

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Corporate Services
Director: Nigel Stewart



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26 June 2008

NOTICE OF MEETING

A meeting of the **LOCAL LICENSING FORUM** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **THURSDAY, 3 JULY 2008** at **10:15 AM**, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST (IF ANY)**
3. **MINUTES**
Local Licensing Forum 22 April 2008 (Pages 1 - 4)
4. **RESUME CONSIDERATION OF COMPARISON OF RECOMMENDATIONS TO THE BOARD FOR THE POLICY STATEMENT**
5. **ISSUES TO BE RAISED AT JOINT MEETING WITH LICENSING BOARD - DISCUSSION**
6. **ROLE OF THE FORUM - UPDATE BY LEGAL AND PROTECTIVE SERVICES**
7. **DISCUSSION WITH COMMUNICATIONS TEAM**
8. **PRESENTATION BY JOHN MCFARLANE - NATIONAL LICENSING OFFICER**
9. **ALCOHOL AND MISUSE - DISCUSSION**
10. **NATIONAL LICENSING CONFERENCE - ATTENDANCE BY CHAIR(Pages 5 - 6)**
11. **IN FOCUS NEWSLETTER(Pages 7 - 8)**

12. CHOOSE LIFE CONFERENCE(Pages 9 - 12)

13. RESUME CONSIDERATION OF APPOINTMENT OF YOUNG PERSON TO FORUM

14. DATE OF NEXT MEETING - 9 OCTOBER 2008

LOCAL LICENSING FORUM

Louise Ballantyne

Fred Bruce

Cath Cakebread

David Greenwell

Brian Kupris

Calum MacLachlainn

Susan Mair

James Robertson

Steven Shaw

Eric Box

J Russell Buchanan

Catherine Dobbie

Kenneth Harrison

Verona MacDonald

Violet MacLean

Raymond Park

George Ross

Roanna Taylor

Contact: Sandra McGlynn Tel: 01546 604401

Note of Meeting of the Local Licensing Forum held on Tuesday 22 April 2008 in the Council Chamber, Lochgilphead, Kilmory

Present:

Eric Box (Chairman)
Louise Ballantyne
Fred Bruce
Russell Buchanan
David Greenwell
Kenneth Harrison
Brian Kupris
Calum MacLachlainn
George Ross
Superintendent Raymond Park, Strathclyde Police

In Attendance:

Verona MacDonald, Support Services and Licensing Manager
Samantha Torrie, Licensing Assistant

1. RESIGNATION OF CHAIRMAN

Verona advised the Members of Gordon Tran's resignation from the Forum due to ill health.

Calum nominated Eric Box to be appointed as the new Chairman, this was seconded by Brian Kupris. Eric accepted the nomination.

The Chairman, Eric Box, then suggested that a written acknowledgement is sent to Gordon Tran regarding his resignation and sending the Forum's best wishes to him. All Members agreed.

2. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Violet MacLean, Cath Cakebread, Catherine Dobbie, Roanna Taylor and Steven Shaw.

3. APPROVAL OF PREVIOUS MINUTES:

The Note of Meeting of 14 November 2007 was unanimously approved.

George Ross advised that in relation to the Note of Meeting of 18 March 2008, his apology was not included. It was agreed that this will be amended. The Minute was approved subject to this amendment.

4. CONSIDERATION OF DRAFT CODE OF CONDUCT

Brian advised that he was satisfied with the draft Code of Conduct but asked where it came from. Verona advised that it was taken from Glasgow City Council's Code of Conduct for their own Local Licensing Forum and amended to suit the needs of Argyll and Bute Licensing Forum. Verona also advised that she had contacted the National Licensing Officer to establish if there was a standard Code of Conduct and was advised that this does not exist.

Verona added that in terms of establishing Standing Orders for the Forum, it would be appropriate for the Council's Standing Orders to be used as the Forum was appointed by the Council. This was noted by the Forum Members.

The Chairman expressed concern regarding point 1.6 of the Code of Conduct, about notices of meetings being posted on the Council website, and said this may not be substantial enough to reach as many people as possible. He suggested that notice is emailed to Community Councils.

Verona advised that this would not be practicable as many of the Community Council's do not have email addresses.

Calum suggested that it was the responsibility of Community Councils to check for notice of meetings. The Chairman agreed that this should be the case, however added that many will not check as often as they could. Brian supported Calum in the view that it is the responsibility of the Community Councils to get the appropriate information as it is freely available to them and easily accessible.

