

REPORT TO ABERDEENSHIRE COUNCIL

LICENSING (SCOTLAND) ACT 2005 - REVIEW OF LOCAL LICENSING FORUMS

1 Recommendations

Aberdeenshire Council is recommended to:

1.1 Establish one new Licensing Forum for Aberdeenshire to take effect from 1st April 2018.

1.2 Agree:-

1.2.1 That the membership of the Forum is set at the maximum of 21 members, to consist of:-

- a. A representative of the Chief Constable**
- b. A Licensing Standards Officer**
- c. A representative of the Health Board**
- d. To seek applications for the remaining members to be representatives from across Aberdeenshire, wherever possible, of:**
 - i. Premises Licence Holders**
 - ii. Personal Licence Holders**
 - iii. Persons having functions relating to health, education or social work**
 - iv. Young People**
 - v. Aberdeenshire residents**

1.2.2 To delegate the power to determine any initial applications submitted for membership of the Forum to the Director of Business Services following consultation with the Chair, Vice Chair and Opposition spokesperson of Business Services Committee, noting that thereafter the Forum will appoint its own members.

1.2.3 Approve the terms of the revised constitution for the new Aberdeenshire Licensing Forum and note the terms of the application form for membership developed by officers in Legal and Governance for the new Forum.

2 Background / Discussion

Purpose of Report

2.1 The purpose of this report is to consider replacing the existing 3 divisional Licensing Forums in Aberdeenshire with a new Licensing Forum for Aberdeenshire moving forward. It does not relate to the Aberdeenshire Divisional Licensing Boards.

Aberdeenshire Council has established 3 divisional Licensing Boards for Aberdeenshire. The Boards have responsibility for setting licensing policy; and administering and issuing licences under the Licensing (Scotland) Act 2005 (“the 2005 Act”) and the Gambling Act 2005 for their divisional board area. These are established Boards and there are no proposals to change the Licensing Boards at the current time.

Licensing Forums are responsible for overseeing the implementation of the 2005 Act in the area they cover, and for ensuring that the Licensing Board for their area exercises its functions appropriately. The existing Licensing Forums have been experiencing difficulty in fulfilling their remit over the past 1-2 years.

Section 2.14 of this report provides more information on the role of Licensing Forums.

Legal Duty to Appoint Forum

- 2.2 Section 10 of the Licensing (Scotland) Act 2005 (“the 2005 Act”) provides that each Council must establish a Local Licensing Forum for their area.
- 2.3 Where the area of a Council is divided into licensing divisions, the Council may, instead of establishing a Local Licensing Forum for their area, establish separate such Forums for each division.

Options

- 2.4 The Council has 2 options available to comply with the 2005 Act, either:
 - a. To continue with the 3 existing Divisional Forums to coincide with the areas covered by the 3 Divisional Licensing Boards; or
 - b. Disband the existing Forums and replace them with 1 new Licensing Forum for the entire Aberdeenshire area.
- 2.5 Full details of the options available to the Council are outlined in Appendix 1 to this report.
- 2.6 Moving to 2 Divisional Forums is not an option for the Council as it does not comply with Section 10 of the 2005 Act given that there are 3 divisional Licensing Boards within Aberdeenshire.
- 2.7 In the event that the Council agrees to disband the existing divisional Licensing Forums and establish a new Aberdeenshire Licensing Forum in its place, it recommended that the Forum consist of the maximum number of 21 members.

Membership

- 2.8 In terms of Paragraph 2 of Schedule 2 of the 2005 Act, A Forum is to consist of such number (being not fewer than 5 and not more than 21) of members as the relevant Council may determine.

- 2.9 At least one of the members must be a Licensing Standards Officer from the Council's area.
- 2.10 At least one of the members must be a person nominated by –
- (a) The Health Board for the Forum's area, or
 - (b) If the Forum's area forms part of the area of more than one Health Board, the Health Board whose area contains the larger or, as the case may be, the largest part of the Forum's area.
- 2.11 In appointing members of a Forum, the Council must seek to ensure so far as possible that the membership of the Forum is representative of the interests of
- (a) Holders of premises licences and personal licences
 - (b) The chief constable
 - (c) Persons having functions relating to health, education or social work
 - (d) Young people
 - (e) Persons resident within the Forum's area
- 2.12 The other members are to be individuals appointed by the Council initially, and thereafter the Forums are responsible for their own recruitment and appointment of members.
- 2.13 A Council must provide each Forum established by them, or ensure each such Forum is provided, with such staff, property and services as the Council considers are required for the Forum's purposes. Currently the Forums meet in Council premises and are supported by an assistant Committee Officer.

