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To: Shamini Omnes (Chairperson), Sarah Wheeler (Vice-Chairperson), Finlay Cran, Ken Eddie, Susan Dunn, Derek Gardiner Tara-Erin Gilchrist, Adam Grant, Louise Grant, Megan Heathershaw, Elaine Mottram, Lorcan O'Connor, Martin Robb, Diane Sande and Jonathan Smith.

Town House,
ABERDEEN 21 November 2019

LOCAL LICENSING FORUM

The Members of the **LOCAL LICENSING FORUM** are requested to meet in **Committee Room 4 - Town House** on **WEDNESDAY, 27 NOVEMBER 2019 at 2.00 pm.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

- 1 Welcome and Apologies
- 2 Minute of Meeting of 18 September 2019 (Pages 3 - 10)
- 3 Matters Arising
- 4 The Local Licensing Forum Constitution Review (Pages 11 - 16)
- 5 Purpose and Function/ Remit of the Aberdeen Local Licensing Forum (Pages 17 - 20)
- 6 ELEPHANT Study (Pages 21 - 22)

THE WORKING GROUPS OF THE LICENSING FORUM

7 Licensing Conference (Pages 23 - 24)

8 Communication & Engagement

LICENSING OBJECTIVE 1 : PREVENTING CRIME AND DISORDER

9.1 Update from Police Scotland (Pages 25 - 32)

LICENSING OBJECTIVE 2 : SECURING PUBLIC SAFETY

9.2 Update from Licensing Standards Officer

LICENSING OBJECTIVE 3 : PREVENTING PUBLIC NUISANCE

9.3 Update from Unight Representative

LICENSING OBJECTIVE 4 : PROTECTING AND IMPROVING PUBLIC HEALTH

9.4 Update from NHS Grampian and Alcohol and Drugs Partnership

LICENSING OBJECTIVE 5 : PROTECTING CHILDREN FROM HARM

9.5 Update from Children's Services Representative

Local Licensing Forum

<https://committees.aberdeency.gov.uk/mgCommitteeDetails.aspx?ID=327>

Website Address: www.aberdeency.gov.uk

Should you require any further information about this agenda, please contact Shereen Balaban, email sbalaban@aberdeency.gov.uk or 01224 522497

LOCAL LICENSING FORUM
Wednesday, 18 September 2019

Members present: Shamini Omnes, Chairperson; Sarah Wheeler, Vice-Chairperson; Finlay Cran, Susan Dunn, Tara-Erin Gilchrist, Lorcan O'Connor, and Jonathan Smith

Also present: Shereen Balaban, Fiona Harvie, Nicola Johnston, and Alexander Munro

Apologies: Adam Grant, Elaine Mottram, and Martin Robb

	Item	Discussion	Action / Decisions	To be actioned by
1.	<u>Welcome and Apologies</u>	<p>The Chair welcomed all those in attendance.</p> <p>The Clerk advised that apologies for absence had been intimated by Adam Grant, Elaine Mottram, and Martin Robb.</p>	<u>The Forum agreed:</u> - to note the apologies	Shereen
2.	<u>Minute of Meeting of 12 June 2019</u>	The Forum had before it the minute of the previous meeting of 12 June 2019. The minute was agreed as a true record.	<u>The Forum agreed:</u> - to approve the minute as a correct record.	Shereen
3.	<u>Membership Updates - verbal update</u>	<p>The Chairperson advised the forum that Jonathan Smith had attended and contributed to previous Forum meetings as a representative of the Civic Forum. Shamini initiated the Forum to welcome Jonathan as a fully endorsed member of the Forum</p> <p>The Chair advised that a student from RGU, had been identified to sit as the young person representative and would be able to join the Forum's next meeting.</p>	<p><u>The Forum agreed:</u> -</p> <ul style="list-style-type: none"> (i) to endorse Jonathan Smith as a representative member of the Forum; (ii) to welcome the update on the Forum representation; and (iii) for Elaine to present easy read paper on role of LLF based on constitution which will be part of welcome pack. 	all members

