

ABERDEEN LOCAL LICENSING FORUM

WORKPLAN AS AT APRIL, 2010

Licensing Objectives (for reference) –

- (1) Preventing Crime and Disorder,
- (2) Securing Public Safety,
- (3) Preventing Public Nuisance,
- (4) Protecting and Improving Public Health, and
- (5) Protecting Children from Harm.

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.

No	Action/Decision agreed by Forum or Sub-Committee	Update/Outcome/Response	Referral to Licensing Board or Clerk (Yes/No) Reply (Yes/No)	Issue requires discussion at next Joint Meeting with Licensing Board (Yes/No)
(1)	Find out from communities what are their areas of concern	Issues raised by Community Councils, etc have been considered by the Forum and where appropriate action has been taken to make further enquiries. The Forum will await any further referrals from Community Councils or individuals.		
(2)	Improve intelligence in relation to statutory bodies.	The Forum is gaining experience as it considers topics and input from Forum members who are representatives of relevant agencies. The Forum had been represented at conferences and training events and will continue to do so.		
(3)	Overprovision – Assisting the Licensing Board in adopting a statement as part of Licensing Policy.	The Forum submitted its views to the Clerk to the Licensing Board and a further update will be considered at the Forum meeting on 22/4/10.		
(4)	To receive reports from the Licensing Board containing relevant statistical information.	The Clerk to the Licensing Board will advise the Forum of the frequency and content of statistical reports the Forum		

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		can anticipate receiving throughout 2010.		
(5)	To request an outline from the Licensing Board on measures it will employ to ensure compliance with the five licensing objectives.	An assurance has been given by the Board at the second joint meeting with the Forum that the current Licensing Policy makes appropriate references to the objectives. The Board has also confirmed that it will continue to monitor statistical trends in relation to crime and if possible health and other indicators in order to evaluate contributions to the achievement of the licensing objectives.		This is an issue appropriate for discussion at the first joint meeting with the Licensing Board in 2010.
(6)	Public Safety in the City Centre	An update report was considered by the Forum at its meeting on 25/2/10.		
(7)	Late Night Bus Services	An Update will be considered by the Forum at its meeting on 22/4/10.		
(8)	Policy Review	The Sub-Committee and the Forum have considered Licensing Policy Statements from other Boards in Scotland. No significant gaps have been identified and the Forum will be		The issue of the variety of level of details in Licensing Board policies and the use of Local Licensing Conditions may be appropriate for

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		asked to consider responding to the Aberdeen City Alliance giving its findings as the Alliance requested the Forum to consider this matter.		discussion at the next Joint Meeting with the Licensing Board.
(9)	Aberdeen Alcohol Strategy	The Forum or the Sub-Committee would benefit from considering the contributions the Forum can make to the achievement of the Strategy and this may require information on work in progress by other relevant bodies to avoid duplication of effort. For example work being undertaken by the Community Safety Partnership and by the Community Safety Criminal Justice Sub-Group of the Aberdeen Alcohol and Drugs Partnership.		It would perhaps be of assistance to learn from the Licensing Board their approach to ensuring they are contributing to the achievement of the Aberdeen Alcohol Strategy and are monitoring progress.
(10)	Standard of Training - The Forum requested information from the Scottish Government on the quality assurance process in respect of compulsory training to comply with the Licensing (Scotland) Act 2005 in the light of concerns about the quality of some on-line	Alcohol Focus Scotland meets regularly with the Scottish Qualifications Authority to investigate these matters. Alcohol Focus Scotland created a guide for managers on how best to plan their own training sessions for their staff. A copy can be obtained free of charge		

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	training courses.	from their website. Alcohol Focus in conjunction with an experienced training provider Quality Hospitality International provides an online staff training course which offers more in-depth training and interactive work which would secure a good quality outcome. This would perhaps be more appropriate than an exclusive reliance on trade produced staff workbooks. Their course includes a demonstration facility which is available at www.servewiseonline.co.uk		
(11)	<p>Staffing Levels – the Forum and the Sub-Committee noted that Aberdeen is the only city in Scotland to employ only one Licensing Standards Officer. Although information on staffing levels elsewhere in Scotland may be out-of-date there is no doubt the majority of local authority areas employ more than one Licensing Standards Officer.</p> <p>The Forum at its meeting on 25/2/10 noted the response set</p>	<p>A response to the issues raised was received on behalf of the relevant of Head of Service (Housing and Environment) in the City Council. The views of the Clerk to the Licensing Board were also sought. It was agreed it would be premature to formally request the Forum to write to the Chief Executive of the City Council requesting an increase in the number of Licensing Standards Officers employed by the City Council. The professional</p>		

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	<p>out in this Plan but agreed to write to the Chief Executive of the City Council now seeking her views on increasing the establishment of Licensing Standard Officers.</p>	<p>opinion is that as the Licensing (Scotland) Act 2005 has only been operational since 1/9/09, it is too soon to accurately access workload. It is anticipated that demand for advice will decline and from experience in dealing with the trade there is evidence of a high level of co-operation and willingness to comply. The officers concerned have given a commitment to review the position to decide whether or not to prepare a business case to support a request for additional staff resources. Meantime the Forum is asked to note that in addition to the Licensing Standards Officer one other officer has been trained in the Licensing Act duties. During 2010 more of his time will be freed up to undertake some of the duties. Other staff have also received elements of LSO training and this should facilitate a more proactive approach in relation to visiting licensed premises. The LSO's Line Manager will continue to monitor her</p>		

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		workload which is standard Council practice. It is suggested the Forum may wish to review the position at its meeting on 11/11/10 as any approach to the City Council to consider enhancing staff resources could be considered then as part of the 2011/12 Budget process.		
(12)	Conditions in respect of Provision of Door Supervisors			The Forum would like to discuss this issue at the joint meeting with the Licensing Board on 23/4/10.
(13)	Irresponsible Promotions – The Forum agreed to ask the Clerk to the Licensing Board to comment on the legality and feasibility of requiring applicants for premises licenses to submit an alcohol pricing plan.	The Depute Clerk to the Licensing Board has responded. He has pointed out there is nothing in the mandatory licensing conditions regarding this. If it was considered appropriate (which it is not) it would be administratively unsustainable.		
(14)	Terminal Hours – The Forum agreed to ask the Depute Clerk to the Licensing Board whether legislation would permit the imposition of staggered closing	The Depute Clerk to the Licensing Board has responded. He advises that Appendix 4 of the Board's Statement of Licensing Policy		

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	hours on different types of licensed premises.	states the position regarding terminal hours. Core hours are set out in the premises operating plan and not by local conditions.		

ACTIONS FOR LICENSING FORUM IN

ALCOHOL STRATEGY 2009 – 2019 AND IN ALCOHOL RELATED DISORDER IN THE CITY CENTRE ACTION PLAN

- (1) Reducing Consumption – The Licensing Board will consult widely on specific measures to deliver and enhance their policy including receiving advice from the Licensing Forum.
- (2) Prevention (a) – Encouraging developments to increase access to food and non-alcoholic drinks in clubs and the licensed premises at night in liaison with Unight, the Licensing Board and City Centre/Safer Aberdeen Forum.
- (3) Prevention (b) – Review to establish how a more preventative approach to over-consumption of alcohol can be devised in partnership between the Licensing Board and the trade.
- (4) Prevention (c) – Attract different types of premises to offer family orientated entertainment such as late night coffee shops, cafes, etc. in liaison with the Licensing Board, Unight, Safer Aberdeen Forum and Economic Development staff.