

ABERDEENSHIRE COUNCIL

ABERDEENSHIRE LOCAL LICENSING FORUM

COMMITTEE ROOM, VIEWMOUNT, STONEHAVEN, 23rd MAY, 2018

Present: Mr A Black, Mr Wayne Gault, Mr Fergus Hood, Mr A Killicoat, Mr J McDonald, Insp K McGeough, Mr D Moir, Ms Lynn Smith, Ms S Ward and Mr S Wood.

Officers: A Ziarkowska (Committee Officer) Aberdeenshire Council

1. WELCOME AND INTRODUCTION

The Chair welcomed all present to the meeting. Members were asked to introduce themselves, briefly outlined who they were and what their background was. Thereafter, Members were asked if they had any interests to declare in terms of the Councillors' Code of Conduct and no declarations were intimated.

2. APOLOGIES FOR ABSENCE

Apologies had been received from Mr Peter Argyle, Mr C Endersen, Mr M Riley, Mr John Ross, Ms N Thomson and Mr B Topping.

3. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Partnership **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality and opportunity between those who share a protected characteristic and persons who do not share it, and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it; and
- (2) to consider, where an equality impact assessment had been provided, its contents and to take those into consideration when reaching a decision.

4. MINUTE OF MEETING OF 20th APRIL, 2018

The minute of meeting of 20th April, 2018 was circulated and **approved** as a correct record.

5. MATTERS ARISING

Committee Officer advised that Dr Christine Gutteridge has put her resignation from the membership of the Aberdeenshire Local Licensing Forum. Thereafter, Committee Officer went through the action sheet from the last meeting advising on progress of each point.

6. STAKEHOLDERS' PRESENTATIONS

(A) POLICE SCOTLAND

The Chair invited Inspector Kenny McGeough to deliver a presentation on Police Scotland role in licensing process. Mr McGeough advised that he is a Licensing Inspector for Aberdeen City, Aberdeenshire and Moray area and covers both civic and liquor licensing. It was reported that his licensing team adopted more operational strategy on a daily basis and work closely with Licensing Standards Officers with a view to identify and deal with any potential issues arising at licensed premises. It was reported that this system operates for some time now and it seems to be successful in identifying the problems at early stage, helping licence holders to find a solutions and eliminating the issues. It was observed that Police would continue with the prevention and partnership working with Health and LSOs.

Mr McGeough continued by describing the Inn Keeper Software System and advised Members on practicality of using this database which does combine administrative information with data on alcohol-related crimes and disorders. It was proposed to organise a session at Police Station to demonstrate the operation of the Inn Keeper System.

Mr McGeough concluded by outlining the issues of intoxication in licensed premise, alcohol related violence and vulnerabilities which is a major focus for Police operation. During discussion, Members raised their concerns about the awareness of a person's potential vulnerability, rate of alcohol related violence in Aberdeenshire area and issue of duty of care owned by the premise staff.

Thereafter, the Group thanked Mr McGeough for his informative presentation.

(B) NHS GRAMPIAN

The Chair invited Wayne Gault to deliver a presentation on NHS role in licensing process. Mr Gault explained that although he is NHS Grampian's representative for the Forum his substantial title is a Lead Officer of Aberdeenshire Alcohol and Drug Partnership. Mr Gault reported that Health Service is under huge financial pressure recently with significant budget cuts. Mr Gault also informed that Health Board have a say in local decisions about alcohol licensing. This means health bodies can present health-related evidence, such as data on alcohol-related ambulance callouts and hospital admissions following alcohol-related violent incidents, to licensing authorities and must be notified about new licence applications.

Mr Gault advised that licensing objective representations for health bodies will relate to is public safety which includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. For example, drunkenness can lead to accidents and injuries from violence resulting in attendances at emergency departments and the use of ambulance services. In some cases, these will also involve breaches of the objective to prevent crime and disorder or to the objective to protect children from harm.