	Item	Discussion	Action / Decisions	To be actioned by
		<p>The Forum heard from the Chair that an email had been sent to Derek McGowan to identify a replacement for Emily McQueen – Community Safety Representative to the Forum. The Chair was awaiting further information from Children Services – Chief Officer – Graeme Simpson on the representative which would replace Mariam Smith.</p>		
4.	<p><u>Licensing Board Agenda of 3 July 2019</u></p>	<p>The Forum had before it the Licensing Board Agenda of 3 July 2019, all members were encouraged to attend the Board meetings.</p> <p>The Chair advised the Forum that the purpose and remit of the Forum as set out in the Licensing (Scotland) Act 2005 was to keep 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.</p> <p>The Chair opened up to the Forum for suggestions on how this may be achieved. The Chair suggested taking 10-20% of the applications presented before the Board. Members suggested that the Boards application of the Policy may be considered by the Forum, if the applications were to be identified within a map. The LSO advised that maps are no longer utilised, and there are no differentiations made on applications made within the City and out with the City.</p>	<p><u>The Forum agreed: -</u></p> <ul style="list-style-type: none"> (i) to note the agenda of the Licensing Board and its presented format; (ii) to enhance members understanding of each of the objectives within the Licensing Policy; (iii) for the Licensing Policy - objectives to be considered and discussed at the next meeting; and (iv) for the members to consider how the Forum can best operate and exercise within its remit. 	all members

	Item	Discussion	Action / Decisions	To be actioned by
		<p>Alexander Munro, Deputy Clerk to the Board advised the Forum Members that the Policy provided a framework with objectives, that each application is assessed upon and that there was no remit for the Forum to consider individual applications before the Board.</p> <p>The Forum discussed the need for members to be fully familiar and understand each of the objectives within the Policy, before considering how the Forum can collectively review the operation of the Licensing Statement by the Board.</p>		
5.	<p><u>Licensing Board Minute of 3 July 2019</u></p>	<p>The Forum had before it the Licensing Board Minute of 3 July 2019. The Forum discussed that the minute alone was not enough to review the Boards application of the Licensing Policy. The members considered how they may access the information that they require to be able to carry out the review. The Forum agreed for this to be consider further once the members are more familiar with the objectives of the Licensing Policy</p> <p>The members agreed to continue to use the Agenda and Minute of the 3rd July 2019 Board meeting, allowing member to become familiar with the Licensing Policy Objectives. Members discussed issuing guidance on how the Forum is to exercise its remit and create a working template on how this may be achieved.</p>	<p><u>The Forum agreed: -</u></p> <ul style="list-style-type: none"> (i) to note the Licensing Board Minute of 3 July 2019; and (ii) to consider further how the licensing applications can be accessed and what information is required to be able to carry out its remit 	all members

	Item	Discussion	Action / Decisions	To be actioned by
6.	<u>Local Licensing Forum and the Licensing Board - verbal update</u>	<p>The Forum and the Board joint meeting was held on 10 September 2019.</p> <p>The Chair to the Forum expressed that the joint meeting was a success it had addressed the topics which the Forum had discussed during the Forums' Development Day on 27 August 2019</p> <p>The working relationship between the Board and the Forum, the Forums remit and how it should operate were discussed extensively.</p> <p>The date for the Licensing Conference had been confirmed as 14 January 2020.</p>	<p><u>The Forum agreed:</u> -</p> <ul style="list-style-type: none"> (i) to note the update provided on the joint meeting; (ii) to note that a minute of the Forum Development Day and the Joint meeting between the Forum and the Board will be circulated to all members; and (iii) to note the scheduled date of the Licensing Conference. 	all members
7.	<u>Working Groups</u>	<p>The Chair invited members to become involved in several working groups.</p> <p><u>Local Licensing Forum Remit</u> Forum members suggested that each individual member becomes familiar with the Forum's legislative remit, and for the Forum at the next meeting considers the Statement of Licensing Policy objectives.</p> <p>The Forum discussed and agreed that it was important for new members to be fully aware of the role of becoming a member of the Forum and what this entails. Members discussed working together to produce a Forum welcome pack.</p>	<p><u>The Forum agreed:</u> -</p> <ul style="list-style-type: none"> (i) for the individual members to consider the Forum's remit and the Statement of Licensing in advance of discussion at the next Forum meeting; (ii) to note that members will be invited to participate in a working group which will consider the Forum's remit; (iii) to establish a working group which will consider the Forum's Communication & Engagement and membership of that group consist of Jonathan, Tara, and Nicola. (iv) to establish a working group which will process the Licensing Conference 2020 and membership of that group consists of Sarah, Finlay, Lorcan and Marie Louse (ADP). 	<p>all members</p> <p>Jonathan, Tara and Nicola</p> <p>Sarah, Finlay, and Lorcan</p>

