

Results of Forum membership survey so far

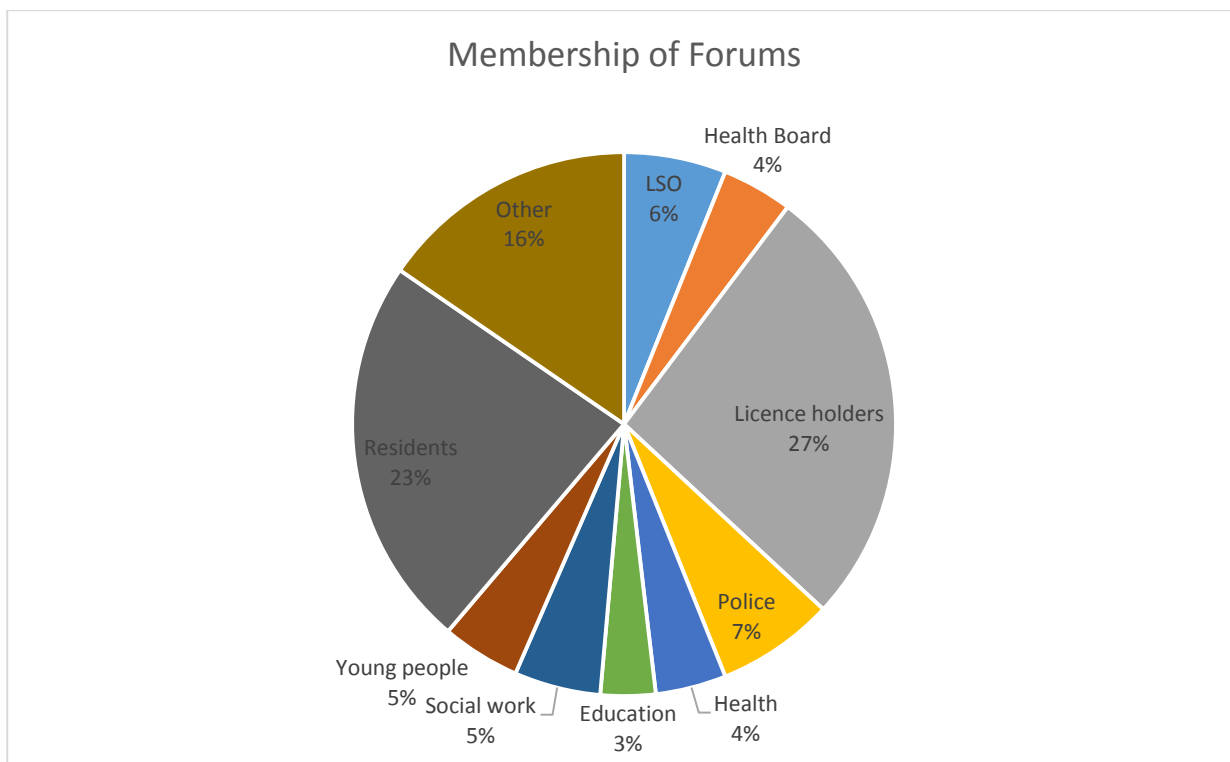
Thank you to those who have already responded to my request for information about membership of the Local Licensing Forum. I know you are all very busy and I look forward to hearing from the rest of you in due course. I thought it would be helpful to share the results so far with you, and I will update these in the future.

Number of members

16 Forums have responded so far. Of these, two are not currently functioning, and a further one is recruiting to meet the minimum membership.

In the remaining 13 Forums, the number of members varies from 12 to 21, with the average being 15 members.

The following graph gives a very rough overview of the make-up of the membership of the 13 functioning Forums that have responded so far. Note that where one person represents two categories they are recorded in both. For example, three Forums have member(s) representing licence holders and residents, and one Forum has a member from a Student Union who represents both licence holders and young people. (The “other” category is explained on page 2.)



Membership: legislative requirements and actual membership

From the analysis it has been possible to undertake so far, a number of themes have emerged.

A person nominated by the Health Board for the Forum's area

It is a concern that some Forums do not appear to meet the statutory requirement to have a member from the relevant Health Board. This might be simply because they are listed under the category of “persons having functions relating to health, education or social work”. One Forum has no-one from health. However, if you would like to discuss how your Forum can better engage with your Health Board, please contact me.

Young people

A common problem reported by Forums is that they struggle to attract and keep young people on the Forum. Remember the legislation does not require there to be a young person on the Forum. For example, one Forum has a member from social work who can also represent young people; whilst others have young people's interests represented by college lecturers, community workers or Children's Panel members. Other Forums may wish to explore similar options in their recruitment.

Persons having functions relating to health, education or social work

Some Forums have only one person in this category. Education and social work in particular appear to be poorly represented. It seems reasonable to allow that health might be covered by having someone from the relevant Health Board.

About half of the Forums have two or three persons in this category. This is good practice as it is unlikely, for example, that a Social Work Manager will be able to also comment meaningfully on health and education as these are not his/her area of expertise.

Other

All Forums have included experts who have "an interest relevant to the Forums' general functions" - Schedule 2 s2(5). These are not necessarily listed in s2(6), but will cut across the different categories. They include:

- Alcohol and Drug Partnership co-ordinators
- Fire Authority
- Street pastors
- Community Safety
- Healthy Lifestyle projects
- Housing
- Community Health Partnerships

They can bring a wealth of knowledge that enables the Forum to fulfil its role, as stated in s11(1) of the legislation, of keeping under review the operation of the Act in the Forum's area and the exercise by the Board of their functions.

It is interesting to note that the Air Weapons and Licensing (Scotland) Bill passed last week by parliament will require licensing boards to produce an annual report. In addition to financial information, licensing boards will be required to explain how they have had regard to the licensing objectives and to their licensing policy statement in their decision making. Perhaps Forums could consider how to attract members that can bring some expertise on reviewing and scrutinising the impact of the licensing board's decisions on crime & disorder, public safety, public nuisance, public health and protecting children and young people from harm.

Licensing (Scotland) Act 2005, Schedule 2, Local Licensing Forums Membership

2(1) A Forum is to consist of such number (being not fewer than 5 and not more than 21) of members as the relevant council may determine.

(2) The Scottish Ministers may by order substitute another number for the minimum or maximum number of members for the time being specified in sub-paragraph (1).

(3) At least one of the members must be a Licensing Standards Officer for the council's area.

(3A) At least one of the members must be a person nominated by-

- (a) the Health Board for the Forum's area, or
- (b) if the Forum's area forms part of the area of more than one Health Board, the Health Board whose area contains the larger or, as the case may be, largest part of the Forum's area.

(4) The other members are to be individuals appointed by the relevant council on such terms and conditions as the relevant council may determine.

(5) In appointing members of a Forum, the relevant council must seek to ensure so far as possible that the membership of the Forum is representative of the interests of persons or descriptions of persons who have an interest which is relevant to the Forum's general functions.

(6) Those persons include—

- (a) holders of premises licences and personal licences,
- (b) the chief constable,
- (c) persons having functions relating to health, education or social work,
- (d) young people,
- (e) persons resident within the Forum's area.