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ABERDEEN CITY COUNCIL

To: George Wyatt, Convener; Craig Adams, Vice Convener; Gerard Rattray (Representative of Holders of Premises Licences/Personal Licences); Inspector David Paterson (Grampian Police); Sandy Kelman (Alcohol and Drugs Partnership); David Wright, (Education); Kay Dunn (Children's Services); Linda Smith (Health); Craig Cole (Samaritans); Garry Burnett, Mike Saint and Michelle Wall (Community Safety); Allan McIntosh, Ken Eddie, 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 Thursday, 18 April 2013

LOCAL LICENSING FORUM

The Members of the **LOCAL LICENSING FORUM** are requested to meet in Committee Room 4 - Town House on **WEDNESDAY, 24 APRIL 2013 at 2.00 pm.**

JANE MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

- 1.1 Minute of Previous Meeting of 13 February 2013 - Ratification of Decisions Required as this Meeting was not Quorate in Parts (Pages 1 - 8)
- 1.2 Minute of the Previous Meeting of the Sub Group of the Forum - 27 February and 20 March (Pages 9 - 16)
- 1.3 Agenda and Minute of Licensing Board Meeting of 5 March 2013

The agenda for this meeting can be found at:

<http://committees.aberdeencity.gov.uk/ieListMeetings.aspx?Committeed=151>

- 1.4 Workplan/Decision Sheet (Pages 17 - 22)
- 1.5 Application Received for Becoming a Member of the Forum (Pages 23 - 24)
- 1.6 Submission to the Licensing Board - Statement of Licensing Policy - for information (Pages 25 - 36)

INTELLIGENCE (TO INFORM THE WORKING GROUP OF THE LICENSING FORUM)

LICENSING OBJECTIVE 1: PREVENTING CRIME AND DISORDER

- 2.1 Update from Inspector Paterson, Grampian Police

LICENSING OBJECTIVE 2: SECURING PUBLIC SAFETY

- 2.2 Update from Licensing Standards Officer and Councillor Martin Greig

LICENSING OBJECTIVE 3: PREVENTING PUBLIC NUISANCE

- 2.3 Update from Unight Represnetative

LICENSING OBJECTIVE 4: PROTECTING AND IMPROVING PUBLIC HEALTH

- 2.4 Update from Linda Smith, Public Health NHS Grampian, and Sandy Kelman (Alcohol and Drug Partnership)

LICENSING OBJECTIVE 5: PROTECTING CHILDREN FROM HARM

- 2.5 Update from Children's Services Representative

MATTERS ARISING

- 3.1 Any Other Competent Business

3.2 Date of Next Meeting - 19 June 2013

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Vikki Cuthbert on 01224 522520 or email vcuthbert@aberdeencity.gov.uk

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LOCAL LICENSING FORUM

Wednesday 13 February 2013

Present: George Wyatt (Chairperson), Garry Burnett, Diane Sande, Inspector John Soutar, Heather Wilson, Sandy Kelman, Allan McIntosh, David Wright and Audrey Kirkpatrick.

Also Present: Councillor Graham Dickson (as an observer), Vikki Cuthbert and Lynsey McBain

Apologies: Gerard Rattray, Heather Manning, Barry Black and Shelly Wall.

INTRODUCTION

1. The Chairperson outlined how important it was for members of the Forum to attend as many meetings as possible, and noted that substitutes could be sent should a member be unable to attend. It was highlighted that attendance at the last couple of Forum meetings had been very poor and as a result, meetings had not been quorate, and decisions could not be made. Finally the chairperson reminded members that should they be absent for three consecutive meetings, that the Forum had the power to exclude that member on a permanent basis.

The Forum resolved:-

- (i) to request that the clerk email all members of the Forum to remind them of the above and to ask that should they no longer wish to be a member of the Licensing Forum, to let the clerk know as soon as possible; and
- (ii) to otherwise note the information provided.

MINUTE OF PREVIOUS MEETING

2. The Forum had before it the minute of the previous meeting of 15 November, 2012, which had not been quorate.

The Forum resolved:-

to approve the minute as a correct record.

MINUTE OF THE MEETINGS OF THE SUB GROUP OF THE FORUM

3. The Forum had before it, the previous two minutes of the Sub Group of the Licensing Forum, from 13 December 2012 and 31 January 2013.

Garry Burnett, as the chair of the Sub Group, explained that the Sub Group had initially been open to Licensing Board members to attend, however Board members had been advised that they should be in a position to consider the recommendations of the Forum without any involvement in the formulation of these.

The clerk explained that a request had been received from Councillor Greig to join the Sub Group and the agreement of the Forum was sought for this proposal.

Garry Burnett also provided a brief background of the history of the Sub Group and asked that the Forum delegate powers to the Sub Group to allow them to progress with the work they were currently undertaking, without having to seek approval for the Forum. Sandy Kelman explained that much of the work until now had focused on a template linking data of relevance to the five licensing objectives and the three strands of the Alcohol and Drugs Partnership strategy.

