

Re-imagining the system: how communities can have a greater say on the availability of alcohol in their local area

Through conversations with community groups and other related organisations – such as the NHS, police, community planning, elected members, licensing clerks – we explored what needs to happen for communities to have a greater influence on the availability of alcohol in their neighbourhood. We also looked at examples where communities have tried to influence alcohol availability in their local community. Finally, we conducted a ‘shared solutions’ workshop which explored the suggestions that were put forward. The aim of this work is to stimulate debate and action that will lead to greater community input into local decisions.

The work was based in Glasgow but is relevant to communities across Scotland. This is a summary of the learning, a copy of the full report can be found on the GCPH website: www.gcph.co.uk

**In Scotland
today you can exceed
men’s maximum weekly
recommended alcohol
intake (21 units)
for £4.**

Should communities be able to change the availability of alcohol in their neighbourhood?

Since the 1980s alcoholic drinks have become cheaper and more easily available – we can buy alcohol in more and more places. This has led to a huge rise in both the amount of alcohol drunk by people in Scotland and the amount of alcohol harm seen in Scotland.

Reducing alcohol availability is one of the most effective ways to reduce the amount that people drink and the harm caused to individuals and communities by alcohol.

The alcohol licensing system does have ways for communities to influence the amount of alcohol available in their area (see Box 1 below). However, in practice, it is often difficult to do this. As a result, communities are not as involved as they could be if the processes were simpler.

Many organisations, groups and agencies are interested in the availability of alcohol in our communities. These groups have a variety of interests. For example, some are private businesses, some are focused on health, while others are concerned with public safety. **The community is arguably the only set of people that is qualified to balance all these interests.** For this reason we think that communities are an essential part of the alcohol licensing system.

“The Scottish Government believes that Scotland’s people are its greatest asset: they are best placed to make decisions about our future, and to know what is needed to deliver sustainable and resilient communities.”

Policy Memorandum, Community Empowerment (Scotland) Bill (SP Bill 52).

Box 1. Existing ways for individuals or communities to influence local alcohol availability in their area.

If a shop, pub, nightclub or members club wants to sell alcohol they must apply to a licensing board for a licence. Each local authority has a licensing board made up of local councillors who make decisions about whether to grant licenses.

The decision should be based on what is best for that community. Residents and community groups can formally influence the licensing process in three ways:

Responding to individual license applications: Any resident or community group can respond to a new or changed alcohol license application – either to object, support or request modifications. Every community council is informed of all new applications in their area.

Attending local licensing forums: Each licensing board has a local licensing forum – made up of police, health representatives, community members and local businesses. The local licensing forum is responsible for overseeing how well the licensing process works.

Responding to the licensing board’s policy statement consultations: Every three years each licensing board develops a policy. This policy explains how they are going to manage the local alcohol availability in their local authority. Most licensing boards invite comments on their policy statements from many organisations including community councils. Any resident or community group can also comment on the licensing board’s policy statement.

What is needed to have effective community participation?

Awareness of alcohol issues and the licensing process

Community groups need to be aware:

- Of how alcohol availability in their area affects their community
- That local alcohol availability can be influenced locally
- Of any new license applications for the sale of alcohol in their area

Knowledge & understanding of the alcohol licensing process

Community groups need to have knowledge & understanding about:

- The grounds for objecting to an alcohol license and how to be effective
- The licensing board policies including the over-provision policy
- Licensing board hearings where the decisions are made
- Other opportunities for communities to influence the sale of alcohol in their area (see Box 1)

Skills & resources to contribute to the process

The skills and resources necessary for community groups to effectively influence the licensing process include:

- The time to become involved in a complex process
- The skills such as a high degree of literacy, digital competency, organisational and public speaking skills (see Box 2)

Box 2. Examples of activities that would be necessary for a community group to effectively respond to a specific alcohol licence application in their area.

- **Monitor new applications** for the sale of alcohol in their area
- Have **access to reliable information** about the total number and capacity of licensing premises in their area
- If necessary **consult the wider community** on the acceptability of more alcohol sales in their area
- **Write a letter of objection** – linking it to at least one licensing objective, sourcing and interpreting the relevant evidence

How can effective community participation be achieved?

Can we move to a system where **community members are viewed as an essential part in the process**, required to participate for the system to function properly?

The 'community' is not one homogenous body – a number of approaches will be necessary. Those involved in our discussions identified eight ways in which community participation can be increased; these fall into two broad areas:

Community- facing licensing process

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Support for communities

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Community-facing licensing process

We need citizen participation in public services but there is currently a gap between the intention to include citizens and how effectively citizens are included in practice^a. Licensing boards will have to work to narrow this gap if communities are to fully participate.

1 Connect with a broader range of community groups and organisations

Community councils are the only community structure that licensing boards need to notify of new applications.

1 Recommendations:

There is no single community structure that would ensure communities are fully informed of licensing issues. It is therefore important that a **broader range of community groups are included in the licensing process**, for example, when informing the community about of a new or changing license application or when the licensing board are seeking comments on their new policy. Other community groups that exist include tenants and residents' associations; youth groups; parent councils; local development trusts.

