

## LOCAL LICENSING FORUM

Wednesday 24 April 2013

Present: Sandy Kelman, Acting Convener; Sergeant Barry Skinner, Linda Smith, Kay Dunn, David Henderson (as substitute for Alan McIntosh) and Diane Sande.

Also present: Heather Wilson and Vikki Cuthbert.

Apologies: Craig Adams, David Wright, Alan McIntosh and Councillor Martin Greig.

### APPOINTMENT OF CONVENER AND ATTENDANCE AT MEETINGS

1. In the absence of the Convener and Vice Convener, a volunteer was sought from amongst those present to chair the meeting. Sandy Kelman agreed to do so and was so appointed. Noting that the meeting was not quorate and that no decisions could be taken here today, the group again expressed disappointment that attendance was so low, particularly given the email issued by the clerk after the previous meeting emphasising the need for improved attendance and asking members to state whether they were happy to remain on the Forum.

The group discussed the best way to address this recurring difficulty which was preventing the Forum from making key decisions, and noted that the Forum's larger membership of 18 could be a factor given that this would always require 9 members to be in attendance. It was also noted that three members (Mike Saint, Barry Black and Callum Martin) had now missed three consecutive meetings without sending substitutes and in terms of the constitution the Forum should therefore be asked whether it wished to exclude them on a permanent basis. No decisions could be taken on this today, though, as the meeting was not quorate. Options for consideration included –

- A smaller membership of around 12, meaning that only 6 would be required for a meeting to be quorate.
- A smaller number of "core" members with additional attendees invited to meetings and contribute but not vote.
- Amending the constitution so that anyone who had not attended for three consecutive meetings would not then be subject to exclusion on a permanent basis. It was noted, however, that this would not address the problem of meetings not being quorate.

The clerk advised that the Forum was also due to appoint a Convener and Vice Convener at its next meeting.

**The Forum resolved:-**

- (i) that the clerk write to all members inviting their comments on the future of Forum membership and seeking nominations for a Convener and Vice Convener, and that a short paper on Forum membership be prepared by the clerk for consideration at the next meeting on 18 June;
- (ii) that members be asked to advise whether they would be in attendance on 18 June, to ensure that the meeting was quorate and able to make decisions on membership; and
- (iii) that the clerk write to the members who had missed three consecutive meetings to advise them that this would be placed on the agenda for the June meeting.

**MINUTE OF PREVIOUS MEETING**

2. The Forum had before it the minute of its previous meeting of 13 February, 2013, which required ratification of decisions taken due to the lack of a quorum at that meeting.

**The Forum resolved:-**

to note that the minute could not be approved or its recommendations ratified as the meeting was not quorate, and to submit this to the next meeting on 18 June.

**MINUTES OF MEETINGS OF FORUM SUB GROUP**

3. The Forum had before it the minutes of the Sub Group of 27 February and 20 March.

**The Forum resolved:-**

- (i) on page 14 to note that the piece of work being undertaken by NHS Grampian would be finalised later in 2013, not in 2014 as stated in the minute; and
- (ii) in respect of item 5 of the minute of 20 March, to ask that the clerk also canvass Forum members by email on a suitable date for a joint meeting with the Licensing Board.

**AGENDA AND MINUTE OF LICENSING BOARD**

4. The Forum had reference to the agenda for the meeting of the Licensing Board of 5 March, 2013, and the minute of the Board's meeting of 16 January, 2013.

**The Forum resolved:-**

to note the agenda and minute.

## **FORUM WORKPLAN**

5. The Forum had before it an updated workplan and discussed item 5, Protecting Children From Harm, particularly the extent to which a culture change was required to invest in and maintain alcohol free venues for young people in the city, to provide with them activities based away from alcohol. David Henderson emphasised the need to ensure a culture change for young people to ensure that they did not find themselves, through lack of choice, accessing pubs and clubs in the city. Engaging parents in this concept and developing a shared understanding within the community that young people should not be drinking alcohol and participating in activities around alcohol were both key factors in securing this change. It was noted that provision of this nature should also be an aspiration for adults, and that Aberdeen in Recovery was working towards securing a venue in the city to ensure provision of the nature discussed. It was noted that work was currently being progressed by the Health Improvement Officer at the Alcohol and Drugs Partnership, Heather Wilson, and that Heather would be happy to have further discussions on this with David Henderson outwith the meeting.

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

- (i) in respect of item 5 on the workplan (Protecting Children From Harm), to add that information from the Children and Young Persons Audit Report and the pre-referral screening group relating to alcohol, drug and solvent abuse would be submitted to a future meeting;
- (ii) in respect of item 4 on the workplan (Protecting and Improving Public Health), to invite Grace Ball and Dr Maria Rossi to attend a future meeting of the Forum to update on the work of the NHS Grampian Alcohol Licensing Action Group;
- (iii) to invite Fraser Hoggan and Heather Wilson to attend the next meeting to outline activities planned around Fresher's Week;
- (iv) to note that Sandy Kelman would check the latest progress around GIS mapping of licensed premises across the city, a piece of work which was being taken forward through NHS Grampian; and
- (v) that the clerk seek an update from the clerk to the Licensing Board on the Door Supervisor's Working Group.

## **APPLICATION TO BECOME A MEMBER OF ABERDEEN CITY LOCAL LICENSING FORUM**

6. The Forum had before it an application for membership, and was advised that a further application had been submitted and was available today for consideration.