	Item	Discussion	Action / Decisions	To be actioned by
		<p><u>Forum Communication & Engagement</u> Forum members discussed Forum Communication and engagement. Members considered re-establishing the Licensing Newsletter, LLF email address where members would be involved with providing a Forum update. Social media and updating the current information on the Licensing Forum was also considered.</p> <p><u>Licensing Conference 2020</u> The scheduled date of the Licensing Conference had been confirmed as the 14th January 2020. The Chair advised that save the date correspondence needed to be sent out to maximise the attendance. Members were reminded the topic of the Conference was on the Statement of Policy. Councillor Dunbar showed an interest to become involved with the working group on behalf of providing a linkback to the Board in regard to process in the Conference.</p>		
8.	<u>Updates from Local Licensing Members</u>	<p><u>Police Scotland</u> A representative from the Police was not in attendance. The members of the Forum had before them Police Scotland – Annual Licensing 2018/2019 for their consideration.</p> <p><u>Licensing Standards Officer</u> The Forum heard from Aberdeen City Council Licensing Standards Officer that two days of meetings with on sales premises to engage with partner agencies had been organised for the 12th and 13th November 2019.</p>	<p><u>The Forum agreed: -</u></p> <ul style="list-style-type: none"> (i) to note the Police Scotland – Annual Licensing 2018/2019 report deferred to LLF meeting in November; (ii) to note the update from the LSO, and the dates of the engagement sessions for on sales with key partners; (iii) to note the earlier update from the Chair regarding Forum representation; and (iv) to note the discussion around cocaine and alcohol. 	all members

	Item	Discussion	Action / Decisions	To be actioned by
		<p>The Forum heard that the sessions will discuss the Local Condition – Duty of Care and Promotions. The LSO explained that the licence holder must have in place a duty of care policy to ensure a standard approach is taken when any patron appears to be displaying signs of excessive intoxication. The purpose of this policy is to reduce vulnerability through intoxication, however attained. All staff must have training in identifying signs of excessive intoxication and an enhanced awareness of vulnerability through intoxication. All related training should be recorded and such records available for inspection by Police and Licensing Standard Officers.</p> <p><u>NHS Grampian</u></p> <p>Shamini raised with members their views on how best to reach people to put out a harm reduction message about cocaine and alcohol.</p> <p>Shamini asked the questions - Are posters on the doors of premises effective? What social media messages are there and if so what types of social media networks? or any other options? Shamini advised that It would be interesting to get a police view on whether, if there is disorder in the city centre should there be testing for cocaine and not assuming that it is down to alcohol alone.</p> <p>The forum agreed to continue this discussion. It was agreed these queries could be discussed further over the engagement days in November with on-sales trade. The feedback would be presented to the forum at the following meeting for the NHS to consider.</p>		

	Item	Discussion	Action / Decisions	To be actioned by
		<p><u>Children Services</u> A representative from Children's Services was not in attendance.</p>		
9.	<p><u>Next Meeting & 2020 Dates</u> Wednesday 27 November 2019, 2pm, Committee Room 4, Town House</p>	<p>The Forum had before it the date of the next meeting.</p>	<p><u>The Forum agreed: -</u></p> <ul style="list-style-type: none"> (i) to note the 2020 dates as scheduled meetings dates for the Forum; and (ii) to note the date of the next scheduled Forum meeting. 	<p>all members</p>

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ARTICLE	ARTICLE TITLE	ARTICLE TEXT	MEMBER FEEDBACK / COMMENT
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CONSTITUTIONAL REVIEW - GROUP FEEDBACK

Members are asked to consider each article of the Local Licensing Forum and to provide feedback. The feedback will be collated and there will be further discussion between members during the meeting.

ARTICLE 12. ALTERATIONS TO CONSTITUTION AND POWERS TO MAKE OR AMEND RULES

The Forum shall have the power to alter the Constitution of the Forum and to make or amend rules relating to the conduct and administration of the Forum at any of its meetings, or at a Special Meeting convened for this purpose at the requisition of at least half of the members of the Forum, the proposed alteration being included on the agenda prior to such meeting.

All such alterations require to be approved by at least half of the members of the Forum present and voting. The Forum shall not be permitted to alter the Constitution if such alteration would conflict with the terms of the Act.

