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To: Elaine Mottram, Convener; John Mooney and William Rae, Vice-Conveners; and Neil Carnegie, Finlay Cran, Louise Grant, Neil Grant, Steve McConnachie, Ewan Mclean, John Philip, Diane Sande and Stephen Stewart.

Town House,
ABERDEEN 17 January 2023

LOCAL LICENSING FORUM

The Members of the **LOCAL LICENSING FORUM** are requested to meet in **Committee Room 2 - Town House on TUESDAY, 31 JANUARY 2023 at 2.00 pm**. The meeting is a hybrid meeting and members can join remotely via Teams.

JENNI LAWSON
INTERIM CHIEF OFFICER - GOVERNANCE

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Should you require any further information about this agenda, please contact Lynis Masson, lmasson@aberdeencity.gov.uk or 01224 523939

Local Licensing Forum

ABERDEEN, 29 November 2022. Minute of Meeting of the LOCAL LICENSING FORUM. Present:- Elaine Mottram, Convener; and Neil Grant, John Philip, Diane Sande and Stephen Stewart.

WELCOME & APOLOGIES

1. The Convener for the Local Licensing Forum welcomed everyone to the meeting. She advised that apologies were received from Finlay Cran, Louise Grant, Sandy Munro, William Rae, and James Simpson.

INTRODUCTION OF NEW MEMBERS & VISITORS

2. The Convener introduced two new Members to the Forum, namely Lucy Simpson from the Alcohol and Drugs Partnership for Aberdeen City (ADP) and David Laing from the Cults Community Council, who will provide a young person's perspective.

She also expressed her thanks to visitors from the Bon Accord Residents Association (BARA), Rodrigo Rendon and Joe Burn who were invited to the meeting to present slides on "Achieving a Balance for City Centre Living."

MEMBERSHIP UPDATES

3. The Convener advised that Ewan McLean had resigned from the Local Licensing Forum due to successfully being appointed to a new role. There was currently no replacement for this vacancy however, an update would be provided in due course.

She also stated that James Simpson, David Laing, and Lucy Simpson would all be expected to be adopted onto the Local Licensing Forum after they have each attended their first meeting.

Following a suggestion made at the previous Joint Licensing Board and Local Licensing Forum meeting, the Convener confirmed that she had contacted the Street Pastors in relation to requesting a representative.

The Forum resolved:-

to note that the Street Pastors were considering a representative to be available to assist the Local Licensing Forum.

MINUTE OF MEETING - 30/08/2022 - FOR APPROVAL

4. The Forum had before it the minute of the previous meeting, of 30 August 2022.

The Forum resolved:-

to approve the minute.

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MATTERS ARISING

5. The Partnership were requested to intimate any matters arising.

During the discussion, it was noted that:-

- (a) the Convener informed the members that an action from last year's Joint Licensing Board and Local Licensing Forum meeting in relation to the Annual Functions Report was still outstanding;
- (b) the Convener requested that the previous minute for the Joint Licensing Board and Local Licensing Forum meeting be sent out to members. It was noted that a key item discussed was the interface between the Board and the Forum and the support expressed by Board members to develop the interface;
- (c) concerns were raised regarding the view expressed at the Joint Meeting that the new statement of licensing policy would require only minor changes. The increase in off sales compared to on-sales and the increase in online ordering and delivery of alcohol are examples; and
- (d) the Convener provided an update on the Community Led Action Research noting that it has been difficult to establish a group and commence the project. A meeting was planned for early December 2022.

The Forum resolved:-

- (i) to note that the action in relation to the Annual Functions Report would be completed by July 2023 by Elaine Mottram and JP McGivney;
- (ii) to agree that the minute of the Joint Licensing Board and Local Licensing Forum meeting from 4 October 2022 be circulated as soon as possible rather than waiting until the next meeting in September 2023;
- (iii) to ensure that the formal response from the Forum to the consultation on the new statement of policy would note the concerns identified by Forum Members; and
- (iv) to produce Forum reports for the Licensing Board meetings and submit them ten days prior to the Board meeting date.

BON ACCORD RESIDENTS ASSOCIATION (BARA)

6. The Convener provided an overview on the history of the Bon Accord Residents' Association (BARA) Achieving a Balance for City Centre Living Report and advised that she had first been given an insight to the report back in August 2022.

Information was provided on various discussions that had taken place over the past few weeks to consider whether it would be appropriate to discuss the BARA Report at the Local Licensing Forum meeting. The conclusion was that this would be worthwhile and for recommendations to be made on how the Local Licensing Forum could bring these to the attention of the Licensing Board.

