

ABERDEEN LOCAL LICENSING FORUM

Wednesday, 8 June, 2011

Present: Allan McIntosh, Convener; Councillor Martin Greig, Ken Eddie, Gerard Rattray, Barry Skinner (substituting for Inspector John Soutar), Michelle Wall (replacing Mark Donlevy), Linda Smith, Sandy Kelman, Tom Cowan, Raymond Morrison and Diane Sande.

Also Present: Grant Webster, Clerk to the Local Licensing Forum

Apologies: Mary Crawford, Bob Westland, George Wyatt, David Wright and Barry Black

MINUTE OF FORUM MEETING HELD ON 14 APRIL 2011

1. The Forum had before it the minute of the meeting held on 14 April 2011.

The Forum resolved:-
to approve the minute.

UPDATE FROM LICENSING BOARD

2. The Forum had before it an update on recent licensing issues from the Depute Clerk to the Licensing Board. It highlighted two separate issues which had been discussed at recent Licensing Board meetings.

1) Grampian Police CCTV Specification – Licensed Premises

Aberdeen City Licensing Board is considering making a change to its Statement of Licensing Policy. The change relates to late opening premises only.

The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007, provides that in certain late opening premises: "A CCTV system must be installed in the premises to the satisfaction of the appropriate chief constable and must be kept in good working order".

The provision gives the police discretion when identifying an acceptable standard for CCTV systems. Grampian Police have drafted their proposed standard. The proposal is to have it incorporated in the Licensing Board's Statement of Licensing Policy.

2) General Extension Under Section 67 of the Licensing (Scotland) Act 2005

At its meeting on 3 May 2011 the Licensing Board resolved to grant a general extension under Section 67 of the Licensing (Scotland) Act 2005 to allow one extra hour after the terminal hour for all on-sale liquor licensed premises throughout Aberdeen city, with the exception of casinos, for the duration of Offshore Europe 2011. The general extension has effect from Monday 5 September 2011 to Thursday 8 September 2011

The Forum discussed these items at length and a number of clarifying questions were raised. With regards to item 1, the Forum queried the specifications of the CCTV regulations, most notably the decibel levels set for relevant premises. It was advised that the levels were set by the Government. With regards to the policy for retaining the CCTV footage, the Forum were advised that the standard period of retention was 7-14 days.

The Forum resolved:-

to note the update as given.

REVIEW OF STATEMENT OF LICENSING POLICY – RESPONSE FROM LICENSING BOARD

3. With reference to Article 3 of the minute of the meeting of 14 April 2011, the Forum once again had before it a letter from Brenda Flaherty, Legal Manager, Licensing Team. In terms of section 12 of the Licensing (Scotland) Act 2005, where the Board decides not to follow advice or recommendations given to it by the Forum, it must give reasons for not doing so. The letter set out the Licensing Board response to the Forum's submissions with regards the review of Statement of Licensing Policy.

The Forum expressed disappointment at the letter, feeling that some of the responses provided were insufficiently detailed and lacked clarity. There were various points in which the Forum felt the Board appeared to be dismissive of the points raised and certain areas in which it was felt further discussion with the Board was needed. It was felt that there was not enough emphasis on the Board's wider responsibility towards public health. It was decided that this would be raised with the Board at the upcoming joint meeting.

The Forum resolved:-

to discuss further at the next joint meeting with the Licensing Board.

STATISTICAL INFORMATION

4. The Chairperson asked if the representatives present had any statistical information they wished to share with the Forum.

Sandy Kelman spoke to the paper titled 'Public Health and Licensing' which had been distributed amongst the members. He advised the members that Alcohol Focus Scotland is currently working to clarify and provide practical advice to taking a public health approach in licensing. Giving a broad view of the different approaches taken by Scotland-wide Licensing Boards within their Licensing Policy statements, the paper showed a wide variance in Boards' understanding of the

evidence of alcohol-related harm and how they interpret and relate this to their policy and decision making. The paper described a lack of consistency in detailing consultees or statistics used in determining overprovision. He advised the Forum that Alcohol Focus Scotland and the Director of Public Health were holding a meeting later this year to discuss what work is being done to address these inconsistencies.

Barry Skinner (Grampian Police) informed the Forum that, in relation to alcohol fuelled violence in March, April and May there had been 40, 34 and 31 counts respectively. In relation to serious assaults for the same 3 month period, there had been 1, 1, and 0 respectively.