**The Forum resolved:-**

that both applications be submitted to the next meeting and considered alongside other discussions on membership.

**STATEMENT OF LICENSING POLICY – SUBMISSION TO LICENSING BOARD**

7. The clerk circulated a copy of an email from the clerk to the Licensing Board, advising that the Forum's recommendations on the review of the Board's Statement of Licensing Policy would, in all likelihood, be considered by the Board at its meeting on 25 June.

Sandy Kelman advised that he had circulated the recommendations agreed by the Sub Group to the Forum for comments, prior to submission to the clerk to the Board. No changes had been made as a result of the four responses received. Two had been supportive, one had felt the submission was too long, and another had been of the view that the Board's performance should not be measured by the Forum, however this had been a decision of the Sub Group during its meetings.

The Forum had a brief discussion on the recommendation relating to over-provision, and on the process around variations to licenses.

**The Forum resolved:-**

to note the response from the clerk to the Licensing Board and to comment that additional time would have been helpful to the Sub Group had it been known that the recommendations would not be considered by the Board until its June meeting.

**LICENSING OBJECTIVE 1: PREVENTING CRIME AND DISORDER**

8. The Forum heard from Sergeant Barry Skinner, Police Scotland, on Licensing Objective 1, Preventing Crime and Disorder.

Sergeant Skinner advised that trends since the last update were following much the same pattern:-

Common assaults on licensed premises

2010 - 509

2011 – 466

2012 – 465

Common assaults on licensed premises

January 2013 – 13

February 2013 – 64  
March 2013 – 48

Serious assaults on licensed premises

2008 – 33  
2009 – 22  
2010 – 24  
2011 - 14  
2012 – 19  
January 2013 – 1  
February 2013 – 3  
March 2013 - 2

Violent offences on licensed premises – fairly low

Licensing Offences –

2008 – 43  
2009 - 223  
2010 - 462  
2011 – 386  
2012 – 380  
2013 – dip in January, returning to expected levels in February and March

Sergeant Skinner explained that this was possibly due to increased police activity in this area.

ID card offences

2011 – 289  
2012 – 153 representing a 47% reduction on the previous year  
January 2013 – 18  
February 2013 – 17  
March 2013 – 24

Sergeant Skinner explained that there was anecdotal evidence that it is difficult for young people below the age of 18 to get into licensed premises in Aberdeen which was positive.

**The Forum resolved:-**

to note the update.

## **LICENSING OBJECTIVE 2: SECURING PUBLIC SAFETY**

9. The Forum heard from Diane Sande, Licensing Standards Officer (LSO), who advised that since the last meeting there had been two Notices Issued, one of which was being complied with and the other being checked. Twenty visits had been undertaken to licensed premises, two mediation visits had been carried out, and monthly meetings with Police Scotland continued, as well as weekly meetings with the Council's noise pollution teams. Diane had also attended the regular LSO meeting in Inverness, at which a presentation had been given from a fingerprinting company, in support of ID verification. Diane advised that she would get further details on this and share them with the Forum.

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

## **LICENSING OBJECTIVE 3: PREVENTING PUBLIC NUISANCE**

10. The Forum noted that there was no update available.

**The Forum resolved:-**  
to note the position.

## **LICENSING OBJECTIVE 4: PROTECTING AND IMPROVING PUBLIC HEALTH**

11. The Forum was advised that the NHS Grampian Alcohol Licensing Action Group was being chaired by Dr Maria Rossi and would obtain data on the five Licensing Objectives from the Licensing Boards in Aberdeen and Aberdeenshire. Linda Smith and Sandy Kelman were both members of this Group. It was noted that the Group would be invited to a future Forum meeting when further progress had been made (reference article 5 above).

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

## **LICENSING OBJECTIVE 5: PROTECTING CHILDREN FROM HARM**

12. The Forum heard from Kay Dunn, Children's Services, Aberdeen City Council, on pre-referral screening figures in 2012/13. Out of a total of 1,417, 168 or 12% of referrals were directly linked to alcohol concerns. 31% had no link, and for 57% a link was unknown at the point of referral.

**The Forum resolved:-**

to note the update and that Kay Dunn would send these figures to Sandy Kelman for inclusion in his quarterly report.

**ANY OTHER COMPETENT BUSINESS**

13. The Acting Convener opened the meeting up to any other competent business, whereupon:-

**(A) Challenge 25**

David Henderson highlighted the difficulties inherent in the Challenge 25 initiative, based on his own experience working in a licensed premises (off-sales). It was noted that new legislation would increase the number of types of suitable identification, which may result in improvements.

**(B) Response from Licensing Board on Review Hearings**

With reference to article 4 of the minute of its meeting of 13 February, 2013 at which time it had been agreed to write to the Licensing Board in respect of the two most recent review hearings, particularly to express concern at the approach taken in defending the Board's decisions, the Forum now had before it a response from the clerk to the Board.

**The Forum resolved:-**

to place this as an item on the agenda for the forthcoming joint meeting between the Forum and the Board.

**(C) Joint Meeting with Board**

The Forum discussed the agenda for the joint meeting with the Board.

**The Forum resolved:-**

that Forum members be invited by way of an email from the clerk to submit agenda items for the joint meeting.

**SANDY KELMAN - Acting Convener.**