Finally the Forum discussed the vacant position on the Forum and agreed that there was a need for a representative from off sales. Diane Sande and George Wyatt agreed to send out the relevant application form to individuals they knew who were involved in off sales.

The Forum resolved:-

- (i) to agree that Councillor Greig be added to the membership of the Sub Group;
- (ii) to delegate powers to the Sub Group to allow the Group to make decisions and finalise any recommendations to the Licensing Board directly, based on the new Statement of Licensing Policy, however, that the final submission be issued to the Forum for comments and information, prior to it being sent to the Board;
- (iii) that the template produced by the Sub Group be sent to all Forum members for comment after the meeting; and
- (iv) to request that the clerk send the relevant application form to Diane Sande and George Wyatt for further dissemination and to highlight that the closing date for applications would be Friday 5 April 2013.

AGENDA AND MINUTE OF LICENSING BOARD

4. With reference to article 4 of the minute of the previous meeting, the Forum had before it the minute of the Licensing Board of 11 December 2012, for information.

Inspector Soutar asked a number of questions in relation to the Board, and noted that the Forum was in place with a statutory responsibility under the Licensing Act to keep under review the exercise by the Licensing Board of its functions under the Licensing (Scotland) Act 2005. Following this, discussions took place in relation to the two most recent review hearings which had been the subject of appeal. It was noted that the Board's decisions were defended by different solicitors to those present at the initial hearings and it was the view of the Forum that if this were to continue to be the approach taken, the Board would always be in a weaker position in defending any decision taken by it.

The subsequent findings by the Sheriff Principal had been critical of the Licensing Board and the Forum wished to ask what steps were being taken to learn lessons to safeguard the Board's position in the event of future challenges.

The Forum resolved:-

to request that a letter be prepared by the clerk for sending on to the Licensing Board raising the issues above; and that the letter be circulated to members of the Forum in the first instance for approval.

WORKPLAN AND DECISION SHEET

5. With reference to article 5 of the minute of the previous meeting, the Forum had before it an updated workplan.

The Forum resolved:-

to note the workplan.

FURTHER OPTIONS FOR ALCOHOL LICENSING CONSULTATION DOCUMENT

6. The Forum had before it a consultation document from Alcohol Focus Scotland on the further options for alcohol licensing.

Sandy Kelman spoke in furtherance of the paper, and explained that he was working with partners to get a response in by the end of March and sought any assistance from members of the Forum. Sandy explained that members could email him in order to contribute to the Alcohol and Drug Partnership (ADP) response.

The Forum resolved:-

- (i) to note that the Licensing Forum would not be submitting an individual response; and
- (ii) to request that members contact Sandy Kelman to feed into the ADP response should they have any comments to make on the consultation document.

EVALUATION OF THE IMPLEMENTATION OF THE OBJECTIVES OF THE LICENSING (SCOTLAND) ACT 2005

7. The Forum had before it for information, an evaluation of and compliance with, the objectives of the Licensing (Scotland) Act 2005, which had been published in November 2012.

The Forum resolved:-

to note the contents of the report.

CIVIC FORUM MEMBERSHIP

8. The Forum heard from the clerk, who advised that Mary Crawford was no longer a member of the Civic Forum, and as a result, would no longer be a member on the Licensing Forum.

The clerk advised that the vacant position could either be offered to the civic forum to fill, or offered to another applicant from another area involved in alcohol licenses.

The Forum resolved:-

- (i) to defer this item to the next meeting; however to agree in principle that the vacancy be offered to the Civic Forum to fill; and
- (ii) to otherwise note the information provided.

AT THIS STAGE GARRY BURNETT LEFT THE MEETING, WHICH MEANT THE MEETING WAS NO LONGER QUORATE AND ANY DECISIONS FROM THIS POINT ON WOULD NEED TO BE RATIFIED AT THE NEXT MEETING OF THE FORUM.

LICENSING OBJECTIVE 1: PREVENTING CRIME AND DISORDER

9. The Forum heard from Inspector John Soutar, Grampian Police, in relation to Licensing Objective 1, Preventing Crime and Disorder.

Inspector Soutar advised that the Christmas period had been relatively quiet for the police force and the amount of serious assaults were decreasing every month.

In relation to violent offenders, it was noted that there were 70 people deemed as high risk and these individuals were well known to the police. The list of names had also been circulated to night clubs. In July, 2012, 13% of assaults were carried out by individuals classed as high risk; however following work carried out by Grampian Police, this had recently been reduced to 2%.

The Forum resolved:-

to note the update provided.

LICENSING OBJECTIVE 2: SECURING PUBLIC SAFETY

10. The Forum heard from Diane Sande, Licensing Standards Officer, (LSO) in relation to Licensing Objective 2, Securing Public Safety.

The Forum heard that since the last meeting in November (a) there had been no Notices Issued, (b) 34 premises had been visited, (c) two review hearings had taken place and (d) monthly meetings were taking place with the LSO's, Grampian Police and the noise pollution team.

The Forum resolved:-

to note the update provided.

