



Your Moray - Your Health and Well-being

REPORT TO: HEALTHIER STRATEGIC GROUP – 2 OCTOBER 2008

SUBJECT: LOCAL LICENSING FORUM

BY: ACTING TRADING STANDARDS MANAGER / LICENSING STANDARDS OFFICER

1. REASON FOR REPORT

- 1.1 The Healthier Strategic Group is asked to support the further development of the role of the Local Licensing Forum under the revised Community Planning structures.

2. RECOMMENDATION

- 2.1 The Healthier Strategic Group is asked to note that the lead for alcohol issues is with the Healthier theme.
- 2.2 The Strategic Group is asked to support the further development of the Local Licensing Forum to enable it to act as the effective mechanism for engaging with all sectors of the community on issues regarding the supply of alcohol in Moray, offering support and encouraging others to support and participate in the Forum.

3. BACKGROUND

- 3.1 The Local Licensing Forum (LLF) is the recognised statutory mechanism for engaging with the community on alcohol licensing policy issues. It has been recognised by Forum members that there is a need for greater participation from a broader range of community and statutory bodies than is currently the case. The introduction of the new community planning structure and relatively recent appointment of a Licensing Standards Officer for Moray present an opportunity to put new focus in the Forum.
- 3.2 The Licensing (Scotland) Act 2005 radically updates the liquor licensing regime in Scotland. The Act requires that each Council must establish a LLF for their area.
- 3.3 The meeting of the Moray Council 2007 agreed to establish the LLF for the Moray area. At that time the meeting also agreed that the LLF was to be a sub group of the “Achieving a Safer Community” theme group (Committee report attached).

- 3.4 The general function of the LLF is to keep under review the operation of the Licensing (Scotland) Act 2005 and the exercise of functions under the Act by the Licensing Board. They give advice and recommendations to the Board as they think appropriate but not in relation to any particular case. In other words, their remit is restricted to policy matters.
- 3.5 The LLF must represent the interests of the following categories of persons
- 1) Holders of licenses (premises and personal)
 - 2) The chief constable
 - 3) Health, education and social work
 - 4) Young people
 - 5) Residents
- 3.6 At least one member of the Forum must be the Licensing Standards Officer (LSO) employed by the Council.
- 3.7 The Moray District Local Licensing Forum has been in place now for several months, and following the appointment of the Licensing Standards Officer it is now fully constituted with the statutory maximum of twenty members. The actual composition of the forum is a matter for The Moray Council but the objective is to try and ensure a proper and equitable spread of experience.
- 3.8 Alcohol related issues currently have a high profile and important position with the Scottish Government. The proposals contained in the consultation document issued in 17 June 2008 on "Scotland's Relationship with Alcohol" will impact on the supply of alcohol if they are implemented. The Forum offers the community the means of considering such policy issues.
- 3.9 During the review of the Community Planning structures, it was agreed that the Healthier Strategic Group would address issues in relation to alcohol as referenced under the Single Outcome Agreement, national outcome 6 "We live longer, healthier lives". Within this outcome there are many actions in relation to alcohol.
- 3.10 Also during the development of the strategic assessment and the setting of strategic priorities for the Community Safety Partnership, it was agreed that all issues in relation to alcohol should be lead by the Healthier Strategic Group rather than the Safer and Stronger Strategic Group. This decision was based on the role of the Safer & Stronger theme, which centred on enforcement issues in relation to alcohol rather than health improvement.
- 3.11 The Safer & Stronger Strategic Group will continue to be involved with issues arising from alcohol and will work through the new community planning structures to ensure cross-cutting issues are addressed. The strategic priorities within this theme include road safety, fires and home safety and antisocial behaviour. Many of these priorities are affected by alcohol misuse but this group recognised that they could not influence the change of behaviour required to prevent alcohol misuse.

- 3.12 The Forum has been in existence for approximately a year but it has been acknowledged that a number of problems need to be addressed. In particular there needs to be greater participation from Forum members, including some statutory agencies, which would at the minimum involve attendance at the quarterly meetings. There is also a need to ensure that there is more community based representation on the membership to ensure a greater diversity of views are heard. Consequently Forum members are been consulted on their views with regard to their participation and greater representation prior to the Forum's next meeting on 31 October 2008.
- 3.13 Ultimately the Forum is a statutory body created under licensing legislation and reports its views to the licensing board. However its role in representing the views of the community in relation to the supply of alcohol should enable it to contribute to the community planning structure.

4. SUMMARY OF IMPLICATIONS

(a) Community Plan / Theme Plans / Partner Plans

It is recognised that there are significant cross cutting issues affecting the Healthier, Safer and Stronger and Wealthier and Fairer themes in relation to alcohol. However within the revised community planning structures it was agreed that each of the Strategic Groups would take the lead on issues. The Community Planning Officer would ensure that the cross-cutting issues were referred onto the other groups within the structure.

The Community Planning Board agreed that outcome 6 within the Single Outcome Agreement would be address by the Healthier Strategic Group. Alcohol issues are a main priority within this outcome.

(b) Policy and Legal

The Licensing (Scotland) Act 2005 radically updates the liquor licensing regime in Scotland. The Act requires that each Council must establish a LLF for their area.

(c) Resources (Financial, Staffing and Risks)

The resources required to support the Local Licensing Forum for Moray were to have been met from existing community planning resources. Officer time from both the Moray Council and other statutory bodies is essential in terms of attending forum meetings and contributing to its development.

(d) Consultations

Karen Wiles, Principal Solicitor (Litigation and Licensing), Andy Jamieson, Anti Social Behaviour Co-ordinator and Bridget Mustard, Corporate Policy Unit Manager have been consulted and are in agreement with the report.

5. CONCLUSION

5.1 The Local Licensing Forum can play a crucial role in representing the views of the community in relation to alcohol policy to the Licensing Board and through the community planning structure. However it will only be fully effective and flourish with the active participation of all sectors of the community.

Author of Report: Andrew Walker, Licensing Standards Officer / Mike O'Hare, Acting Trading Standards Manager

Background Papers: i) Report to The Moray Council on 9 May 2007

Ref:

Signature _____

Date _____

Designation _____

Name _____