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To: Shamini Omnes, Convener; Cran, Vice-Convener; and Neil Campbell, Neil Carnegie, Susan Dunn, Tara-Erin Gilchrist, Adam Grant, Louise Grant, Elaine Mottram, Lorcan O'Connor, Diane Sande, Jonathan Smith, Miriam Smith and Sarah Wheeler.

Town House,
ABERDEEN 07 October 2020

LOCAL LICENSING FORUM

The Members of the **LOCAL LICENSING FORUM** are requested to meet in **Virtual - Remote Meeting on WEDNESDAY, 7 OCTOBER 2020 at 2.00 pm.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

B U S I N E S S

- 1 Welcome and Apologies
- 2 Minute of Meeting 29 January 2020 - for approval (Pages 3 - 10)
- 3 Matters Arising
- 4 Update from Members

THE WORKING GROUPS OF THE LICENSING FORUM

- 5 Communication & Engagement
- 6 Local Licensing Forum Governance Review (Pages 11 - 16)
- 7 Licensing Board & Local Licensing Forum Joint Meeting

8 Alcohol Focus Scotland

<https://www.alcohol-focus-scotland.org.uk/media/440017/afs-review-of-statements-of-licensing-policy-2018-2023.pdf>

9 AOCB

10 Date of Next Meeting 25 November 2020

LOCAL LICENSING FORUM
Wednesday, 29 January 2020

Members present: Shamini Omnes, Chairperson; Neil Carnegie, Finlay Cran, Susan Dunn, Gill Flett, Tricia Maclean (substitutes for Megan Heathershaw), Elaine Mottram, Lorcan O'Connor, Martin Robb, Diane Sande, Jonathan Smith and Miriam Smith.

Also present: Shereen Balaban and Alexander Munro

Apologies: Tara-Eri Gilchrist, Derek Gardiner, Adam Grant, and Louise Grant

	Item	Discussion	Action / Decisions	To be actioned by
1.	<u>Welcome and Apologies</u>	<p>The Chair welcomed all those in attendance. The members were advised that Jim Smith was joining the meeting as an observer and had initiated his intention to join the Forum.</p> <p>The Clerk advised that apologies for absence had been intimated by Tara-Erin Gilchrist, Adam Grant, and Jonathan Smith.</p>	<p><u>The Forum agreed:</u> -</p> <ul style="list-style-type: none"> (i) to welcome Jim Smith as an observer to the meeting; (ii) to note that apologies for absence had been intimated by Tara-Erin Gilchrist, Adam Grant, and Jonathan Smith 	All members

	Item	Discussion	Action / Decisions	To be actioned by
2.	<u>AGM</u>	<p>The first order of business was to elect a new Chairperson. The members were advised that while work on the Constitution continued, specifically with regard to the term of office for Office Bearers, that the current Constitution required annual appointment of Office Bearers. The Clerk sought nominations for the positions of Chairperson and Vice Chairperson.</p> <p>Elaine Mottram nominated Shamini Omnes. Lorcan O'Connor seconded the nomination.</p> <p>Shamini Omnes nominated Finlay Cran. Susan Dunn seconded the nomination.</p> <p>Shamini Omnes and Finlay Cran accepted the nomination and there being no further nominations forthcoming, Shamini Omnes was duly appointed to serve as Chairperson and Finlay Cran was duly appointed to serve as Vice Chair.</p> <p>The members gave special thanks to Sarah Wheeler as Vice Chairperson.</p> <p>The members were advised that Martin Robb had initiated his resignation from the Forum, the members noted the resignation and gave thanks</p>	<p><u>The Forum resolved:</u></p> <ul style="list-style-type: none"> (i) to nominate and accept Shamini Omnes as Chairperson; (ii) to nominate and accept Finlay Cran as Vice Chairperson; (iii) to note the recent resignation of Martin Robb; (iv) to give thanks to Sarah Wheeler in her contribution to the Forum as Vice Chair and thanks to Martin Robb; and (v) for the ongoing governance review of the Forum to include a review of membership. 	
3.	<u>Minute of Meeting of 27 November 2019 – for approval</u>	<p>The Forum had before it the minute of the previous meeting of 27 November 2019.</p>	<p><u>The Forum agreed: -</u></p> <p>to approve the minute subject to</p> <ul style="list-style-type: none"> a) the date of the minute should read as 27 November 2019 	Shereen

