need for, or extent of, door supervision based on incident activity. The review will also examine the extent of consistency of approach particularly in relation to premises within the areas of overprovision. The results of the findings will be brought back to the Group for its consideration and to allow it to examine the options on how any problems which may be revealed can be addressed.
- 2) Members of Unight are requested to liaise with the police and provide (on a voluntary basis) risk assessments for each of their premises in respect of door supervision with a view to assisting the police formulate their findings.
- 3) The Door Supervisors Working Group will be added to the agenda of the next Board Meeting on 7 February as an item for discussion. This will be used as a medium by which the remaining Board members will be made aware of what the Group intends to do. This will also allow a degree of publicity to the work proposed by the Group.
- 4) The next meeting of the Group will take place on Monday 27 February in the Bruce Room, Town House commencing at 2.30 pm. It is intended to request Russell Kerr, Managing Director of the Securigroup Company Security Group to attend in order to address the Group on modern day door supervision. It is also intended to invite Neil Carnegie of the Aberdeen Community Safety Partnership to the Group with special regard to his understanding of the Radiolink scheme.

If you have any questions please let me know.

Kind regards

Eric

Eric WJ Anderson
Senior Solicitor

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Collated comments from four professionals email exchange reflecting on the AFS Regional licensing event, 23:01:12 at Woodhill House, Aberdeen.

1. General comments on the event:

I was disappointed but that probably says more about my high (unrealistic?) expectations.

I guess it gives us a benchmark from which to work from. Whilst I agree, this is not all about health data, we do have to get our house in order re the data we do have access to and any improvements we can make at an A&E level.

I have to admit that I came away from yesterday's meeting feeling some disappointment. I felt the event illustrated the difficulty that we all will have in getting the ACC Licensing Board to understand and take an active role in promoting and improving public health.

As a starter for ten I suppose it was good to have engagement with all who were there, however I was a bit taken about at the lack of discussion around some of the questions asked. This was probably down to the amount of time though. I hope that it can generate further work with all parties to ensure that all LB's across Grampian have clear and robust policy statements in place and that all support networks are feeding into them as they are suppose to.

2. Presentation on supporting evidence/data collection:

Presentation on explaining the available public health data in 15 minutes to an audience that may not normally deal with this sort of data was challenging. {It seemed evident to me from some of the responses in the audience and observing those who mainly abstained that we have a bit to go to help non-NHS/PH people understand this}.

There was nothing wrong with the {Maria's} presentation, I do think that it probably was too complex for many of the people present at the event, especially when time was limited for further explanation;

It is complex.... and our role in trying to simplify things, even more complex if the concept of datazones was introduced (introduced by Linda B. anyway) and the statistical uncertainty that are inherent to them

Unclear why Linda B asked for a volunteer as a point of reference for data - point of contact offered as an addition to ADPs, for NHS data as helpful to have a handle of what the 3 LA/CHP areas might need from health and what can be provided i.e. to keep it consistent and efficiently-produced. This would be done through the pan- Grampian PH licensing group which is chaired by Linda S with support from health intelligence. {I think by asking for this volunteer we have overlooked the need to have a Health Board rep. on the licensing forum who should be that initial point of contact for LF and LB's}.

It was not made clear enough that other agencies e.g. Police, Fire, LA will have other data that may be useful for the PH objective - we cannot forget that all 5 key priorities require to feed into the mix and that Public Health is only one of them

A couple of eyebrows were raised when it was explained that alcohol consumption of itself is not related to socio-economic deprivation, this is not just about the 'down and outs'... so maybe some messages will have got across.

We have not managed to avoid stakeholders starting to believe that the reason for lack of progress eventually will be due to the lack of information. This will not be the case. Aggregate data, literature and professional opinion will need to be used cannily to convince LB's to make concrete changes to their policy statements, statements that can then be held up in court. Epidemiological data rarely can stand up to legal scrutiny since it is based on probabilities, this is my understanding. But we have the tools through legislation that if LB's have policies based on open and clear discussion informed by relevant and as robust as possible PH information, any decision taken based on said policies should hold.

3. Suggestions for way forward?:

I think if we chip away at the concept of aggregate information across localities being useful for the PH objective and that there are economic benefits, for example to workforce efficiency, with reduction of alcohol consumption, we might just get somewhere. The locality based one of violence and SAS attendance, mainly used by Police, is very useful for the safety objective (i.e. acute short-term harm).

Would like to see a cross tabulation of intermediate datazones against extant license and total opening hours in each zone to see if anything significant jumps out. Once we've got this data readily to hand, then we can assess what we need to do next.

A key for public health / ADPs / Police and others who are wanting to help inform and influence the Licensing Board has to be around how we communicate with them. It has to be simple, clear, with explicit guidance on how they could use it to, a) draft their new policy, b) then use their policy to protect them from any future legal challenges.

I think that we now have to use the pan Grampian PH Licensing meetings to agree upon the tactics that we can use, in conjunction with key partners - Police; ACC; Licensing Forum.

