

Report of Local Licensing Forum Survey 2022

INTRODUCTION

Local licensing forums have a vital role to play in local licensing arrangements and the development of local licensing policies. However, forums, like the rest of the licensing system and range of stakeholders working within it, have inevitably faced challenges and been required to adapt in response to COVID-19. The Scottish Government therefore worked with Alcohol Focus Scotland (AFS) to undertake a survey of local licensing forums / local councils to identify current levels of forum activity. In addition, the survey asked about what was working well with forums and how they could be better supported or improved. This report summarises the key findings of the survey and the comments provided by the respondents.

BACKGROUND /CONTEXT

The Licensing (Scotland) Act 2005 requires every council to establish a local licensing forum. If the area of a council is divided into separate licensing divisions, then the council can choose to establish separate forums for each division. This means that there should be between 32-40 local licensing forums currently operating in Scotland. It is the job of the forum to review the licensing board in the area and to provide it with feedback. Specifically, the law states the forum's role is to:

- **Review:** *“keeping under review the operation of this Act [The Licensing (Scotland) Act 2005] in the forum’s area, and, in particular, the exercise by the relevant licensing board or boards of their functions”, and*
- **Advise:** *“giving such advice and making such recommendations to that... board in relation to those matters as the forum considers appropriate.”*

The law requires all forums to have a membership of between 5 and 21 people, and they must include at least one Licensing Standards Officer (LSO) and at least one person from the health board. The law also sets out the main categories of members which the council must reach and engage in the process of setting up/maintaining a forum: Licence holders; police; health, education or social work; young people; and residents. Forums have the flexibility to decide at a local level how many representatives there should be for each of the different interests, although all the interests are equally important.

ABOUT THE SURVEY AND RESPONDENTS

An invitation to complete the survey was distributed by the Scottish Government via email to forums/local councils, using the contact details available on the licensing section of each council's website. The invitation asked for a single representative from each forum, or a relevant council officer if the forum was inactive, to provide one response to an online version of the survey. It was recommended that the questions be discussed at a forum meeting prior to the answers being submitted online.

The survey ran between July 2022 - October 2022 and responses were received from 14 local licensing forums. This would represent less than half of the total number of forums that should be in operation, which should be between 32-40 as noted above. The forums that participated included a mix of those within urban areas and those within more rural localities. In addition, an email reply was received from one area (that did not participate in the survey) advising that there had not been a licensing forum in operation since pre-COVID due to staff redeployment and availability from a number of services.

People were free to skip past any question that they did not want to answer and so some questions were not answered by all 14 respondents. Please also note that the percentages given in this report may not always add up to exactly 100% as they have been rounded to the nearest whole number.

SURVEY RESULTS

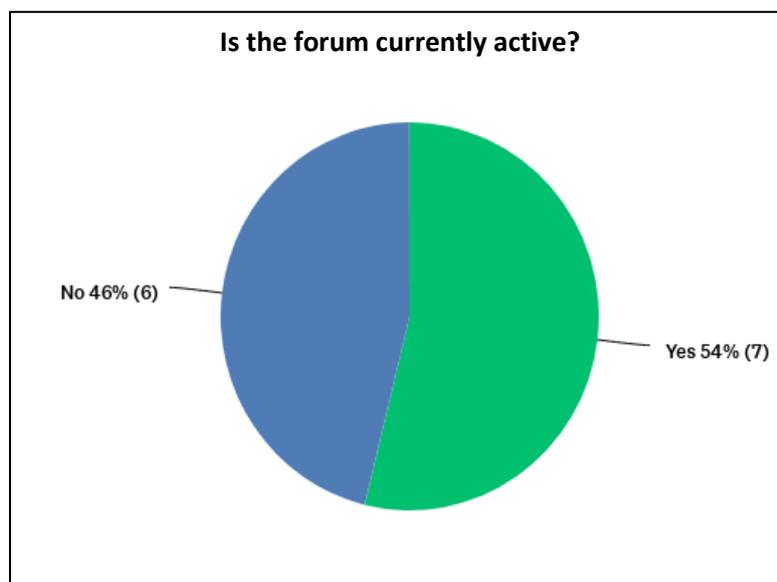
Key findings

The survey ran between July 2022 - October 2022 and responses were received from 14 local different licensing forums; there should currently be between 32-40 forums in Scotland. Of those who answered the relevant questions:

- **54%** of the forums were **currently active**, while **46%** were **not**.
- **66%** rated the forum as either 'very' or 'fairly' **effective** at reviewing the operation of the licensing system, while **33%** rated the forum as '**not effective**' in this regard.
- **55%** rated the forum as either 'very' or 'fairly' **effective** when asked about the forum's role to provide recommendations to the licensing board, with **44%** rating the forum as **not being effective** in this regard.
- Overall, the responses suggest that there is a **wide variation between forums** with regards to whether and how well they are operating, and the challenges being experienced.
- The total number of forum **members** (representing one of the main membership categories) on each forum **ranged from 5-15**, with the average number being 11
- **32%** of all forum members are **licence holders**, followed by LSOs and residents (both 14%). Only **1%** of forum members are **young people**.

