

## LOCAL LICENSING FORUM

Thursday, 17 November 2011

Present: Alan McIntosh, David Wright, Ken Eddie, Gerard Rattray, Inspector John Soutar, Michelle Wall, Linda Smith, Sandy Kelman, Councillor Martin Greig, and Raymond Morrison.

Also Present: Fiona McQuillan, Grampian Police, Tom Snowling, Martin Allan, Grant Webster, Clerk to the Local Licensing Forum.

Apologies: Bob Westland, Tom Cowan, Mary Crawford and Craig Adams.

### ELECTION OF FORUM CONVENER AND VICE CONVENER

1. Due to the absence of the Vice Convener, it was decided to defer this item to the next meeting. For this meeting only, Alan McIntosh took the Chair.

**The Forum resolved:-**

to defer this item to the next meeting and invite Alan McIntosh to take the Chair for this meeting only.

### MINUTE OF MEETING OF LOCAL LICENSING FORUM OF 8 SEPTEMBER 2011

2. The Forum had before it the minute of the meeting held on 8 September 2011.

**The Forum resolved:-**

to approve the minute.

### MATTERS ARISING

#### (a) CURRENT COMPOSITION OF LICENSING FORUM MEMBERSHIP AND IDENTIFIED GAPS

3. With reference to Article 11 of the minute of the meeting of 8 September 2011, the Forum had before it details of the current composition of the Licensing Forum. The clerk spoke to the paper highlighting that the Forum are allowed a maximum of 21 members and currently there were 18 members. One of the vacancies was earmarked for a student representative and the clerk advised that he had contacted both Robert Gordon University and Aberdeen University and was waiting for them to submit a representative to the Forum. As such, the clerk advised the Forum that there were 2 available vacancies and the Forum had delegated powers to decide whether to fill those

identified vacancies or not.

**The Forum resolved:-**

to note the information given

**(b) LOCAL LICENSING FORUM VACANCIES/RECENT APPLICATIONS**

4. With reference to Article 11 of the minute of the meeting of 8 September 2011, the Forum had before it information on 3 applicants looking to become members of the Local Licensing Forum. As 2 of the applications were from members of the licence trade, the Forum discussed the need to maintain a good mix of interested parties. The Forum considered whether it would be possible for the members allocated as Representatives of Holders of Premises Licences/Personal Licences to be allowed substitutes in periods of non-attendance. The clerk advised that he would have to check the legislation and revert to the Forum at a later date. The final application was from Aberdeen Samaritans and, after discussion, it was decided that they could be a positive addition to the workings of the Forum.

**The Forum resolved:-**

- (i) to contact the two applicants from the licensed trade to advise them that they were unsuccessful this time;
- (ii) to instruct the clerk to investigate the possibility of appointing substitute members for the Representatives of Premises Licences/Personal Licences; and
- (iii) to contact the applicant from Aberdeen Samaritans to advise them that they were successful in their application.

**AGENDA AND MINUTE OF LICENSING BOARD MEETING OF 28 JUNE 2011**

5. With reference to Article 4 of the minute of the meeting of 11 November 2010, the Forum had before it a copy of the minute of the meeting of the Licensing Board of 28 June 2011.

Sandy Kelman asked why the minute attached was from the meeting of 28 June when there had been further meetings of the Licensing Board since then, one of which he had been in attendance for. The clerk advised that standard council operating procedures was for the minute to be approved by the Board/Committee at its subsequent meeting prior to being published for the public. This can, however, lead to there being a delay between the meeting of the Licensing Board and the Forum seeing the minute for the same meeting.

With regards to Article 4 of the minute of the meeting of 8 September 2011, where the clerk was instructed to invite a member of the Licensing Board to attend all future meetings of the Licensing Forum to talk to the Licensing Board agenda and minutes, the Forum heard a response from Eric Anderson, Depute Clerk to Licensing Board. He advised;

'I placed the Forum's request before the Licensing Board at its meeting of 18 October for its consideration.

The Members decided unanimously to refuse the request.

The Board considered that its members are already fulfilling its statutory requirements in respect of its relationship with the Forum. If there was any proposal which the Forum wished to raise in regard to the Board's policy this could be put to the Board for its consideration collectively through the clerk or discussed at the twice – yearly meetings. As far as the Board's other business is concerned, as members of the Forum are aware, it would be inappropriate to discuss matters relating to individual applications.'

The Forum expressed their disappointment at this, stressing that they felt that the Board could be quite dismissive of the work of the Forum at times. Michelle Wall advised that she felt the position and power of the Forum needed to be re-addressed.