Michelle Wall of UNIGHT advised the Forum that they had recently lost a member but there were a few premises which were looking to rejoin. She also updated the Forum on exclusion orders. If a person is given an exclusion order from any UNIGHT venue, not only are they excluded from all UNIGHT venues but they are also excluded from non-UNIGHT venues. She advised the members that the Procurator Fiscal was on board with this approach.

The Forum resolved:-

to note the updates given.

UPDATE FROM LICENSING STANDARDS OFFICER

5. The Forum received an oral update from Raymond Morrison, Senior Authorised Officer. He advised the Forum that they are continuing to liaise with Grampian Police, Noise Protection Teams and Pollution officers and attending on visits to premises/targeted areas. They are also following up on complaints, objections to licensing applications and, where appropriate, mediating between disgruntled parties prior to the Board decision.

The Forum resolved:-

to note the update given.

WORKPLAN

6. The Forum had before it the workplan of the Local Licensing Forum. The Convener went through each issue on the workplan and updates were noted.

With regards to item 5 (Late Night Bus Services) on the workplan, the Forum heard an update from Michelle Wall. She advised the Forum that First Aberdeen had recently changed the pricing and service delivery for their late night bus services but had neglected to inform licensed premises. The Forum agreed to write a letter to First Aberdeen regarding this.

The Forum resolved:-

- (i) to write to First Aberdeen to ask about the recent changes to the times and pricing of their late night buses; and
- (ii) to otherwise approve the workplan.

PROPOSED ITEMS FOR DISCUSSION AT JOINT MEETING

7. The Forum discussed the upcoming joint meeting between the Licensing Forum and the Licensing Board. It was agreed that the agenda would consist of a discussion surrounding the five licensing objectives and public health. The Forum also proposed to discuss the review of the licensing policy statement.

The Forum resolved:-

to note the information given.

ISSUES RAISED BY CULTS, BIELDSIDE AND MILLTIMBER COMMUNITY COUNCIL

8. With reference to Article 7 of the minute of the meeting of 25 February 2011, the Forum had before it a letter from Mr Guus Glass, secretary of Cults, Bielside and Milltimber Community Council. In his letter Mr Glass advised the Forum of a number of alcohol related issues that had been raised at recent Community Council meetings namely a need to limit the number of licensed premises in Cults, Bielside and Milltimber and a need to increase checks on licensed premises to make sure alcohol was not being sold to underage drinkers.

The Forum discussed the letter in detail citing that, although the area would not be classed as overprovision, they could feed the Community Council's concerns back to the Licensing Board. With regards to the sale of alcohol to underage drinkers, Barry Skinner of Grampian Police, advised that he would pass on the information presented to the relevant authority for the area. In addition, Michelle Wall, UNIGHT, agreed to include information pertaining to underage drinking and drinking in public areas offences in their 'Is It Worth It?' campaign which will be promoted in City schools soon.

The Forum resolved:-

to write to the Cults, Bielside and Milltimber Community Council to advise them of the outcome of the Forum's discussion.

CCTV – POLICY AMENDMENT

9. With reference to Article 2 of the minute of the meeting of 8 June 2011, the Forum had before it further information regarding the minimum specifications necessary for CCTV systems to meet licensing requirements in the Grampian Police area.

Although the specifications within the document appeared to be quite technical, it was noted that, for the majority of licensed premises, it would require minimal change to what they have in place already. The Forum advised that the document appeared to be an attempt to standardise CCTV requirements across the area.

Questions were raised regarding enforcing these conditions and Diane Sande advised the Forum that, given present staffing, it would have to be done on a case-by-case basis. Unless issues are noted, the onus would be on the premises to maintain their own CCTV specifications.

The Forum resolved:-

to note the further update given.

ANY OTHER COMPETENT BUSINESS

10. (A) Forum Membership

The clerk updated the Forum with regards to the present vacancies on the Forum. At present the Forum has two vacant spots, one of which is earmarked for a student representative. He advised that letters had gone out to the six named nominees with a deadline of 13 June for noted interest to be received. So far 2 replies had been received for the open spot. He advised the Forum that any notifications of interest received would be tabled at the next meeting.

(B) Taxis in Bus Lanes

Michelle Wall raised a question regarding taxis being allowed in bus lanes at night. The clerk advised that he would look into this and revert with an update.

The Forum resolved:-

to note the information given.

DATE OF NEXT MEETING

11. It was confirmed that the next meeting of the Forum would be held on Thursday, 8 September, 2011.

- **ALLAN MCINTOSH, Convener.**