

## ABERDEEN LOCAL LICENSING FORUM

Thursday, 22 April, 2010

Present: Allan McIntosh, Convener, Craig Adams, Mary Crawford, Ian Donaldson, Mark Donlevy, Ken Eddie, Sandy Kelman (as substitute for Dr. Lesley Wilkie and as representative of the Aberdeen Alcohol and Drugs Partnership), Raymond Morrison, Diane Sande, Inspector John Soutar and George Wyatt.

Apologies: Sohail Faruqi, Gerard Rattray, Derek Murray, Katherine Ross, Bob Westland and Dr. Lesley Wilkie (Sandy Kelman substituting).

### **WELCOME**

Allan McIntosh welcomed everyone to the meeting especially Ian Donaldson, Grampian Fire and Rescue Service who had replaced Ian Pattinson.

### **MINUTES**

The Forum had before it the Minute of the meeting held on 25 February, 2010.

The Forum resolved:-  
to approve the Minute.

### **UPDATE FROM THE LICENSING BOARD**

The Forum considered the following update –

- (1) Curfew Condition – the Licensing Board at its meeting on 6<sup>th</sup> April, 2010 resolved to revoke the curfew condition. As a result the Board will be holding review hearings for all affected premises as each licence will require to be amended. Hearings will take place at the next Board meeting on 1<sup>st</sup> June, 2010, and it is anticipated that as licence holders will accept the removal of the condition there will be no need for personal appearances at the hearings.
- (2) Overprovision Assessment – at its meeting on 6<sup>th</sup> April, 2010, the Licensing Board identified two localities in the city as having an overprovision of licensed premises. The areas are identified as the Justice Mill area and the Belmont Street area. The Overprovision Assessment will form part of the Licensing Board's Statement of Licensing Policy and this will be approved by the Board at its next meeting on 1<sup>st</sup> June, 2010.
- (3) Review of Statement of Licensing Policy – the Local Licensing Forum will be consulted on the review of the Licensing Board's Statement of Licensing Policy. The three year period for the current Statement of Licensing Policy expires in November, 2010.

**The Forum resolved:-**

to note the update.

**STATISTICAL INFORMATION**

Inspector John Soutar reported that for the first three months of 2010 there had been no serious assaults within licensed premises in the city centre. However, there were two serious assaults in April. Generally, licence holders are working closely with Grampian Police to help minimise anti-social behaviour in city centre premises and in the vicinity of premises.

**The Forum resolved:-**

to note the statistical update.

**UPDATE FROM THE LICENSING STANDARDS OFFICER**

Diane Sande and Raymond Morrison advised that they continue to conduct scheduled and unplanned visits to licensed premises and they have had some success in securing co-operation from licensees to resolve complaints and problems. The issues they have addressed include noise complaints from a variety of sources including extractor fans, kitchen equipment and music. Environmental Health Officers and Food Standards Officers are involved as appropriate. The Licensing Standard Officer attends monthly liaison meetings with Grampian Police which are a useful source of information.

The Licensing Standard Officer will make available, on request, the speakers notes from a conference she attended recently. Among the topics discussed was the lack of clarity about free drinks offers being classified as irresponsible promotions or not. It is hoped that the new Alcohol Etc. (Scotland) Act will clarify this. However, the Bill is still under consideration by the Scottish Government and there is a need for urgent clarification of the legislative position. Mark Donlevy advised that Unight was unsure of the position and it would help if there was an agreed local interpretation of the legislation which could be issued to members of Unight for guidance purposes.

George Wyatt referred to the work of the Scottish Licenced Trade Association with the Scottish Government and the Aberdeen Association is contributing to that work to ensure that the new Act provides the necessary clarification. In addition, observations have been submitted on the issue of minimum alcohol prices for on-sales and off-sales premises.

