

ABERDEEN CITY COUNCIL  
JOINT MEETING OF ABERDEEN CITY LICENSING BOARD  
AND ABERDEEN LOCAL LICENSING FORUM

Thursday, 23 June, 2011

Present: Councillors Jaffrey, Boulton, Collie, Cormie, Donnelly, Penny and Robertson (Licensing Board);  
Gerard Rattray, Ken Eddie, Sandy Kelman, Diane Sande, Linda Smith, Inspector John Soutar, Gillian Esson, Mike Saint, Michelle Wall, Mary Crawford, Gordon Riddel (Local Licensing Forum).

In attendance: Eric Anderson, Depute Clerk to the Licensing Board, Vikki Cuthbert, Democratic Services and Grant Webster, Clerk to the Local Licensing Forum.

Apologies: Councillor Hunter, Allan McIntosh.

### **WELCOME AND APPOINTMENT OF CHAIRPERSON**

1. Councillor Jaffrey welcomed everyone to the joint meeting between the Licensing Board and the Licensing Forum.

### **UPDATE FROM DEPUTE CLERK TO LICENSING BOARD**

2. Eric Anderson, Depute Clerk to Aberdeen City Licensing Board addressed the meeting.

With regards to the Board's Statement of Licensing Policy, Mr Anderson advised that there continues to be amendments made to the policy due to the incremental introduction of the changes contained within the Criminal Justice and Licensing (Scotland) Act 2010 and the Alcohol etc (Scotland) Act 2010. While the transitional period has solved a few of the difficulties contained within the Licensing (Scotland) Act 1976, the Board are still waiting for guidance to be provided by the Scottish Government with regards to the new Acts.

Aberdeen City's Licensing Board renewed their Statement of Licensing Policy at the end of last year after a consultation period. Mr Anderson advised that supplementary Statements of Licensing Policy could be published if needed to work alongside the Statement of Licensing Policy. One such addition in recent months has been in relation to Grampian Police's publication of a CCTV specification for Licensed Premises. This publication outlines the minimum requirements for CCTV systems to meet licensing requirements in the Grampian Police area. Mr Anderson advised that it was felt important for this to be incorporated into the Statement of Licensing Policy and it was currently out for consultation.

Mr Anderson advised the meeting that review hearings for personal and premises licences were on the increase after the introduction and implementation of the

Licensing (Scotland) Act 2005. Under that Act, review hearings can be initiated by application. He advised that they are waiting to see if this remains to be effective.

## **FORUM WORK PLAN**

3. The joint meeting considered the Work Plan and noted updates on actions / decisions taken by the Forum.

The Forum work plan was noted.

## **REVIEW OF STATEMENT OF LICENSING POLICY – RESPONSE FROM LICENSING BOARD**

4. The members had before them 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.

Mr Anderson advised that the Forum had submitted a number of suggestions (as detailed in the letter) and the Board had responded to the Forum's suggestions. He advised that, of the points not taken on board, some were already included, some, it was felt, required more discussion, and some were unable to be included due to the impending November deadline but may be looked at again at a later date. He advised that just because a suggestion/comment had not been taken on board did not mean that it had been without merit.

Councillor Boulton raised a point of concern regarding the adequacy of door supervision at licensed premises in the city, and the joint meeting had a lengthy discussion during which a number of contrasting views were expressed, including:-

- There may be a need to standardise door stewarding across the licensing area in the interests of public safety;
- Variations were agreed by the Board to reduce the number of door stewards on weekdays due to the lack of trade to justify them. Aberdeen City has a night-time economy which is struggling during the week and the Board should listen to license holders sympathetically. On the other hand it was noted that certain nights during the week, for example Monday or Wednesday nights, could be just as busy as Friday or Saturday nights;
- The actions of some venues were leading to unsafe practices where, for example, untrained staff are being left without door stewards, and door stewards are being shared amongst up to four different venues at a time;
- Door stewarding is the first line of policing for licensed venues and, at present, it was being left to the will of the venue to organise;
- From a trade perspective, it is necessary to protect staff and venues could perform a self assessment based on average footfall that the Board/Police could then review. A contrasting view was that self assessment would not work. For many venues, security is seen as a form of expense which may not always be prioritised.

It was felt that there needed to be further discussion between Board and Forum members to review the situation more fully. As such, it was agreed that a recommendation to form a working party, led by the Licensing Board and consisting of both Board and Forum members, would be put to the next meeting of the Licensing Board on 28 June 2011.

