

# Public Document Pack



To: Kenny McGeough, Chairperson; Sarah Wheeler, Vice Chairperson; and Elaine Mottram, Martin Robb, Susan Dunn, Tara-Erin Gilchrist, Shamini Omnes, Emily Queen, Diane Sande, Adam Grant, Heather Wilson, Louise Grant, Lorcan O'Connor, Jenni Wilson (ACC) and Sandy Munro (ACC).

Town House,  
ABERDEEN 25 January 2019

## LOCAL LICENSING FORUM

The Members of the **LOCAL LICENSING FORUM** are requested to meet in **Committee Room 5 - Town House** on **THURSDAY, 31 JANUARY 2019 at 2.15 pm.**

FRASER BELL  
CHIEF OFFICER - GOVERNANCE

### BUSINESS

- 1 Minute of Previous Meeting of 13 September 2018 - for approval (Pages 5 - 12)
- 2 Minute of Inquorate Meeting of 21 November 2018 - for information (Pages 13 - 16)
- 3 Matters Arising
- 4 Ask for Angela
- 5 Aberdeen City Statement of Licensing Policy
- 6 Licensing Matters 2019
- 7 Licensing Board

The Licensing Board is seeking opinion from The Local Licensing Forum with regard to events/dates in the annual calendar which the Forum feels are suitable for the general extension of on-sales.

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

**LICENSING OBJECTIVE 1 : PREVENTING CRIME AND DISORDER**

8.1 Update from Police Scotland

**LICENSING OBJECTIVE 2 : SECURING PUBLIC SAFETY**

8.2 Update from Licensing Standards Officer

**LICENSING OBJECTIVE 3 : PREVENTING PUBLIC NUISANCE**

8.3 Update from Unight Representative

**LICENSING OBJECTIVE 4 : PROTECTING AND IMPROVING PUBLIC HEALTH**

8.4 Update from NHS Grampian and Alcohol and Drugs Partnership

**LICENSING OBJECTIVE 5 : PROTECTING CHILDREN FROM HARM**

8.5 Update from Children's Services Representative

9 AOCB

10 Date of Next Meeting

EHRIA's related to reports on this agenda can be viewed at  
[Equality and Human Rights Impact Assessments](#)

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**LOCAL LICENSING FORUM**  
2pm, Thursday 13 September 2018  
Town House, Aberdeen

Members present: Kenneth McGeough, Chairperson; Sarah Wheeler, Vice-Convener; Shamini Omnes (Aberdeen City Health and Social Care Partnership), Heather Wilson (NHS), Diane Sande (Licensing Standards Officer ACC), Adam Grant (Public), Nicola Johnston (Aberdeen Inspired) and Martin Robb (Licence Trade – On Sales)

Also present: Jenni Wilson (ACC Licensing), Sandy Munro (ACC Licensing) and Garry Watson (Clerk)

Apologies: Susan Dunn (Licence Trade – Off Sales), Elaine Mottram (Aberdeen Samaritans), Miriam Smith (ACC Education and Children's Services), and Tara Erin Gilchrist (LSO)

	Item	Discussion	Action / Decisions	To be actioned by
1 & 2	<b><u>Minute of Meeting of 4 April 2018</u></b>	Apologies were received from Elaine Mottram, Miriam Smith, Susan Dunn and Emily Queen.		G Watson
	<b><u>Matters Arising</u></b>	The Forum had before it the minute of its previous meeting of 13 June 2018.  The minute was agreed and there were no matters arising therefrom.		
3	<b><u>Membership Updates</u></b>	The Chairman and members welcomed Adam Grant, Solicitor, as a new member.		
4	<b><u>Impact of Alcohol on Children</u></b>	A video presentation was shown by Health representative Shamini Omnes which highlighted the plight of children who were living in circumstances where parental alcohol use/abuse was a destructive factor in their lives. Shamini said that the video, which took the form of an interview with an intervention	Members noted the report.	

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		<p>worker, had no specific target audience and it was hope that it could be distributed and seen widely to highlight the issue. Members suggested various possible outlets.</p>		
5	<p><b><u>Draft Statement of Licensing Policy</u></b></p>	<p>There was a general discussion about the relationship between the Local Licensing Forum and the Licensing Board. Members were concerned that there seemed to be very little contact with the Board and no tasks had been forthcoming from it. The clerk suggested that it might be possible to have the Local Licensing Forum appear as a standing item of the Boards agenda, which would provide continuous visibility and act as a means for information to flow between the two. Jenni Wilson said that this was achievable and Sandy Munro agreed to speak to the Board to explain the new agenda heading and encourage them to give tasks to the Forum.</p> <p>The Forum discussed the Council's Draft Statement of Licensing Policy. By way of introduction, Sandy Munro said that, in producing the draft, the Legal Team had sought to trim the wording down and make it plain. He emphasised the fact that each licensed premises was different and, although the draft policy contained lists of things the Board would consider, it would not be necessary for every box to be ticked for every premises. He stressed that the Licensing Board would still consider each application on its own merits. The example given was that, although the policy states that the maximum terminal hour is 3am, all premises would not automatically be allowed to open until then. The hours granted would still take account of the type of premises, its size, capacity,</p>	<p>Local Licensing Forum to be standing item on Licensing Board agenda.</p>	<p>Jenni Wilson and Sandy Munro</p>