The Chairman suggested that we write to the Community Councils that do not appear to have email contacts and ask that they provide an email address if they wish contact to be made with regard to notice of Forum meetings.

Verona advised that it may be easier to write to them all and inform them that the relevant information is on the Council's website. It was agreed that this would suffice.

Russell felt that point 2.2 of the Code, regarding no fewer than 3 Members for a quorum, is too small and suggested changing it to a third of the total number of Members. All Members agreed.

The Chairman advised there was no provision in the document for failure to attend a meeting. Verona advised that a change was made to point 1.4, where it had previously stated that members 'should' intimate apologies, it now states that they 'must'. She added that if the Forum decided that a Member should be replaced due to non attendance at meetings, this would need to be referred to the Council as all appointments had been made by the Council.

Calum asked if anyone had failed to attend several meetings. Verona advised that James Robertson had been written to to ascertain if he wishes to remain a Member because he had failed to respond to all emails, letters and had been absent from several meetings. She added that the report to the Council Committee with regard to the resignation of Gordon Tran, should also include the situation regarding James Robertson. The Chairman suggested that Verona's advice be accepted and each circumstance judged on its own merit. This was agreed

Calum asked for clarification on whether he could nominate a replacement in any possible absence from the Forum, Verona advised that, only members representing organisations for example Strathclyde Police, could nominate a replacement and that his appointment had been as an individual.

Eric advised that there was nothing in the Code of Conduct regarding the powers and duties of the Chairman, for example, if there was a situation whereby a Member was being intentionally difficult or aggressive, what powers would the Chairman have to deal with this. He continued by noting that the Standing Orders for Community Councils had 9 paragraphs dedicated to the powers of the Chairman, albeit he felt that this could probably be summarised into one paragraph.

It was suggested by Fred that one line stating that aggressive or difficult members will be asked to leave the meeting should be sufficient.

Brian suggested that the issue should be looked at only if the problem arises in the future. This was agreed.

Calum asked for clarification of point 8.1. He suggested that guidance may be needed in order to decide if an interest should be declared. The chairman suggested that the Forum members can help to guide each other in this regard, however, Verona advised that it has to be the decision of the individual.

It was agreed that the amendments listed above would be made and the Code of Conduct approved.

5. COMPARISON OF RECOMMENDATIONS MADE TO THE BOARD FOR THE POLICY STATEMENT

Louise questioned whether point 8.3 of the Policy Statement, which states that premises are expected to remain open for the hours granted, is practical in all cases. She used an example of a club which opens only 2 days a week in the summer and is run entirely by volunteers.

Verona advised that with the new legislation, hours like these should be included in the Operating Plan. Russell questioned the economic viability of opening a club for 2 nights and suggested that in these situations it may be more appropriate for the clubs to meet in a licensed such as a hotel or public house.

The Chairman asked if there were any recommendations not adopted by the Licensing Board that the Forum Members feel particularly strongly about.

Calum expressed that point 5.3, which reads that a “no ID, no sale” policy be adopted, should be changed to read that all persons who appear under 21 years of age should be asked for ID. Raymond agreed and advised that the proposed change to this point would improve the situation in terms of policing.

Calum also expressed concern, particularly in relation to this point, that no written explanation was provided by the Licensing Board for not including this recommendation. Verona advised that it may be appropriate to bring this up at a meeting with the Board. The chairman disagreed and advised that the Board have to give a written response if they do not take on recommendations.

Verona advised that she had had further talks with Susan Mair in this regard and it was Susan’s opinion that the necessity for a response did not necessarily refer to the Policy Statement at first creation. Calum was unsatisfied with this explanation and questioned why it would not have been possible to respond yet still meet the deadline.

Verona advised that it may be the case that the Board have taken legal advice and been advised that changing this point (5.3) may lead to challenges in court. Calum took this on board, however reiterated that this could still be expressed in writing by the Board.

The Chairman proposed that this point be made when they meet with the Board and Verona undertook to advise Susan of the discussion.

6. APPOINTMENT OF YOUNG PERSON TO FORUM

Verona advised that Robin Finlay, Head of Social Education at Lochgilphead High School, had been contacted with regard to appointing a young person from the school who is aged between 16 and 18 years. Information leaflets regarding the role of the Forum had been sent to him. Verona suggested that be included on the agenda for the next meeting and hoped that progress would will have been made by that time.