Are forums currently active?

The survey asked respondents whether the forum was currently active. In response, 54% (7) answered 'yes' while 46% (6) answered 'no'. When the relevant respondents were asked to describe the main reasons for the forum being inactive, one commented on the impact of COVID and the reluctance of forum members to attend meetings remotely. Other respondents indicated more long-standing and reoccurring difficulties attracting and retaining forum members, with one expressing frustration that repeated attempts to maintain the forum had been unsuccessful and resource intensive.



"We have never got close to the maximum membership of 21... we barely reach the minimum of 5... Failing to reach a quorum is a common issue - if members do not confirm their intention to attend the next meeting, we cancel the meeting. Since there are only 4 scheduled meetings of the Forum a year, cancellation means there will be a gap of months between meetings."

Respondents in areas with inactive forums were asked whether there were any plans to reactive the forum, with 67% (2) of those who answered indicating ‘yes’ and 33% (1) indicating ‘no’.

Respondents in areas with active forums were asked how many times the forum had met in the previous 12 months, with the answers given ranging from 1-6 times (1 x 1 time, 2 x 3 times, 2 x 4 times, 1 x 5 times, 1 x 6 times).

How well are forums functioning?

Respondents were asked to what extent they agreed or disagreed with a number of statements about the operation of the forum, as shown in the table below.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Forum members have a good understanding of their role and remit	11% (1)	44% (4)	22% (2)	11% (1)	11% (1)
The forum has clear aims/objectives	11% (1)	44% (4)	11% (1)	11% (1)	22% (2)
The forum has developed a workplan	11% (1)	22% (2)	0%	33% (3)	33% (3)
The Licensing Board takes the forum’s views into account	22% (2)	11% (1)	44% (4)	11% (1)	11% (1)
There is good communication between the forum and Licensing Board	22% (2)	11% (1)	44% (4)	11% (1)	11% (1)
The forum has sufficient resources	11% (1)	11% (1)	56% (5)	22% (2)	0%
The forum receives support and input from local agencies	11% (1)	78% (7)	0%	0%	11% (1)
The forum has a good level of membership retention	11% (1)	33% (3)	11% (1)	11% (1)	33% (3)

The statement that the highest proportion of respondents agreed with was “the forum receives support and input from local agencies”, with only one respondent indicating that they disagreed with this statement. The next most commonly agreed to statements were “forum members have a good understanding of their role and remit” and “the forum has clear aims/objectives”. Conversely, the statement that the highest proportion of respondents disagreed with was “the forum has developed a workplan”, with the second most disagreed to statement being “the forum has a good level of membership retention”. Overall, however, the responses suggest that there is a wide variation between forums with regards to how well they are operating, and the challenges being experienced.

Respondents were also asked how they would describe the effectiveness of the forum in relation to the functions of forums as set out in the Licensing (Scotland) Act 2005, as shown in the below table.

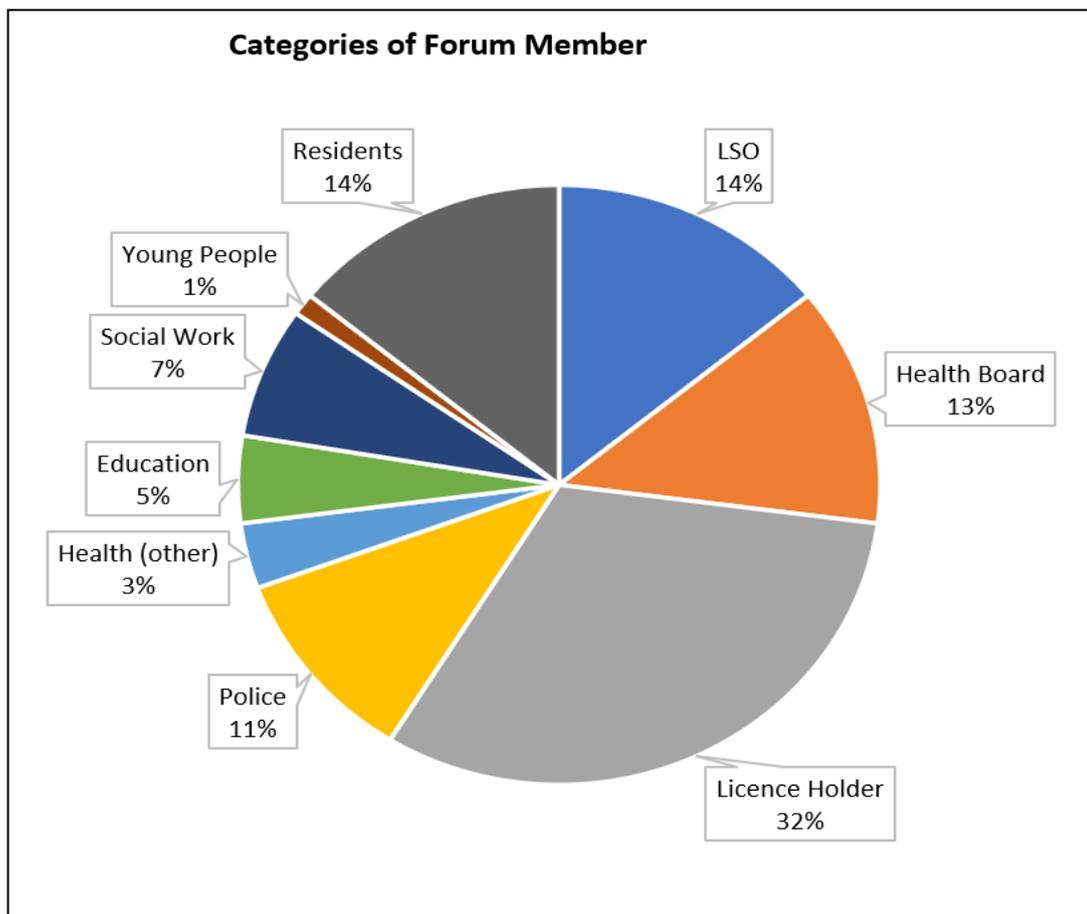
	Very Effective	Fairly Effective	Not Effective
Keeping under review the operation of the licensing system in the area	22% (2)	44% (4)	33% (3)
Giving advice and recommendations to the Licensing Board	22% (2)	33% (3)	44% (4)

