

LOCAL LICENSING FORUM

ABERDEEN, 5 April 2017. Minute of Meeting of the LOCAL LICENSING FORUM. Present:- Sandy Kelman (Alcohol and Drugs Partnership) Convener; and Peter Benton (Aberdeen Samaritans), Ken Eddie (Civic Forum), Tara-Erin Gilchrist (Licensing Standards Officer), Insp Kenneth McGeough (Police Scotland), Shamini Omnes (Aberdeen City Health and Social Care Partnership) and Miriam Smith (Education and Children's Services, Aberdeen City Council (ACC)).

Also present: Peter Lees (Community Safety Partnership), Sandy Munro (Legal Licensing Team, ACC), Iain Robertson (Clerk, ACC) and Heather Wilson (Public Health).

MINUTE OF MEETING OF 25 JANUARY 2017

1. The Forum had before it the minute of the previous meeting.

Shamini Omnes (Aberdeen City Health and Social Care Partnership) requested a revision be made to item 5 (Health Impact Assessments).

The Forum Resolved

- (i) to revise item 5 (Health Impact Assessments) to read '*to request that Dr Shivaji present draft terms of reference on the Health Impact Assessments to the Forum's next meeting on 5 April 2017*'; and
- (ii) otherwise approve the minute as a correct record.

MATTERS ARISING

2. With reference to item 2 (Minute of Previous Meeting), the Clerk advised that Stuart McPhee and Leanne McGowan had written to him to resign as members of the Forum;

With reference to item 6 (Refresh of Scottish Government's Alcohol Strategy), to note that ADP submitted their consultation response to the Scottish Government on the refresh of the National Alcohol Strategy, and to highlight that Aberdeen Youth Council contributed to this response;

With reference to item 7 (Community Council Training), the Convener confirmed that he had written to the Convener of the Licensing Board on the development of an Overprovision Policy and noted that Sandy Munro (Legal Licensing Team, ACC) was present at today's meeting to provide an update; and

With reference to item 10 (Update from UNIGHT), the Clerk advised that he had liaised with Stuart McPhee to provide UNIGHT members with information on the Forum's

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purpose, remit and objectives. Emily Queen (Community Safety Partnership) informed the Forum that the UNIGHT Board would meet on 6 April 2017 and Forum representation would be discussed.

The Forum Resolved

- (i) to note that Stuart McPhee and Leanne McGowan had resigned as members of the Forum;
- (ii) to request an update on the next scheduled licensing training event for community councils; and
- (iii) otherwise note the information provided.

LICENSING BOARD RESPONSE TO LICENSING FORUM RECOMMENDATIONS

3. Sandy Munro (Depute Clerk to the Aberdeen City Licensing Board) advised that the Legal Licensing team was preparing to review the Statement of Licensing Policy (SLP) and they had welcomed the Forum's feedback. He noted that nothing would be off the table and the Forum's views would be taken into consideration during development of the SLP. Thereafter Mr Munro provided a response to each of the Forum's recommendations as outlined in correspondence dated 13 January 2016:-

With regards to the Aspirational Statement, the Convener advised that the Board's first draft was not particularly aspirational and asked if this would be reviewed. Mr Munro suggested that this would be looked at with the aim of aligning the statement and the SLP more closely to the five licensing objectives;

With regards to the Policy Statement/Language, Mr Munro confirmed that the use of plain English would be favoured wherever possible but there may be occasions where the use of statutory language may be unavoidable;

With regards to the website, Mr Munro explained that the Legal Licensing team would have an input on the overhaul of its City Council webpage, but noted that they would not have administrative control as this resided with colleagues in IT and Transformation. Heather Wilson (Public Health) suggested that the Licensing Team consider a test of change initiative whereby service users could examine the accessibility of the website;

With regards to Baseline Setting, Mr Munro advised that the Board would have to prepare an annual performance report as per S9A of the Licensing (Scotland) Act 2005 and highlighted the development of a performance management framework would be dependent on the formatting of the SLP and guidance received from the Scottish Government. Forum members noted that it would be important to develop indicators that were relevant and measurable; and allowed performance to be compared on a year to year basis and with other Licensing Boards. Mr Munro informed the Forum that direct comparisons with other Boards would be methodologically challenging due to the

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different policies adopted throughout Scotland and noted that at present the Legal Licensing team did not have a dedicated performance analyst within their team to quality check, monitor and analyse data on an ongoing basis.