Councillor Jaffrey raised another issue contained within the response to the Licensing Forum regarding the staffing levels of License Standards Officers (LSO) within Aberdeen City. She advised that it was down to available financing that only one LSO was employed by Aberdeen City Council, and commended the efforts of that postholder.. Councillor Boulton advised that this issue had been raised at the end of last year with the Director of Housing and Environment during the budget process.

Sandy Kelman, Aberdeen City Alcohol and Drugs Partnership, raised a further issue regarding LSO's. He advised that the Forum felt that the role of the LSO also covered guidance, mediation and compliance not just enforcement as set out in the Statement of Licensing Policy. He advised that the Forum had felt the Board's letter of response had been generally quite dismissive in tone but accepted Mr Anderson's explanation that time frames and the need for further dialogue on certain facets had led to this impression.

## **ADDRESSING THE 5 LICENSING OBJECTIVES**

**5.** Mr Kelman advised that at the last Forum meeting, it was decided that the joint meeting should refocus on the basics of the Licensing (Scotland) Act 2005 i.e. the Five Licensing Objectives. He stated that there had been a lot of discussion today regarding the night time economy and the immediate knock-on effects but there had been little discussion about the wider remit of public health (Objective 4 – Protecting and Improving Public Health). He wondered how the Board were measuring how effective they were being in meeting this objective. Mr Anderson agreed that it was a very difficult area to measure and, in discussion with colleagues across the country, it appears to be an area which all other Licensing Boards are struggling with. He advised that the Director of Public Health is looking at this very issue at present and that guidance was expected shortly. Mr Kelman suggested that the Board may want to look at other areas of consultation/data i.e. from ambulance services, health board. He advised that there is a meeting later on this year with Alcohol Focus Scotland, the details of which he would advise to the Board of at a later date.

David Wright, Service Manager Education, Culture and Sport, advised that there is a programme of education regarding alcohol and drug abuse embedded within the Curriculum of Excellence, and that awareness of the wide-reaching public health issues caused by prolonged alcohol and drug abuse was quite prominent. Mary Crawford advised that she had recently been to a primary school and seen displays done by Primary 3 pupils that explained the dangers of alcohol and drugs.

The joint meeting also discussed the culture of consuming offsales purchases prior to going out to pubs and clubs, and noted that this was also becoming quite a serious issue. The joint meeting welcomed the work that was being done in this area towards public health i.e. designated areas in offsales.

Inspector John Soutar stated that the measuring of a wider range of statistics or data would allow the Board to have a better indication of how the Statement of Licensing Policy was impacting upon the five objectives. This would allow the Board to move into a more significant role.

Councillor Jaffrey referred to a recent newspaper article which claimed that there was a growing problem with pensioners drinking too much, citing cheap deals at supermarkets as the main cause. She also advised that she felt there was too much 'grey' or vague information coming from the Scottish Government and more governance was needed from that level.

With reference to the newspaper article, Linda Smith, NHS Grampian, advised that the information quoted in the article was from a recent research paper entitled 'Alcohol Abuse in Older People in Grampian' that was circulated at a recent Aberdeen City Community Health Partnership committee meeting. She endeavoured to circulate the paper among the members of the Forum and Board after the meeting. She advised that the paper looked at the problems from a preventative point of view, focusing on wider-reaching issues such as alcohol fuelled domestic violence and mental health issues caused by excessive drinking. The paper also looked at the wider effects upon the economy of an alcohol dependent culture, particularly in an ageing population.

With regards to the protection of children from harm, Councillor Robertson commended the work being done by Grampian Police utilising children to do test purchase at licensed offsales premises.

It was agreed that it was important to try and get the message across regarding the dangers of alcohol abuse and the far reaching effects on society. Councillor Donnelly suggested that a Government led advertising programme to educate and re-educate people of the dangers inherent within the abuse of alcohol, in both an initial and long term basis, may help the issue somewhat. Councillor Boulton agreed that people need to think twice about drinking heavily and take some responsibility for their actions and the wider reaching outcome of their actions within society.

## **ANY OTHER COMPETENT BUSINESS**

6. Sandy Kelman advised that Alcohol Drugs Partnership's alcohol strategy and action plan had been in place since December 2009. Later this year there will be a "stocktaking" event to evaluate the strategy and plan. He stated that he would be issuing an invite to the members of the Board once the date and venue had been confirmed.

Michelle Wall raised an issue regarding ATMs being situated within licensed premises, for example, casinos. Eric Anderson advised that they, as a Board, had never had this raised as an issue before now. Mr Anderson concluded that if it is a serious problem, control of ATMs within licensed premises would be part of the risk assessment.

## **NEXT MEETING**

7. It was confirmed that the next joint meeting between the Licensing Board and the Licensing Forum would take place in approximately six months time and that the Forum would be consulted on a date and time in due course.