	Item	Discussion	Action / Decisions	To be actioned by
4.	<u>The Local Licensing Forum Constitution Review</u>	<p>The Convener advised that an initial review of the Constitution had been carried out by Elaine Mottram. Members were encouraged to get involved with the review and to submit feedback to the Clerk.</p> <p>The members discussed a few elements of the review of the Constitution; the Forum's Representation, Communication and Engagement and the Officer Bearer appointment.</p> <p>The Chair advised that the review would allow for the Forum remit to be considered and to be more clearly defined. All effort would be made to ensure that the documents were accessible and in plain English.</p>	<u>The Forum agreed:</u> - to provide feedback to the Clerk on the Constitution.	All members
4.	<u>Purpose and Function / Remit of the Aberdeen Local Licensing Forum</u>	Members discussed the Forum and its purpose. Members acknowledged that before members can fully consider the role of members there needs to be a clear understanding of the Purpose and Remit of the Forum. Members agreed this was something which all members can provide feedback as part of the Constitution review	<u>The Forum agreed:</u> - (i) to have an input to the development of the Forum's purpose and Function; (ii) to note that the members will be involved in producing a 2020 action plan for the Forum; and (iii) to note that the Clerk will circulate Alcohol Focus Review of Licensing Board Annual Functions Reports 2017-2018.	All members All members Shereen

	Item	Discussion	Action / Decisions	To be actioned by
5.	<u>ELEPHANT study</u>	<p>The Convener advised the Forum that Stirling University had reached the 2nd Stage of the bid application. The Convener advised that the research team had asked if the Forum would like to make any changes to the letter of support. The updated letter would be circulated for members feedback prior to being sent.</p> <p>The Convener was asked to discuss with the Forum, the Research Teams proposal to set up public involvement groups within Aberdeen – which would be made up of customers of the licensed premises affected. Members were asked if they were able to publicise an advert through their social media accounts that would invite people to contact the team to participate. The Forum consider the best way to promote and attract volunteers to join the participation group.</p> <p>The Forum members were keen to be provided with clarity on the extent of the Forums role within the research project. Clarity would be circulated to the Forum members. The outcome of the bid proposal would be shared at the following meeting.</p>	<p><u>The Forum agreed:</u> -</p> <ul style="list-style-type: none"> (i) for further communication with Stirling University for clarity on the expectation upon the Forum; and (ii) for the Forum’s letter of support to be circulated within members; and (iii) and note that members will consider if the Forum could provide support to the Study; and (iv) for information on the bid to be provided to the Forum at the next meeting following the application decision. 	<p>Shamini</p> <p>Shamini & Shereen</p> <p>All members</p> <p>All members & Shereen</p>

	Item	Discussion	Action / Decisions	To be actioned by
6.	<u>Working Groups</u>	<p><u>Licensing Conference</u></p> <p>The date of the Licensing Conference – Policy into Practice, had been confirmed for the 14 January 2020, at the Town House, Union Street, from 9.30am until 12.30pm.</p> <p>Alexander Munro – Legal Advisor to the Licensing Board advised the Conference will focus on the practical application of key aspects of the Licensing Board’s Policy Statement following its first year of operation.</p> <p>The agenda was near finalised and the guest speakers had been identified and were to be confirmed. The Group continued to work on the feedback / evaluation questions.</p> <p><u>Communication and Engagement Working Group</u></p> <p>Forum members discussed Forum Communication and engagement. Members considered further the re-establishment of a quarterly Licensing Newsletter. Working Group members will discuss with Officers to look at changes to the Local Licensing Forum presence on the Aberdeen City Council website.</p> <p>The Forum discussed potential objectives for the Forum for 2020/21. The Forum members discussed reviewing a toolkit on licensing for the Community and the role of social media for promoting the Forum.</p>	<p><u>The Forum resolved:</u></p> <p>(i) to note the ongoing work;</p> <p>(ii) for the Conference time to be agreed and for this to be communicated to all;</p> <p>(iii) for the Conference flyer to be completed and disseminated;</p> <p>(iv) for the members to produce a set of feedback questions; and</p> <p>(v) to consider further the means in which feedback will be gathered.</p> <p>(vi) to note that the Working Group will meet Media Officers to progress the Forum’s social media presence; and</p> <p>(vii) to note that the Working Group members will consider further the production of a Community Handbook regarding Licensing in the community as part of 2020/21 objective</p>	<p>All Forum Members Licensing Team & All Members Licensing Team</p> <p>Working Group Members Working Group Members & Shereen</p> <p>All Members</p> <p>All Working Group Members</p>