Statutory Role of Forum

- 2.14 Each Licensing Forum has the following general functions:-
- (a) To keep under review –
 - (i) The operation of the 2005 Act in the Forum's area, and
 - (ii) In particular, the exercise by the relevant Licensing Board or Boards of their functions, and
 - (b) Giving such advice and making such recommendation to that or any of those Boards in relation to those matters as the Forum considers appropriate.
- 2.15 A Local Licensing Forum is not enabled make recommendations in relation to any particular application.
- 2.16 The 2005 Act defines "*relevant Licensing Board*" as either the Licensing Board for the Forum's area or, in the case of a Local Licensing Forum for a Council area which is divided into licensing divisions, each of the Licensing Boards for those divisions.

Existing Position

- 2.17 The 3 Forums initially worked well in Aberdeenshire. However, in recent years the Forums have struggled with membership, quorums for meetings and establishment and delivery of work through Action Plans.

Proposal for Change

- 2.18 The proposal to consider reviewing the current format of Licensing Forums within Aberdeenshire was a request directly from the South and Central Licensing Forums.
- 2.19 The three Forums met together in March 2017 to discuss the existing issues and to obtain views as to whether the existing Forums should continue or whether one Forum would be more beneficial for Aberdeenshire moving forward. At the meeting, the members present from the South and Central Forums were in favour of moving to one Forum whereas the North Forum was against any change.
- 2.20 The proposal to move to one Forum was then discussed at the next formal Meeting of each Forum. The views of the Forums are contained within the options set out at Appendix 1 to this report.

Members should note that the views of the Forums were determined at meetings held prior to the local government elections in May 2017. The membership of the Forums included the Convenor of the relevant Board. Following the election, the Convenor of the South Board remained the same whilst there are new Convenors for both the North and Central Boards. It should be noted that the new Convenor of the North Board had previously been a member of the North Licensing Forum but had not been present at the meeting of the Forum discussing the future composition of the Forum.

- 2.21 Prior to presenting this report to Full Council, the views of the Licensing Boards appointed following the election in May 2017 were also sought on the options available to the Council. The views of the Boards are contained within the options set out at Appendix 1 to this Report.
- 2.22 Given that the majority of the Forums and all three Boards are in favour, members are asked to consider disbanding the three existing Forums and replacing these with a new Licensing Forum for Aberdeenshire.
- 2.23 Officers recommend that, if Council agrees the recommendations, the new Licensing Forum will take effect from 1st April 2018. This will enable officers to run a recruitment campaign to seek membership of the new Forum. A recruitment strategy will be implemented to ensure that there is fair representation from across Aberdeenshire on the Forum. The existing Forums will continue to operate until 31st March 2018 when they will officially disband. Members of the existing Forums will not automatically transfer onto the new Licensing Forum but will be eligible to apply for the new Forum.
- 2.24 Training will be provided to the new Licensing Forum Members in advance of 1st April 2018. This will cover the statutory role of the Forum, the constitution and how the Forum will operate in practice. Transitional arrangements should

not be required as the outgoing Forums do not currently have any actions to carry forward.

Revised Forum Constitution and Application Form to join Forum

- 2.25 The Constitutions for the existing Forums were adopted on 2008 and have not been revised since that time. Should a new Licensing Forum be established, a new constitution will be required. Officers have also reviewed the terms of the application form for membership of the Forum to ensure it is still relevant to applying for membership of a new Forum, if approved by Council.
- 2.26 The proposed revised Constitution and application form are attached as Appendix 2 to this Report.
- 2.27 Officers will ensure that membership of the new Forum cover different areas across Aberdeenshire to ensure appropriate representation, wherever possible to do so, and will strive to ensure applications are received from those persons or bodies that require to be represented on the Forum in terms of the 2005 Act.
- 2.28 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 Full Council is able to consider and take a decision on this item in terms of Section 1.c of the General Provisions of the List of Committee Powers in Part 2A of the Scheme of Governance as any changes require to be made in compliance with the Licensing (Scotland) Act 2005 and the Council has not delegated responsibility for the Licensing Forums to any other Committee in terms of Section 5 of the General Provisions in Part 2A of the Scheme of Governance.
- 3.2 The Scheme of Governance currently does not delegate the function of the Licensing Forums to any of the Council's Committees, therefore any changes to the current arrangements must be considered at Full Council.