LICENSING OBJECTIVE 3: PREVENTING PUBLIC NUISANCE

11. The Forum noted that no update was available due to Shelly Wall intimating her apologies for the meeting.

LICENSING OBJECTIVE 4: PROTECTING AND IMPROVING PUBLIC HEALTH

12. The Forum heard from Sandy Kelman, Alcohol and Drug Partnership, and Heather Wilson, NHS Grampian, in relation to the Licensing Objective 4, Protecting and Improving Public Health.

Sandy advised that for the three months up to December 2012, there had been 327 referrals to the service and 99% of these had met the target of being seen within 21 days of the original referral.

Heather Wilson then spoke about a campaign by NHS Grampian to encourage women between the ages of 30 and 50 to “Drop a Dress Size” by reducing their alcohol intake. The road show was due to visit Union Square on Friday 15 February from 9-5pm.

The Forum resolved:-

to note the updates provided.

LICENSING OBJECTIVE 5: PROTECTING CHILDREN FROM HARM

13. The Forum noted that no representative was present from Children’s Services at Aberdeen City Council.

The clerk explained that a new representative was currently being arranged, following Mairi MacLeod’s change in employment.

The Forum resolved:-

to note the update provided.

ANY OTHER COMPETENT BUSINESS

14. The Chairperson declared the meeting open for any other competent business, whereby Sandy Kelman explained that he had received an email from Alcohol Focus Scotland with updates on work presently being carried out. Sandy advised that the former clerk of West Dunbartonshire Council had prepared a guide for licensing clerks on the Statement of Licensing Policy and it would be available in the next few weeks. Sandy indicated that he would send on the relevant document/toolkit to the clerk who could then send it to the Forum for information.

In relation to Licensing Objective 5, Protecting Children from Harm, David Wright explained that a new Development Officer was to be appointed in the near future under the remit for Health and Well Being, and he suggested that the individual may be useful to the Forum for influencing schools and the policy delivery in schools including alcohol issues.

Allan McIntosh highlighted that the Civic Forum had objected to two licensing applications for allowing children into premises for food, and wondered what the

outcome of the applications were. Diane Sande suggested that contact be made with her separately in regards to this issue.

Finally, George Wyatt highlighted a problem with license breaches, and Diane Sande explained that George should contact her directly to discuss this.

DATE OF NEXT MEETING

15. The Forum noted that the date of the next meeting was Wednesday 24 April at 2pm.

- **George Wyatt, Chairperson**

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Topic	Discussion/Decision	Action By
	<p>Healthier and Responsible. Sandy went through each data item and advised that data had still to be received for the majority of the items. He explained that the Scottish Ambulance Service had indicated that they would provide data evidence for the last 3 years on the amount of emergency calls to the city centre due to alcohol usage.</p> <p>The Chair then explained that the final meeting of the Sub Group was due to be held at the end of March, when the template would be finalised. He suggested that it would be beneficial if the data template could be sent out to the members of the Forum who were not present at the meeting, in order to gather data before it was finalised in March. Members could then send any date evidence to Sandy as soon as possible.</p> <p>The Sub Group then discussed how data could be compared and whether data from previous years would be used as a baseline or whether no data from previous years would be presented to the Board. The option of prioritising the data themes was discussed, with a view to ensuring that the Board focused on particular data sets in managing performance and making future decisions. Sandy Kelman and Natalija Clark agreed to discuss separately the data required from Children's Services. There was also discussion around some key documents which contained greater volumes of data which would be of interest to the Board, such as the Children and Young Person's Audit. In order to avoid overloading the Forum's submission to the Board, web links could be provided to enable reference to be made to this extra information.</p> <p>In conclusion, all members of the Sub Group were happy with the direction the work being carried out was going in. Councillor Greig intimated that he would liaise with Neil Carnegie from the Community Safety Partnership in regards to analysing data.</p> <p>Finally Vikki Cuthbert suggested that the recommendations from the Sub Group to the Board be presented in a report style template, with clear definitive recommendations and the Group agreed to this.</p>	<p>Sandy Kelman</p> <p>All members</p> <p>Sandy Kelman/Natalija Clark</p> <p>Councillor Greig</p>
4. NHS Grampian	Sandy Kelman advised that NHS Grampian had employed Grace Ball on a temporary basis, to assist with the collation of data needed to form the new Licensing Policies for the 5 Licensing Boards in Grampian, and to help guide the work with the Licensing Boards. It was noted that Grace Ball would be invited to the next meeting of the Sub Group.	Sandy Kelman

Topic	Discussion/Decision	Action By
5. Borders Licensing Forum	Sandy advised that the Scottish Borders Local Licensing Forum had produced an alcohol profile, which he would send on to the clerk, for dissemination to members of the Forum.	Sandy Kelman/Lynsey McBain
6. Date of Next Meeting	The Sub Group decided to change the date of the next meeting. The next meeting will now take place at 2pm on Wednesday 20 March 2013 and replace the meeting scheduled for 28 March 2013.	All members

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LOCAL LICENSING FORUM SUB-GROUP – 20 MARCH 2013

Present:-

Garry Burnett, Grampian Fire and Rescue Service (Chair)
 Sandy Kelman, Alcohol and Drugs Partnership
 Grace Ball and Dr Maria Rossi, NHS Grampian
 Natalija Clark, Children’s Services, Aberdeen City Council
 Ken Eddie, Civic Forum
 Councillor Martin Greig, Community Safety Partnership
 Diane Sande, Licensing Standards Officer
 Vikki Cuthbert and Lynsey McBain, Aberdeen City Council (Legal and Democratic Services)

Apologies:-

Michelle Wall (Unight) and Grampian Police.