	Item	Discussion	Action / Decisions	To be actioned by
		<p>location etc. 3am was simply the maximum.</p> <p>The Forum turned to the Draft Policy itself and there was a general discussion:</p> <p>Martin asked if CCTV would be required at all premises. Sandy said that, whilst CCTV was certainly desirable, not all premises would be required to have it.</p> <p>Shamini noted the reference to 'partner agencies' and asked why they were not listed. Sandy responded saying that it had been left open, so that if there were any partnership changes the policy did not have to be updated.</p> <p>The Forum thereafter dealt with each section of the Draft Policy in turn:</p> <p><u>Preventing Crime &amp; Disorder</u> Kenny welcomed the inclusion of vulnerability in a couple of the sections, however he said he felt that the word 'vulnerability' alone was not enough and that the policy needed to be more prescriptive in that regard.</p> <p>Sarah noted that certain points would only apply to late night premises. Sandy acknowledged this and reminded members that each premises would be looked at individually, using the policy as a toolkit.</p> <p><u>Securing Public Safety</u> Where the Draft Policy states 'Review licences as a last resort', the Forum suggested adding, '...where it can't be rectified by other means'.</p> <p>Martin said it would be useful to have a bit</p>		

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		<p>more guidance around glassware to explain which premises might be required to use alternatives.</p> <p>Heather queried if the conditions could be printed. Sandy said that these had been left out deliberately as they can change and then the policy would have to be changed. He said the Draft Policy had been designed so that it would hopefully require very little maintenance. Also, it could not be said for certain that certain types of premises would have certain conditions, so being too prescriptive could actually prove to be counterproductive.</p> <p><u>Preventing Public Nuisance</u> Members noted the inclusion of the 'Agent of Change' principle. Sandy said it had been included in the Draft Policy for consideration by Councillors.</p> <p><u>Protecting and Improving Public Health</u> There was a discussion around paragraph 2 of this section. Sandy explained that the paragraph was attempting to convey the message that there was a recognition that licensing alone could not fully address all health concerns and that the Council was willing to work alongside others on this important issue.</p> <p>Martin asked for clarity around the term 'Licensed hours reflective of operating hours'. Sandy said that it was important that the hours on a licence reflected the hours that the premises actually traded, however premises were not bound to stay open until their terminal hour and would be able to close early if they needed to.</p>		



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		<p>There was a further discussion around vulnerability and the Forum generally agreed that, whilst they understood the new policy was designed to be flexible, the parts relating to vulnerability needed some sort of definition behind them. Heather said there was a definition in the Community Empowerment Act which might be useful.</p> <p>Instead of the term, 'Awareness of irresponsible promotions' Diane Sande suggested that a more positive way of phrasing it would be to say that Licence Holders should have awareness of responsible promotions.</p> <p><u>Protecting Children and Young Persons from Harm</u></p> <p>There was a discussion about licenses being granted for educational establishments. Sandy explained that this came under the banner of occasional licenses and that factors such as the type of premises and the nature of the event had to be considered. The policy aimed to make it clear however that licenses would not be granted for events which were child focussed.</p> <p>There was a further general discussion about late opening. The Forum members representing the trade were a little concerned that the wording made it appear that all licensed premises would be able to open until 3am. Sandy stressed that this was not the case and that what was shown was the maximum, not necessarily what premises would get. He said that this was very indicative of the new style of the policy document, which was much less prescriptive</p>		

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		and more like a toolkit.		
6.1	<b><u>Update from Police Scotland: Licensing Objective 1: Preventing Crime and Disorder</u></b>	The Chairperson said that 'Ask for Angela' campaign would be getting launched/refreshed soon and had been delayed because during Freshers the university was running its own safety campaigns.	The Forum resolved to note the update.	
6.2	<b><u>Update from Licensing Standards Officer: Objective 2: Securing Public Safety</u></b>	Diane advised that one of the Environmental Health Officers was going to undertake Licensing Standards training so that they could act as a backup.	The Forum resolved to note the update.	
6.3	<b><u>Update from Unight Representative: Licensing Objective 3: Preventing Public Nuisance</u></b>	Sarah said that Unight had been focussing on vulnerability with Lorna McCarrol from Slains having undertaken 'Safe Talk' training. There was a discussion around vulnerability and the lengths to which premises might be expected to go to assist someone. As an example, Kenny suggested that if a premises had seen someone safely into a taxi they had done their bit.	The Forum resolved to note the update.	
6.4	<b><u>Update from NHS Grampian and Alcohol and Drugs Partnership: Licensing Objective 4: Protecting and Improving Public Health</u></b>	Heather advised that there was a new ADP Team Leader – Simon Rayner.	The Forum resolved to note the update.	
6.5	<b><u>Update from Children's</u></b>	Deferred to next meeting.		