A member of the BARA displayed a presentation showing evidence from residents and neighbours in this specific area of Aberdeen.

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From the presentation, it was noted that:-

- BARAs' stance was not in relation to anti-alcohol;
- BARA were seeking help in Aberdeen becoming a vibrant City where entertainment, shopping, family, and student life could co-exist in balance;
- trespassing is an issue when people climb over the locked gates and fall asleep in residents' gardens and stairwells and leave human waste;
- noise levels were an issue from Thursday to Saturday night from around 12-4am with drunken behaviour, shouting and chanting and was caused by people not dispersing quick enough after the clubs close;
- lighting was not in the right areas and needed to be reported on every occasion to prevent trespassing, drug taking, and easy access to gardens in the early hours when dark; and
- assault and anti-social behaviour were becoming an issue which was making residents feel unsafe and threatened.

In response to questions from the members, it was noted that:-

- no specific Police contact had been provided to them therefore, Police Scotland would liaise with the BARA and provide contact details;
- for a specific period, residents should consider reporting every incident to the Police through calling 101 and to note all reference numbers provided to allow the hierarchy at the Police to view the rising cases being submitted;
- in relation to the issue regarding people parking on double yellow lines, the BARA could consider contacting the Scottish Fire Service as they would assist with Health and Safety issues around restrictions on access and junctions;
- the BARA could approach issues as over-provision in the area; and
- the local Councillors had been supportive and had already provided advice on the issues raised.

The Forum resolved:-

- (i) to note that the Local Licensing Forum's role was to provide feedback and recommendations in relation to Licensing issues and to report back to the Licensing Board;
- (ii) that the opportunity to present these details formally to the Licensing Board would make the issues more visible;
- (iii) to consider liaising with Licensing Forums across Scotland regarding specific issues on a national level;
- (iv) to note that this was a neighbourhood issue and not just the views of the members of BARA in attendance today;
- (v) to note that school talks aimed at educating young people about the health and social impact of alcohol no longer take place; and
- (vi) to note that the residents of this area were not anti-alcohol, and they were hoping for a balance of a night-time economy and public living.

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LICENSING WORKSHOP UPDATE/FEEDBACK

7. The Convener advised that four members of the Local Licensing Forum had attended the Licensing Workshop, which took place on 8 November 2022. It was reported that over forty individuals from various groups attended the Workshop, with the largest group being from the Trade.

The Forum resolved:-

that in the absence of Sandy Munro, Depute Clerk to the Licensing Board, the following questions/comments would be submitted to him with the request that a response be provided to the Convener prior to the next meeting in January 2023:-

- (1) What was the process for the consultation?
- (2) What groups have responded to the online consultation?
- (3) Why was there little discussion around the health issues associated with alcohol use?
- (4) What is the timetable for the consultation process?
- (5) Will there be opportunities for those groups who were not well represented at the workshop to participate in a similar discussion regarding licensing policy? For example, off sales, Community Councils as well as the wider community.
- (6) What opportunities would be given to the public to allow them to contribute to the New Statement of Licensing Policy out with their working day?

UPDATE FROM FORUM SUB-GROUP ON LICENSING POLICY REVIEW

8. The Convener confirmed that there were no Local Licensing Forum Sub Group members available to give an update on the Licensing Policy Review.

The Forum resolved:-

that a member of the Local Licensing Forum Sub Group would report to the next meeting in January 2023 to allow a response to the consultation to be finalised and submitted as soon as possible.

FORUM SURVEY REPORT 2022

9. The Forum had before it the Report of the Local Licensing Forum Survey 2022.

The Convener requested that all members read the report and encouraged them to feed in their views and ideas directly to herself or to provide details at the next meeting in January 2023.

The Forum resolved:-

- (i) that the report of the Local Licensing Forum Survey 2022 would be added to the next meeting agenda in January 2023;

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- (ii) that the Convener would collate a response from all feedback received to ensure that all views were included; and
- (iii) to submit the response prior to the deadline.

2023 MEETING DATES TO BE AGREED

10. The Forum had before it provisional meeting dates for 2023, which included the dates for the Annual General Meeting (AGM), the Local Licensing Forum Development Day and the Joint Licensing Board and Local Licensing Forum meeting.

