

JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD

ABERDEEN, 31 August 2017, Minute of Meeting of the JOINT MEETING - LOCAL LICENSING FORUM AND LICENSING BOARD. Present:- , Councillors Boulton Convener; and Councillor Lesley Dunbar, Greig and McLellan, and Peter Benton, Paul Clarkson, Tara-Erin Gilchrist, Nicola Johnston, Sgt Stuart McAdam, Inspector Kenny McGeough, Shamini Omnes, Emily Queen, Miriam Smith, Sarah Wheeler and Heather Wilson. Officers in attendance:- Arlene Dunbar, Karen Gatherum, Alexander Munro, Iain Robertson, Gillian Scott and Jennifer Wilson.

Apologies: Councillors Cameron and Townson and Diane Sande, LSO.

WELCOME AND INTRODUCTIONS

1. Councillor Boulton took the chair and welcomed everyone to the annual joint meeting of the Licensing Board and the Local Licensing Forum

MINUTE OF PREVIOUS MEETING

2. The Joint Meeting had before it the minute of its previous meeting of 08 June 2016.

With reference to article 18 – AOCB, it was noted that the text should read ‘low risk alcohol consumption’ and not ‘safe alcohol consumption’ as set out in the minute.

The Joint Meeting resolved:-

Subject to the correction at article 18 to approve the minute as a correct record.

UPDATE FROM LICENSING TEAM

3. Alexander Munro, Solicitor, provided the Joint Meeting with an update on licensing developments. He advised that the licensing team were now up to their full complement of staff and that Jennifer Wilson had been appointed as the Licensing Team Leader.

Mr Murno informed the Joint meeting that the Licensing Board had held a mini licensing conference in March. The conference was attended by Board members and Licensing Standards Officers from Aberdeen City, Aberdeenshire and Moray as well as partner organisations including Police Scotland, NHS Grampian, the Licensing Forum and local licensing solicitors. The event was a great success and it is hoped that it will become a regular event.

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Mr Munro provided an update on the main provisions of the Air Weapons and Licensing (Scotland) Act (2015) in force as it pertained to licensing. He advised that the Licensing Board was required to produce an annual report on the Board's functions and finance and that the first financial report was available on the Board's website. He commented that it may be a few years until any meaningful data from this report is produced. The fit and proper test having regard to the licensing objectives has been introduced to the Licensing (Scotland) Act 2005. Aberdeen City Board has not had to consider any cases to date involving the fit and proper test and Mr Munro commented that he was not aware of any cases nationwide.

The Licensing Board's new policy statement requires to be updated by November 2018; the statement will undergo some major changes to the format and will include a functions report setting out how the Board is performing in respect of each Licensing Objective. In the interim the Board are in the process of updating its Overprovision policy for off consumption premises. The Board have agreed that the whole of the Board's area is over provided for and a consultation exercise will take place in the coming weeks.

The Joint Meeting resolved:-

- (i) to note the update from the licensing team.

FORUMS ROLE IN CONSULTATION

4. Inspector McGeough advised the Joint meeting that in his capacity as Convener of the Licensing Forum he had written to the Licensing Board on 26 June 2017 regarding the Forum's role in consultation and to date had not received a response.

Mr Munro advised that the Licensing Board would welcome written responses; however these could be in the form of a letter or an email. The Convener commented that any response from the Forum should be representative of the views of the Forum as whole and not just particular interest groups from within the Forum. The Forum represents a variety of interest groups and the Board would wish to ensure that all of those views are reflected in its Policy statement.

Inspector McGeough acknowledged that the Forum had not always been successful at reflecting the views of all of its members. He advised that it is the intention to recruit more members to it, carry out some media and social media activities to promote the work of the it and to work with the membership to ensure that the Forum is more successful in carrying out its functions. He added that it within a year it is planned

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that the convenership of the Forum would be passed over to a licensing trade representative.

Inspector McGeough considered that it would be useful for the Forum to have a page on the Council website. Iain Robertson commented that the Council website was undergoing a redesign at the moment but that the possibility of page for the Forum could be explored.

The Joint Meeting resolved:-

(i) to explore the possibility of the Forum having a webpage within the Licensing section of the Council website .

FORUMS ROLE IN WIDER LICENSING PROCESS

5. Inspector McGeough commented that the Forum had not been in a position to carry out their role effectively; however this was the case for many forums across the country. In this regard he advised that the Forum could review its constitution. Iain Robertson advised there may be some scope to review the local arrangements however; some aspects of the constitution are set out in Licensing (Scotland) Act 2005.

Peter Benton commented that when the Forum provided information or feedback to the Licensing Board it would be useful for the Forum to learn how valuable or otherwise that information or feedback has been.