4 Implications and Risk

- 4.1 An equality impact assessment has not been carried out as part of the development of the proposals set out above as any changes to the current provision of Licensing Forums does not have a differential impact on any of the protected characteristics.
- 4.2 There are staffing and financial implications:-
- By reducing the number of forums there will be less staff resources and time required. Consideration will be given to the use of technology so that there is local input without the need to travel a distance and a local input will be maintained.

- 4.3 The following Risks have been identified as relevant to this matter on a Corporate Level ACORP005 – Working with Other Organisations Corporate Risk Register).
- 4.4 There is no impact on the Town Centres as a result of this report therefore no Impact Assessment is required.

Ritchie Johnson
Director Business Services

Report Author: Fiona M. Stewart, Senior Solicitor (Governance), Depute Clerk to the Board
Date: 12th December 2017

APPENDIX 1: Options

In terms of Section 10 of the 2005 Act, the Council has 2 options available, either:

- a. To continue with the 3 existing Divisional Forums to coincide with the areas covered by the 3 Divisional Licensing Boards; or
- b. Disband the existing Forums and replace them with 1 new Licensing Forum for the entire Aberdeenshire area.

OPTION A – CONTINUE WITH THE EXISTING DIVISIONAL LICENSING FORUMS

POSITIVES

- Alignment with the Licensing Board Divisional Areas therefore local to the area and meets within the Board Areas
- Each forum can hold their annual meeting with the corresponding divisional licensing board
- The Forums have voluntarily chosen not claim expenses since 2016

NEGATIVES

- Police Scotland, Licensing Standards Officers, NHS Grampian Public Health and Directorate have to send representatives to each Forum. This is resource intensive.
- Each forum has the same stakeholders, the same constitutions, same administrative procedures, same agendas, same discussions and similar decisions flowing out of meetings. The Forums are therefore highly repetitive.
- The number and location of meetings is diverse and substantial.
- Membership Numbers are falling, particularly with young people and residents in the area
- Difficulty in sustaining membership as recruitment is difficult
- Lack of Focus within the existing Forums
- Lack of understanding of the remit of the Forum
- Not working in line with the approved Constitution
- No clear projects or Action Plans being delivered on
- Work requested of the Forums by the Boards has not been delivered
- Forums have not been monitoring the Boards in line with the statutory requirement to do so.
- Meetings frequently delayed or cancelled due to lack of numbers or quorum
- Disconnect between discussions at the Boards and holding the Boards to task in terms of delivery under their Policy Statements

OPTION B – TO ESTABLISH A NEW ABERDEENSHIRE LICENSING FORUM

POSITIVES

- Better time management
- Greater resource efficiency
- Less repetition of work
- Stronger voice to address issues across Aberdeenshire
- Greater influence with the Divisional Licensing Boards
- Potential to be more active and responsive
- Beneficial for Aberdeenshire as a whole
- Operation of the Forum will be strengthened

- One joint meeting between the Forum and the 3 Boards therefore reduction by 2/3rds in Board and Forum Meetings
- Fewer Forum Meetings – 4 & 1 Joint meeting with the Boards instead of 12 & 3 joint meetings with the Boards. Reducing meetings by 2/3rds.
- More focussed
- Will work in compliance with revised constitution
- Clear action plan and programme of projects
- Accountability of the Boards will be at the heart of the work of the Forum.
- Greater use of technology to ensure local representation on the Forum without the requirement for travel.
- Greater opportunity for collaborative working
- Ability to work smarter and more effectively to ensure the promotion of suitable and safe drinking environments within Aberdeenshire.