The Forum resolved:-

- (i) to note that the provisional dates for 2023 would be re-scheduled and sent out to all members once confirmed, to help provide consistency regarding the day, time, and venue bookings;
- (ii) to note that the venue would change from the Council Chamber to Committee Room 2 to encourage members to attend in person and to give confidence to the members to share their views in a less formal environment; and
- (iii) to note that the venue may be subject to change at short notice due to the Councillors being given priority over all Committee Rooms.

2023 AGM MEETING DATE

11. The date of the next Annual General Meeting (AGM) was confirmed as 31 January 2023. This will take place in Committee Room 2.

Please note that this may be subject to change due to Councillors being given priority over Committee rooms.

The Forum resolved:-

to note the date of the AGM meeting.

APPOINTMENT OF CONVENER & VICE CONVENER

12. The Convener encouraged everyone to make a nomination however, prior to submitting their choice they would need to request permission from the individual.

The Forum resolved:-

to submit nominations for the Convener and/or the Vice Convener vacancies directly to Lynis Masson, Clerk to the Local Licensing Forum via e-mail - LocalLicensingForum@aberdeencity.gov.uk

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LICENSING BOARD & LICENSING LOCAL FORUM JOINT MEETING 2023

13. The date of the joint meeting of the Local Licensing Forum and Licensing Board was confirmed as 26 September 2023, and would commence immediately after the Licensing Board meeting.

The Forum resolved:-

to note the date of the meeting.

TIMETABLE FOR SUBMITTING REPORTS TO THE LICENSING BOARD

14 The Convener advised the Forum that the dates for submitting reports to the 2023 Licensing Board meetings would be provided at the next meeting.

The Forum resolved:-

- (i) that the Licensing Board meeting dates would be considered for approval at their first meeting in 2023; and
- (ii) that the submission dates for the Local Licensing Board reports were to be reviewed once the Licensing Board dates were agreed.

AOCB

15. The Convener advised the Forum that an invite would be sent out to request any objections in relation to the new members joining the Local Licensing Forum.

The Forum resolved:-

- (i) to request that an e-mail be sent out to all Forum Members by Lynis Masson, Clerk to the Local Licensing Forum to request details on any objections regarding the new members joining the Forum; and
- (ii) that any objections were to be collated and submitted to the Convener.

DATE OF NEXT MEETING

16. The Local Licensing Forum were advised that the next meeting would take place in Committee Room 2 on Tuesday, 31 January 2023, at 2pm, noting that this would be the Local Licensing Forum's Annual General meeting (AGM).

The Forum resolved:-

to note the details of the next meeting.

- **ELAINE MOTTRAM, Convener**

Report of Local Licensing Forum Survey 2022

INTRODUCTION

Local licensing forums have a vital role to play in local licensing arrangements and the development of local licensing policies. However, forums, like the rest of the licensing system and range of stakeholders working within it, have inevitably faced challenges and been required to adapt in response to COVID-19. The Scottish Government therefore worked with Alcohol Focus Scotland (AFS) to undertake a survey of local licensing forums / local councils to identify current levels of forum activity. In addition, the survey asked about what was working well with forums and how they could be better supported or improved. This report summarises the key findings of the survey and the comments provided by the respondents.

BACKGROUND /CONTEXT

The Licensing (Scotland) Act 2005 requires every council to establish a local licensing forum. If the area of a council is divided into separate licensing divisions, then the council can choose to establish separate forums for each division. This means that there should be between 32-40 local licensing forums currently operating in Scotland. It is the job of the forum to review the licensing board in the area and to provide it with feedback. Specifically, the law states the forum's role is to:

- **Review:** *“keeping under review the operation of this Act [The Licensing (Scotland) Act 2005] in the forum’s area, and, in particular, the exercise by the relevant licensing board or boards of their functions”, and*
- **Advise:** *“giving such advice and making such recommendations to that... board in relation to those matters as the forum considers appropriate.”*

The law requires all forums to have a membership of between 5 and 21 people, and they must include at least one Licensing Standards Officer (LSO) and at least one person from the health board. The law also sets out the main categories of members which the council must reach and engage in the process of setting up/maintaining a forum: Licence holders; police; health, education or social work; young people; and residents. Forums have the flexibility to decide at a local level how many representatives there should be for each of the different interests, although all the interests are equally important.

ABOUT THE SURVEY AND RESPONDENTS

An invitation to complete the survey was distributed by the Scottish Government via email to forums/local councils, using the contact details available on the licensing section of each council's website. The invitation asked for a single representative from each forum, or a relevant council officer if the forum was inactive, to provide one response to an online version of the survey. It was recommended that the questions be discussed at a forum meeting prior to the answers being submitted online.