7. CONTACT DETAILS FOR NATIONAL LICENSING WEBSITE

Verona advised that the National Licensing Officer had requested the contact details for 2 Forum Members which would be put on to the website, to enable the public to have direct contact for the Forum. It was agreed that the contacts relating to the Chairman and Louise be forwarded to the National Licensing Officer.

8. ANY OTHER BUSINESS

LICENSING STANDARDS OFFICERS

The Chairman asked Verona about the progress of the Licensing Standards Officers. Verona advised that job descriptions had been drawn up and it was hope that officers would be appointed shortly. Calum asked how many officers there would be in Argyll and Bute, and Verona advised that there will hopefully be 2.

Kenneth asked that until there were LSOs appointed, could a point of contact for premises needing information or clarification be established. Verona advised that the Council’s Licensing Board do give guidance to a point, however, cannot give legal advice and therefore any indepth guidance that is needed with regard to a specific premises would need to be provided by solicitors. She confirmed that contact details for licensing staff are well publicised.

JOINT MEETING WITH BOARD

The Chairman suggested that it might be appropriate to meet with the Board later in the year to allow further issues for discussion to arise. This was agreed and members were asked to consider for discussion at the next meeting the issues to be raised.

ROLE OF THE FORUM

Brian suggested that the Forum had to define its role. He commented that it had considered the Policy Statement and needed to focus on the issues it had to address. The Chairman suggested that the Forum monitor the progress of premises and personal licences.

Calum added that he felt the Forum should be seeking to raise the standards of licensed premises and assist the Board in doing so. Verona suggested that Samantha and she would check what other Forums are doing and report back at the next meeting.

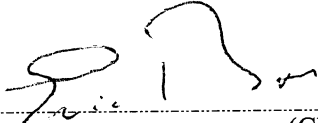
Verona suggested that the profile of the Forum could with a view to publicising it's existence and getting the public and organisations more involved. Russell suggested that issue of a release to the press detailing what has been achieved by the Forum to date. Calum advised that if this route is taken it would be appropriate to appoint a Member to communicate with the press. Verona advised that there is a page on the Council's website dedicated to the Forum and this could be "beefed up". She also suggested that an advert could be placed in the local papers to say who the Forum members are and a point of contact, for example the Licensing inbox. She added that the difficulty with press releases is that it may not even be included, however an advert, paid for, would be. Raymond suggested that a way around this problem may be to invite the press to a meeting. Discussion also took place re producing a leaflet, poster display locally to raise awareness of the Forum. Verona and Samantha undertook to draft these for consideration at the next meeting.

TEST PURCHASES – DUNOON

Raymond advised that police in Dunoon had completed their first test purchases, and no premises tested sold alcohol to the under age testers. Calum enquired whether the premises were on or off sales. Raymond advised they were all off sales. Louise and Eric commented that the problem of adults purchasing for children and young persons was at the route of alcohol consumption by young persons.

DATE OF NEXT MEETING

It was agreed that the next meeting of the Forum would be held on 3 July 2008 at 10.15am in the Council Chamber, Kilmory Lochgilphead, and that the following meeting would be the held on 9 October 2008 at 10.15am in the Council Chamber, Kilmory, Lochgilphead.


Eric
3.6.08 (Chairman)



Booking Form

National Licensing Conference 2008

Whats Working?



Please complete and return to: John McFarlane, Alcohol Focus Scotland,
166 Buchanan Street, Glasgow G1 2LW
Fax: 0141 333 1606 Email: john.mcfarlane@alcohol-focus-scotland.org.uk

Local Licensing Forum Free Place Request

Title MR

First Name ERIC

Surname BOX

Council ARGYLL AND BUTE

Address KILMORY

LOCHGILPHEAD

Postcode PA31 8RT

Tel: 01546 60

Email: _____

Special Requirements (please specify)

Delegate for 2 days
including dinner and
accommodation

Delegate for 2 days
including dinner

Delegate for 2 days
excluding dinner and
accommodation

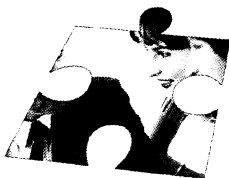
Additional
Accommodation (2 Sept)
£90

**Note: No Travel expenses or
additional accommodation will be
paid as part of the Free Place
Request**

Terms and Conditions

Free places Conveners of Forums.

- I. Free places are limited and will be issued on a first come, first served basis
- II. Alcohol Focus Scotland reserves the right to withdraw free place should the conditions not be met.



Draft Programme

National Licensing Conference 2008

What's Working?