	Item	Discussion	Action / Decisions	To be actioned by
7.	<p><u>Updates from Local Licensing Members</u></p>	<p>The members discussed the importance of representation of members on the Forum and reporting to the Forum at each meeting. It is requested that each member provides a report update to the Forum ahead of the meeting to the Clerk to be included within the Forum agenda.</p> <p><u>Police Scotland</u></p> <p>The members of the Forum had before them Police Scotland – Annual Licensing 2018/2019 for their consideration. A brief overview was provided.</p> <p><u>Licensing Standards Officer (LSO's)</u></p> <p>Diane Sande – (LSO) provided an update to the Forum. The Forum heard that trade welcomed the successful Vulnerability training provided by the LSO's and the feedback was positive. The members discussed attending and participating in future training events.</p> <p><u>Integrated Children's Services</u></p> <p>Miriam Smith provided the members with a brief overview of the data in relation to the number of children that the local authority is working with and the number of looked after children which are affected by substance misuse. The data had not been provided to the Forum for some time and members agreed that it would be a good insight to have this data available on a quarterly basis.</p>	<p><u>The Forum agreed: -</u></p> <p>(i) to note the importance of members reporting to the Forum; and</p> <p>(ii) to request that data is made available to the Forum at the next meeting from Community Safety.</p> <p>(iii) to note the update from the Chief Constable's Report to the Aberdeen Licensing Board for the Period 1st April 2018 – 31st March 2019; and</p> <p>(iv) to note the update from the Licensing Standards Team; and</p> <p>(v) to note the good news and positive feedback on the successful Vulnerability training provided by the LSO's; and</p> <p>(vi) Forum members encouraged to participate at any future training/awareness events led by the LSO's; and</p> <p>(vii) to note the update provided by Miriam Smith on behalf of Integrated Children's Services; and</p> <p>(viii) to welcome the data shared in relation to the number of children that the local authority is working with and the number of looked after children which are affected by substance misuse; and</p> <p>(ix) for this Quarterly Report data to be shared with the members and recommended to Licensing Board.</p>	<p>all members</p> <p>All Members</p> <p>All Members</p> <p>LSO's</p> <p>All members</p> <p>All members</p> <p>Shereen</p>

	Item	Discussion	Action / Decisions	To be actioned by
8.	Next Meeting Wednesday 29 January 2020, 2pm, Committee Room 5, Town House	The Forum had before it the date of the next meeting. Members were made aware that the AGM will be immediately before the Forum meeting, starting at 2pm.	The Forum agreed: - (i) to note the date of the next scheduled Forum meeting.	all members

If you require any further information about this minute, please contact Shereen Balaban, email sbalaban@aberdeencity.gov.uk or 01224 522497

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ABERDEEN LOCAL LICENSING FORUM

Constitution

1. NAME

1.1. The name of the Forum shall be the ABERDEEN CITY LOCAL LICENSING FORUM.

2. GEOGRAPHICAL BOUNDARY OF FORUM

2.1. The geographical boundary of matters that the Forum shall deal with shall coincide with the boundaries of Aberdeen City.