Mr Gault continued by introducing the Aberdeenshire's Local Outcomes Improvement Plan. It was reported that this Plan provides a vision and focus based on agreed local priorities, to which partners will work systematically and collaboratively to meet the needs and aspirations of local communities in Aberdeenshire. In March 2017, the CPP Board formally agreed three

LOIP priorities for Aberdeenshire, including Changing Aberdeenshire's Relationship with Alcohol, Reducing Child Poverty in Aberdeenshire, Connected and Cohesive Communities.

Mr Gault concluded by demonstrating some graphs provided headline figures on alcohol-related deaths. Members discussed statistics on alcohol-related deaths and potential reasons for the increased alcohol consumption in Scotland.

Thereafter, the Group thanked Mr Gault for his informative presentation.

(C) LICENSING STANDARD OFFICERS

The Chair invited Ms Sarah Ward to deliver a presentation on LSOs' role in licensing process. Ms Ward advised that local authority is required to appoint LSOs under the Act and person taking on that role is obliged to complete the statutory training. Ms Ward advised that there is a Team of four Licensing Standard Officers appointed by the Aberdeenshire Council managed by Keith Simpson.

Ms Ward continued by describing LSOs' duties under the Licensing Act 2005 including provision of information and guidance to interested persons on the operation of the Licensing (Scotland) Act 2005; provision of mediation to prevent or resolve disputes between licence holders and other persons in relation to compliance issues; provision of information to licensing boards about any conduct of personal licence holders which is inconsistent with the licensing objectives; powers to serve enforcement notices and supervise licence compliance, powers of entry and inspection into premises licences; and finally, authority to make an application for review of a premises licence on any competent grounds of review.

Ms Ward concluded by outlining daily tasks specific to LSO role and current work priorities including partnership working with Police and other partners.

Thereafter, the Group thanked Ms Ward for her informative presentation.

(D) SCOTTISH FIRE & RESCUE SERVICE

The Chair invited Mr Stewart Wood deliver a presentation on Fire Service role in licensing process. Mr Wood informed that The Fire Safety Enforcement Team ensures compliance with the service's legal duty for enforcement as defined within the Fire (Scotland) Act 2005. This involves ensuring legal fire safety requirements are met in relation to proposed, new and existing buildings and developments. In carrying out this function the SFRS offers advice and support to occupiers and local business to assist them in achieving the necessary standards. It was reported that the Scottish Fire and Rescue Service work in partnership with communities and others in the public, private and third sectors, on prevention, protection and response, to improve the safety and wellbeing of people throughout Scotland.

Mr Wood continued by recognising the importance of robust consultation policies and practices and the value of meaningful consultations as an important dimension of engaging with partners, stakeholders and local communities. It was reported that Fire Service work with partners to plan and train so that they are prepared and resilient in the face of major emergencies and disruptive challenges.

Mr Wood concluded that their Engagement Team work closely with multi-agency partners to ensure compliance with civil contingencies planning responsibilities.

Members thanked Mr Wood for his informative presentation and **agreed** to note the information provided in all presentations.

7. LICENSING FORUM STRATEGY

There was circulated a proposed draft of the Aberdeenshire Local Licensing Forum Strategy. Members debated the key issues that are driving Forum operation and commented on how to shape the Forum strategy to best achieve licensing objectives under the Act. Members went through the content and consider the Forum priorities, strategic licensing goals, challenges and risks, plans for implementation, performance indicators and mechanisms for evaluation.

Having considered the proposed draft of Licensing Forum Strategy circulated to Members in advance of the meeting, the Forum **agreed** the proposed strategy as shown under item 7 of the Agenda.

8. CONSIDERATION OF ACTION PLAN

There was circulated a proposed draft of the Aberdeenshire Local Licensing Forum Action Plan. Members were indicated a need for developing the Forum action plan by identifying and allocating steps/tasks which would help Forum in the accomplishment of the Forum vision and objectives. It was observed, that Members should develop the action plan by compiling a list of potential changes to be sought that will result in the accomplishment of the Forum goals. It was also observed that Members should be given sufficient time to identify the relevant actions and assess its feasibility and importance in the Forum operation. Once approved, Members agreed to discuss how the Forum will use action plan, evaluate critically its appropriateness and set out criteria for its regular review.