Programme Day 1

9.30am Registration

10.15 Welcome and Introduction

Licensing Update
Cabinet Minister for Justice,
Kenny MacAskill

Whats Working in Licensing

- National Licensing Officer
- Licensing Board Member
- Licensing Standards Officer

Anti-Social Behaviour

Specialist Events

Day 1 Finish 4.45pm

7.00pm Civic Reception
and Conference Dinner

Programme Day 2

9am Registration

Training Update

Research

Alcohol & Health

Licensing Effects in England

Licensing Panel

Conference Finish 1pm

Lunch

Specialist Event 1: Whats Working For Forums?

With over 42 Forums formed throughout the country this event will provide a unique networking opportunity for Forum Convenors and members to network and share best practice.

The workshop will provide forum members with a chance to meet and discuss issues and solutions and provide training to ensure that your Forum develop and succeeds!

Specialist Event 2: Operating Plans and Licensing Board Policies

With all premises licences having to be accompanied by operating plans and layout plans, this event is aimed specifically at Licensing Boards.

The event will look at how helpful these plans are in practice and look at the difficulties faced by Licensing Boards in the coming months and years. This is a great opportunity to meet your fellow Board Members from across the country to network and share best practice.

Specialist Event 3: Health – The 4th Objective

The Licensing (Scotland) Act is based on 5 key objectives, one of which is improving public health. Has the health objective been forgotten?

Aimed at those working within alcohol and drug action teams or in the community this event will give an insight into how health is now part of the licensing agenda and how each area is working to ensure it meets the health objective

Specialist Event 4: Enforcing the Licensing (Scotland) Act 2005

With the introduction of Licensing Standards Officers, how are they and police coping with the changes. What are the challenges faced and how can these be met?

This event is aimed specifically at Licensing Standards Officers and Police providing a forum focussing on the challenges faced when enforcing the legislative changes in the months ahead.



Hosted by Alcohol Focus Scotland
3rd and 4th September 2008
MacDonald Aviemore Highland Resort

In Focus



QUARTERLY NEWSLETTER FOR ALCOHOL FOCUS SCOTLAND • ISSUE 10 April 2008

Re-establish the National Licensing Forum

In the light of recommendations from organisations such as Alcohol Focus Scotland, SHAAP and ACPOS, Dr Richard Simpson, Labour MSP for Mid Scotland and Fife, recently asked the Scottish Government that the National Licensing Forum be re-established to provide an overview of the effectiveness of the new licensing law and its local implementation.

Kenny MacAskill, Justice Minister, responded that there are already other national fora that exist at which licensing matters are discussed. He stated that because the Scottish Ministerial Advisory Committee on Alcohol Problems (SMACAP), the Alcohol Industry Partnership (AIP) and local licensing forums all exist, he was not persuaded of the need for another forum at this stage in the implementation of the Act.

However, we believe that the issues which are surfacing just now are complex and deserve the attention of a specialist forum that focuses on the links between legislation and Scotland's alcohol problems. Both SMACAP and AIP consider many matters of which licensing is only one. We believe a re-established National Licensing Forum, which includes wide licensing expertise, is the best place to examine the impact of licensing decisions on health - Scotland's hard won extra licensing objective which unfortunately is in danger of slipping from sight in the flurry of implementation.

Currently the forty two licensing forums across Scotland are undergoing training to help them define their role and remit. We argue that at this stage in their development local forums are not in a position to debate issues of legislation or alcohol problems. That will come soon but will take time. The National Licensing Forum would support the local licensing forums in their future development.



A re-convened National Licensing Forum could inform the debate on UK issues such as taxes on beer, wine and spirits. The recent rise in taxes was a response to the warnings from doctors that supermarkets and corner shops were selling drink too cheaply and irresponsibly and that this was having an impact on health. However, it was reported in the national press that rather than putting up prices some stores are pressuring suppliers to absorb the cost of the rise to keep prices low for customers. The issue of price and promotions also requires more attention. A major store recently commented that they have no plans at present to change their policy of making special offers available to customers in the light of the current debate on price.

A recent group of experts brought together by AFS to consider "the price of alcohol" added their voice to the call for the re-establishment of the National Licensing Forum. One of the big issues the new legislation is meant to address is the problems arising from inconsistencies in how licensing issues were addressed across the country. The National Licensing Forum should be in a pivotal position to ensure consistency without interfering in local autonomy.

It's clear much is still to be done to make sure alcohol is marketed, sold and consumed responsibly in Scotland. The National Licensing Forum will exercise significant influence on changing our drinking culture.