With regards to Board Decisions, the Convener spoke of his perception that issues raised at Board meetings were not always reflected in the conditions of the license and he pointed to applicants volunteering to abide by certain conditions or restrictions during presentations to the Board which were subsequently not included within the Board's decision. Mr Munro advised that as part of the SLP refresh they would be reviewing decision making procedures to increase the clarity of the process. He added that all licenses had to meet mandatory conditions and some had to meet additional local conditions which were at the discretion of the Board to include within the conditions of a license;

With regards to Distance Between Premises/Shelf Space, Mr Munro explained that there may not be sufficient time to integrate these conditions into the interim Overprovision Policy but advised that they would be considered during the review of the next SLP; and

With regards to Surveys, Mr Munro confirmed that community councils were statutory consultees for all new licenses and variations to existing licenses. He advised that the weight placed on an applicant's survey of community support would be for each Board member to determine but emphasised compliance with the SLP was mandatory.

The Forum Resolved

- (i) to note the information provided;
- (ii) to request an update on the implementation of an interim Overprovision Policy and the development of a new SLP at the Forum's meeting on 6 September 2017; and
- (iii) to thank Mr Munro for his correspondence and participation at today's meeting.

COMMUNITY SAFETY PARTNERSHIP LICENSING PERFORMANCE REPORT

4. Peter Lees (Community Safety Partnership) provided an overview of year on year performance in Torry with regards to Anti-Social Behaviour Offences; Anti-Social Behaviour Sobriety; Common Assault; Common Assault Sobriety; and Serious Assault.

With regards to Anti-Social Behaviour Offences, 127 incidents had been recorded in the year to date in comparison to 151 at the same stage last year, and against a three year average of 149 incidents;

With regards to Anti-Social Behaviour Sobriety, offenders were at their most sober in 2016-17 with 46.6% assessed as not being under the influence of any substance and there has been steady improvement in this indicator since 2013-14;

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With regards to Common Assault, the number of incidents had fallen by 13% in comparison to the same period in the previous year;

With regards to Common Assault Sobriety, the level of drunkenness continued to fall in line with trend. In 2014-15 sobriety was recorded during 59% of incidents in comparison to 75% in 2016-17, although Mr Lees highlighted that a low response rate in 2014-15 may have impacted on the representatives of the data; and

With regards to Serious Assault, 5 assaults had been recorded during 2016-17 in comparison to 11 assaults the previous year.

Thereafter there was discussion on the link between the number of licensed premises operating in Torry and the proportion of alcohol related incidents. Mr Lees and Ms Queen advised that a clear link would be difficult to determine and highlighted a number of factors which had contributed towards the improvement in performance including initiatives at community and city level involving organisations such as the Torry Alcohol Action Group and Safer Aberdeen.

The Forum Resolved

- (i) to note the report;
- (ii) to request performance information on the breakdown of victims and perpetrators of alcohol related incidents in Torry in the past five years by age; and
- (iii) to thank Mr Lees and the Community Safety Partnership for their intelligence led work.

INSTITUTE OF ALCOHOL STUDIES REPORT

5. The Convener explained that the report had concluded that less spend on alcohol would not harm the overall economy when the benefits of tax and employment in the licensed sector were weighed against the cost of alcohol abuse to the NHS and other public services. The Forum reiterated the report's message that business cases should not be taken into account during consideration of licenses at Board meetings.

The Forum Resolved

To note the report.

ALCOHOL FOCUS SCOTLAND REPORT: PROMOTING GOOD HEALTH FROM CHILDHOOD

6. The Convener advised that the report focussed on the marketing of alcohol to young people and concluded that there was evidence to suggest that advertisers had

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targeted messages for younger audiences through social media. Thereafter the Forum discussed the report and members noted that most of the report's recommendations had been addressed to government and it was felt that enacting legislation may be too blunt of a tool, and it may be more beneficial to adopt a collaborative approach in consultation with the licensed trade.

The Forum acknowledged that there were multiple factors which contributed to young people abusing alcohol and so multiple ways to tackle the issue had to be adopted. These would include the involvement of families, schools and communities; as well as bespoke one on one interventions. Further to this point, members recognised that young people in the UK were consuming great quantities of alcohol and this societal norm had to be addressed before significant progress could be made, though the Forum accepted that this would be very challenging.

The Forum Resolved

To note the report.

IMPLEMENTING A PUBLIC HEALTH OBJECTIVE FOR ALCOHOL LICENSING IN SCOTLAND

7. The Convener highlighted the report's conclusions that economic development, and prior values and beliefs were still significant factors for Licensing Board members when making decisions on licensing applications and noted that it would take time for Public Health to become established as a routine consideration at Board meetings.

The Forum Resolved

To note the report.

UPDATE FROM POLICE SCOTLAND

8. Insp McGeough advised that the Police's Licensing team had continued its operational approach to licensing and worked closely with colleagues in the Community Policing Team. He informed the Forum that they had agreed a date with Aberdeen City Council to meet the new Licensing Board members after the Council elections in May to brief them on the Police's perspective and approach to licensing matters; and what input they could expect from Police Scotland at Board meetings.

