

## **ABERDEEN LOCAL LICENSING FORUM**

### **CONSTITUTION**

The following sets out the Constitution for the ABERDEEN LOCAL LICENSING FORUM (hereinafter referred as “the Forum”).

#### **1. NAME**

The name of the organisation shall be ABERDEEN LOCAL LICENSING FORUM.

#### **2. AGE**

In order to be eligible for membership of the forum, a person must be aged 16 years or above.

#### **3. GEOGRAPHICAL BOUNDARY OF THE FORUM**

The geographical boundary of matters that the Forum shall deal with shall coincide with the boundaries of Aberdeen City Council.

#### **4. TERMS OF REFERENCE**

The terms of reference of the Forum are as follows:-

- (i) to keep the liquor licensing system in Aberdeen under regular review and to respond to consultation exercises undertaken by the Aberdeen City Licensing Board and the Scottish Government as appropriate;
- (ii) to consider the implications of relevant local data and statistics provided by the local police force, the local Health Board and the various Aberdeen Drugs and Alcohol Groups;
- (iii) to meet the Aberdeen City Licensing Board at least once per year; and
- (iv) to give advice and make recommendations to the Aberdeen City Licensing Board in relation to any matters that the Forum considers appropriate, excepting individual licensing applications.

#### **5. MEMBERSHIP**

- (1) In meeting with the undernoted terms of the Licensing (Scotland) Act 2005 (“the Act”), requiring that all Local Licensing Forums shall -
  - (i) consist of not fewer than 5 and not more than 21 members;
  - (ii) include a Licensing Standards Officer for the Council’s area;
  - (iii) in appointing members, ensure that, so far as possible, the membership of the Forum is representative of the interests of persons or descriptions of persons who have an interest which is relevant to the Forum’s general functions, including:-
    - Holders of premises licences and personal licences

- The Chief Constable for the police area in which the Forum's area is situated
- Persons having functions relating to health, education and social work
- Young people
- Persons resident in the Forum's area

the Forum shall have a membership of 12, with one duly appointed representative from each of the following categories:-

**Holder of Premises Licence**

1. Representative of Licensed Trade

**The Chief Constable for the Police area**

2. Representative of Police Scotland

**Persons having functions relating to health, education or social work**

3. Scottish Fire and Rescue Service
4. Aberdeen Alcohol and Drugs Partnership
5. NHS Grampian
6. Aberdeen Samaritans
7. Community Safety Partnership
8. Education Services, Aberdeen City Council
9. Children's Services, Aberdeen City Council

**Young people**

10. RGU or Youth Council – *to be confirmed*

**Persons resident within the Forum's area**

11. Aberdeen Civic Forum

**Licensing Standards Officer**

12. Licensing Standards Officer

- (2) Notwithstanding the above, the Forum may invite additional representatives (co-optees) who may have an interest relevant to the Forum's general functions, to attend and participate in meetings of the Forum, but without voting rights. Such representatives will not be included for the purposes of calculating a quorum for meetings of the Forum.
- (3) Members may appoint substitutes to attend meetings of the Forum on their behalf, on the understanding that the substitute is also a duly appointed representative of one of the above 12 categories.
- (4) Members will be appointed at the first meeting of Aberdeen City Council following an election. Members will serve for the term of that Council, after which they will be eligible for re-appointment. This is without prejudice to a member's entitlement at any time to step down from the Forum.
- (5) Any vacancies or changes to membership during this term may be filled by the Forum on behalf of Aberdeen City Council. The names and addresses of applicants for membership shall be submitted in writing to the Clerk to the Forum at least 14 days before the meeting of the Forum at which the vacancy is to be filled.
- (6) If any member of the Forum should miss three meetings consecutively, it will be open to the Forum to exclude that member on a permanent basis.

This will not apply if the said member has arranged for a substitute to be present at the meetings.

## **6. SUB-COMMITTEES**

The Forum may, as it sees necessary, appoint Sub-Committees to carry out any of its functions.

The quorum of all Sub-Committees shall be one half of the total membership, excluding co-optees.

## **7. MEETINGS**

- (i) As laid out in the Licensing (Scotland) Act 2005, there shall be at least four meetings of the Forum per calendar year, including one meeting with the Licensing Board;
- (ii) Notice of the place, time and date of meetings of the Forum will be given to every member not later than seven days prior to the meeting; and
- (iii) Any member unable to attend in person may appoint a substitute to attend on their behalf who can express their views. The Clerk to the Forum must be given prior notification of any substitutions;
- (iv) All meetings of the Forum shall be open to members of the Press and Public.
- (v) The quorum for a meeting of the Forum shall be one-half of the number of members (but in any case not fewer than three). No decisions will be taken at any meeting unless that meeting is quorate.

## **8. CONDUCT OF BUSINESS**

Forum members will elect a Convener, and Vice-Convener at their first meeting in each calendar year.

Meetings of the Forum are to be chaired by the Convener.

If the Office of Convener is vacant or for any other reason the Convener is unable to attend, a meeting of the Forum should be chaired by the Vice-Convener. If this is not possible, a meeting may be chaired by any other member present.

An Office Bearer may be removed from office at any of the Forum meetings or at a Special Meeting convened for this purpose at the requisition of at least half of the membership of the Forum, provided due intimation of such proposed alteration shall have been sent to each member at least seven days before such meeting.

Persons who have not been invited by the Forum to attend, and who wish to speak at a meeting of the Forum must contact the Clerk to the Forum one clear working day (excluding Saturdays and Sundays) prior to the meeting, to state the subject on which they wish to be heard.

## **9. VOTING**

- (i) Each member present at a meeting shall be entitled to one vote. The Convener shall have a casting vote, except in cases of appointment of a member to any particular office, in which case the decision will be by lot;
- (ii) Voting shall be by way of a show of hands, but a roll call can be requested by any member of the Forum should they feel this appropriate.

## **10. POWERS AND DUTIES OF THE CONVENER**

It shall be the duty of the Convener to:-

- (i) preserve order, and to ensure that every member of the Forum shall have a fair hearing;
- (ii) decide all matters of order, competency and relevancy;
- (iii) decide between two or more members of the Forum wishing to speak by calling on the member who has first caught his or her eye; and
- (iv) ensure that due and sufficient opportunity is given to members of the Forum who wish to speak to express their views on the subject under discussion.

The decision of the Convener on all matters within his or her competency shall be final, and shall not be open to question or discussion.

## **11. AGENDAS AND MINUTES**

Any items to be included in the agenda for meetings of the Forum shall first be submitted to the Clerk of the Forum no later than fourteen days prior to the date of any scheduled meeting.

No items may be otherwise included in the agenda for any meeting of the Forum, save at the discretion of the Convener on the grounds of urgency.

A Minute of each meeting will be prepared by the Clerk to the Forum, and the draft Minute circulated with the agenda for the following meeting. Agendas and Minutes will be published on the Aberdeen City Council Website.

## **12. ALTERATIONS TO CONSTITUTION AND POWERS TO MAKE OR AMEND RULES**

The Forum shall have the power to alter the Constitution of the Forum and to make or amend rules relating to the conduct and administration of the Forum at any of its meetings, or at a Special Meeting convened for this purpose at the requisition of at least half of the members of the Forum, the proposed alteration being included on the agenda prior to such meeting.

All such alterations require to be approved by at least half of the members of the Forum present and voting. The Forum shall not be permitted to alter the Constitution if such alteration would conflict with the terms of the Act.