The survey ran between July 2022 - October 2022 and responses were received from 14 local licensing forums. This would represent less than half of the total number of forums that should be in operation, which should be between 32-40 as noted above. The forums that participated included a mix of those within urban areas and those within more rural localities. In addition, an email reply was received from one area (that did not participate in the survey) advising that there had not been a licensing forum in operation since pre-COVID due to staff redeployment and availability from a number of services.

People were free to skip past any question that they did not want to answer and so some questions were not answered by all 14 respondents. Please also note that the percentages given in this report may not always add up to exactly 100% as they have been rounded to the nearest whole number.

SURVEY RESULTS

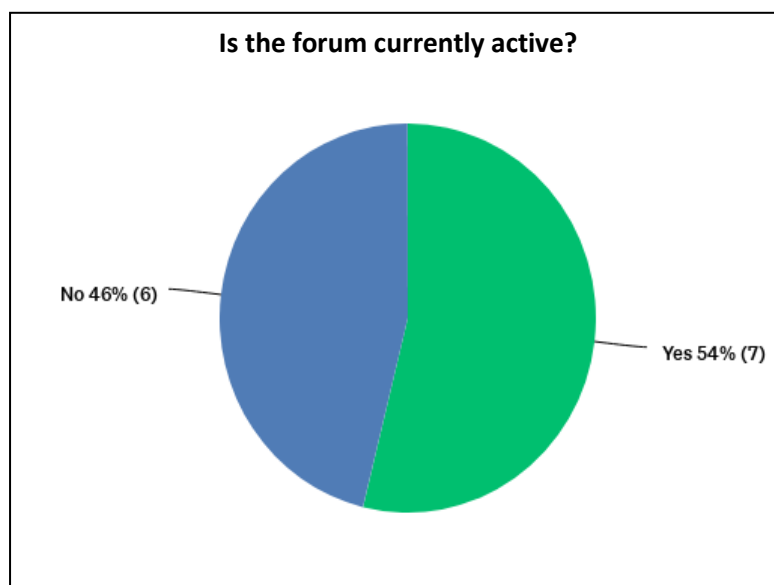
Key findings

The survey ran between July 2022 - October 2022 and responses were received from 14 local different licensing forums; there should currently be between 32-40 forums in Scotland. Of those who answered the relevant questions:

- **54%** of the forums were **currently active**, while **46%** were **not**.
- **66%** rated the forum as either 'very' or 'fairly' **effective** at reviewing the operation of the licensing system, while **33%** rated the forum as '**not effective**' in this regard.
- **55%** rated the forum as either 'very' or 'fairly' **effective** when asked about the forum's role to provide recommendations to the licensing board, with **44%** rating the forum as **not being effective** in this regard.
- Overall, the responses suggest that there is a **wide variation between forums** with regards to whether and how well they are operating, and the challenges being experienced.
- The total number of forum **members** (representing one of the main membership categories) on each forum **ranged from 5-15**, with the average number being 11
- **32%** of all forum members are **licence holders**, followed by LSOs and residents (both 14%). Only **1%** of forum members are **young people**.

Are forums currently active?

The survey asked respondents whether the forum was currently active. In response, 54% (7) answered 'yes' while 46% (6) answered 'no'. When the relevant respondents were asked to describe the main reasons for the forum being inactive, one commented on the impact of COVID and the reluctance of forum members to attend meetings remotely. Other respondents indicated more long-standing and reoccurring difficulties attracting and retaining forum members, with one expressing frustration that repeated attempts to maintain the forum had been unsuccessful and resource intensive.



"We have never got close to the maximum membership of 21... we barely reach the minimum of 5... Failing to reach a quorum is a common issue - if members do not confirm their intention to attend the next meeting, we cancel the meeting. Since there are only 4 scheduled meetings of the Forum a year, cancellation means there will be a gap of months between meetings."

Respondents in areas with inactive forums were asked whether there were any plans to reactive the forum, with 67% (2) of those who answered indicating 'yes' and 33% (1) indicating 'no'.

Respondents in areas with active forums were asked how many times the forum had met in the previous 12 months, with the answers given ranging from 1-6 times (1 x 1 time, 2 x 3 times, 2 x 4 times, 1 x 5 times, 1 x 6 times).

How well are forums functioning?