Topic	Discussion/Decision	Action By
1. Introduction	The Chairperson welcomed everyone to the fourth and final meeting of the Sub Group and noted that a tremendous amount of work had been undertaken since the first meeting in December in 2012. He further welcomed both Grace Ball and Dr Maria Rossi to their first meeting of the Sub Group.	Completed
2. Minute of the Previous Meeting	Minute agreed. Sandy Kelman and Natalija Clark advised that they had met in relation to the data required from Children’s Services.	Completed
3. Letter to the Licensing Board	Sandy Kelman tabled a draft letter which if agreed would be sent to the Licensing Board in relation to the new Statement of Licensing Policy (SLP). Sandy advised that he thought it would be beneficial to send the letter along with the two appendices to the Board, for consideration when drafting the new SLP. The first appendix was the data template which included all of the relevant data from members of the Forum and the Sub Group. The second appendix was prepared by NHS Grampian. The Sub Group noted that any information had to be submitted to the Licensing Board by 10am on Friday 19 April. Members then discussed the draft letter, as well as the appendices. Garry Burnett explained that it would be very beneficial to have a simplistic format for both the letter and the data so it would be easy for the Board to read and understand, but was snappy and hard hitting at the same time. Garry further noted that the Single Outcome Agreement had been missed out of the draft letter and suggested that reference be made to it.	Sandy Kelman

Topic	Discussion/Decision	Action By
	<p>Following discussions, members agreed that reference would be made to the appendix from NHS Grampian in the letter to the Licensing Board, but would not be included in the submission from the Forum, as the work was still in progress and would not be finalised until 2014.</p>	<p>Sandy Kelman</p>
<p>4. Data Template</p>	<p>Members discussed the data template which had been prepared by Sandy Kelman, following data evidence being sent on from the various partners. It was agreed that a simplistic way of presenting the data would be beneficial.</p> <p>Discussions then focused on overprovision of premises with Alcohol Licenses and whether it could be suggested to the Board that the whole of Aberdeen become an area of overprovision. Members discussed the matter and agreed that this was for the Licensing Board to decide and it was for the Forum to provide data to highlight overprovision throughout the city, however, to include a recommendation to this effect in the submission to the Board.</p> <p>Vikki Cuthbert suggested that the letter to the Board contain clear recommendations so that the Board were required to respond to the Forum with yes or no answers.</p> <p>Finally the Chair asked each member if they were content and happy with the direction the work undertaken was heading. All members acknowledged that they were comfortable with the work completed to date.</p> <p>The Sub Group resolved:-</p> <ul style="list-style-type: none"> (i) to request that Sandy Kelman re-draft the letter to be issued to the Board to incorporate the changes suggested at the meeting; (ii) to note that both Sandy Kelman and the Chairman would meet to finalise the letter, before it is sent to members of the Forum for endorsement, before sending on to the Licensing Board; (iii) to request that reference be made to the appendix from NHS Grampian in the letter to the Board, but not to include it as evidence due to the work still being in progress; (iv) to request that the data template be included with the letter being issued to the Board; and 	<p>S Kelman</p> <p>S Kelman</p> <p>S Kelman/G Burnett</p> <p>S Kelman</p> <p>S Kelman</p>

Topic	Discussion/Decision	Action By
	(v) to thank everyone for their continued hard work in undertaking the work required.	All members
5. Joint Meeting	It was noted that the last joint meeting with members of the Licensing Board and Licensing Forum had taken place in August 2012, with meetings due to take place twice yearly. As a result, it was suggested that a joint meeting could potentially take place in May 2013 and Democratic Services undertook to investigate a possible date for the meeting.	V Cuthbert/L McBain
6. Closing Remarks	The Chairperson once again thanked everyone for their tremendous efforts in gathering data evidence and the work undertaken. Special thanks were given to the Sandy Kelman who had been instrumental in delivering the data evidence required, along with the draft letter to the Board.	All members

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ABERDEEN LOCAL LICENSING FORUM

WORKPLAN AS AT 24 April, 2013

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	Licensing Objective	Update/Outcome/Response	Referrals to Licensing Board or Clerk	Recommendation to Statement of Licensing Policy Consultation
(1)	<p style="text-align: center;">Preventing Crime and Disorder</p> <ul style="list-style-type: none"> • Various Issues around 	to request that Fraser Hoggin		