1	NAME	The name of the organisation shall be ABERDEEN LOCAL LICENSING FORUM.	
2	AGE	In order to be eligible for membership of the forum, a person must be aged 16 years or above.	
3	GEOGRAPHICAL BOUNDARY OF THE FORUM	The geographical boundary of matters that the Forum shall deal with shall coincide with the boundaries of Aberdeen City Council.	
4	TERMS OF REFERENCE	<p>The terms of reference of the Forum are as follows:-</p> <p>(i) to keep the liquor licensing system in Aberdeen under regular review and to respond to consultation exercises undertaken by the Aberdeen City Licensing Board and the Scottish Government as appropriate;</p> <p>(ii) to consider the implications of relevant local data and statistics provided by the local police force, the local Health Board and the various Aberdeen Drugs and Alcohol Groups;</p> <p>(iii) to meet the Aberdeen City Licensing Board at least once per year; and</p> <p>(iv) to give advice and make recommendations to the Aberdeen City Licensing Board in relation to any matters that the Forum considers appropriate, excepting individual licensing applications.</p>	
5	MEMBERSHIP	<p>(1) In meeting with the undernoted terms of the Licensing (Scotland) Act 2005 (“the Act”), requiring that all Local Licensing Forums shall -</p> <p>(i) consist of not fewer than 5 and not more than 21 members;</p> <p>(ii) include a Licensing Standards Officer for the Council’s area;</p> <p>(iii) in appointing members, ensure that, so far as possible, the membership of the Forum is representative of the interests of persons or descriptions of persons who have an interest which is relevant to the Forum’s general functions, including:-</p> <ul style="list-style-type: none"> • Holders of premises licences and personal licences • The Chief Constable for the police area in which the Forum’s area is situated • Persons having functions relating to health, education and social work • Young people • Persons resident in the Forum’s area <p>the Forum shall have a membership of 12, with one duly appointed representative from each of the following categories:-</p>	

Holder of Premises Licence

1. Representative of Licensed Trade

The Chief Constable for the Police area

2. Representative of Police Scotland

Persons having functions relating to health, education or social work

3. Scottish Fire and Rescue Service

4. Aberdeen Alcohol and Drugs Partnership

5. NHS Grampian

6. Aberdeen Samaritans

7. Community Safety Partnership

8. Education Services, Aberdeen City Council

9. Children's Services, Aberdeen City Council

Young people

10. RGU or Youth Council – to be confirmed

Persons resident within the Forum's area

11. Aberdeen Civic Forum

Licensing Standards Officer

12. Licensing Standards Officer

(2) Notwithstanding the above, the Forum may invite additional representatives (co-optees) who may have an interest relevant to the Forum's general functions, to attend and participate in meetings of the Forum, but without voting rights. Such representatives will not be included for the purposes of calculating a quorum for meetings of the Forum.

(3) Members may appoint substitutes to attend meetings of the Forum on their behalf, on the understanding that the substitute is also a duly appointed representative of one of the above 12 categories.

(4) Members will be appointed at the first meeting of Aberdeen City Council following an election. Members will serve for the term of that Council, after which they will be eligible for re-appointment. This is without prejudice to a member's entitlement at

		<p>any time to step down from the Forum.</p> <p>(5) Any vacancies or changes to membership during this term may be filled by the Forum on behalf of Aberdeen City Council. The names and addresses of applicants for membership shall be submitted in writing to the Clerk to the Forum at least 14 days before the meeting of the Forum at which the vacancy is to be filled.</p> <p>(6) If any member of the Forum should miss three meetings consecutively, it will be open to the Forum to exclude that member on a permanent basis. This will not apply if the said member has arranged for a substitute to be present at the meetings.</p>	
6	SUB-COMMITTEES	<p>The Forum may, as it sees necessary, appoint Sub-Committees to carry out any of its functions.</p> <p>The quorum of all Sub-Committees shall be one half of the total membership, excluding co-optees.</p>	
7	MEETINGS	<p>(i) As laid out in the Licensing (Scotland) Act 2005, there shall be at least four meetings of the Forum per calendar year, including one meeting with the Licensing Board;</p> <p>(ii) Notice of the place, time and date of meetings of the Forum will be given to every member not later than seven days prior to the meeting; and</p> <p>(iii) Any member unable to attend in person may appoint a substitute to attend on their behalf who can express their views. The Clerk to the Forum must be given prior notification of any substitutions;</p> <p>(iv) All meetings of the Forum shall be open to members of the Press and Public.</p> <p>(v) The quorum for a meeting of the Forum shall be one-half of the number of members (but in any case not fewer than three). No decisions will be taken at any meeting unless that meeting is quorate.</p>	
8	CONDUCT OF BUSINESS	<p>Forum members will elect a Convener, and Vice-Convener at their first meeting in each calendar year.</p> <p>Meetings of the Forum are to be chaired by the Convener.</p>	