NEGATIVES

- Fear that one Forum will lose local dimensions and local insight
- Fear that one Forum will be driven by the major stakeholders to push their own agendas
- Fear that local representation will be in the minority and the Forum will lose its identity.
- Fear that one Forum will not be able to discuss fully the issues arising in each Board Area.

FORUM VIEWS ON AVAILABLE OPTIONS

SOUTH FORUM Discussion on 24th March 2017: Those Members present were in favour of moving to one Forum for Aberdeenshire. As a secondary position, the Forum was in favour of combining the Central and South Forum in to one Forum and leaving the North Forum as is, thereby creating 2 Licensing Forums in Aberdeenshire.**

Meeting of 7th June 2017: The Formal View of the South Forum was that the Forum unanimously supported the proposal to move from three Forums to one Forum for Aberdeenshire.

CENTRAL FORUM Discussion on 24th March 2017: Those Members present were in favour of moving to one Forum for Aberdeenshire. As a secondary position, the Forum was in favour of combining the Central and South Forum in to one Forum and leaving the North Forum as is, thereby creating 2 Licensing Forums in Aberdeenshire.**

Meeting of 14th June 2017: the formal view of the Central Forum was that the Forum unanimously supported the proposal to move from three Forums to one Forum for Aberdeenshire.

NORTH FORUM Discussion on 24th March 2017: Those Members present were not in favour of moving to one Forum for Aberdeenshire.

Meeting of 26th April 2017: The formal view of the North Forum was not to support the proposal to move to one Forum for Aberdeenshire. The Decision was carried by 5 votes to 2.

It should be noted that the decisions of the Forums were all taken prior to the local government election in May 2017.

** Two Forums are not an option for the Council in terms of Section 10 of the 2005 Act. The only options legally available to the Council are 1 Forum or 1 Forum for each divisional board area. As Aberdeenshire Council has 3 divisional board areas, that means 3 Divisional Forums and not 2 as a legal option.

BOARD VIEWS ON AVAILABLE OPTIONS

SOUTH BOARD Meeting of 6th December 2017:

The South Board unanimously supported the move to one Forum. Concerns were raised that some members of the Forum may not be used to using technology however would be comfortable if training and support from council officers was provided to members to overcome this barrier. The South Board was very supportive of the proposals to reduce repetition of discussion and to reduce pressures on resources for the Council and partners. The South Board saw that there could be opportunities to recruit new members if the Forum had more weight and that this could be achieved with one Forum and saw the three Forums as diluting the potential of the Forum.

CENTRAL BOARD Meeting of 13th December 2017:

The Central Board unanimously supported the move to one Forum. The Board asked officers to ensure that meetings would be held across Aberdeenshire and not in one location and that assistance would be offered to members that may not be used to using modern technology. The Board welcomed the proposal to provide skype options within Council facilities for Forum Members to reduce the amount of travel involved. The Board were of the view that one Forum for Aberdeenshire would be more streamlined, less resource intensive and would be more beneficial for Aberdeenshire. The Board also asked that the Council use all means available to highlight the need for applications for the Forum and to publicise the work of the Forum.

NORTH BOARD Meeting of 20th December 2017:

The North Board, by majority vote, supported the move to one Forum. The Board asked officers to ensure that membership of the Forum would be representative of the trade across Aberdeenshire, that the role and remit of the Forum be updated, that technical support be provided to enable members to attend meetings without lengthy travel times, and, that the Forum be assisted in fulfilling its remit, all to enable the Forum to be sustainable, strong and robust in its role moving forward.

APPENDIX 2 – REVISED DRAFT CONSTITUTION

LICENSING (SCOTLAND) ACT 2005 SECTIONS 10-12 AND SCHEDULE 2

ABERDEENSHIRE LOCAL LICENSING FORUM

DRAFT CONSTITUTION

1. NAME

- 1.1. The name of the Forum shall be the ABERDEENSHIRE LOCAL LICENSING FORUM.

2. GEOGRAPHICAL BOUNDARY OF FORUM

- 2.1. The geographical boundary of matters that the Forum shall deal with shall coincide with the boundaries of Aberdeenshire recognising that there are 3 Divisional Licensing Boards, one in each of North, South and Central Aberdeenshire

3. TERMS OF REFERENCE

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

- a) To keep under review –
- (i) The operation of the 2005 Act in Aberdeenshire, and
 - (ii) In particular, the exercise by the Aberdeenshire Divisional Licensing Boards of their functions, and

Give such advice and make such recommendation to any of those Boards in relation to those matters as the Forum considers appropriate.