Insp McGeough provided further updates on Alcohol Brief Interventions; the links between shop lifting and public order, and noted that this was a greater issue in the

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Central Belt than in Aberdeen City; and the correlation between alcohol consumption and domestic abuse.

The Forum Resolved

To note the update.

UPDATE FROM LICENSING STANDARDS OFFICER

9. Tara-Erin Gilchrist explained that LSOs continued to work well with its partners and had held meetings with the Council's Legal Licensing team to discuss a refresh of their Service Level Agreements. Ms Gilchrist also noted that the LSO Annual Report was in development but presentation to the Forum would be dependent on the Licensing Board's schedule.

The Forum Resolved

- (i) to request an update on the development of the LSO Annual Report; and
- (ii) otherwise note the update.

UPDATE FROM UNIGHT REPRESENTATIVE

10. Emily Queen advised that UNIGHT were due to hold their Annual General Meeting on 25 April 2017 in which appointments to outside bodies such as the Forum would be discussed.

The Forum Resolved

- (i) to encourage UNIGHT to nominate a colleague for membership of the Forum; and
- (ii) otherwise note the update.

UPDATE FROM NHS GRAMPIAN AND ALCOHOL AND DRUGS PARTNERSHIP

11. Shamini Omnes explained that a draft terms of reference for Health Impact Assessments had been produced to inform the Licensing Board's development of its new Statement of Licensing Policy, and she suggested that the Forum be used a steering group to advise on the refinement of the terms of reference. She explained that NHS Grampian had allocated resource to support this workstream and Forum members would only be required to provide feedback and make recommendations for improvement to the support officer who would then action these suggestions.

The Forum Resolved

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- (i) to request that the draft Health Impact Assessment terms of reference be circulated to Forum members to enable them to contribute to its development; and
- (ii) otherwise note the update.

UPDATE FROM CHILDREN'S SERVICES REPRESENTATIVE

12. No update.

PROGRESS STATEMENT

13. The Forum had before it the Progress Statement.

The Forum Resolved

To note the Progress Statement.

MEMBERSHIP OF THE LOCAL LICENSING FORUM

14. The Forum had before it a report by the Clerk which provided information on the requirement for the Forum to appoint a Convener and Vice Convener and to nominate members for the approval of Aberdeen City Council at its statutory meeting in May 2017.

The report recommended that the Forum:-

- a) Appoint a Convener of the Forum;
- b) Appoint a Vice Convener of the Forum; and
- c) Nominate members to serve on the Forum for the forthcoming Council term and agree for these nominations to be submitted to the Statutory Council meeting in May 2017 for approval.

The Clerk requested nominations for Convener of the Forum:

The Convener nominated Insp Kenneth McGeough and this was seconded by Peter Benton:

As no other nominations were received, Insp Kenneth McGeough was appointed as Convener of the Forum.

At this point Insp McGeough assumed the Chair and is hereafter referred to as the Convener.

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The Clerk requested nominations for Vice Convener of the Forum:

The Forum indicated its preference to nominate a member representing the licensed trade as Vice Convener and agreed to defer this nomination as there were no licensed trade representatives present.

The Clerk referred to the Agenda Annex on today's agenda and asked if the Forum was content to nominate the members recorded therein for submission to the statutory Council meeting on 17 May 2017. All members were nominated, with the exception of Leanne McGowan who had recently resigned from the Forum; and Sandy Kelman who advised that he would also be stepping down from the Forum.

Thereafter the Convener thanked Mr Kelman for his leadership of the Forum and for the knowledge and enthusiasm he brought to the role. On behalf of the Forum, the Convener wished Mr Kelman well for the future.

The Forum Resolved

- (i) To appoint Insp Kenneth McGeough as Convener of the Aberdeen City Local Licensing Forum;
- (ii) to defer appointment to the post of Vice Convener until such time when a representative of the licensed trade was present; and
- (iii) to nominate the following members for the consideration of Aberdeen City Council at its statutory meeting on 17 May 2017:-

Peter Benton (Aberdeen Samaritans);
 Barbu Dragosflorin (Aberdeen Youth Council);
 Ken Eddie (Aberdeen Civic Forum);
 Tara-Erin Gilchrist/Diane Sande (Licensing Standards Officers, ACC);
 Laura MacDonald (Community Councils);
 Insp Kenneth McGeough (Police Scotland) **Convener**;
 Shamini Omnes (Aberdeen City Health and Social Care Partnership);
 Emily Queen (Community Safety Partnership); and
 Miriam Smith (Education and Children's services, ACC); and

- (iv) to thank Sandy Kelman for his leadership of the Forum and to wish him well for the future.

ALEXANDER KELMAN, Convener

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