		<p>If the Office of Convener is vacant or for any other reason the Convener is unable to attend, a meeting of the Forum should be chaired by the Vice-Convener. If this is not possible, a meeting may be chaired by any other member present.</p> <p>An Office Bearer may be removed from office at any of the Forum meetings or at a Special Meeting convened for this purpose at the requisition of at least half of the membership of the Forum, provided due intimation of such proposed alteration shall have been sent to each member at least seven days before such meeting.</p> <p>Persons who have not been invited by the Forum to attend, and who wish to speak at a meeting of the Forum must contact the Clerk to the Forum one clear working day (excluding Saturdays and Sundays) prior to the meeting, to state the subject on which they wish to be heard.</p>	
9.	VOTING	<p>(i) Each member present at a meeting shall be entitled to one vote. The Convener shall have a casting vote, except in cases of appointment of a member to any particular office, in which case the decision will be by lot;</p> <p>(ii) Voting shall be by way of a show of hands, but a roll call can be requested by any member of the Forum should they feel this appropriate.</p>	
10.	POWERS AND DUTIES OF THE CONVENOR	<p>It shall be the duty of the Convener to:-</p> <p>(i) preserve order, and to ensure that every member of the Forum shall have a fair hearing;</p> <p>(ii) decide all matters of order, competency and relevancy;</p> <p>(iii) decide between two or more members of the Forum wishing to speak by calling on the member who has first caught his or her eye; and</p> <p>(iv) ensure that due and sufficient opportunity is given to members of the Forum who wish to speak to express their views on the subject under discussion.</p> <p>The decision of the Convener on all matters within his or her competency shall be final, and shall not be open to question or discussion.</p>	
11.	AGENDAS AND MINUTES	<p>Any items to be included in the agenda for meetings of the Forum shall first be submitted to the Clerk of the Forum no later than fourteen days prior to the date of any</p>	

		<p>scheduled meeting.</p> <p>No items may be otherwise included in the agenda for any meeting of the Forum, save at the discretion of the Convener on the grounds of urgency.</p> <p>A Minute of each meeting will be prepared by the Clerk to the Forum, and the draft Minute circulated with the agenda for the following meeting. Agendas and Minutes will be published on the Aberdeen City Council Website.</p>	
12.	<p>ALTERATIONS TO CONSTITUTION AND POWERS TO MAKE OR AMEND RULES</p>	<p>The Forum shall have the power to alter the Constitution of the Forum and to make or amend rules relating to the conduct and administration of the Forum at any of its meetings, or at a Special Meeting convened for this purpose at the requisition of at least half of the members of the Forum, the proposed alteration being included on the agenda prior to such meeting.</p> <p>All such alterations require to be approved by at least half of the members of the Forum present and voting. The Forum shall not be permitted to alter the Constitution if such alteration would conflict with the terms of the Act.</p>	

Purpose and Function/ Remit of the Aberdeen Local Licensing Forum

Members are asked to consider the LLF'S Purpose / Function / Remit and Mission Statement and to provide feedback. Feedback will be collated and discussed during the meeting.

	DRAFT PROPSAL	COMMENT	MEMBER FEEDBACK
PURPOSE	<p>The Local Licensing Forum is a key element of Aberdeen City's approach to managing the impact of alcohol use in the City in order to ensure a safe and healthy environment for all.</p> <p>The Statement of Licensing policy provide the governing framework for the Forum and the Forum also considers the wider context such as the Local Outcome Improvement Plan (LOIP), the City's Masterplan and Community Planning.</p> <p>The Licensing Objectives are</p> <ol style="list-style-type: none"> 1. Preventing crime and disorder 2. Securing public safety 3. Preventing public nuisance 4. Protecting and improving public health 5. Protecting children from harm 	<p>Statement of Licensing policy – What is this? Do we need to define this for new members.</p> <p>Local Outcome Improvement Plan (LOIP), the City's Masterplan and Community Planning. – These are all current development plans. The LLF's purpose and remit should not give direct reference to such development plans as they are only the current Council's policy/projects and they can change and evolve. The Purpose of the LLF should be able to</p> <p>Should we give a brief understanding of the Licensing Objectives? Should the Objectives be contained within the purpose of the Forum?</p>	

FUNCTION	<p>The function of the Forum is to explore the role of alcohol in the City and understand its impact in order to add value to the Licensing Board's decision making. The Forum is made up of representatives of a wide variety groups all of whom are able to bring a different perspective on alcohol across the City. The Forum meets 4 times a year and through discussion of these differing perspectives is able to develop a view on issues of relevance to the Licensing Board. The advice to the Licensing Board may be based on evidence, either qualitative or quantitative, or feedback which is available to members of the LLF via their constituencies.</p>		
REMIT	<p>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.</p> <p>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</p>	<p>This is the wording used within legislation and there is limited scope to change this.</p>	