3. TERMS OF REFERENCE

3.1 The terms of reference of the Forum are as follows:-

a) To keep under review –

- (i) The operation of the 2005 Act in Aberdeen City, and
- (ii) In particular, the exercise by the Aberdeen City Licensing Board of its functions, and
- (iii) Give such advice and make such recommendation to the Board in relation to those matters as the Forum considers appropriate.

b) To consider the implications of relevant local data and statistics provided to the Forum by Police Scotland, the local Health Board, and local drugs and alcohol groups;

c) To have a joint meeting with the Licensing Board at least once per year; and

d) To advise the Licensing Board on any matters of policy and other areas of concern.

3.2 The Forum is not permitted to advise the Licensing Board on individual licensing applications.

4 MEMBERSHIP

4.1 In terms of the Licensing (Scotland) Act 2005 (“the Act”), the Forum shall consist of not fewer than five and not more than twenty-one members from the various representative groups specified in the Act.

The following are required members of the Forum:

- a) At least one person must be employed as a Licensing Standards Officer for the council's area.
- b) At least one must be a person nominated by the Health Board of the Forum's area.

4.2 The Forum may also invite/co-opt additional representatives to join as member to enable it to fulfil its function.

4.2.1 In order to be eligible for membership of the Forum, a person must be:-

- a) aged 16 years or above;
- b) able to demonstrate an interest in the licensing system; and
- c) currently employed in or be a duly appointed representative of one or more of the following groups, namely:-

- the emergency services;
- persons having functions relating to health;
- education and social work;
- holders of premises licences and personal licences;
- persons resident within the Forum area; or
- young people in the area of Aberdeen City;

4.3 Any member who no longer meets the eligibility criteria for the Forum set out in section 4.2 above is no longer eligible to be a member of the Forum.

4.4 Members of the Forum will initially be appointed by the Local Licensing Forum.

4.5 Once established, the Forum itself may appoint new members to the Forum subject to the maximum number set out at paragraph 4.1 above. New members must meet the criteria set out at paragraph 4.2 above. Applications to become a member shall be submitted in writing to the Clerk of the Forum least fourteen days before a meeting of the Forum. Applicants shall be admitted only on the approval of a majority of the members present and voting at a meeting.

4.6 Any vacancy in membership shall be filled at the next meeting of the Forum occurring thereafter. Applications for membership shall be submitted in writing to the Clerk of the Forum at least fourteen days before a meeting of the Forum. Applicants shall be admitted only on the approval of a majority of the members present and voting at a meeting.

4.7 If any co-opted member of the Forum fails to attend three successive Forum meetings, with or without submitting apologies, the Forum may terminate their membership provided that the termination of the membership must be an item on a meeting agenda and must be carried by a majority vote of those present and voting. A period of leave of absence of up to six months for the Forum Member may be granted and minuted at any meeting of the Forum. This period may be reviewed by the Forum.

4.8 All changes in membership and all details of additional members appointed to the Forum shall be forwarded to the Clerk of the Forum.

4.9 All Licensing Standards Officers are appointed as members of the Forum and may rotate attendance.

4.10 Other interested parties, as invited by the Forum, shall be entitled to participate actively in the meetings of the Forum and present the Forum with information as required. No voting rights shall apply to such invited parties.

5. OFFICE BEARERS

5.1 A Convenor and Vice Convenor shall initially be appointed at the first meeting of the Forum.

5.2 Officers of the Forum shall retire annually and are eligible for re-election for the following year. The maximum length of service for Office Bearers will be three years in any one position.

5.3 In the event that an Office Bearer is unable to fulfil the role, the Forum will be given at least 7 days' notice of the intention to remove the Officer Bearer from their position and may reappoint a replacement Office Bearer from the membership.

6. MEETINGS

6.1 The Forum shall meet quarterly at a date and time appointed at the previous meeting.

6.2 The Clerk of the Forum will provide an agenda 7 days in advance of the meeting.

6.3 Forum Members who are not able to attend a meeting shall submit apologies to the Clerk in advance of the meeting.

6.5 Members of the press and public are entitled to attend Forum meetings. Members of the public and press may speak and participate in discussion at the discretion of the Convener or whoever is chairing the meeting.

