

**LICENSING (SCOTLAND) ACT 2005
LOCAL LICENSING FORUM**

1. INTRODUCTION

- 1.1** In terms of section 10 of the Licensing (Scotland) Act 2005, the Council is required to establish a Local Licensing Forum.
- 1.2** The role of the Forum is to keep under review the operation of the licensing system in the area and to give advice and recommendations to the Licensing Board. The Board has a duty to “have regard” to the Forum’s views and must offer reasons where it takes decisions against the advice of the Forum.

2. RECOMMENDATIONS

- 2.1** That the Local Licensing Forum for the Argyll and Bute Council area should comprise 20 members.
- 2.2** That the following persons or their nominated representatives be appointed as members of the Licensing Forum:–
- Chief Constable of Strathclyde Police;
 - Licensing Standards Officer;
 - Representative from the Council’s Social Work/Substance Misuse Service;
 - Representative from the Council’s Education Service;
 - Representative from the Health Service;
 - Representative for young persons such as the Young Scot Co-ordinator;
 - Alcohol and Drug Action Team (ADAT) Officer

- 2.3** That the current Members of the Forum be reappointed to the Forum as detailed in the appendix to this report.
- 2.4** Forum members attend the national training sessions, the cost of which is met by the Council.
- 2.5** Members of the public who are selected to serve on the Forum are paid travel and subsistence rates in line with the rates paid to members of the public who sit on similar Council operated Committees.

3. BACKGROUND

- 3.1** The Licensing (Scotland) Act 2005 provides that the Council must establish a Local Licensing Forum. The Forum must meet at least 4 times a year with one joint meeting with the Licensing Board(s) per year. The costs associated with the operation of the Forum must be absorbed by the Council.
- 3.2** The Forum must consist of between 5 and 20 members. In view of the geography of Argyll and Bute and in order to ensure a wide representation of interests, the current Forum has comprised 20 members.
- 3.3** An effective local Licensing Forum should be widely recognised as being both independent and expert. As such it will enjoy the trust of all those whose interests are affected by licensing. It should comprise a balanced representation of relevant interests.
- 3.4** The Act provides that the Licensing Standards Officer must be a member of the Forum. The other members are to be individuals appointed by the Council on such terms and conditions as may be determined. The relevant guidance issued by the Scottish Executive suggests that the following should be included :-
 - (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; and
 - (e) Persons resident within the Forum area.
- 3.6** Whilst it is not anticipated that members will be paid for attending meetings, it is recommended that in line with other Council operated bodies, members of the public who serve on the Forum receive the same travel and subsistence rates.

4. CONCLUSION

4.1 The Council agree the recommendations set out in this Report.

5. IMPLICATIONS

- 5.1**
- Policy:
 - Financial: The Council will be required to meet training costs together with travel and subsistence costs.
 - Personnel:
 - Equal Opportunities:
 - Legal: The Council is required to appoint a Licensing Forum.

Douglas Hendry
Executive Director – Customer Services

May 2012

1. Kenneth Harrison, Health representatives (Chair)
2. Chief Inspector Marlene Baillie
3. James Robertson, Licensed Trade
4. Calum MacLachlainn, Licensed Trade
5. George Ross, Licensed Trade
6. J Russell Buchanan, Ex-Licensee
7. Martin Donovan, Licensed Trade
8. Tim Saul, Licensed Trade
9. Eric Box, Community Representative
10. Fred Bruce, Community Representative
11. Sheila Johnston, Community Representative
12. Raymond Boyle, Community Representative
13. Iain McNaughton, Community Representative
14. David Greenwall, ADAT – Health Board
15. Cath Cakebread, Argyll and Bute Addiction Team Manager
16. Catherine Dobbie, Education Support Officer
17. Roanna Clark, Young Scot
18. Caroline Smith, Young Person
19. Elaine Garman, NHS Highland
20. Eric Dearie, Licensing Standards Officer