

## ABERDEEN LOCAL LICENSING FORUM

Thursday, 29 July, 2010

Present: Allan McIntosh, Convener; Craig Adams, Tom Cowan, Ken Eddie, Sandy Kelman, Raymond Morrison, Inspector John Soutar, Councillor John West and Bob Westland.

Apologies: Mary Crawford, Mark Donlevy, Ian Donaldson, Sohail Faruqi, Councillor Martin Greig, Derek Murray, Gerard Rattray, Diane Sande, Linda Smith and George Wyatt.

### **MINUTE**

The Forum had before it the minute of the meeting held on 10 June, 2010.

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

to approve the minute and to note the following updates as matters arising from the minute –

- (1) that Vycki Shade, Senior Engineer, Enterprise, Planning and Infrastructure Service, would be attending the next Forum meeting to take part in a discussion on the project work to improve night time bus services;
- (2) that the Licensing Board had accepted the Forum's invitation to attend an informal session to view the training DVD prepared by Alcohol Focus Scotland and to take part in an informal discussion thereafter;
- (3) that Sandy Kelman would arrange for a colleague to give a presentation to the Forum at its meeting in November on the Alcohol Strategy reporting mechanism; and
- (4) that Barry Black had been nominated by the Aberdeen Youth Council to serve on the Aberdeen Local Licensing Forum and that the University of Aberdeen Students' Association would be nominating their replacement representative for Katherine Ross in October, 2010.

### **ALCOHOL ETC. (SCOTLAND) BILL**

The Forum considered a briefing paper which was an update on the briefing paper considered by the Forum in February, 2010. The Forum noted the responses submitted by the Licensing Board to the Health Secretary and that a further update would be submitted as the Bill progresses through the Scottish Parliament.

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

to note the briefing paper.

### **NORTH OF SCOTLAND REGIONAL LICENSING FORUM**

The Forum noted that the Aberdeenshire Licensing Forums were making enquiries as to whether or not the Aberdeen Forum would be interested in joining a Regional

Licensing Forum. A detailed proposal was not available but a decision in principle would be welcomed.

Inspector John Soutar advised the Forum that Grampian Police was exploring an information sharing protocol with the Licensing Boards in the North East of Scotland but it would be premature to consider that it would be desirable or feasible to work towards establishing a North East of Scotland Statement of Licensing Policy. Clearly the Licensing (Scotland) Act 2005 envisages each Board adopting its own Statement of Licensing Policy.

Members of the Forum discussed potential issues and concerns which could be explored in a regional context but acknowledged there would always be issues which were unique to the city. Some members of the Forum expressed a preference for meetings of the Regional Forum to take place in Aberdeen and at the conclusion of one of the timetabled meetings of the Aberdeen Licensing Forum in order to avoid adding to the time commitments for members of the Forum.

**The Forum resolved:-**

to request the Clerk to obtain further information about the proposal to establish a Regional Forum and to report back to the Forum meeting on 9 September, 2010.

## **CONTRIBUTION TO REVIEW OF STATEMENT OF LICENSING POLICY**

The Forum considered a discussion paper and their expectations for the new Statement of Licensing Policy. A draft list of recommendations would be prepared based on today's discussion which included acknowledging that the Statement of Licensing Policy should have an expanded section on security, not just in relation to Door Supervisors but also addressing the need for security within premises with sufficient trained staff familiar with evacuation plans which had been tested. Detailed guidance should be developed and one recommendation will be that the Licensing Board establish a Working Group on which they would be represented together with representatives from the trade, security industry, Unight etc to draw up detailed guidance which is practical and can be enforced. Licensing Board representation should help ensure that the conclusions of the Working Group are endorsed by the Board.

The meeting noted Bob Westland and his colleagues are undertaking work on criteria to guide decisions on the number and timing of deployment of security staff in licensed premises of various types and capacities. The Forum would welcome a presentation on this work at a future meeting.

The sections of the Statement of Licensing Policy on Hours, Securing Public Safety and on Preventing Public Nuisance could be usefully expanded to address inconsistencies in approach. The Board could set out its objectives and attach conditions to licences in relation to those objectives in addition to the detailed scrutiny the Board and relevant officers give to the content of Operating Plans. Crowd dispersal, supervision of smoking areas and the context of public transport availability should be addressed in an expanded section on preventing public nuisance. As appropriate, the Board should liaise with the Licensing Committee to develop the details.