The Licensing Standard Officer advised that through her attendance at the Regional meetings of Licensing Standards Officers in the North East every effort was made to have a consistent approach to interpretation of legislation to assist licensees particularly those who operate premises in various locations throughout the North East.

When the Local Licensing Forum considers its contribution to the review of the Statement of Licensing Policy, it will be appropriate to consider suggesting that the

Statement makes explicit reference to the impact of the decisions of the Licensing Board on efforts to reduce anti-social behaviour in the city centre.

**The Forum resolved:-**

to note the update from the Licensing Standards Officer.

**UNIGHT UPDATE**

Mark Donlevy referred to the very successful launch at St. Machar Academy of a publicity campaign to discourage young people from using passports or driving licences of relatives or friends to drink underage or to enter licensed premises. There has already been a reduction in the number of such incidents. Overall the Unight Scheme continues to be successful with a total of twenty people banned from entry to premises which are members of the Unight Scheme. Unight took the initiative to ban patrons found to be in possession of Mephedrone before the substance became classified as a Class B illegal drug under the Misuse of Drugs Act 1971.

Members of Unight are beginning to plan ahead for World Cup related events in licensed premises and are keen to prevent anti-social behaviour which could have racial elements.

Sandy Kelman advised that it would be important to link in with Unight on work to deliver the objectives of the Aberdeen Alcohol Strategy and to ensure that they had access to the network which has developed under the auspices of the Aberdeen Alcohol and Drugs Partnership.

**The Forum resolved:-**

to note the update on the work of Unight and that Sandy Kelman or a member of his team will arrange to meet Mark Donlevy to discuss opportunities for joint working and information sharing.

**LICENSING BOARD BUSINESS UPDATE**

The meeting considered the decisions taken on applications for licences by the Licensing Board at its meeting on 9<sup>th</sup> February, 2010. Each Forum meeting will have an opportunity to consider this information and any supplementary information of a statistical nature which will be supplied by the Depute Clerk to the Licensing Board.

**The Forum resolved:-**

to note the information and to request that where applications are refused that the reasons for refusal are included in future reports.

## **WORK PLAN**

The Forum considered its Work Plan and Sandy Kelman referred to action (5) regarding information from the Licensing Board on measures it will employ to ensure compliance with the five licensing objectives. Sandy had recently addressed the Licensing Board requesting that they analyse relevant statistics on ambulance call-outs and other health related information in addition to police statistics when considering applications and undertaking review hearings. It is appreciated that a causal link requires to be established between premises and the number of calls. There would be no intention to discourage licence holders and their staff from seeking assistance out of concern that this may reflect badly on their management and control of premises. George Wyatt advised that members of the Licensed Trade Association instruct their staff not to hesitate in summoning assistance from the police or the ambulance service when required. Inspector John Soutar gave an assurance that Grampian Police regard Door Supervisors as the first line of policing and their contribution is valued. No adverse inference is drawn by the Police from information about the number of times police have been called to premises.

The meeting noted that the suggestion in relation to ambulance call-out statistics had received a favourable publicity in the local media.

### **The Forum resolved:-**

to note the updated Work Plan.

## **LICENSING BOARD CONVENERS' CONFERENCE - FEEDBACK**

The meeting noted feedback from Ken Eddie who attended the Licensing Board Conveners' Conference on behalf of Allan McIntosh and copies of the presentation material considered at the Conference. The information on the Alcohol Etc. (Scotland) Bill and on the cost implications of the licensing regime in relation to changes of ownership in respect of provisional licences and confirmation of licences was also noted. Applicants incur considerable expense in submitting full sets of drawings to accompany Operating Plans. There was some support for the concept of a "provisional" variation of licence in circumstances of change of ownership.