No	Licensing Objective	Update/Outcome/Response	Referrals to Licensing Board or Clerk	Recommendation to Statement of Licensing Policy Consultation
	alcohol misuse.	<p>continue to liaise with the local universities and Aberdeen College and to feedback to the Forum with any information, including any data received in relation to the Counselling Service;</p> <p>to request that this item be added to the June 2013 agenda for discussion, notably before Fresher's Week in September;</p> <p>to request that the Forum delegate the task of looking at (1) spikes in trends with alcohol and (2) events such as Halloween, mad Friday and St Patrick's day, to the Sub Group of the Forum, and to feed any information back to the Licensing Board;</p>	<p>Clerk to add this item to June 2013 agenda.</p> <p>Clerk refer this to the Sub Group for action.</p>	
(2)	<p>Securing Public Safety</p> <ul style="list-style-type: none"> Find out from communities what are their areas of concern. 	<p>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</p>		

No	Licensing Objective	Update/Outcome/Response	Referrals to Licensing Board or Clerk	Recommendation to Statement of Licensing Policy Consultation
	<ul style="list-style-type: none"> • To receive reports from the Licensing Board containing relevant statistical information. • Doors Supervisor Working Group 	<p>community councils.</p> <p>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. At the first meeting of the Licensing Board after the local elections, it appointed one additional member to the Doors Supervisor Working Group. As a result, the Board had asked if the Forum would also like an additional member on the group.</p>	<p>A member would be allocated from Unight and reported back to the November meeting.</p>	
(3)	<p>Preventing Public Nuisance</p> <ul style="list-style-type: none"> • Improve intelligence in relation to statutory bodies. 	<p>The Forum is gaining experience as it considers topics and input from Forum members who are representatives of relevant</p>		

No	Licensing Objective	Update/Outcome/Response	Referrals to Licensing Board or Clerk	Recommendation to Statement of Licensing Policy Consultation
		agencies. The Forum has been represented at conferences and training events and will continue to do so.		
(4)	Protecting and Improving Public Health			
(5)	Protecting Children from Harm			
(6)	Any Other Competent Business Raised	<ul style="list-style-type: none"> 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 of the review of the Statement of Licensing Policy. 		<p>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> <p>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>

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 2013

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Agenda Item 1.5

APPLICATION FORM FOR MEMBERSHIP OF THE LOCAL LICENSING FORUM

FULL NAME (PLEASE PRINT)	GRAHAM JOHN STEWART WATSON
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ADDRESS, INCLUDING POSTCODE	
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E-MAIL ADDRESS	
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TELEPHONE NUMBER	
------------------	--

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 checked="" 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 type="checkbox"/>

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	PREMISES LICENCE HOLDER PERSONAL LICENCE HOLDER
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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 CONTRIBUTE TO THE ADVICE AND RECOMMENDATIONS THE FORUM MAY GIVE ON THE ABOVE MATTERS, BASED ON MY LONG EXPERIENCE OF WORKING IN THE LICENCED TRADE, AND REPRESENTING AND EXPLAINING THE VIEWS OF OTHERS IN THE TRADE</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 HAVE BEEN A LIQUOR LICENCE HOLDER IN ABERDEEN SINCE 1985, AND DURING THE SAME PERIOD A MEMBER OF BOTH THE LOCAL AND NATIONAL TRADE ASSOCIATIONS. I HAVE ALSO BEEN AN OFFICE BEARER / REPRESENTATIVE FOR A NUMBER OF YEARS.</p>
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Please return completed forms to:- Lynsey McBain, Committee Services, Legal & Democratic, Aberdeen City Council, Room 1-7, Town House, Broad Street, Aberdeen, AB10 1AQ



Our Ref. LLF2011/03
Your Ref.
Contact Lynsey McBain
Email lymcbain@aberdeencity.gov.uk
Direct Dial 01224 52123
Direct Fax 01224 523931

16 April 2013

Councillor Marie Boulton
Convener of the Aberdeen City Licensing Board
Aberdeen City Council
Town House
Aberdeen

Dear Councillor Boulton

RECOMMENDATIONS FROM THE ABERDEEN CITY LICENSING FORUM TO THE ABERDEEN CITY LICENSING BOARD

As you are aware, during 2012, the Aberdeen City Licensing Forum formed a sub-group with its remit being to provide recommendations to the Aberdeen City Licensing Board in relation to matters that it should consider in formulating its new Statement of Licensing Policy (SLP), due for publication in November 2013. I was appointed as Chair of this sub-group and have convened meetings on a monthly basis between December 2012 and March 2013 in order to consider this issue.

On behalf of the Aberdeen City Licensing Forum, the sub-group now makes eight specific recommendations (shown on pages 3&4). In making these recommendations, it is worthwhile recalling that in previous correspondence and discussion with the Licensing Board, there was already agreement reached that:

- The Licensing Board endorsed the local Aberdeen City Alcohol & Drugs Partnership (ADP) Alcohol Strategy.

The strategy has a number of strategic outcomes, which are underpinned by the three key objectives: A Safer, Healthier & more Responsible attitude to alcohol in Aberdeen and specifically;
The 'Responsible' section, contains outcomes 3 & 4 - '*promote and support improvements in relation to upholding the five licensing objectives*' and '*implement and monitor measures relating to overprovision in city centre and community environments*'.

