

ABERDEEN CITY LOCAL LICENSING FORUM
ANNUAL REPORT JANUARY – DECEMBER 2023

Introduction

Following discussion at the Joint Meeting of the Licensing Board and the Local Licensing Forum in September 2023, it was agreed that the Forum would compile an annual report each year. This represents the first such report and feedback on its usefulness will be very welcome.

The report will cover the period from the AGM in January 2023 to year end in December 2023.

Forum Meetings and Membership

The year began with the AGM in January 2023 at which the following office bearers were agreed:-

Elaine Mottram - Convener

John Mooney and William Rae - Vice Conveners

Several changes in membership took place during the year and at year end, the membership is as follows:-

Licensing Standard Officers - John Philip, Diane Sande & Steven Stewart

Licensing Solicitor - Sandy Munro

Trade Representatives - Finlay Cran and JP McGivney

Representatives from Integrated Children & Family Services

Adult Social Work - Barry Stephen

Children & Young People's Social Work - Steve McConnachie

Alcohol & Drugs Partnership – Lucy Simpson

Street Pastors - Pete Turner

Police Scotland - Neil Grant

Unfortunately the Forum Member representing young people, David Laing, has now left but his contribution was much appreciated. Similarly, the representative for off-sales has not been able to fully take up his position on the Forum and has now left. Our representative from the Aberdeen City Alcohol and Drugs Partnership has also struggled to attend on a regular basis.

As required by the Forum Constitution, 4 meetings took place during the year in January (AGM), March, August and November. In addition, our annual Development Session was held in June. Meetings are now face to face with an option to attend remotely. However, we are very pleased that face to face attendance is now the norm which allows for informal discussions as well as the formal business of the meeting. The informal discussions are valuable in order to share information and build relationships. Attendance varies between nine and ten for each meeting.

Key areas of activity during the year

Community Engagement

During 2023, the Forum continued work with Community Councils which had begun in 2021. The final one of 5 sessions took place in April 2023 with the aim of equipping Community Council members to make effective representation in relation to a licensing application. This final session focussed on a case study and the opportunity to practice presenting a representation. This work has now concluded and it is hoped that through the development of proformas and guidance notes and the training/information sessions, Community Councils will feel better able to engage with the licensing system. A review session will be provided on request from the Community Council Liaison Officer, Karen Finch.

In the summer of 2022, a community residents association contacted the Forum to seek support and advice in their attempts to influence the licensing system. They were experiencing high levels of anti-social behaviour and crime associated with licensed premises in their area. They had collected evidence to demonstrate the impact resulting from alcohol use on the health and well-being of their community. The Forum has provided support and advice and on occasions has acted as their advocate.

Forum contribution to the Review of Licensing Policy

The Forum created a sub-group which included trade, health representatives to develop the Forum's input to the review of the Licensing Policy. The changed environment was noted and in particular, the rise in off sales and of online purchasing and delivery. Key elements of the Forum contribution were:-

- Where an area or locality already has an unacceptable and demonstrable burden of health harms (as is more likely in areas of social disadvantage), there is a case for restricting further availability;
- There should be special consideration given to the impact on children and young persons through advertising and marketing and proximity of premises to areas frequented by children and young people;
- Each applicant should demonstrate that each licensing objective has been systematically considered and note the level of risk under that particular objective their mitigation strategy; and
- The facility to depart from guidance to licensing boards in order to tailor decisions to local circumstances should be reasonably considered, providing there is no risk of any of the licensing objectives being undermined or compromised.

National Network of Licensing Forums

The Scottish Government carried a survey of Local Licensing Forums in 2022. A meeting took place in June 2023 of Forum members. The Aberdeen Forum Convener delivered a presentation at the meeting and the Aberdeen Forum has been influential in the development of a National Network.

Interface with the Licensing Board

Under the terms of the Licensing Act (Scotland) 2005, Local Licensing Forums have a role to:-

- keep under review “the operation of the 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
- to give advice and make recommendations to the Board.

The Forum has worked very hard to create a strong relationship with the Aberdeen City Licensing Board and its members on which to deliver its functions. The Forum now provides a written update to every Licensing Board meeting and there are two Forum representatives present at Board meetings.

Occasional informal meetings take place with the Board Convener and Board members.

ELEPHANT Study

The ELEPHANT study (Evaluating Later or Expanded Premises Hours for Alcohol in the Night Time Economy) has been underway in Glasgow and Aberdeen and the Forum has been engaged with Professor Fitzgerald who is leading the study virtually from its inception. The Forum has contributed throughout the 3 years of the study and it is now nearing completion. We anticipate that the conclusions of the study will provide some useful insights and learning points and we hope to work with the Board to make use of these in due course.

Review of aims and purpose

The Forum undertook an exercise to define its aims during 2023 and received the support of the Licensing Board to the outcome of the exercise. While an activity such as this may be seen by some as “navel gazing”, members found it useful to share and discuss ideas and reach a shared understanding of our function. In addition, we now have a statement to share with new members and other stakeholders should we need it.

Recommendations re AFR

The publication of an Annual Functions Report has been a requirement for Licensing Boards since 2018. At the Joint Meeting of the Board and Forum in October 2021, it was agreed that the Forum would review Aberdeen’s Annual Functions Reports and make recommendations to ensure it is an engaging and useful report which helps to keep under review the operation of the Licensing System in Aberdeen.

The Forum presented recommendations to the Board at the 2023 Joint Meeting and these recommendations were approved. The Forum looks forward to supporting the production of

the 2023-24 report which will reflect the recommendations.

Development Session

A review of the Forum's activity took place at the annual development session. A number of actions were agreed some of which have already been covered i.e. development of a statement of aims of the Forum and production of an annual report. In addition, it was agreed there would be an annual workplan. A key component of the workplan is to receive a presentation from a Forum member about their area of work and what they can bring to the Forum at each meeting. To date there have been presentations by our NHS representative and by the Police. The next topic will be the LSOs function.

It was also agreed that we would be proactive about engaging with relevant local initiatives and also Scottish Government consultations. In relation to the latter there have been contributions to consultations on Minimum Unit Pricing and Alcohol Advertising.

Looking ahead to 2024

Plans for 2024 include:-

- Further developing our ability to make recommendations to the Board;
- A proactive approach to contributing to the National Network of Forums and engaging with the ongoing debate regarding accountability in the licensing system in particular in relation to the public health licensing objective;
- Supporting the production of a new more meaningful version of the Annual Functions Report;
- Continuing to develop our membership and our interface with the community; and
- Working with the Community Council Liaison Officer on the development of online modules related to alcohol licensing for Community Councils.

- Elaine Mottram, Convener

February 2024