	<p>directly to the Clerk or Depute Clerk to the Licensing Board.</p> <p>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.</p>	<p>Can more be provided from the Board to facilitate the Forum? If Yes, what does this look like?</p>	
<p>MISSION STATEMENT</p> <p>Page 19</p>	<p>The Forum provides a unique opportunity for influence and collaboration based on its diverse membership and access to a wide range of information from its constituent groups. It has the ability to integrate such information for the purpose of continual development of communication with the Aberdeen City Licensing Board and therefore to influence licensing policy.</p> <p>The Forum will aim to be innovative and creative in how it functions in order to ensure it is effective both in terms of dealing with current issues and also planning for the future.</p> <p>The Forum will explore issues associated with the use of alcohol in Aberdeen City by</p>		

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| | <ul style="list-style-type: none">a) considering the implications of relevant local data and statistics provided by various groups including, but not exclusively, Police Scotland, NHS Grampian and local drugs and alcohol groups.b) responding to consultation exercises undertaken by Aberdeen City Licensing Board and Scottish Governmentc) reviewing relevant aspects of the local licensing system which emerge through the member's constituent groups as being of concern. | | |
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ELEPHANT study

The study AIM is to understand and assess the impact of these later opening hours on harms, services and costs in Glasgow and Aberdeen, including for specific groups, and the implications for other UK cities if similar changes were introduced.

This study has 5 work packages (WPs).

- WP1 will focus on understanding why the changes came about, what effects were expected, and how they have affected businesses/public services. We will search licensing meeting notes and media reports, and interview officials, managers and premises owners.
- WP2 will explore changes in bars/clubs including exactly when they are opening later and what happens during the extra opening time such as who is there, alcohol and drug use, violence and how the venue operates. Researchers will attend venues to observe the later openings, review venue's Facebook pages (or other social media), and interview venue staff.
- WP3 will examine if changes in alcohol-related ambulance call-outs and crimes have resulted from later opening hours, working Scottish Ambulance Service and Police Scotland data from before and after the changes. We will also look for impact on different groups (men/women, age-groups, residence) and changes in the location of call-outs.
- WP4 will evaluate the economic costs to businesses and services as a result of the changes
- WP5 will identify other UK cities considering similar changes, and model the likely impact of the changes on inequalities, long-term health and healthcare costs both for Glasgow and Aberdeen and selected other UK cities.

Our experienced team has worked closely together on studies using similar methods and a track record of impact locally, nationally and internationally. A wide range of stakeholders are supportive. They will help to shape the study and share findings including local communities and premises owners, police and health services, local authority licensing stakeholders and devolved and UK governments as well as international experts.

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Licensing Policy

Have Your Say



**ABERDEEN
CITY COUNCIL**

8th March 2018

10am-4pm

**Town and County Hall | Town House
Union Street | Aberdeen**

Aberdeen City Licensing Board, along with our partners, invite you to a **workshop event** for an opportunity to share your views and help shape the new **Policy Statement**.

Places are limited so please email:

licensing@aberdeencity.gov.uk

by **26th February 2018** to register your interest.

Registration is from 9:30am. The event is free of charge and a buffet lunch will be provided.

Please advise of any dietary requirements.

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**POLICE
SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE
ABERDEEN CITY LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2018 to 31ST MARCH 2019

NOT PROTECTIVELY MARKED

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2018/19, in accordance with Section 12(A) Licensing (Scotland) Act 2005. During this year the Minimum Unit Pricing of Alcohol was introduced in Scotland. We will work through the Evaluation Advisory Group to assess the impact of this legislation.

Working in partnership is key to effective regulation in liquor licensing. Police Scotland remains committed to working closely with partners in the 32 Local Authorities across Scotland to ensure a fair and consistent approach. Preventing alcohol fuelled violence, disorder and antisocial behaviour is a priority and I believe that working together to achieve effective early intervention and enforcement is vital to this.

I would like to acknowledge the many active local partnerships that provide continued support, enabling Police Scotland and partners to drive improvement in licensing. I will ensure that all officers and staff continue to recognise the importance of working closely with key partners, including the Licensed Trade, to improve licensing standards nationally utilising the range of options available to them.

I am confident that through strong partnerships and collaborative working, we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Mr Iain Livingstone QPM
Chief Constable
Police Service of Scotland

Police Scotland Licensing Overview

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2018/2019, from a licensing perspective, our particular focus will be on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country.
- Working closely with statutory partners within a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management.
- The implementation and ongoing development of the Licensing Admin tool provides divisional licensing officers with a single ICT product negating the need to research police systems independently. Through accurate recording, the licensing admin tool assists Police Scotland in deploying our resources to the right places and the right time to keep people safe.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

LICENSING BOARD AREA

The Aberdeen City Licensing Board area is policed by North East Division.