- The Licensing Board endorsed the work done by the Licensing Forum / ADP through the Aberdeen City Voice questionnaire (carried out in 2012) around off-sales of alcohol, and agreed that this would help inform the development of the SLP.

This survey showed that 579 of the respondents (86.6%) considered that in their opinion the amount of places to buy alcohol in their local area was either 'about right' or there were 'too many'. Only a very small minority (10 - equating to 1.5%) of the respondents said that there was 'too few'.

There is also merit in re-iterating evidence which supports that alcohol is having a huge impact, not only across Scotland, but also within Aberdeen City.

The Cost of Alcohol in Aberdeen City – Alcohol Focus Scotland (AFS)
AFS produced a fact sheet in 2012, which estimated the cost of alcohol in Aberdeen City.

Health Service	£10.11m
Social Care	£12.19m
Crime	£53.66m
Productive Capacity	£44.96m
TOTAL	£120.92m

This report estimates the overall cost per head of population, including wider social costs as equating to £788 per year.

In 2008 the three Grampian ADPs, carried out an on-line survey regarding drinking attitudes, in support of the Scottish Government's Alcohol Awareness Week. The responses from the Aberdeen residents (816) who completed it showed that:

- 37% had reported experience of minor injuries related to their personal alcohol consumption
- 13% acknowledged alcohol had been 'detrimental' to their personal health

During August 2010 an NHS Grampian Acute Sector Alcohol Audit report stated that 47% of the 45 hospital wards at Aberdeen Royal Infirmary / Woodend hospitals included within the survey had contained patients admitted with pre-defined alcohol-related conditions (age range 19-76 yrs), and that the length of the hospital stay for this cohort ranged between 15 to 140 days.

In addition there is a significant body of research published since 2000 which has found associations between the total number of licensed premises and opening hours in a locality, and levels of alcohol harm. This shows that greater access to alcohol is related to a range of health and other problems, including: violence, alcohol-related traffic accidents, hospital admissions, mortality, self-reported injuries and suicide, sexually-transmitted disease and child abuse or neglect.¹ Increased access to alcohol through reduced pricing and increased availability (e.g. number of premises, opening hours), can also lead to increased consumption and increased harm.

Furthermore recent research by academics at Glasgow University found that people living in an area with six alcohol outlets or more can expect crime rates twice as high as those in an area with only three. As a result the researchers suggested that there needs to be limits set on the number of shops selling alcohol in order to cut crime rates.²

Decisions on controlling the number and location of licenses granted across Aberdeen city is something that the Licensing Board therefore urgently needs to consider when drafting its SLP. In lieu of this, **the Licensing Forum would strongly suggest that Aberdeen City is currently overprovided in relation to both on-sales and off-sales licensed premises** and that this should be clearly reflected in the overprovision section within the SLP. An over-provision statement which identifies only specific areas to be over-provided falls short of what is required as alcohol problems cut across all sectors of society and are spread across the city.

Taking all of this into consideration, the Aberdeen City Licensing Forum now makes the following recommendations to the Aberdeen Licensing Board.

RECOMMENDATIONS

1. The SLP should contain an overview of the current local baseline position in relation to the 5 Licensing Objectives, as well as demonstrating the linkage of this to the local ADP alcohol strategy and Community Planning Single Outcome Agreement. This overview should capture Aberdeen city as a totality and not merely focus around the impact of alcohol issues within the city centre alone.
2. The SLP should contain details of all the data and other relevant information it has considered in formulating the policy.
3. The SLP should build a timeous reporting framework which demonstrates how the implementation of the policy will progress and promote the 5 licensing objectives.
4. The SLP should outline how the Licensing Board intends, on an ongoing basis to gather, monitor and assess national and local data so

¹ Alcohol Focus Scotland, Factsheet 1, [accessed 2/4/2013 <http://www.alcohol-focus-scotland.org.uk/licensing-toolkit>]

² Catherine Chiang Review of the Relationship between Outlet Density and Crime in NHS Greater Glasgow. February 2010, updated June 2010

- that it can measure ongoing local performance of its policy against the 5 licensing objectives.
5. The SLP should state how often the Licensing Board will review its performance against delivery of its SLP and the 5 licensing objectives. This should be done, on a minimum, on a six monthly basis.
 6. The SLP should explain how the Licensing Board intends to enforce the policy.
 7. In relation to data used by the Licensing Board for baselines, and ongoing performance monitoring, the SLP should clearly show linkages between the implementation of the policy, the 5 licensing objectives and the local ADP alcohol strategy. An example of a possible template for this purpose, with some potential data sources is shown at *Appendix A* (attached).
 8. Within the context of increased access leading to increased consumption leading to increased harm, the SLP should state that Aberdeen City is now overprovided in relation to both on-sales and off-sales licensed premises and this should be clearly reflected in the overprovision section within the SLP. Any further licensing applications would therefore have to provide justification for any additional licensed premise, which, if accorded, would be done so as an exception.

In relation to *Appendix A*, it should be noted that NHS Grampian is currently doing further analysis of data in order to provide useful information and intelligence to assist all five Licensing Boards with which it works across Grampian. This work will be finalised later in the year.