**The Forum resolved:-**  
to note the update

## **NATIONAL LICENSING CONFERENCE**

### **(a) AFS REPORT – RE-THINKING ALCOHOL LICENSING**

6. With reference to Article 9 of the minute of the meeting of 8 September 2011, the Forum heard from Inspector John Soutar.

Inspector Soutar expressed his thanks to the Forum for allowing him to attend the event on their behalf, stating that he found it to be informative. He advised the Forum that the main theme for the conference was the recent Alcohol Focus Scotland and Scottish Health Action on Alcohol Problems publication, Re-thinking Alcohol Licensing. The conference considered the trend in alcohol consumption; levels and patterns of alcohol harm; diversification of retail practices and changing drinking behaviour in Scotland. He advised that there was also discussion on the policy context of the Licensing (Scotland) Act 2005 which moved licensing from an application-driven process to a policy-driven one. Attendees heard a presentation by Sir Crispin Agnew QC which advised that, while adopting a Licensing policy based upon the five Licensing objectives was seen as the correct thing to do, there appeared to be a lack of cohesive work between the 52 various Licensing Boards across the country. The report included statistical information on drinking in Scotland and the conference heard from Shona Robison, Minister for Commonwealth Games and Sport, who gave a talk on minimum pricing and the social responsibility levy.

Sandy Kelman advised the Forum that he was also in attendance at the conference and informed them that he did not see anybody from the Aberdeen Licensing Board at the conference.

**The Forum resolved:-**

- (i) to write to the Licensing Board to ask whether any of their members had attended the conference; and
- (ii) to note the update given.

## **INTELLIGENCE (TO INFORM THE WORKING OF THE LICENSING FORUM)**

### **(a) STATISTICAL INFORMATION**

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

Inspector John Soutar (Grampian Police) informed the Forum that there were 4 reported serious assaults over the past 3 month period. This signified a downward trend in relation to serious assaults. With regards to minor assaults, they had seen a slight upward trend but advised that this is probably due to premises being more likely to report minor assaults. He advised the Forum that consistent standards and joint working with UNIGHT, Pubwatch etc. was having a positive effect upon these figures. He advised that there was a more balanced approach taken with regards to convictions of door stewards for assaults, with an aim to establishing a working relationship between door stewards and the police.

Michelle Wall, UNIGHT, advised the Forum that they had the same number of members as last time (23) and that they were currently working with the police on their 'Is It Worth It?' campaign for schools.

David Wright advised the Forum that they had recently held a meeting with statutory bodies to discuss how they could be utilising statistical information better and if there were any other information that should be considered.

### **(b) UPDATE FROM LICENSING STANDARDS OFFICER**

8. The Forum received an oral update from Raymond Morrison, Senior Authorised Licensing Standards Officer. He advised the Forum that joint operations with the Police were continuing. Recently they had focused on Members Clubs and found that most were compliant. Of the ones that weren't, compliance notices were issued and followed up on appropriately. On 1 October, the next tranche of legislation from Licensing (Scotland) Act 2005 came into force, including Challenge 25. He advised the Forum that the recent additions to the legislation targeted the offsales sector more than had previously been done with restriction set upon alcohol advertising. He advised the Forum that there is currently work being undertaken by the Forum convener in Perth collating information on the work of Licensing Standards Officers across the country. Upon average, a LSO will cover 200 premises each. Aberdeen City Council's LSO covers 325 premises which is above average. However, he advised the Forum that there were 6 other cities which had a higher LSO/premises ratio.

Alan McIntosh asked Raymond if it would be possible for Licensing Forum members to attend inspections/visits with the LSO in the future. Raymond advised that he would check this and revert with an answer but advised that it may be possible for the LSO to give the Forum a presentation at a future meeting on visit protocols and procedures.

With reference to Article 8 of the minute of its meeting of 8 September 2011, Sandy Kelman asked whether it would be possible for the Depute Clerk to the Licensing Board to give the Forum a briefing on the recent changes to the Licensing (Scotland) Act 2005 caused by the implementation of the Alcohol etc. (Scotland) Act 2010 on 1 October 2011. Mr Morrison advised that most of the legal advice given to the LSO's is relatively 'in-house' so there may be a wariness to imparting any advice to external parties. The Forum decided to invite the Depute Clerk to a future meeting to discuss this.

### **(c) COMMUNITY INTELLIGENCE**

9. With reference to Article 6 of the minute of its meeting of 8 September 2011, the Forum received a presentation from Tom Snowling, Senior Research Officer, Aberdeen City Council, on Aberdeen City Voice.