Respondents were asked to what extent they agreed or disagreed with a number of statements about the operation of the forum, as shown in the table below.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Forum members have a good understanding of their role and remit	11% (1)	44% (4)	22% (2)	11% (1)	11% (1)
The forum has clear aims/objectives	11% (1)	44% (4)	11% (1)	11% (1)	22% (2)
The forum has developed a workplan	11% (1)	22% (2)	0%	33% (3)	33% (3)
The Licensing Board takes the forum's views into account	22% (2)	11% (1)	44% (4)	11% (1)	11% (1)
There is good communication between the forum and Licensing Board	22% (2)	11% (1)	44% (4)	11% (1)	11% (1)
The forum has sufficient resources	11% (1)	11% (1)	56% (5)	22% (2)	0%
The forum receives support and input from local agencies	11% (1)	78% (7)	0%	0%	11% (1)
The forum has a good level of membership retention	11% (1)	33% (3)	11% (1)	11% (1)	33% (3)

The statement that the highest proportion of respondents agreed with was "the forum receives support and input from local agencies", with only one respondent indicating that they disagreed with this statement. The next most commonly agreed to statements were "forum members have a good understanding of their role and remit" and "the forum has clear aims/objectives". Conversely, the statement that the highest proportion of respondents disagreed with was "the forum has developed a workplan", with the second most disagreed to statement being "the forum has a good level of membership retention". Overall, however, the responses suggest that there is a wide variation between forums with regards to how well they are operating, and the challenges being experienced.

Respondents were also asked how they would describe the effectiveness of the forum in relation to the functions of forums as set out in the Licensing (Scotland) Act 2005, as shown in the below table.

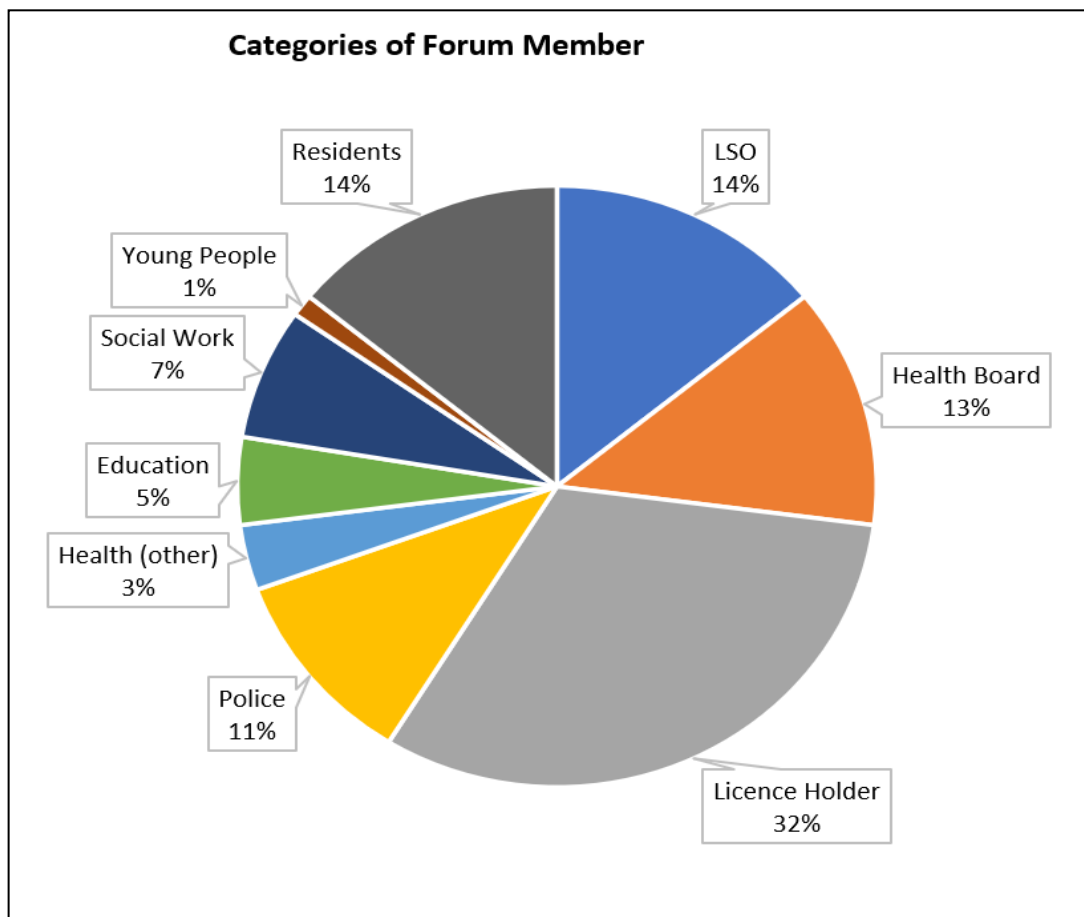
	Very Effective	Fairly Effective	Not Effective
Keeping under review the operation of the licensing system in the area	22% (2)	44% (4)	33% (3)
Giving advice and recommendations to the Licensing Board	22% (2)	33% (3)	44% (4)