The completion of this piece of work by NHS Grampian will miss the deadline for informing the Aberdeen City Licensing Board's draft SLP, but it is planned that it will form part of the response to the draft SLP consultation process.

The Aberdeen City Licensing Forum would now want these recommendations and the attached appendix to be considered by the Licensing Board when it comes to discuss and agree upon a draft version of the SLP. The Aberdeen City Licensing Forum would thereafter look forward to receiving an update from the Licensing Board as soon as possible on the outcome of these discussions.

Yours sincerely

Garry Burnett
Head of Aberdeen City Scottish Fire & Rescue Service, and
Chair of the Aberdeen City Licensing Forum sub-group

cc Eric Anderson, Depute Clerk to the Licensing Board

Appendix A
NATIONAL LICENSING OBJECTIVES /
ADP ALCOHOL STRATEGIC THEMES

ADP STRATEGY ►	SAFER A	HEALTHIER B	RESPONSIBLE C
LICENSING OBJECTIVES ▼			
1. Preventing crime & disorder	A1	B1	C1
2. Securing public safety	A2	B2	C2
3. Preventing public nuisance	A3	B3	C3
4. Protecting and improving public health	A4	B4	C4
5. Protecting children from harm	A5	B5	C5

[It should be noted that the data shown in the following pages is not rigidly fixed to a particular area and can often cover more than one section]

BOX	DATA	DATA HOLDER	CURRENT INFORMATION / IDENTIFIED TRENDS	COMMENT
A1	<ul style="list-style-type: none"> Number / Proportion of on-sales premises who employ door stewards 	Licensing Board	<p>This data not currently available to Licensing Forum but should be accessible by the Licensing Board</p>	These types of data provide an indicator to the Licensing Board on how well licensed premises are being operated across the city.
	<ul style="list-style-type: none"> Number of offences under the Licensing (S) Act 2005, sections 102; 111; 114; 115 & 116 	Police	2009/10 – 102 2010/11 – 300 2011/12 – 265	
	<ul style="list-style-type: none"> Number of serious assaults occurring in licensed premises 	Police	2009/10 – 25 2010/11 – 12 2011/12 – 14	
	<ul style="list-style-type: none"> Number of common assaults occurring in licensed premises 	Police	2009/10 – 410 2010/11 – 455 2011/12 – 444	
	<ul style="list-style-type: none"> Pubwatch schemes in operation across Aberdeen city 	Police	2009/10 – 0 2010/11 – 1 2011/12 – 4	
B1	<ul style="list-style-type: none"> Total number and type of alcohol premises in Aberdeen city 	Licensing Board	447 on-sales locations 188 off-sales locations Total - 635	These types of data are very relevant to overprovision in the city.
	<ul style="list-style-type: none"> Numbers of different types of premises in Aberdeen City, e.g. Pubs; clubs; restaurants; supermarkets; local grocer shops; etc 	Licensing Board	<p>This data not currently available to Licensing Forum but should be accessible by the Licensing Board</p>	

C1	<ul style="list-style-type: none"> Data on number and grades achieved of 'best bar none' applicants (as a proportion of all on-sales licensed premises) Number of premises licence review hearings applied for under Licensing (S) Act 2005, section 36 	Safer Aberdeen	<p>2012 awards – 11 gold; 10 silver; 4 bronze (total 25) =5.6%</p> <p>2009/10 – 3 2010/11 – 11 2011/12 – 6</p>	These types of data provide an indicator to the Licensing Board on how well licensed premises are being operated across the city.
		Police		
A2	<ul style="list-style-type: none"> Serious violent crime: <ul style="list-style-type: none"> Sobriety status of accused / suspect – numbers marked as 'drunk; had been drinking; drugs' Sobriety status of victim - numbers marked as 'drunk; had been drinking; drugs' Common assault: <ul style="list-style-type: none"> Sobriety status of accused / suspect – numbers marked as 'drunk; had been drinking; drugs' Sobriety status of victim - numbers marked as 'drunk; had been drinking; drugs' Domestic abuse: <ul style="list-style-type: none"> Repeat victims – numbers marked as 'drunk; had been drinking; drugs' 	Police / Community Safety Partnership	<p>CSP Dec 2012 report: Accused / suspect – 38% Victims – 40%</p> <p>CSP Dec 2012 report: Accused / suspect – 62% Victims – 36%</p>	These types of data provide an indicator to the Licensing Board on the impact of alcohol on violence across the city.
		Police / Community Safety Partnership	<p>CSP Dec 2012 report: Accused / suspect – 39% Victims – 28%</p>	