EFFECTIVENESS OF THE BOARD

6. Mr Murno advised that the Board's Policy Statement which will be published in November 2018 would contain statements on how the Board intend to meet each of the licensing objectives and set benchmarks to measure the effectiveness of the Board. It is hoped that this will allow the Forum and others to evaluate the effectiveness of the Board more easily.

Inspector McGeough felt it would be useful if a Board Member attend each Forum meeting in order to answer any questions from them.

Mr Munro advised that a Board member cannot be a member of the Forum and advised that the Licensing Team would consider the position and revert back to the Forum.

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The Joint Meeting resolved:-

- (i) To request that the Licensing Team investigate the possibility of a Board Member attending Forum meetings and revert back to the Forum.

COMMUNICATION BETWEEN BOARD AND FORUM

7. Inspector McGeough considered that communication between the Board and the Forum could be improved. He cited examples of correspondence from the Forum that had either gone unanswered from the Forum to the Board or had taken several months to receive a response. Mrs Dunbar had advised that the Licensing Team had been extremely short staffed during 2016 but were now fully staffed and she considered that there should be no further issues with communication. It was suggested that Conveners of the Forum and Board could endeavour to meet on a regular basis to strengthen communication between the two bodies.

The Joint Meeting resolved:-

To look into the possibility of the Conveners of the Forum and the Board meeting on a regular basis to improve communication between the two bodies.

WIDER DISCUSSION ON RECENT TRENDS ON ALCOHOL CONSUMPTION

8. The joint meeting heard from Heather Wilson who provided an update on the latest Scottish health statistics. Ms Wilson advised that Aberdeen was climbing the league table for alcohol related stays in hospital and were currently sitting at 6th in the league table. She advised that for this year the admission rates were worse than the Scottish average and that there had been a 33% increase in alcohol related deaths. She commented that Scotland as a whole is badly placed compared to the rest of the UK and compared to Western Europe. Finally she advised that 74% of alcohol is purchased for consumption at home.

Councillor Greig considered that it would be useful for the Board to have more analysis for these figures, looking at the reasons why there has been an increase in alcohol related deaths, cases studies on domestic violence and the off sale trade for example.

Miriam Smith advised that there is some data available for social work regarding the number of looked after children where alcohol is a contributing factor and attempts could be made to map this data.

Paul Clarkson commented that many of the statistics related to off-sales but he felt that the on trade were bearing the majority of the responsibility.

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Ms Wilson advised that the NHS' position was that any increase in availability was detrimental to health. Shamini Omnes advised that the NHS were doing some work on impact assessments and would welcome input from the trade.

Inspector McGeough commented that preloading was an issue from Police Scotland and acknowledged that this for an issue from the on trade.

Councillor Donnelly highlighted that the Board were aware of the economic downturn and asked about the number of patrons refused entry to premises because of intoxication.

Emily Queen advised that there was good practice across the city and that there was a variety of methods used to record refusals including manually and at till points. She advised that best bar none and Unight would be willing to come to the Board to discuss these practices with the Board.

Councillor McLellan asked the trade representatives what customers were looking for in terms of licensing hours.

Sarah Wheeler considered that there was a move away from the traditional nightclub and that people were looking for longer hours in bars and lounge bars where they could enjoy music and entertainment. Nicola Johnston agreed that there are a large number of international students who have a different attitude to alcohol and are more interested in the social aspects and are looking to stay in bars longer.

BOARD PROCEEDINGS

9 Mr Munro advised that the Board had made some amendments to the proceedings before the Board. The Board have already agreed to some changes to make the proceedings less formal including removing the requirement for Solicitors to wear gowns at meetings of the Board. Changes have been made to hearing of objections and summing up procedures and a new scheme of delegation is in the process of being drafted.

The Joint Meeting resolved:-

to note the position.

AOCB

10. Equalities & Mainstreaming Report

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Iain Robertson advised that the Board's Equalities and Mainstreaming Report would be circulated to the Forum for consultation and that responses should be feedback to the Board as soon as possible.

Communication between the Board and Trade

Sarah Wheeler advised that communication between the Board and trade was poor. She cited the recent General Direction for Off-Shore Europe and the lack of information to the trade regarding the Direction. Mrs Dunbar advised that the information was to be published on the Board's website and enquired what the preferred method of communication would be. The trade indicated that that their preferred method would be by email. Mrs Dunbar advised that the Licensing Team did not hold email address for all licensed premises and it was difficult to keep such a list up to date. Councillor Boulton noted the comments about communication. Iain Robertson suggested that the Convener of the Forum and Chair of Unight be added to the Board's agenda distribution list.

The Joint Meeting resolved:-

to add the Convener of the Forum and the Chair of Unight to the Board's agenda distribution list.

- **MARIE BOULTON , Convener**

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