The responses again suggest a variation in how effectively forums are functioning. Of the respondents who answered this question, 66% rated the forum as either 'very' or 'fairly' effective at reviewing the operation of the licensing system, while 33% rated the forum as 'not effective' in this regard. A smaller proportion (55%) rated the forum as either 'very' or 'fairly' effective when asked about the forum's role to provide recommendations to the licensing board, with a higher proportion (44%) rating the forum as not being effective in this regard.

What is the current membership of licensing forums?

Respondents were asked to state how many of each 'category' of forum member (as per the Licensing (Scotland) Act 2005) was represented on the forum. If a forum member belonged to more than one category, then the respondent was directed to count them as belonging to the category that best represented their key reason for attending the forum.

The total number of forum members (representing a main category) on each forum ranged from 5-15, with the average number being 11. The total proportion of each category of forum member from all the forms combined is set out in the chart below.



Licence holders make up the highest proportion (32%) of forum members, followed by LSOs and residents (both 14%). Conversely, the least well represented category is young people (1%), followed by Education (3%).

"We find that "young people" (16-17) tend to attend only one or two meetings before they become too old to be "young people""

In addition, several respondents commented that the forum membership included people who did not represent one of the main categories of forum member, with examples being representatives from chambers of commerce, council teams e.g., Safer Neighbourhood Team, and local country halls.

How could forums be supported/improved?

Respondents were asked for their suggestions of how forums could be supported/improved.

One respondent suggested that forums should be encouraged to adopt good practice based on learning from areas where forums were operating effectively. However, they also commented that a lack of resources may limit what is possible in some areas, and that some forums may require more support and encouragement to enable them meet more regularly.

"Here the forum is very well attended, has a full work plan set out, full and proper representation from all parts of the licensing sector, as well as student, local community, NHS, Police Scotland and LSO representation... [forums need] more resource and support to encourage and enable forums to meet more regularly. As it is, some don't meet at all or only infrequently."

Other respondents also highlighted the infrequency of forum meetings as being highly problematic, with some feeling that it contributed to breakdowns in communication between the different stakeholders involved in the forum and also with the licensing board. Several respondents highlighted that having more regular and informal meetings between the forum and board had been (or would be) beneficial.

"Interaction between the forum and the Board through the annual meeting is a good thing, but this should be augmented by a close working relationship with the Chair of the forum and the Chair of the Board, so that things are discussed and debated as they arise and not just annually."

"The quarterly meetings of the LLF [Local licensing Forum] and the annual meeting with the board are insufficient to build and maintain a positive working relationship. There are now occasional, informal meetings, where information and advice can be more regularly shared."

Other comments related to forum membership, and the need to invest in the recruitment and retention of members. Some suggested that the provision of training and support would encourage more members to participate and stay on forums.

"Increase level and diversity of members. Increase level of funding to allow for better community engagement."

"More recruitment of community members - Recognition schemes for community members who volunteer – i.e., voluntary hours given recognition schemes (helps build CVs, job application etc potentially),"

"Training for all forum members to maximise participation in individual contributions to the wider shared goals - training around the technicalities around licencing issues."

"Clear training and a work plan from the Scottish government, also some form of supervision to make sure the system/engagement with the board is happening as it should"

“There is a need to extend the membership of the forum (and this needs to include proper representation from local communities)/ formalise and improve joint working with the licencing board/ develop a clear programme of work, and this should include upskilling and development opportunities for forum members.”

Additional suggestions put forward included the possibility of creating opportunities for representatives from forums to come together at a national level.

“It would be helpful to have some form of national meeting where local Licensing Fora can exchange ideas.”

“Some kind of network where Forum Convenors and Vice Convenors could meet and share experiences and ideas and gain support would be helpful.”

However, it was also commented that forums may require a more fundamental review and overhauled in order for them to be able to function as intended.

“Forums essentially need to be rebooted as they have not worked in some time and are directionless”