

ABERDEEN LOCAL LICENSING FORUM

PROGRESS STATEMENT – NOVEMBER 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>Community Council Liaison Officer will be in attendance at the November LLF meeting.</p>		
Items relating to all Licensing Objectives					
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</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	All Clerk for Joint Meeting agenda	All objectives

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		Licensing Policy, indicating if they were accepted or not, and if not, why not.	<p>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.</p> <p>This was discussed at the joint meeting on 3 July. It was hoped that an aspirational statement could be included in the Statement of Licensing Policy.</p> <p>At the September LLF meeting, members who had been present at the joint meeting agreed that their recollection was that there had been an agreement for an aspirational statement to be included. The Convener undertook to write to the Clerk to the Licensing Board on behalf of the Forum to raise the matter of an aspirational statement being included in the Statement of Licensing Policy, as had been discussed at the joint meeting.</p>		
6.	19 June 2013	<p><u>Evaluation</u></p> <p>Having looked at the NHS Report evaluating implementation of the</p>	Agendas are now displayed outside the Town House to encourage attendance by members of the public.		All objectives

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		<p>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>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> <p>The Community Council Liaison Officer will be in attendance at the LLF meeting in November.</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</p>	<p>Training to be delivered by Tara-Erin Gilchrist and Emily Queen early 2015 – postponed from November meeting due to Community Council attendance.</p>	All Partners	All objectives

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		<p>Drugs Partnership and (4) admissions to Accident and Emergency. It was also agreed that, as there was no training 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.</p>		<p>George Wyatt to speak to Gerrard Rattray</p>	
8.	23 April 2014	<p><u>Role of Forum / Statistical Information</u> 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>Workshop – on agenda. Alcohol Focus Scotland unable to attend meeting, but have asked to be kept informed of the discussions at the workshop.</p>	<p>Sandy Kelman / Dave Bliss / Steph Dunsmuir</p>	<p>All objectives</p>