

ABERDEEN LOCAL LICENSING FORUM

PROGRESS STATEMENT - FEBRUARY, 2014

Remit of Local Licensing Forums as set out in the Licensing (Scotland) Act 2005 – keeping under review the operation of the Act in the Forum’s area and in particular the exercise by the Licensing Board of their functions including giving advice and making recommendations to the Board in relation to those matters where the Forum considers it appropriate. The Act does not enable a Forum to review or give advice or make recommendations in relation to the exercise by a Board of their function in relation to a particular case. “Case” is taken to mean an application before a Board and in the interests of natural justice is also taken to mean individual licensed premises. The preferred route for consideration of complaints about the running of licensed premises is to write directly to the Clerk or Depute Clerk to the Licensing Board.

The Licensing (Scotland) Act 2005 requires Licensing Boards in exercising any of their functions to have regard to any advice given or recommendations made to them by a Local Licensing Forum and where the Board decides not to follow the advice or recommendation to give the Forum reasons for that decision, the Board must provide copies of relevant statistical information to the Forum as it may reasonably require for the purposes of its general functions.

Licensing Standards Officers have a general function of providing to interested persons information and guidance concerning the operation of the Act, supervising compliance with the Act and the conditions of their licences by holders of Premises Licences and Occasional Licences and mediate between communities and the trade or between any two parties where there is a need to resolve a local problem and develop a local solution. LSOs do not act as “policemen” with regard to licensing but they will liaise with the police and other relevant officials such as Environmental Health Officers in pursuit of the objectives of the Act.

Item	Meeting Reference	Decision/Action	Update	Responsible Lead	Licensing Objective
1.		<u>Community Engagement</u> Find out from communities what are their areas of concern.	The following was agreed in September 2013 - 1. Ken Eddie to ask the Civic Forum to discuss ways in which it can offer intelligence		Securing Public Safety

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			<p>to the Local Licensing Forum on alcohol in the community, with the assistance of a summary document from the Public Health Coordinator, to be supplied by Linda Smith.</p> <p>2. Community Council Liaison Officer asked if community councils can be asked to add to agendas as a standing item – Alcohol in the Community. Sandy Kelman and Linda Smith met with CCLO in October.</p> <p>In February 2014, Sandy Kelman advised that he and Linda Smith were due to meet with Community Councils.</p>		
2.		<p><u>Door Supervisors Working Group</u></p> <p>At the first meeting of the Licensing Board after the local elections in 2012, one additional member of the Board was appointed to the Doors Supervisor Working Group. As a result, the Board asked if the Forum would also like an additional member on the group.</p>	<p>It was agreed in September 2012 that the additional place be taken up by Unight. This position now needs to be updated, due to the changes in membership of the Forum since that meeting.</p> <p>There was discussion on the status of the group at the joint meeting with the Board on 27 June 2013 and it was agreed that a meeting be called after</p>		Securing Public Safety

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			<p>the summer recess.</p> <p>Update from Eric Anderson – if the Forum wishes to ask about the Working Group they are free to do so, but there is currently no meeting scheduled.</p> <p>The Forum also agreed on 11 December 2013 that Bob Westland be asked to provide a summary of the issues around door supervisors, which would allow the Forum to determine whether further information from the Board/a further meeting of the Working Group is needed. It is hoped that a response will be available for this meeting.</p> <p>At the February 2014 meeting, it was agreed that Russell Davidson, Inspector Jim Hume and Bob Westland meet separately to discuss consistency in relation to the number of door stewards required, and the Police position in relation to this, to see if any action was required, and to report back to the next meeting of the Forum.</p>		

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Items relating to all Licensing Objectives					
3.	11 December 2013	<p><u>Appointment of Vice Convener</u></p> <p>Deferred until February 2014 by which time licensed trade would be in attendance – it was the expressed wish of the Forum to have a licensed trade representative in this position.</p>	<p>At the meeting in February 2014, Russell Davidson agreed to take up the position of Vice Convener.</p> <p>There is still a vacancy in the position of Vice Convener.</p>	Clerk	
4.		<p><u>Statistical Information</u></p> <p>To receive reports from the Licensing Board containing relevant statistical information.</p>	The Forum and Board will continue to liaise at joint meetings.		All objectives
5.	11 December 2013	<p><u>Statement of Licensing Policy</u></p> <p>To request a commentary from the Clerk to the Board on all of the Forum recommendations on the Statement of Licensing Policy, indicating if they were accepted or not, and if not, why not.</p>	At its meeting on 23 April 2014, the Forum noted the response from the Clerk and the finalised Statement of Licensing Policy and agreed to raise the issue of moving beyond the bounds of restricted policy (for example, responsibilities to children were not simply confined to the Licensing Objective: Protecting Children from Harm) at the joint meeting with the Licensing Board on 3 July.	All Clerk for Joint Meeting agenda	All objectives
6.	19 June 2013	<p><u>Evaluation</u></p> <p>Having looked at the NHS Report</p>	Agendas are now displayed outside the Town House to encourage attendance by members of the		All objectives

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		<p>evaluating implementation of the Licensing (Scotland) Act 2005, it was agreed to –</p> <ul style="list-style-type: none"> • Receive occasional presentations from members • Look at the production of a leaflet on the work of the Forum • Place agendas on the display boards outside the Town House • Keep the website updated and look to hold more information there. 	<p>public.</p> <p>At its meeting on 23 April 2014, the Forum noted the draft Forum webpage and suggested that there could also be further engagement with the Civic Forum, and the ACVO bulletin could be used to circulate information.</p> <p>It was suggested that once the content of the webpage was more detailed, a meeting could be arranged for a future date between the Convener, the Clerk, Tara-Erin Gilchrist and Karen Riddoch, the Community Council Liaison Officer to discuss how best to establish a link between the Forum and Community Councils.</p>		
7.	11 September 2013	<p><u>Training Programme</u></p> <p>The Forum agreed to the production of a training programme, and that this include in the first instance information sessions on (1) the relevant legislation; (2) personal licences (3) the Alcohol and Drugs Partnership and (4) admissions to Accident and Emergency. It was also agreed that, as there was no training</p>	<p>Training to be delivered by the Police on 18 June, and by Tara-Erin Gilchrist and Emily Queen in September.</p>	All Partners	All objectives

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		budget, the programme would rely on members and co-optees themselves to provide, and that former member Gerrard Rattray be asked to provide some training on personal licences in the first instance.		George Wyatt to speak to Gerrard Rattray	
8.	23 April 2014	<p><u>Role of Forum / Statistical Information</u></p> <p>The Forum considered how the statistical information presented to it could be monitored so it could be used to challenge the Licensing Board on its decisions where necessary. Dave Bliss agreed to lead a workshop session (possibly in September) to discuss in more detail. Sandy Kelman, Dave Bliss and Steph Dunsmuir to meet separately outwith the meeting to discuss how to take the matter forward.</p>	<p>Sandy Kelman, Dave Bliss and Steph Dunsmuir to meet separately outwith the meeting to discuss how to take the workshop suggestion forward. Sandy would contact Alcohol Focus Scotland to ask them to be involved in the meeting.</p> <p>A meeting has been arranged with Linda Bowie for 2 July.</p>	Sandy Kelman / Dave Bliss / Steph Dunsmuir	All objectives