6.6 Meetings of the Forum are to be chaired by the Convener.

6.7 In the event that the Convener and Vice Convener are unable to attend a meeting, the Forum may appoint an acting Convener to chair the meeting who would be classed as an Office Bearer in terms of section 7 for the purpose of that meeting.

7. QUORUM

7.1 The quorum for a meeting shall be one half of the number of the members (but in any case not fewer than 3). No business can be determined at a meeting unless a quorum is present.

7.2 One Office Bearer must be present at any meeting where a vote is to take place.

7.3 Each member present at a meeting will be entitled to one vote. In the event of an equality of votes, the Convener (or Vice Convener if chairing the meeting or any member Chairing the meeting) will be entitled to cast a casting vote.

7.4 If after 10 minutes from the appointed start time for a meeting, a quorum is not present, the Convener shall adjourn the meeting. It shall be recorded that, owing to a lack of the necessary quorum, no business could be transacted.

8. CONDUCT OF MEETINGS

8.1 Convener's Duties

8.1.1 To preserve order and ensure that every Forum Member has a fair hearing.

8.1.2 To decide on all matters of competency and relevancy.

8.1.3 To decide between two or more members of the Forum indicating a wish to speak by calling on the member who has first caught his or her eye.

8.1.4 The Convener will attempt to reach agreement among Forum members but if this is not possible the Convener's decision will be final.

8.2 Conduct of Forum Members

8.2.1 There will be at least one meeting each year which will focus on the review and development of the Forum in order to enhance the Forum's ability to fulfil its function.

8.2.2 Every member of the Forum shall have the opportunity to participate and be heard. Members of the press and public are entitled to attend Forum meetings. When a member is speaking, he or she shall be heard without interruption; all other members shall give way.

8.2.3 In the event of any Forum Member disregarding the authority of the Convenor, or being guilty of obstructive or offensive conduct, a recommendation may be moved and seconded to suspend such member for the remainder of the sitting. The recommendation shall be put without discussion and, if carried on a two-thirds majority, such a member shall leave the meeting forthwith. This recommendation shall take immediate precedence over any business which is taking place.

8.3 Agendas and Minutes

8.3.1 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 14 days prior to the date of any scheduled meeting.

a) Other items may be included in the agenda at the discretion of the Convenor.

b) The agenda for each meeting will be circulated to members no less than 7 days in advance of the meeting.

8.3.2 The Clerk of the Forum, shall take a Minute of every meeting of the Forum, the draft shall be circulated to the members. The minutes will include:-

a) the names of those present at each meeting, as well as those who have submitted apologies; and

b) brief notes of topics dealt with, but not the details of discussions.

8.3.3 Minutes shall be approved at the next meeting and before concluding the agenda discussed for the next meeting. Approved minutes shall be published on Council's website.

8. Adjournment of Meeting

8.6.1 The Forum may adjourn any meeting to such time as the Convenor may then or otherwise fix.

8.6.2 When an adjourned meeting is resumed, proceedings commence at the point at which they were broken off at the adjournment.

8.7 Sub-Committees

8.7.1 The Forum may establish working groups comprising members of the Forum and such other persons with particular expertise as may be appropriate, to undertake specific pieces of work to support in carrying out any of its functions.

8.7.2 The quorum of all Sub-Committees and working groups will be half of its total membership.

9. ANNUAL GENERAL MEETING

9.1 The Annual General Meeting of the Forum shall take place in January each year.

9.2 The business of the Annual General Meeting shall include:-

a) an annual report from the Convenor;

b) the appointment of the office bearers; and

c) the appointment of members.

10. ALTERATIONS TO CONSTITUTION AND POWERS TO MAKE OR AMEND RULES

10.1 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, provided due intimation of such proposed alteration shall have been sent to each member at least seven days before such meeting. All such alterations require to be approved by a majority of those present and voting. The Forum shall not be permitted to alter the Constitution if such alteration would conflict with the terms of the Act.

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