Chief Superintendent Campbell Thomson is the Local Police Commander who has the responsibility for all day-to-day policing functions.

Local Policing Priorities

Following our public consultation process, the policing priorities for North East Division, as set out in our Local Policing Plans are as follows:

- Anti-social Behaviour, Violence and Disorder;
- Acquisitive Crime;
- Road Safety and Road Crime;
- Protecting People at Risk of Harm;
- Serious Organised Crime;
- Counter Terrorism and Domestic Extremism.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

The North East Division Licensing Team is located across the division in Aberdeen, Inverurie, Elgin and Stonehaven. All staff have a division wide remit and a working knowledge of all the areas covered.

The North East Division Licensing Team, supported by Community Policing Officers, has promoted the Police Service of Scotland's force priorities alongside the five licensing objectives, the overarching principles and aims of the Licensing (Scotland) Act 2005.

In the reporting period, as statutory consultees, the team responded to the Board regarding 351 applications for occasional licences or extended hours, 7 premises or provisional premises applications, 391 personal licence applications and 128 premises variations or premises licence transfer applications.

Where any query arises from any such application, a member of the team will seek to discuss the application with the applicant, or the applicant's agent, to ensure that responses to the Board by means of representation or objection are considered, reasonable and proportionate.

The team enjoys a strong working relationship with the Local Authority Licensing Standards Officers. Both teams meet on a regular basis to share information and regularly conduct joint visits to licensed premises, on both a pro-active and reactive basis.

The North East Division Licensing Team is represented on the Local Licensing Forum and Aberdeen Alcohol and Drugs Partnership and works alongside the following groups and organisations to jointly improve local licensing issues:

- Unight;

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- Weekend Partnership;
- Community Safety Partnership;
- Local Pubwatch initiatives;
- Local Security Industry companies;
- Best Bar None;
- Street Pastors;
- Alcohol and Drugs Partnership.

Reviewing incidents on, or connected to, licensed premises is a key part of our day-to-day business.

Community based Police Officers are encouraged and expected to routinely visit licensed premises within their area. Aberdeen city centre benefits from a dedicated Weekend Policing Plan to support the night time economy.

Within the reporting period, there were 3077 inspections (visits) to licensed premises within Aberdeen recorded on the InnKeeper system.

Any Police Officer who attends an incident at a licensed premises is expected to submit a concise report via the InnKeeper system, particularly when the incident involves violence, disorder, anti-social behaviour, drunkenness, drug misuse, underage drinking, breaches of licensing legislation or any other matter that might impact on public safety.

Within the reporting period, there were 775 incidents connected to licensed premises within Aberdeen recorded on the InnKeeper system. This is a significant reduction from 1058 the previous reporting year and we view this positively.

The information obtained may show a causal link between the operation of the premises and the incident. An incremental intervention process allows for issues to be addressed quickly and effectively at an early stage. This includes a low level 'interaction' which may involve a discussion between the Police and the premises management and/or licence holder. The level of engagement from within the Aberdeen licensed trade is very good and in many instances, this approach reduces recurrence or escalation.

Premises may become 'monitored' with closer attention being paid to any incidents occurring there. This is often undertaken in conjunction with tasked, supportive visits to the premises by uniformed Police Officers.

However, where necessary, the staged process allows for more formal intervention to support premises where the need for support has been identified. A premises licence holder and the premises management may be asked to meet with the Police, when concerns will be discussed. This will often involve an agreed action plan being put in place, with a reasonable time scale for completion.

The most common example of an agreed 'action' is refresher training of staff covering their responsibilities including the sale of alcohol to underage or intoxicated persons, 'Challenge 25' and the general terms and conditions of the licence held.

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Should the intervention stage not bring about the necessary changes, or be otherwise unsuccessful, the next stage is the submission of a premises licence review application for the consideration of the Licensing Board.

Over the reporting period there have been three licensed premises in Aberdeen subject to a period of monitoring or intervention, a reduction from eight the previous year. Of these, all were late opening venues. The issues that were addressed related either to significantly high incidences of violence on the premises or perceived management shortcomings following serious incidents.

Partnership working between the Police, the Licensing Standards Officers and the premises licence holders and premises' management teams continues to hopefully fully resolve the issues and prevent bringing the matters to the Licensing Board by premises licence review application.

In the reporting period there were no premises licence review applications submitted to the Board and one Closure Order application was submitted.