- b) To consider the implications of relevant local data and statistics provided to the Forum by Police Scotland and the local Health Board;
- c) To meet each of the North/Central/South Aberdeenshire Divisional Licensing Boards at least once per year, jointly or severally; and
- d) To advise the Aberdeenshire Divisional Licensing Boards on any matters of policy and other areas of concern.
- 3.2 The Forum is not permitted to advise the Aberdeenshire Divisional Licensing Boards on individual licensing applications.

4 MEMBERSHIP

- 4.1 In terms of the Licensing (Scotland) Act 2005 (“the Act”), the Forum shall consist of not fewer than five and not more than twenty-one members from the various representative groups specified in the Act.

- 4.2 In order to be eligible for membership of the Forum, a person must be:-
- a) aged 18 years or above;
 - b) able to demonstrate an interest in the licensing system; and
 - c) currently employed in or be a duly appointed representative of one or more of the following groups, namely:-
 - the emergency services
 - persons having functions relating to health education and social work
 - holders of premises licences and personal licences
 - persons resident within the Forum area; or
 - young people in the area of North/Central/South Aberdeenshire;
- 4.3 Any member who no longer meets the eligibility criteria for the Forum set out in section 4.2 above is no longer eligible to be a member of the Forum.
- 4.4 Members of the Forum will initially be appointed by the Director of Business Services following consultation with the Chair, Vice Chair and Opposition spokesperson of Business Services Committee of Aberdeenshire Council.
- 4.5 Once established, the Forum itself may appoint new members to the Forum subject to the maximum number set out at paragraph 4.1 above. New members must meet the criteria set out at paragraph 4.2 above. Applications to become a member shall be submitted in writing to the Secretary at least fourteen days before a meeting of the Forum. Applicants shall be admitted only on the approval of a majority of the members present and voting at a meeting.
- 4.6 Any vacancy in membership shall be filled at the next meeting of the Forum occurring thereafter. Applications for membership shall be submitted in writing to the Secretary at least fourteen days before a meeting of the Forum. Applicants shall be admitted only on the approval of a majority of the members present and voting at a meeting.
- 4.7 If any member of the Forum fails to attend three successive Forum meetings, with or without submitting apologies, the Forum may terminate their membership provided that the termination of the membership must be an item on a meeting agenda and must be carried by a two-thirds majority vote of those present and voting. A period of leave of absence of up to six months for the Forum Member may be granted and minuted at any meeting of the Forum. This period may be reviewed by the Forum.
- 4.8 All changes in membership and all details of additional members appointed to the Forum shall be forwarded to the Head of Legal and Governance.
- 4.9 All Licensing Standards Officers are appointed as members of the Forum and may rotate attendance.
- 4.10 The Convenor of each Divisional Licensing Board shall be a member of the Forum to allow for contact between the Forum and the Boards on a regular basis. The Board Convenors will not have voting rights on the Forum.

- 4.11 Other interested parties, as invited by the Forum, shall be entitled to participate actively in the meetings of the Forum and present the Forum with information as required. No voting rights shall apply to such invited parties.
- 4.12 Members of the Forum shall retire annually and are eligible for re-election for the following year.

5. OFFICE BEARERS

- 5.1 A Convenor and a Secretary shall initially be appointed at the first meeting of the Forum.
- 5.2 To avoid a conflict of interest, the Convenors of the Aberdeenshire Divisional Licensing Boards are not eligible for appointment as an officer bearer of the Forum.
- 5.3 Officers of the Forum shall retire annually and are eligible for re-election for the following year.