Response to comments from Mary Elmers:

Hello Linda

Thanks for the comments that you've passed on. I'm sorry that you are all feeling a bit demoralised! I think there is a long way to take people but I do see some positive signs of change. A number of Licensing Boards (not previously very active) have said they will review their policies eg Highland and Falkirk. In Grampian the clerk of the Aberdeen LB Eric Anderson has expressed the view to me that he feels a 'sea change' has begun. I think the work that you've begun to look at the issues across Grampian is a good start. I suggest inviting Licensing Forum or Board involvement in some way. It is early days but a pattern seems to be emerging where if the Health stakeholders work in producing a report, no matter how good, it is being rejected by the Licensing Board. A better strategy seems to be involvement of the Board or Forum from an early stage which creates better buy in (which is what happened in West Dunbartonshire.)

Once all the regional events have run, I will pull together a summary of the key points arising and I will send this to you.

Kind regards

Mary (31.01.12)

Collated by Linda Smith

PH Lead

Aberdeen CHP

30:01:12

Dear Mr Beattie,

Your application was discussed at the Licensing Forum meeting of 17 November. After careful consideration I am sorry to advise you that the Forum decided not to appoint you onto the Forum.

The Forum wished to thank you for applying.

Kind regards

Grant

Grant Webster
Committee Assistant

Legal and Democratic Services

Corporate Governance
Aberdeen City Council
Town House
Broad Street
Aberdeen
AB10 1AQ

Email: gwebster@aberdeencity.gov.uk
Direct Dial: 01224 522607
Direct Fax: 01224 523768

Tel 01224 522000
www.aberdeencity.gov.uk

>>> "Alec Beattie" <eckbeattie@hotmail.co.uk> 11/18/2011 7:13 pm >>>

Dear Mr Webster,

I am writing to enquire about the outcome of my application that was to be read at the above Licensing Forum on 17 Nov 2011.

Can you please advise if my application submitted was successful at this meeting.

Kind Regards

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Dear Rev Capt. Bowyer,

With regards to my previous correspondence, I have been informed that you have shown an interest in applying to join the Licensing Forum. As such, I have attached an application form for you to fill in and return to me.

Kind regards

Grant

Grant Webster
Committee Assistant

Legal and Democratic Services

Corporate Governance
Aberdeen City Council
Town House
Broad Street
Aberdeen
AB10 1AQ

Email: gwebster@aberdeencity.gov.uk
Direct Dial: 01224 522607
Direct Fax: 01224 523768

Tel 01224 522000
www.aberdeencity.gov.uk

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Dear Mr Leith,

Your application was discussed at the Licensing Forum meeting of 17 November. After careful consideration I am sorry to advise you that the Forum decided not to appoint you onto the Forum.

The Forum wished to thank you for applying.

Kind regards

Grant

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Committee Assistant

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Town House
Broad Street
Aberdeen
AB10 1AQ

Email: gwebster@aberdeencity.gov.uk

Direct Dial: 01224 522607

Direct Fax: 01224 523768

Tel 01224 522000

www.aberdeencity.gov.uk

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Dear Ms Manning,

Your application was discussed at the Licensing Forum meeting of 17 November. After careful consideration I am pleased to advise you that the Forum decided to invite you to join the Forum as a member. For your information, I have listed the scheduled meeting dates for 2012.

16 February
12 April
21 June
6 September
15 November

I will add your email address to our mailing list. Please feel free to contact me if you have any questions.

Kind regards
Grant

Grant Webster
Committee Assistant

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Town House
Broad Street
Aberdeen
AB10 1AQ

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Direct Fax: 01224 523768

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Hi Eric,

With regards to the Local Licensing Forum meeting held on 17 November 2011, the Forum wished to express their disappointment that there were no members of the Licensing Board present at the ADP Stocktake event on 27 October 2011. They also wanted to ask whether any members of the Board had attended the National Licensing Conference in Glasgow in September?

The Forum would also like to invite you to attend a future meeting to provide a briefing on the legislation which came into force on 1 October. The next Forum meeting is on the 16 February at 2pm. Please let me know if you will be able to attend this meeting or whether we should arrange it for a later date.

Finally, we need to start looking at holding a joint meeting soon. I can't remember where we got to with this in previous discussions but perhaps the Board can suggest a date?

Kind regards
Grant

Hi Eric,

In addition to my previous email, the Forum had also asked if the Board had considered conditions relating to overcrowding?

Kind regards
Grant

Grant Webster
Committee Assistant

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Corporate Governance
Aberdeen City Council
Town House
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Aberdeen
AB10 1AQ

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Hi George,

Just wondering if you would be able to let me know your intentions regarding the vice-convener position of the Forum. We are overdue for electing the convener and vice convener for a further year and, as you may gather, it is something that we will need to rectify soon.

Kind regards

Grant

Grant Webster
Committee Assistant

Legal and Democratic Services

Corporate Governance
Aberdeen City Council
Town House
Broad Street
Aberdeen
AB10 1AQ

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Direct Dial: 01224 522607
Direct Fax: 01224 523768

Tel 01224 522000
www.aberdeencity.gov.uk

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Hi Diane,

As you weren't at the last meeting I'm not sure if you would have picked up on this but the Forum were asking if it would be possible for the LSO to give a detailed explanation of the inspection process at a future meeting.

Is this something that you would be able to do at this meeting (16 February) or would you prefer for it to be deferred to a later date?

Kind regards

Grant

Grant Webster
Committee Assistant

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Town House
Broad Street
Aberdeen
AB10 1AQ

Email: gwebster@aberdeencity.gov.uk
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