Lothian and Borders Police representatives gave a presentation on using a cooling off area in Edinburgh city centre to reduce the pressure on staff resources. A triage area for first aid and police intervention (if necessary) reduces pressure on ambulance and paramedic staff in addition to the police. The initiative meant there were fewer journeys necessary to police headquarters and Accident and Emergency departments. Mark Donlevy enquired whether Unight members could be of assistance given the condition of licences that premises have sufficient First Aiders in attendance during opening hours. It may be appropriate to discuss this matter further at the meeting with representatives of the Aberdeen Alcohol and Drugs Partnership. Sandy Kelman advised the meeting that a decision had been taken recently to continue to fund the Designated Place and the service will continue to be provided by Alcohol Support Limited.

**The Forum resolved:-**

to note the feedback on the Licensing Board Conveners' Conference.

**CONSULTATION ON LABELLING OF ALCOHOLIC DRINKS**

The meeting considered the consultation paper issued by the Department of Health on options to improve the information on labels of alcoholic drinks to support consumers to make healthier choices.

The meeting discussed the three options – (1) the status quo, (2) self regulation, and (3) mandatory. Having noted the lack of progress to date by the industry on a voluntary basis, the Forum agreed to indicate support for the mandatory option.

**The Forum resolved:-**

to instruct the Clerk to respond to the Department of Health indicating the Forum's support for option (3) in respect of labelling of alcoholic drinks.

**INFORMATION BRIEFINGS**

The meeting noted the report by the Scottish Youth Commission on Alcohol and also the report on the outcome of a Health Impact Assessment Workshop held in Glasgow earlier this year.

**The Forum resolved:-**

to note the briefing papers and to consider the final report on the Health Impact Assessment Workshop which is due to be published in June, 2010.

**NATIONAL LICENSING CONFERENCE – AVIEMORE, 8 AND 9 SEPTEMBER, 2010**

The meeting considered the invitation to be represented at the National Licensing Conference to be held in Aviemore on 8 and 9 September, 2010.

**The Forum resolved:-**

to be represented at the conference by George Wyatt, Vice-Convener, or another member of the Forum if Mr. Wyatt is unavailable.

**TIMETABLE OF LOCAL LICENSING FORUM MEETINGS**

The meeting considered the options to amend the Forum meetings timetable for the remainder of 2010 to avoid clashes with meetings of Council Committees to assist Councillors Greig and West in attending Forum meetings.

**The Forum resolved:-**

to hold Local Licensing Forum meetings on – Thursday, 10 June at 5.00pm, Thursday, 29 July at 5.00pm, Thursday, 9 September at 2.00pm, and Thursday, 11 November at 5.00pm.

**PREPARATION FOR JOINT MEETING WITH THE LICENSING BOARD**

The meeting considered the agenda for the Joint Meeting with the Licensing Board on Friday, 23 April, 2010. The Work Plan will be used as the basis for discussion and in addition views will be sought on how to integrate aspects of the work of the Licensing Board, the Licensing Committee and the Forum given the large measure of common interests across the three bodies. It is also acknowledged that the three bodies have distinct remits.

**The Forum resolved:-**

to consider the feedback from the Joint Meeting with the Licensing Board at the next Forum meeting.

**LATE HOURS CATERING**

The meeting noted that a number of members of the Forum in their individual capacities and as representatives of other bodies had received invitations from the Licensing Committee to submit views on the terminal hour for late night catering licences. The meeting considered the impact of the availability of late night catering facilities on dispersal of patrons from the city centre at the weekends in particular. It was noted that Grampian Police may indicate they would prefer a terminal hour of 3.00am or earlier and that the Aberdeen Alcohol and Drugs Partnership and the Director of Public Health, NHS Grampian, had not yet had an opportunity to consider the matter and formulate their views.

The meeting understood that the Licensing Committee had available information on experience elsewhere in Scotland to help inform their decision in addition to feedback from the current consultation process.

**The Forum resolved:-**

to note the ongoing consultation process.

**NEXT MEETING**

It was confirmed that the next meeting of the Forum would be held on Thursday, 10 June, 2010 at 5.00pm.

- **ALLAN MCINTOSH, Convener**