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	<b><u>Services Representative: Licensing Objective 5: Protecting Children from Harm</u></b>			
7	<b><u>AOCB</u></b>	The Chairperson said that it was his intention to stand down at the next meeting, which would also comprise an AGM.	The Forum resolved to note the update.	
8	<b><u>Date of Next Meeting</u></b>	The date of the next meeting was confirmed as 21 November 2018.  <b><u>Kenny McGeough, Chairperson</u></b>		

If you require any further information about this minute, please contact Garry Watson, tel. 01224 523057 or email [gawatson@aberdeencity.gov.uk](mailto:gawatson@aberdeencity.gov.uk)

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**LOCAL LICENSING FORUM**  
Wednesday, 21 November 2018

Members present: Inquorate meeting

Also present:

Apologies:

	Item	Discussion	Action / Decisions	To be actioned by
1	<b><u>Apologies</u></b>	Apologies were received from Kenneth McGeough, Miriam Smith, Emily Queen, Nicola Johnston and Heather Wilson.  There were further unexplained absences, taking account of which the meeting was found to be inquorate in terms of its constitution.		
2	<b><u>Minute of Meeting of 13 September 2018</u></b>	Postponed to next meeting.		
3	<b><u>Matters Arising</u></b>	N/A		
4	<b><u>Membership Updates</u></b>	The Forum welcomed Lorcan O'Connor, a member of the public who had expressed an interest in the Forum and had attended the meeting to see what it was about.		
5	<b><u>Statement of Licensing Policy - Discussion</u></b> Following a comprehensive period of consultation, the new Statement of	The members of the Forum who were present held a discussion with regard to the new Statement of Licensing Policy. The Forum welcomed the new policy and agreed that the document was much easier to digest than the one it replaced.  The only issue to come forth was with regard		

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	Licensing Policy was ratified by the Licensing Board on 8 November 2018. The Local Licensing Forum is invited to discuss the document and its potential impact.	to the paragraphs which appeared in the sections on Preventing Public Nuisance and Protecting and Improving Public Health, suggesting that Licensing alone could not address all the relevant social challenges and that a partnership approach was the preferred route. Some members of the Forum felt that this principle should apply across the entire policy and that it might better be explained in an overarching statement at the beginning of the document, perhaps during the foreword.		
6	<b><u>Licensing Board</u></b>	Jenny Wilson confirmed that the Convener of the Licensing Board had agreed to accept the Local Licensing Forum as a standing item on the agenda for that body. The Forum Members welcomed this and looked forward to a much closer working relationship with the Board than had existed hitherto.		
7	<b><u>Update from Police Scotland</u></b>	Postponed to next meeting.		
8	<b><u>Update from Licensing Standards Officer</u></b>	Postponed to next meeting.		
8a	<b><u>Update from Unight Representative</u></b>	<p>Sarah said that the various Unight premises were now preparing for Christmas.</p> <p>She advised that 25 Unight members had recently undertaken 'Safe Talking' training which deals with suicide prevention. The next scheduled training for Unight members was counter terrorism training in the new year.</p>		
8b	<b><u>Update from NHS Grampian and Alcohol and Drugs Partnership</u></b>	Shamini advised that a Strategic Plan Review was currently being undertaken and that a link would be shared with members via the clerk.		

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		<p>She advised that Adult Social Care and Primary Care had come together.</p> <p>Finally, Shamini advised that a couple of resources had been produced by Glasgow and Stirling Universities relating to studies on how alcohol affects males and females differently.</p>		
8c	<b><u>Update from Children's Services Representative</u></b>	Postponed to next meeting.		
9	<b><u>AOCB</u></b>	There was no other competent business.		
10	<b><u>Date of Next Meeting</u></b> The next meeting of the Local Licensing Forum will take place on Thursday 31 January 2019, in Committee Room no.5 of Aberdeen Town House, commencing at 2pm.	The date of the next meeting was noted as the 31 <sup>st</sup> January 2019.		

If you require any further information about this minute, please contact Garry Watson, tel. 01224 523057 or email [gawatson@aberdeencity.gov.uk](mailto:gawatson@aberdeencity.gov.uk)

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