6. MEETINGS

- 6.1 The Forum shall meet quarterly at a date and time appointed at the previous meeting.
- 6.2 The Forum shall meet each of the North/Central/South Aberdeenshire Divisional Licensing Boards at least once per year, jointly or severally, as set out at paragraph 3.1(c) of this Constitution.
- 6.3 The Secretary, whom failing Committee Officer support provided by Aberdeenshire Council, shall, at least seven days in advance, provide written notification, by way of Agenda, specifying the date, time and place of such meetings to all members of the Forum.
- 6.4 Public notice of the meeting of the Forum shall be given by posting details on Aberdeenshire Council's website one week in advance.
- 6.5 Forum Members who are not able to attend a meeting shall submit apologies to the Secretary in advance of the meeting.
- 6.6 Members of the press and public are entitled to attend Forum meetings.
- 6.7 Meetings of the Forum are to be chaired by the Convenor, whom failing, a pro-tem Convenor shall be nominated and appointed by those members present at the meeting.

7. QUORUM

- 7.1 The quorum for a meeting shall be one half of the number of members (but in any case not fewer than 3). No business can be determined at a meeting unless a quorum is present.

- 7.2 If after 10 minutes from the appointed start time for a meeting, a quorum is not present, the Convenor shall adjourn the meeting. It shall be recorded that, owing to a lack of the necessary quorum, no business could be transacted.

8. CONDUCT OF MEETINGS

8.1 Convenor's Duties

- 8.1.1 To preserve order and ensure that every Forum Member has a fair hearing.
- 8.1.2 To decide on all matters of competency and relevancy.
- 8.1.3 To decide between two or more members of the Forum indicating a wish to speak by calling on the member who has first caught his or her eye.
- 8.1.4 The ruling of the Convenor on all matters within his or her jurisdiction as Convenor is final.

8.2 Conduct of Forum Members

- 8.2.1 Every member of the Forum shall address the Convenor when addressing the meeting.
- 8.2.2 When the Convenor speaks, he or she shall be heard without interruption; all other members shall give way.
- 8.2.3 In the event of any Forum Member disregarding the authority of the Convenor, or being guilty of obstructive or offensive conduct, a motion may thereupon be moved and seconded to suspend such member for the remainder of the sitting. The motion shall be put without discussion and, if carried on a two-thirds majority, such a member shall leave the meeting forthwith. This motion shall take immediate precedence over any business which is taking place.

8.3 Motions and Amendments

- 8.3.1 Every motion requires to be moved and seconded. The proposer and seconder shall be recorded in the minutes. If no counter-motion is tabled, the motion is to be put to the meeting. Numbers for/against/abstaining must be minuted. If there is no opposition, the motion is minuted as carried.
- 8.3.2 During debate on a motion, the mover may, with consent of the seconder, modify or withdraw the motion.
- 8.3.3 Each member of the Forum may only move or second one motion or amendment at a time (unless they withdraw their original motion).
- 8.3.4 Motions and amendments moved but not seconded shall not be put to the meeting nor shall they be recorded in the Minutes unless so required by the Member.
- 8.3.5 If there is only one amendment to a motion, the vote will be between the motion and the amendment, and whichever is carried shall be the finding of the meeting.

- 8.3.6 If there is more than one amendment, then unless the Convenor otherwise decides, the last amendment is out against that immediately preceding, and, whichever is carried is put against the next preceding and so on until one amendment remains and this is then put against the motion with the amendment voted on first, and whichever is carried shall be the finding of the meeting.
- 8.3.7 Each voting member present at a meeting shall be entitled to one vote.
- 8.3.8 Voting shall, unless the Convenor rules otherwise, be by show of hands. If the Forum so decides, voting shall be by ballot which shall be undertaken by the Convenor to ensure the secrecy of the vote. A decision to proceed by ballot shall require a majority of those members present and voting before the ballot may be undertaken.
- 8.3.9 In the case of an equality of voting, the Convenor shall have a casting vote, except where the subject of the vote relates to the appointment of (a) new or additional members; or (b) to any particular office, when the decision shall be by lot.