Aberdeen City Voice is the name given to a panel of Aberdeen residents who are contacted on a regular basis and asked for their views on a range of issues. It is one of the key methods used by the Council and its Partners to find out what people think about local services. At the moment around 1,000 people are part of the City Voice and they make up a representative sample of Aberdeen's population. It has been running for 8 years and is funded by Community Planning partnerships, producing 3 questionnaires a year. Mr Snowling advised the Forum that all council services and community planning groups can submit questions for the questionnaires and they are arranged around general themes throughout the year. He advised the Forum that questions regarding alcohol consumption had been submitted previously by Aberdeen City Council and suggested that he could arrange for the questionnaires and results to be distributed among the members.

In relation to this, Sandy Kelman suggested to members that he would be willing to receive suggested questions from members and collate a joint submission for the next questionnaire deadline.

#### **The Forum resolved:-**

- (i) to invite Eric Anderson, Depute Clerk to Licensing Board, to attend a future meeting on the Licensing Forum to discuss the recent changes to Licensing (Scotland) Act 2005 caused by the implementation of the Alcohol etc. (Scotland) Act 2010 on 1 October 2011;
- (ii) to instruct Raymond Morrison to investigate the possibility of Licensing Forum members attending inspections/visits with the LSO;
- (iii) to submit potential City Voice questions to Sandy Kelman for collation into a Forum submission; and
- (iv) to note the updates given.

### **WORKPLAN**

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

With regards to article 10 of the minute of its meeting of 8 September 2011, the Forum asked whether there had been any further movement towards setting up and holding a

meeting of the Licensing Board Working Group to look at door stewarding, of which the Forum had 4 nominated members. The clerk advised the Forum that, after their meeting of 8 September, he had submitted the details of the 4 Forum members to the Depute Clerk to Licensing Board. Given that it was a Licensing Board working group it was now up to the Depute Clerk to Licensing Board to set up an inaugural meeting of the Group. The clerk advised that he would contact the Depute Clerk and ask for an update regarding this.

**The Forum resolved:-**

to note the updates given.

**ANY OTHER COMPETENT BUSINESS**

11. Linda Smith advised the Forum of a possible forthcoming regional event held in Aberdeen by Alcohol Focus Scotland. She advised that further information will be circulated among the members of the Forum once details had been identified.

Michelle Wall informed members of issues which had been raised regarding National ID cards not being accepted as a form of age verification by bars. She advised that many foreign nationals require their respective National ID card to enter the UK but cannot use it to buy alcohol. Inspector John Soutar advised that, at present, the Young Scot Pass card was seen as an acceptable form of age verification and there was currently discussion ongoing between the Association of Chief Police Officers in Scotland (ACPOS) and the Government surrounding other acceptable forms of ID.

**(a) ALCOHOL AND DRUGS PARTNERSHIP STOCKTAKE EVENT – PRESENTATIONS FROM SCOTTISH GOVERNMENT AND ALCOHOL FOCUS SCOTLAND**

12. With reference to Article 12 of the minute of its meeting of 8 September 2011, the Forum had before it a copy of two presentations that took place at the Stocktake event.

The first presentation, 'Changing Scotland's Relationship with Alcohol' was given by Alison Douglas, Head of Alcohol Delivery, Scottish Government. It focused on the statistical relationship between alcohol and the population with regards to variance in consumption since 1900-2006, short term consequences, the wider impact of alcohol misuse, alcohol-related mortality, associated costs, and outlined the current strategy to combating these issues.

The second presentation, 'Rethinking Alcohol Licensing' was given by Mary Ellmers, Head of Training & Development, Alcohol Focus Scotland. It focused on variations in consumption with regards to changing cultures and availability, discussing the Scottish Government's approaches to Alcohol policy, before concluding with recommendations for Licensing Boards and Local Authorities on ways in which they could effectively tackle Scotland's Drink Culture.

**The Forum resolved:-**

to note the information as detailed.

**(b) MEDIA REPORTS ON NORTHAMPTON NIGHTCLUB DEATH**

13. The Forum heard from Sandy Kelman regarding media reports on deaths in a Northampton nightclub caused by overcrowding. He advised that an announcement given that coaches to take patrons home were leaving led to a stampede for the doors and at least one person was trampled to death in the rush. Investigations are underway into the conduct of the staff etc, at the venue. Mr Kelman asked whether the Licensing Board had considered potential overcrowding in relation to licensing conditions. Raymond Morrison advised that there may be some confusion with regards to what constitutes overcrowding in relation to the licensed premises as the venue capacity may be based upon overprovision figures as opposed to operational figures.

**The Forum resolved:-**

to note the update given.

**MEETING DATES FOR 2012**

14. The Forum had before it a list of proposed meeting dates and times for 2012 for approval.

**The Forum resolved:-**

to agree the proposed meeting dates and times.

**DATE OF THE NEXT MEETING**

15. It was confirmed that the next meeting of the Forum would be held on 16 February, 2012.

- **ALAN MCINTOSH, Chairperson**.