2 Accessible information

Community groups and individuals do not have the same resources as other organisations – such as the licensee (the person submitting the license), health boards or the police – to engage with the licensing process. Information needs to be tailored to community groups if they are to be involved in a meaningful way.



Example of an informative and accessible license application notice.

2 Recommendations:

- Have an accessible, **'public-facing', friendly, up-to-date web page** for community members and groups, including information on how to object, the details of the meetings, agendas, minutes, notifications and so on.
- **Modify the notification process:** Currently premises only need to put up notices about any new licence applications within four metres of its site. This should be extended so more of the community is informed about new license applications in their area. High alcohol availability does not just affect the immediate environment surrounding an alcohol outlet.
- **Notification of an application:** the audience (passers-by, community councillors and other community groups) do not have specialist knowledge of the subject and this may be the first contact they have with the licensing process. Licensing notices like the suggested application notice shown below^b will connect with more people than standard notifications.
- **Accessible and relevant data:** interested individuals, groups and organisations need to be able to obtain the relevant information about the types and number of places selling alcohol in their area to be able to make decisions about what is right for their area. None of the community groups involved in this work were aware of the Glasgow City licensing register. This suggests that the register is not easily found or understood by community groups. Summary information, which is necessary for monitoring how the system is working (for example, the capacity and number of licensed premises, occasional licenses, opening hours and so on), is unfortunately, not publicly available.

22 of the 101 community council areas in Glasgow have no active community councils.

^a Adamson D, Bromiley R. Community empowerment in practice. Lessons from Communities First. York: Joseph Rowntree Foundation; 2008. Available at: <http://www.jrf.org.uk/publications/community-empowerment-practice-lessons-communities-first>

^b Drawing on Meslin D. The antidote to apathy. TED Talk© Available at: http://www.ted.com/talks/dave_meslin_the_antidote_to_apathy

“Suddenly there’s a pub... which wasn’t there before. It went from a bank to a hairdresser that served a little wine, and then a café with wine, then the café turned into a restaurant, which turns into a pub.”

Community Council member (case study 2).

3 An accessible system

Improving how accessible the system is to community groups and other interested parties will require co-operation between the licensing board and all interested parties to find workable solutions. Some initial recommendations are given below:

Recommendations:

- **Make licensing board meetings more accessible.**

Stakeholders talked of licensing board meetings that were intimidating for all but those used to the process, that is, the licensing board members and the licensing lawyers.



A very formal process

Glasgow Licensing Board meetings are held in a wood-paneled former courtroom with licensing board members sitting on a raised dais.

Everyone is asked to rise when the licensing board enters or leaves the room. Legal jargon is commonly used and the licensing board members are addressed as “your honour”.

Solutions include: reducing the formality of board meetings; having meetings in different locations, such as in community centres, to raise community awareness of the process; structuring the meeting to allow community members who have work commitments to attend, asking applicants to participate rather than just their representing lawyer.

- **Improve feedback:** feedback is crucial to improving any system. Feedback should be given to all those who participate, including any community member/group that responds to individual applications. For example, why was the license rejected/granted? What was the effect of the objection (if any)? Why was an objection not considered relevant to the outcome? Were any conditions applied in response to objections?

“You never ever actually know whether it was you that achieved change.”

Community Council member (case study 2) when discussing the impact of an objection lodged by their community council to a new alcohol licence application.

4 Develop a strong Glasgow City licensing forum

Glasgow City local licensing forum does include community members but, like many other licensing forums, it is difficult for them to participate. The operation of the forum needs to reflect the different 'capacity' to respond within the trade, the professional organisations and the community representatives, in order to strengthen the community participation. It can do this by addressing the different levels of [awareness, knowledge & understanding, and skills & resources](#) (see page 3).

4 Recommendations:

The role of the forum should include the community perspective. Community representatives may need more training to be able to participate equally with other members of the forum and more community members may be needed on the forum. The forum should evaluate if all member groups are able to express their views equally and if not, the forum should make the necessary changes. The role of chair should rotate across the members. The Glasgow City licensing forum could learn from forums in other areas that have greater community participation.

5 A local perspective

Each licensing board is responsible for managing the level of alcohol availability across the whole of the local authority area. For places like Glasgow it can be difficult for licensing board members to know the local priorities in the neighbourhoods where alcohol license applications are being sought. Licensing boards will need support to properly take account of local perspectives when deciding about licensing decisions.

The cost of alcohol to Glasgow is £365m - that's £615 per head, each year.*

* Data taken from: The cost of alcohol in Glasgow city 2010/11. Alcohol Focus Scotland.

5 Recommendations:

- Link licensing decisions and policy development to existing neighbourhood plans such as regeneration plans and master plans.
- Ensure that local development plans consider the local alcohol environment.
- **Harness technology** to support community involvement. Stakeholders suggested an "it's your community" app to engage residents and ask them to capture data – for example images, or diaries, about the impact of alcohol on the local area.
- **"Planning gain"** – The cost of alcohol to communities is considerable. Can the licensing system adopt a system similar to 'planning gain' where conditions are attached to a license? This outlines conditions which require the licensed premises to deliver benefits to the community to compensate for the harm associated with the extra local availability of alcohol.