	<ul style="list-style-type: none"> ○ Repeat offenders – numbers marked as ‘drunk; had been drinking; drugs’ 	Partnership		
B2	<ul style="list-style-type: none"> ● Data from Scottish Ambulance service relating to alcohol 	Scottish Ambulance Service	<p>* (The Scottish Ambulance Service previously supplied data to the Licensing Board, when it last reviewed overprovision. This showed that alcohol was having a considerable impact on the services that it delivered)</p>	This type of data provides an indicator to the Licensing Board on the impact that alcohol is having on statutory health services.
C2	<ul style="list-style-type: none"> ● Annual drink driving figures for Aberdeen City (contraventions of Road Traffic Act 1988, sections - 4, 5, 6 & 7) ● Fire incidents in Aberdeen City attended by Fire Service where it is suspected that alcohol / drugs were a factor 	Police Fire Service	<p>2009/10 – 385 2010/11 – 368 2011/12 – 381</p> <p>~</p>	These types of data provide an indicator to the Licensing Board on the impact that alcohol is having on statutory services.
A3 / B3	<ul style="list-style-type: none"> ● Aberdeen city designated place of safety monthly average admissions for people found drunk & incapable 	ADP	<p>2010/11 – 59.6 2011/12 – 68.4 2012/13 – 56.9 (to Dec 2012)</p>	This type of data provides an indicator to the Licensing Board on the impact that alcohol is having

				on statutory health services. This type of data provides an indicator to the Licensing Board on the impact that alcohol is having on statutory services.
	<ul style="list-style-type: none"> Exclusion order requests added to police offence reports and numbers granted by courts 	Police	<p>Aug 2009 – July 2010 69 requests (1 granted) Aug 2010 – July 2011 153 requests (4 granted) Aug 2011 – July 2012 364 requests (21 granted)</p>	
C3	<ul style="list-style-type: none"> Urinating in public place figures 	Police / Community Safety Partnership	<p>CSP Dec 2012 report: 2011/12 - 462</p> <p>Awaiting next NSHS data.</p>	These types of data provide an indicator to the Licensing Board on the impact that alcohol is having or is perceived to have on the general public.
	<ul style="list-style-type: none"> Alcohol abuse in neighbourhood (Percentage of people spontaneously reporting 'alcohol abuse' as a negative aspect of their neighbourhood) 	National Scottish Household Survey		
A4	<ul style="list-style-type: none"> Alcohol related attendances at the Accident & Emergency Numbers of alcohol 'brief interventions' carried out by city GP practices 	NHS Grampian	<p>*</p> <p>2009/10 – 1466 2010/11 – 3473 2011/13 – 3497</p>	These types of data provide an indicator to the Licensing Board on the impact that alcohol is having on statutory health services.

B4	<ul style="list-style-type: none"> • Average monthly referral rate to the City Integrated Alcohol Service (IAS) 	NHS Grampian	<ul style="list-style-type: none"> • Since 2011 average monthly rate to IAS has been 80 (in 2011, 70.6% of the referrals came from deprivation areas, coded 4,5 & 6 - i.e. most deprived areas of city). Referrals are however being received by the IAS from all neighbourhoods across the city. 	These types of data provide an indicator to the Licensing Board on the impact that alcohol is having on statutory health services.
	<ul style="list-style-type: none"> • Alcohol related hospital admissions (rates per 100,000 population) 	Information Services Division, Health Scotland	*	
	<ul style="list-style-type: none"> • Alcohol related mortality (rates per 100,000 population) 	Information Services Division, Health Scotland	*	
C4	<ul style="list-style-type: none"> • Data from city voice survey in 2012 	ADP / Licensing Forum	86.5% of survey (669) said number of places to buy alcohol in their local area was 'about right' or that there was	This type of data provides an indicator to the Licensing Board

			'too many'	on the impact that alcohol is perceived to have on the general public.
	<ul style="list-style-type: none"> Numbers of 'off sales' premises in city and total square metres of floor space for alcohol sales 	Licensing Board	190 off-sales locations 7,033 square metres	This type of data is very relevant to overprovision in the city.
A5 / B5	<ul style="list-style-type: none"> Children on child protection register affected by parental alcohol use Percentage of 15 year old pupils drinking on a weekly basis and the mean consumption in the last week 	ACC Child Protection	2011/12 – Q1-30; Q2-16; Q3-21; Q4-13 2012/13 – Q1-14; Q2-22; Q3-18 2010 report for Aberdeen City pupils: 11% of 13 year olds and 34% of 15 year olds said they had drunk alcohol in the week prior	These types of data are very relevant indicators on the impact that alcohol is having on children across the city.
		Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS)		

			to the survey 2% of 13 year olds and 20% of 15 year olds reported that they usually drink at least once a week		This type of data provides an indicator to the Licensing Board on how well licensed premises are being operated across the city.
			<ul style="list-style-type: none"> • Test purchase (number of failures) 	Police	<p>Aug 2009 – July 2010 – 3</p> <p>Aug 2010 – July 2011 – 5</p> <p>Aug 2011 – July 2012 – 0 (as test purchasing in Grampian suspended while legal issue resolved)</p>
C5			<ul style="list-style-type: none"> • Underage drinking figures 	Police / Community Safety Partnership	This type of data is very relevant to the impact that alcohol is having on young people within the city.

* This type of data should be available within the report being prepared by NHS Grampian

~ The Fire service has started to collect data on this. Further work is being done to ensure that it is robust and to ensure that it can be a useful measure for identifying future trends.