It's important we don't replicate the mistakes of the past. We are in danger of doing this without the guidance of a National Forum.

Welcome

Welcome to the April issue of In Focus, Alcohol Focus Scotland's quarterly newsletter.

In Focus aims to keep you up to date with alcohol news, events and initiatives from AFS and the wider alcohol field, so whether you're involved in health, community safety, licensing or any other alcohol-related area, hopefully you'll find In Focus of interest.

It's a time of real growth for us – we have several exciting new projects just starting or about to start over the coming months. More details inside and on our website.

If you have any comments on the newsletter or would like to contribute to the next issue, due out at the end of July, please get in touch.

Gillian Bell

0141 572 6701

gillianbell@alcohol-focus-scotland.org.uk



- New Certificate launched
- Event Dates

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- Why do women drink?
- Alcohol: The Myths

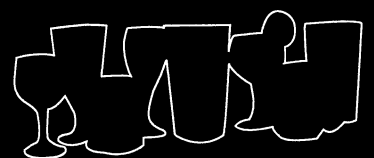
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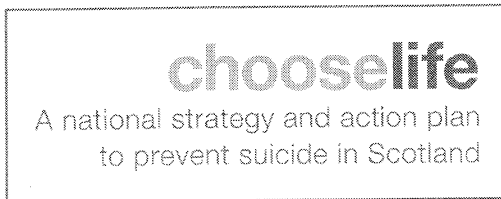
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- News in Brief
- David Livingstone's Footsteps Challenge

promoting responsibility, reducing harm, changing culture



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Argyll & Bute Choose Life Initiative
Argyll & Bute Hospital
Lochgilphead
Argyll
PA31 8LD
07748 740939
tracy.preece@nhs.net
<http://www.chooselifeinargyllandbute.org.uk/>

Choose Life Conference
10th September 2008
9.30am – 4.30pm
Stonefield Castle Hotel
Tarbert

Choose life is hosting a conference at Stonefield Castle Hotel on the 10th September to bring together a broad range of stakeholders in suicide awareness.

With research showing that everyone, regardless of circumstances, can be at risk of suicide when experiencing stress and that 1 in 17 of us considers suicide in any given week, suicide reduction really is everyone's business.

As employers, service providers, service users and community members this event will provide you with the opportunity to find out more about how you can contribute to reducing suicide in Argyll & Bute.

We invite you to join us to explore, among other subjects:

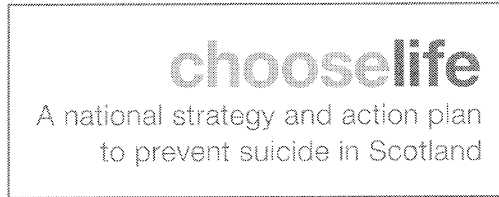
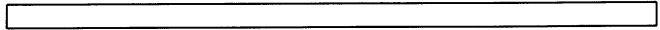
- How suicide affects our communities.
- Resources available to those affected by suicide.
- Training to develop and enhance suicide awareness and intervention skills.
- How organisational policy can support employees struggling with issues that may make them vulnerable to suicide.

To register for this free event, please contact Tracy Preece, details above or return the attached booking form.

We look forward to welcoming you to this important event.

Conference Programme – Draft

9.30	Arrival and coffee	
10.00	Welcome and outline of day	Tracy/Marie
10.15	Introduction to Choose Life Nationally	Rose Kirk
10.30	Mentally Flourishing Trees – the local picture	Dave Bertin
	11.00	Morning Coffee
11.30	Rural Perspectives	Cameron Stark
12.15	About the participants	Marie/Tracy
	12.30	Lunch
1.15	A few words from Breathing Space	R Leckerman
1.30	Introduction to workshops and Workshop 1	
	2.30	Afternoon Tea
3.00	Workshop	
3.45	Feedback from workshops	
4.00	Conclusions and farewells	
4.15pm	Close	



Conference Booking Form

**Please reserve me a place at the Choose Life Conference to be held
Wednesday 10th September
at
Stonefield Castle
Nr Tarbert
PA29 6YJ
9.30am to 4.30pm.**

Name:	
Designation/Organisation:	
Contact E-mail:	
Contact phone:	
Contact Address:	
Do you have any special dietary requirements? Please give details:	
Do you have any special requirements for access? Please give details:	

Places are limited, if you find you are unable to come please let us know as soon as possible so that your place can be reallocated.

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