The Forum welcomed the decision by the Licensing Board on 27 July, 2010, to extend licensed hours to enable premises to remain open longer on local public holidays without the need for individual applications and scrutiny of applications by Grampian Police and other officials.

**The Forum resolved:-**

to ask the Clerk to draft a list of recommendations for consideration by the Forum at its meeting on 9/9/10 and to invite members of the Forum who would be responding in their own right to the invitation to contribute to the review of the Statement of Licensing Policy, to submit their responses to the Forum to enable the Forum to consider endorsing them.

**LICENSING (SCOTLAND) ACT 2005 – EVALUATION OF IMPLEMENTATION AND COMPLIANCE**

The Forum noted that Kenny MacAskill, MSP, Cabinet Secretary for Justice, had advised that NHS Health Scotland had commissioned a three year evaluation to assess the implementation of and compliance with, the objectives and relevant requirements of the Licensing (Scotland) Act 2005. The evaluation would be undertaken by the Scottish Centre for Social Research and the main aim of the evaluation was to assess the effectiveness of implementation and compliance with the legislation to control the availability of alcohol and identify factors facilitating or acting as barriers to effective implementation of the legislation.

The Licensing Board had noted the planned evaluation exercise which would take place over a three year period. However, briefing papers would be made available as data became available ahead of the production of the final report in March, 2013. Therefore the Licensing Board and the Licensing Forum could anticipate being contacted by the research team later this year.

**The Forum resolved:-**

to note they would have an opportunity to participate in the evaluation exercise being undertaken by the Scottish Centre for Social Research.

**LOCAL LICENSING FORUM CONVENERS' MEETING**

Allan McIntosh advised that he had attended a meeting on 14/7/10 with Dr. Evelyn Gillan, Chief Executive, Alcohol Focus Scotland, with Conveners of a number of Forums in Scotland. Unfortunately there was a poor attendance at the meeting. However, it was worthwhile and experiences and information were shared on relationships between Forums and Licensing Boards and also with Alcohol Focus Scotland. Alcohol Focus Scotland would try to include a meeting with Forum Conveners in the programme of the National Licensing Conference in September, 2010. Conveners were asked to consider the benefits of regional or national meetings of Forums and how these could best be implemented. Alcohol Focus Scotland had been asked to consider adding an item to the standard agendas of Forum meetings on issues of interest with responses to be collated once they had been reported back to Alcohol Focus Scotland. This would be a useful addition to the information sharing and communication achieved via the dedicated website

[www.local-licensing-forums.org.uk](http://www.local-licensing-forums.org.uk). All Forums had been encouraged to send copies of their minutes to Alcohol Focus Scotland and the Aberdeen Forum already does so together with copies of its agendas and reports.

The Convener advised that there was a useful discussion on statistics and evidence gathering and that guidance would be helpful on potential sources of statistics for each of the five licensing objectives.

The problem of front loading of alcohol purchased from off-sales premises including supermarkets was discussed at the meeting and the consensus was that there was a need to consider adjusting business rate charges to reflect the volume of alcohol sold on premises if this was permitted in terms of legislation. Alcohol Focus Scotland had agreed to raise with the Scottish Government the provision in the Licensing (Scotland) Act 2005 that requires evidence of a causal link between premises and problems to substantiate a claim that there was overprovision of a specific type of licensed premises in an area.

In conclusion, the meeting considered education/awareness campaigns on the adverse health effects of excessive consumption of alcohol. Nationally and locally there had been considerable success with the annual Alcohol Awareness Weeks. In Grampian, last year's campaign included electronic initiatives which appealed to younger people. For example, people could log onto a diary to record their consumption and compare it with the recommended levels. There was evidence that in Grampian there was a good understanding of the significance of units of alcohol and the Forum recalled that it had recently submitted comments to the Department of Health supporting mandatory labelling of alcoholic drinks.

In conclusion there was support for improved liaison between the major cities in Scotland to discuss issues of common interest to their Licensing Forums.

**The Forum resolved:-**

to note the Convener's feedback on the meeting he attended with Alcohol Focus Scotland on 14 July, 2010.

**NEXT MEETING**

It was confirmed that the next meeting of the Forum would be held on Thursday, 9 September, 2010 at 2.00pm.

- **ALLAN MCINTOSH, Convener**.