The North East Division Licensing Team also has a system in place which monitors certain conduct of Personal Licence holders. Should such a licence holder be charged with any offence, this is brought to the attention of the team. Should the circumstances appear to be inconsistent with any of the five licensing objectives, consideration will be given to bringing this to the attention of the Board by way of a personal licence review. In addition, should an individual be convicted of a relevant offence, this will undergo the same scrutiny.

During the reporting period the North East Division Licensing Team was actively engaged in the consultation process for the Boards' new Statement of Licensing Policy.

We are very pleased to see the inclusion into the new Statement of Licensing Policy of a condition relating to vulnerability through intoxication training and a duty of care policy, following a request for this measure by the North East Division Licensing Team. The team will continue to work alongside the LSOs to assist premises complying with this new condition.

The team will be happy to report back to Board at any stage in the future any impact on policing which may relate to any change in the Board's policy.

PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

Aberdeen City attracts a relatively low number of reports of underage drinking or youth congregation involving alcohol when considering other towns and cities across Scotland.

Where a person under 18 years of age is found to be either under the influence of alcohol, drinking alcohol in a public place or in possession of alcohol, the Police Officer involved will take all appropriate steps to ascertain the source of the alcohol.

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Where information that cannot be fully evidenced is received regarding the sale of alcohol to children and young persons, in accordance with the national guidance contained within the 'Alcohol Toolkit', letters will be sent to licensed premises in the area reminding them of their responsibilities and requesting extra vigilance.

If such concerns were to continue in respect of specific premises, then other operational strategies would be considered.

One way in which North East Division delivers our commitment to the community is through our School Liaison Officers and School Based Officers. These Officers attend schools and other educational establishments seeking to equip our young people with the appropriate information and understanding that will allow them to make better informed decisions in key areas of their lives, both now and in the future. To this end they deliver lessons, linked to the Curriculum for Excellence, on a range of subjects including alcohol, controlled drugs and anti-social behaviour – particularly alcohol fuelled anti-social behaviour and the potential for related safety issues and consequences.

During the reporting period, the team was actively engaged in promoting the national 'You're Asking for It' campaign aimed at deterring proxy sales of alcohol for supply to children and young persons.

In support to the Protection of Children from Harm licensing objective, applications for premises licences and variations to premises licences come under close scrutiny often resulting in the submission of letters of objection, or more commonly, of representation, in which the imposition of conditions in respect of on sales, with regard to the times and terms in which children can be on such premises, will be recommended by the Chief Constable.

TACKLING SERIOUS AND ORGANISED CRIME

Many of the processes and procedures involved in licensing applications are carried out to guard against Serious Organised Crime Groups (SOCG) infiltrating the licensed trade in any way. This scrutiny is further enhanced with the nation-wide InnKeeper system. This database contains details of all liquor and civic licences for every Division in Scotland, and enhances our information sharing in respect of premises and people in the licensed trade as they move about the country and work in multiple venues.

If such an SOCG were able to gain a foothold in licensed premises this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities such as money laundering, tax evasion, drug and people trafficking and other dishonest activities.

Many of the procedures currently carried out by the North East Divisional Licensing Team, particularly in relation to new premises licences and the transfer of premises

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licences are done to ensure complete financial transparency and to ensure there are no business related irregularities which may be indicative of SOCG involvement.

Frequent and directed Police attendance and contact with licensed premises also increases the opportunity for irregularities to be identified or reported.

As part of this, the North East Division Licensing Team regularly liaise with Police Interventions staff who are aware of SOCG activity within the Division to ensure that applicants are not affiliated in any way to such groups, before responding to the Licensing Board.

The consistent high profile approach and interaction with licensed premises in direct correlation with the aforementioned close scrutiny in the application process should reinforce the work carried out to maintain this position.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

Over the forthcoming year, North East Division Licensing Team, in conjunction with Community Policing Teams, will work alongside licensed premises, to ensure that these premises are adhering to the spirit of the legislation and operate in a manner that supports the five licensing objectives. We aspire to maintain our number of supportive visits to licensed premises and hope to see a continued reduction in the number of incidents taking place on licensed premises.

It is intended that our involvement and participation in public safety campaigns will continue, such as the 'Ask for Angela' personal safety campaign and the 'One Punch' campaign which highlights consequences for both victims and perpetrators of spontaneous acts of violence.

Working with established partnerships but particularly with the licensed trade, we hope to continue to see a reduction in alcohol-related crime, particularly violence, whether perpetrated within licensed premises, public places or private spaces.

To conclude we would like to thank you for your continued support and stress the importance of this collaborative problem solving approach. This ensures that police, licence holders and licensed premises staff have a better understanding of their responsibilities. We look forward to furthering this partnership over the coming year.