

Aberdeen Regional Licensing Event 2016

Event Summary

On 15th September, in Aberdeen, Alcohol Focus Scotland (AFS) hosted a seminar on the alcohol licensing system in Scotland. This was the second of four regional events taking place across the country throughout the month. As we look ahead to newly constituted licensing boards with a fresh round of Statements of Licensing Policy in 2017/18, attendees were invited to explore their experiences and learning gained in licensing over the past four years, and to identify any areas of ongoing challenge.

The views and ideas captured during the day, as well as from the other regional events, will be used to create a report with recommendations for the future. This document provides an interim summary of the Aberdeen event.

Key documents relating to the day include:

- [The programme for the day, workbook and links to AFS resources](#)
- [Monitoring and Evaluating Scotland's Alcohol Strategy, Third Annual Report, December 2013](#)
- [Implementation of the Licensing \(Scotland\) Act 2005: A document review of developments since 2012](#)

Attendance

42 people registered for the event with 45 attending on the day. A broad range of perspectives and sectors were represented, including: licensing boards; local authority lawyers; local licensing forums; Police; alcohol and drug partnerships; public health; and health improvement.

Event content

The event consisted of a variety of presentations, two group discussions and an individual exercise. There were frequent opportunities for comments, questions and discussion. Delegates were also asked to record their thoughts and comments in a workbook during the day. The workbooks were collected back and will be used to help inform the final report with recommendations.

Drew Walker, AFS Board Member (Director of Public Health, NHS Tayside), chaired the event. He welcomed participants, noting in particular the high attendance and diversity of delegates, and introduced the content and format of the day.

Laura Mahon, AFS Programme Lead, began the day by setting the context and providing reflections on the past five years. Laura explained that, in 2011, AFS brought together experts in public health and in licensing to consider whether licensing provisions could be used effectively to tackle alcohol related harm. The answer was yes, but that the potential of using licensing to regulate alcohol availability was yet to be realised. This led AFS to hold a series of regional events in 2012, to identify what actions might help. Laura highlighted successes since that time, such as the increased engagement of public health in the licensing system and improved use of evidence in statements of licensing policy. However, Laura explained, many of the challenges identified in 2011 are all still present (e.g. reduced budgets, legal challenges, and new legislation) but there has been enough change to provide hope of continued improvement. Laura concluded that now was a good time to reflect, review and look forward, especially as next year we have local government elections which will see new elected members forming new licensing boards, and starting the licensing policy development process.

Drew Walker then invited a number of representatives with first-hand experience of licensing to give a [*view from the ground*](#), by speaking about their experiences, highlights, challenges, gaps and any hopes for the future.

Ian Cox, Licensing Standards Officer, Highland Council, was the first to share his experiences. He explained that primarily his role was to mediate and provide guidance to the various licensing stakeholders, but that increasingly it involved bringing these diverse stakeholders together. Ian reflected on progress in licensing over recent years, including a significant improvement in the quality of licensing policy statements, which were now developed from a more local perspective. This had resulted in licensing conditions being better applied, relevant to the needs and views of local communities. He also noted significant changes in the alcohol trade over recent years - with a move towards, higher quality, food driven premises. Ian explained that, while some aspects of the Licensing (Scotland) 2005 Act hadn't yet been implemented as intended, the Act was becoming a vehicle for the development of improved local policies and approaches.

Sandy Munro, Solicitor/Depute Clerk, Aberdeenshire Council, was the next to speak. He highlighted that a key achievement in recent years had been the development of more collaborative approaches, particularly when developing statements of licensing policy. Working in partnership had also helped issues related to licensing to be identified and solved before they escalated into problems. Sandy explained that the biggest challenges had been a decline in the resources available for licensing work, adapting to ongoing legislative changes, and difficulties attaining the data needed to make informed licensing decisions. He suggested that information about the volume of sales per licensed premises would be extremely helpful for licensing boards when considering the issue of

overprovision. Sandy's hope for the future was that licensing legislation would be consolidated and clarified, and that good working relationships would continue to develop.

Dr Tara Shivaji, Consultant in Public Health, NHS Grampian, was the next to speak. She began her presentation by showing two filmed interviews with people who had been directly affected by alcohol. In both films, the interviewees described their alcohol dependency and the impact it had on their lives, while highlighting that a lack of restrictions on alcohol availability/marketing made it much more difficult for them to make more positive choices. Tara then reflected on the importance of the public health objective, and the opportunities that this presented to change Scotland's relationship with alcohol. Tara highlighted that the most deprived communities experience the highest levels of alcohol related harms, but that people in the most affluent areas consume more alcohol, meaning that we must ensure harm prevention efforts reach all communities.