8.4 Minutes

- 8.4.1 The Secretary or Committee Officer, as the case may be, shall take a Minute of every meeting of the Forum, which shall include:-
- a) the names of those present at each meeting, as well as those who have submitted apologies;
 - b) brief notes of topics dealt with, but not the details of discussions;
 - c) a record of all motions and amendments, including names of proposers and seconders, and the outcome, i.e. carried or rejected, and numbers of votes for, against and abstentions.
- 8.4.2 The Secretary or Committee Officer, as the case may be, shall circulate the draft Minutes along with the following meeting's Agenda.
- 8.4.3 Previous minutes shall be approved at the next meeting and before concluding the agenda discussed for the next meeting. Approved minutes shall be published on Aberdeenshire Council's website.
- 8.4.4 The Secretary or Committee Officer, as the case may be, shall hold copies of the Minutes, signed by the Convenor, and copies of Agendas in a file, to act as the Forum's Minute Book.
- 8.4.5 Copies of Minutes, signed by the Convenor, should be stored in Aberdeenshire Council's Committee Management System.

8.5 Rescission of Previous Resolutions

- 8.5.1 No resolution of the Forum shall be altered or revoked within six months of its adoption.

8.6 Adjournment of Meeting

- 8.6.1 The Forum may adjourn any meeting to such time as the Convenor may then or otherwise fix.
- 8.6.2 When an adjourned meeting is resumed, proceedings commence at the point at which they were broken off at the adjournment.

9. ANNUAL GENERAL MEETING

- 9.1 The Annual General Meeting of the Forum shall take place in March each year.
- 9.2 The business of the Annual General Meeting shall include:-
- a) an annual report from the Convenor;
 - b) the appointment of the office bearers; and
 - c) the appointment of members;

10. SPECIAL MEETINGS

- 10.1 A Special Meeting of the Forum can be called at any time by the Convenor or by requisition of 2/5ths of the Forum Membership. Such a request to hold a Special Meeting will be in writing and the Convenor will determine the date and place of the Special Meeting.

11. APPOINTMENT AND REMOVAL OF OFFICE BEARERS

- 11.1 The appointment of a Convenor and Secretary of the Forum shall be made annually at each Annual General Meeting of the Forum.
- 11.2 The Office Bearers may be removed from office at any of the Forum meetings or at a Special Meeting convened for the purpose at the requisition of 2/5ths of the Forum Membership, provided due intimation of such proposed alteration shall have been sent to each member at least seven days before such meeting.

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

- 12.1 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 the purpose at the requisition of 2/5ths of the Forum Membership, provided due intimation of such proposed alteration shall have been sent to each member at least seven days before such meeting. All such alterations require to be approved by a two-thirds majority of those present and voting. The Forum shall not be permitted to alter the Constitution if such alteration would conflict with the terms of the Act. All changes must be approved by the Business Service Committee of Aberdeenshire Council prior to implementation of change.

**PROPOSED APPLICATION FORM FOR MEMBERSHIP OF THE
ABERDEENSHIRE LOCAL LICENSING FORUM**

FULL NAME (PLEASE PRINT)	
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ADDRESS, INCLUDING POSTCODE	
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E-MAIL ADDRESS	
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TELEPHONE NUMBER	
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WHICH OF THE FOLLOWING CATEGORIES APPLY TO YOU	HEALTH, EDUCATION, SOCIAL WORK	<input type="checkbox"/>
	YOUNG PERSON	<input type="checkbox"/>
	RESIDENT IN THE FORUM AREA	<input type="checkbox"/>
	HOLDER OF A PREMISES/PERSONAL (LIQUOR) LICENCE	<input type="checkbox"/>
	OTHER	<input type="checkbox"/>

IF YOU ARE A LICENCE HOLDER PLEASE GIVE THE NAME, FULL ADDRESS OF THE PREMISES AND DETAILS OF THE LICENCE YOU HOLD IN THE FORUM AREA	
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The Forum's role is to keep under review the decisions of the South/Central/North Aberdeenshire Divisional Licensing Boards and to consider the impact of those decisions at local level. Keeping in mind the Objectives of the Licensing (Scotland) Act 2005m the Forum may give and advice and make recommendations to the South/Central/North Aberdeenshire Divisional Licensing Boards. The objectives are:

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children and young persons from harm.

WHY DO YOU WANT TO BE PART OF THE FORUM?	
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PLEASE GIVE A BRIEF STATEMENT ABOUT WHAT YOU CAN BRING TO THE FORUM DETAILING MEMBERSHIP OF ANY ORGANISATIONS OR NETWORK GROUPS/COMMUNITY PARTNERSHIPS YOU ARE PART OF.	
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Signature:	
Date:	