The responses again suggest a variation in how effectively forums are functioning. Of the respondents who answered this question, 66% rated the forum as either 'very' or 'fairly' effective at reviewing the operation of the licensing system, while 33% rated the forum as 'not effective' in this regard. A smaller proportion (55%) rated the forum as either 'very' or 'fairly' effective when asked about the forum's role to provide recommendations to the licensing board, with a higher proportion (44%) rating the forum as not being effective in this regard.

What is the current membership of licensing forums?

Respondents were asked to state how many of each 'category' of forum member (as per the Licensing (Scotland) Act 2005) was represented on the forum. If a forum member belonged to more than one category, then the respondent was directed to count them as belonging to the category that best represented their key reason for attending the forum.

The total number of forum members (representing a main category) on each forum ranged from 5-15, with the average number being 11. The total proportion of each category of forum member from all the forms combined is set out in the chart below.



Licence holders make up the highest proportion (32%) of forum members, followed by LSOs and residents (both 14%). Conversely, the least well represented category is young people (1%), followed by Education (3%).

"We find that "young people" (16-17) tend to attend only one or two meetings before they become too old to be "young people""

In addition, several respondents commented that the forum membership included people who did not represent one of the main categories of forum member, with examples being representatives from chambers of commerce, council teams e.g., Safer Neighbourhood Team, and local country halls.

How could forums be supported/improved?

Respondents were asked for their suggestions of how forums could be supported/improved.

One respondent suggested that forums should be encouraged to adopt good practice based on learning from areas where forums were operating effectively. However, they also commented that a lack of resources may limit what is possible in some areas, and that some forums may require more support and encouragement to enable them meet more regularly.

"Here the forum is very well attended, has a full work plan set out, full and proper representation from all parts of the licensing sector, as well as student, local community, NHS, Police Scotland and LSO representation... [forums need] more resource and support to encourage and enable forums to meet more regularly. As it is, some don't meet at all or only infrequently."

Other respondents also highlighted the infrequency of forum meetings as being highly problematic, with some feeling that it contributed to breakdowns in communication between the different stakeholders involved in the forum and also with the licensing board. Several respondents highlighted that having more regular and informal meetings between the forum and board had been (or would be) beneficial.

"Interaction between the forum and the Board through the annual meeting is a good thing, but this should be augmented by a close working relationship with the Chair of the forum and the Chair of the Board, so that things are discussed and debated as they arise and not just annually."

"The quarterly meetings of the LLF [Local licensing Forum] and the annual meeting with the board are insufficient to build and maintain a positive working relationship. There are now occasional, informal meetings, where information and advice can be more regularly shared."

Other comments related to forum membership, and the need to invest in the recruitment and retention of members. Some suggested that the provision of training and support would encourage more members to participate and stay on forums.

"Increase level and diversity of members. Increase level of funding to allow for better community engagement."

"More recruitment of community members - Recognition schemes for community members who volunteer – i.e., voluntary hours given recognition schemes (helps build CVs, job application etc potentially),"

"Training for all forum members to maximise participation in individual contributions to the wider shared goals - training around the technicalities around licencing issues."

"Clear training and a work plan from the Scottish government, also some form of supervision to make sure the system/engagement with the board is happening as it should"

“There is a need to extend the membership of the forum (and this needs to include proper representation from local communities)/ formalise and improve joint working with the licencing board/ develop a clear programme of work, and this should include upskilling and development opportunities for forum members.”

Additional suggestions put forward included the possibility of creating opportunities for representatives from forums to come together at a national level.

“It would be helpful to have some form of national meeting where local Licensing Fora can exchange ideas.”

“Some kind of network where Forum Convenors and Vice Convenors could meet and share experiences and ideas and gain support would be helpful.”

However, it was also commented that forums may require a more fundamental review and overhauled in order for them to be able to function as intended.

“Forums essentially need to be rebooted as they have not worked in some time and are directionless”

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