Group discussion 1: Successes & Challenges. Delegates were then asked to reflect on their own involvement in local licensing over the past 5 years, and split into groups to discuss the question:

- What have been your key successes and challenges?

A number of successes were highlighted, with many people commenting on improved relationships and partnership working between licensing stakeholders. A number of people commented on the development of evidence based licensing policies, and the increasing use of data/evidence in policy and decision making. Other comments referred to reductions in crime, improved understandings of alcohol and health, and effective public awareness campaigns:

"Positive relationships with those involved e.g. Forum, Police, NHS."

"More informed decision making."

However, a number of challenges were also identified. Common challenges described included a lack of community engagement, ongoing legislative changes, a lack of clarity about roles and responsibilities, inconsistencies in policies and approaches, and difficulties implementing the public health objective:

"Community engagement – lack of information to licensing forums."

"Legislative complexity & legal challenges"

Gemma Crompton, Programme Lead, Alcohol Focus Scotland, stood in for Mark Robinson of NHS Health Scotland to outline some of the findings and **learning from MESAS** (Monitoring and Evaluating Scotland's Alcohol Strategy). As part of the Scottish Government's overall alcohol strategy evaluation, the Licensing (Scotland) 2005 Act was evaluated in 2013. The evaluation identified areas that were working well (e.g. introduction of LSOs) and areas needing more development (e.g. public involvement). Following this, a document review of developments since 2012 was undertaken, with the results being

published in March 2016. The review identified that there remains a lack of compliance with particular provisions in the Act, namely those aimed at generating accountability and transparency in the licensing system. In addition, it highlighted that support is still required for different licensing stakeholders (licensing, health and community actors and forums) to fully take forward the public health provisions in the Act.

Group discussion 2: Points of view: Delegates were then asked to share their own thoughts about the findings from MESAS, and the implementation of the Licensing (Scotland) 2005 Act. They were invited to move around the room and provide comment on various issues identified by MESAS as requiring attention, choosing from:

- Insufficient licensing data
- Public health provisions: Still “bedding in”
- Forum: limited role - the public health provisions
- Public involvement: limited involvement - and scrutiny - from the public
- Emerging issues: high profile challenges (supermarkets) affect willingness to use discretionary powers?

The discussions were varied and wide ranging, and related to the broad range of stakeholders involved in licensing. A strong theme which emerged throughout discussions was the need for greater leadership and guidance from the Scottish Government to address uncertainties and inconsistencies. Other cross-cutting themes included: difficulties in engaging communities in the licensing system; the impact of legal challenges; difficulties in collecting data to inform licensing decisions; and the struggle to balance health against economic and financial considerations:

“The Scottish Government should publish a consolidated Act and revise the guidance.”

“We need to integrate licensing with community planning.”

A number of recommendations for action were suggested including: ensuring that licensing stakeholders have improved access to training, support and resources; improving communication and reporting; improving data collection; and ensuring links between licensing and other local/national strategies.

Individual exercise: Looking forward: For the final activity, delegates were asked:

- Thinking about the licensing system as a whole, what should we stop/keep/start doing?
- What advice would you give to people who were continuing or becoming involved in licensing in the coming 18 months?

Again, the responses were varied and wide ranging. Many highlighted the need to continue working in partnership and involve the community in licensing decisions, particularly people who had been directly affected by alcohol. A large number of people commented on the need for consolidated legislation and updated guidance. In addition, a number of people

pointed to the need to continue to gather evidence and improve our understanding of the links between alcohol, availability and harm.

Laura Mahon, Programme Lead, Alcohol Focus Scotland, closed the day by summarising key themes emerging from the day's discussions and outlining next steps. In particular, Laura highlighted the strong emphasis which delegates had placed on partnership working and relationships, adding that this collaborative approach was reflected in their participation and discussions throughout the day. Other key themes identified included community empowerment; the need for consistency and improved communication; and progress and challenges in addressing the health objective.

Evaluation

88% indicated that they were able to contribute their views throughout the day.

91% indicated that, overall, attending the event was a good use of their time

"Provided very helpful information."

"All excellent sessions."

"Thought provoking"

Next steps

AFS will review all of the information gathered at the regional events and use this to produce a full report with clear recommendations. This will be made available on our website (www.alcohol-focus-scotland.org.uk) and distributed to all attendees who registered to attend the events. Presentations and summary reports from each event will also be uploaded to our website (with permission) once available. In addition, an online version of the workbook is available to complete online for anyone unable to attend the events in person: <https://www.surveymonkey.co.uk/r/NGGC5J6>. We would encourage you to share this link with interested colleagues.