The Group also highlighted a need to develop a Forum mission statement that includes what is to be done and why it is to be done. It was observed that Forum Members needs to describe the essential "what" of the Forum by reviewing its core functions and current programs and activities; explain the essential "why" of the Forum by reviewing the vision statements; and then frame the mission statement as a single sentence that captures the common purpose. It was agreed that all Members would think about the appropriate wording and submit proposals for mission statement would to Committee Officer in advance of the next meeting.

After consideration, the Forum **agreed**:-

- (1) to submit proposed tasks and assignment for action plan to Committee Officer in advance of the next meeting, and
- (2) to submit proposals for mission statement to Committee Officer in advance of the next meeting.

9. REVIEW OF LICENSING BOARDS' POLICIES

Forum Members were advised that sections 6 and 7 of the Licensing (Scotland) Act 2005 require Licensing Boards to review their policy statements and overprovision policy statements

within 18 months of new Boards being appointed following local government elections. This means that the Aberdeenshire North, Central and South Boards are currently in the middle of reviewing their existing policy statements. The Boards have a timeline for the policy review which is updated at each Board Meeting and forms part of the agenda for those meetings. The deadline for approval of the revised policy statements is 1st November 2018. It was reported that draft licensing policy statement would be approved by the Licensing Boards at their June meetings and then put out to formal public consultation from July to September 2018. The Licensing Forum will be consulted as part of that process. Committee Officer advised that briefing paper containing the update on the Review of Licensing Boards Policy would be circulated to Members via email in advance of the next meeting.

Forum Members also discussed the need to write to three Licensing Boards to notify them about the establishment of the new Aberdeenshire Local Licensing Forum and to recommend to adopt a single licensing policy for all three licensing divisions.

After discussion, Members **agreed** to write to all three Licensing Boards addressing the issues raised during discussion.

10. ANY OTHER BUSINESS

Inspector McGeough informed Members that a number of pubs across the country offer the scheme, which aims to reduce sexual violence and vulnerability by providing men and women with a subtle phrase they can use to get out of uncomfortable or potentially dangerous circumstances. A simple code-word campaign 'Ask for Angela' encourages people feeling unsafe on a date to discreetly ask for help by approaching the bar staff, so they can help defuse the situation.

Inspector McGeough also advised Forum Members about the new initiative developed by the Scottish Alcohol Industry Partnership (SAIP) to tackle the issue of proxy purchasing in Aberdeenshire area. It was reported that the new 'You're Asking for It' campaign aims to raise awareness on the risks, consequences and penalties associated with buying alcohol for anyone under the age of 18. The campaign also looks to encourage communities to come forward and report proxy purchasing and to give confidence to shop staff to challenge anyone they suspect of buying alcohol for underage drinkers. Mr McGeough reported that campaign packs have been delivered to every licensed retail premises in the area.

Following from the discussion, Forum Members requested to make all three Licensing Boards aware of those two initiatives.

Members also discussed the alcohol labelling requirements and were interested to find out more about the regulations in this respect and where to report non-compliance. It was agreed that Licensing Standard Officer will investigate this further and provide update at the next meeting.

The Chair concluded by advising Members about the ongoing consultation on the Licensing (Procedure) (Scotland) Regulations 2007. The purpose of this consultation is to invite views to assist the Scottish Government in their considerations when updating the Licensing (Procedure) (Scotland) Regulations 2007, in particular regarding the sections on the public notification process. The Chair invited Forum Members to submit their views and comments

on any potential changes to the regulations by completing the online questionnaire. It was agreed that Committee Officer would provide the link to the consultation.

11. DATE OF NEXT MEETING

Members discussed the frequency and venues of future meetings. It was agreed that the next meeting of the Forum would take place on Wednesday, 27th June, 2018 at 2.00 p.m. Committee Officer will look for available location and advise Members in due course.

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