Support for communities

There are several ways that individuals and community groups can influence local alcohol availability (see Box 1 above) but **practical support** is needed to ensure these pathways are used by the community. **Closer working between stakeholders**, such as Alcohol and Drug Partnerships, Community Planning, health and police, will strengthen participation of communities in the licensing process. In many areas of Glasgow we do not have the effective community structures that would enable communities to shape their neighbourhoods. Many of the community structures need to be empowered (Box 3 below). Alcohol availability, like other availability and planning issues – such as fast food outlets, betting shops and land planning – has a large influence on a community. These processes all face the same challenges when trying to encourage a strong community input into the decision-making – there is therefore significant **potential of bringing together these shared agendas**.

6 Practical support

The learning from examples where groups have tried to influence the alcohol availability in their local community suggested that **community councils struggle to work within the licensing system, even when they have some experience of the process**. For example, many groups continue to send in petitions in response to new license applications, although licensing boards do not take account of petitions.

“It takes time and effort ...and years of experience in understanding and interpreting the legal language, to grasp what it is they are actually proposing...which almost forces you to go for simple blanket objections even if that probably isn’t the right way to go.”

Community Council member (case study 2) describing problems with engaging in the licensing process.

Recommendations:

- Practical information and guidance for individuals and community groups to support effective participation into the process. Practical examples include:
 - Toolkits, information videos on the process including the licensing board meeting, illustrative examples of objections.
 - Key documents or processes translated into short summaries, including the policy statements and how a review of an existing license can be started.
- Address the mismatch in ‘legal capacity’ between the applicant – who is usually represented by a licensing lawyer – and community representatives. Examples presented by stakeholders of how this imbalance might be redressed include:
 - Better links between the community and the license standard officer (LSO), whose role is to provide information and guidance and to mediate between interested parties to resolve disputes.
 - Access to a support worker similar to the work performed by the in-court advisor in the civil justice system.
 - Access to legal advice – for examples that offered in university law clinics, law centres, Citizens Advice Bureau.
- Licensing-specific training for community groups.

7 Closer working between those interested in, and involved with, alcohol licensing

Recommendations:

- The licensing process could work much better if those involved – such as the licensing board, police, health, housing and community groups – worked more closely together. **Suggestions included:** secondment opportunities between stakeholders, a local working group focused on licensing, sharing the costs of providing additional support to communities across these agencies.
- Where groups have tried to influence the alcohol availability in their local community some very practical recommendations have been made suggesting small changes to the process that would help communities become involved. A specific piece of work between community groups with experience of the system and the licensing board would allow some of this learning to improve the system.

8 Potential of bringing together shared agendas

For a community to effectively contribute into any process requires the right structures and support and a strong and engaged community (see Box 3). Several aspects of local neighbourhoods – including alcohol availability, fast food availability, local money lending and gambling availability and land planning – all have a large impact on the neighbourhoods but communities struggle to get involved at a local level. These aspects of local neighbourhoods are all regulated and they face similar challenges in ensuring the communities are able to have their say in the process.

Recommendations:

- Bring those involved with alcohol availability, fast food availability, money lending and gambling availability and land planning together to increase the ability for communities to participate in the regulation of these issues in their local areas.
- Explore new pathways for communities to shape their local environment.
- Learn lessons from across these agenda areas, such as Planning Aid Scotland, Scottish Community Development Centre.

Box 3. Strong communities.

A strong community is a community that can effectively participate in the development of social, economic and environmental policy affecting their area. **What makes a strong community?** No one model will work for all communities but a variety of actions and support will be needed in Scotland to create strong, included communities.

Community Planning Partnerships (CPP)^c are partnerships between local councils, public bodies, local communities, businesses and voluntary groups to support the lives of people in Scotland.

- A recent audit identified that although there has been much progress in how well CPPs work the potential of CPPs has not be fully realised.

Local Development Trusts^d are community organisations which are owned and managed by the local community to address a range of economic, social, environmental and cultural issues within a community.

- Development trusts in Scotland have: maintained and run local post offices, developed local recreational facilities, developed renewable energy projects, run child care facilities, developed local charters to define how residents want to see their area develop.

Community Councils^e are made up of local residents elected by their community. They are the most local tier of statutory representation in Scotland. Their aim is to make public bodies aware of the opinions and needs of the communities they represent.

- Many community councils achieve a great deal for their community – such as running local festivals and working with local schools.
- Limited resources mean, in general, community councils struggle to consult the wider community on their views and priorities. Many communities do not have an active community council.

^c Community Planning Partnerships <http://www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP>

^d Local Development Trusts <http://www.dtascot.org.uk/>

^e Community Councils <http://www.scotland.gov.uk/Topics/Government/PublicServiceReform/CommunityCouncils>