

## Notice of Meeting and Agenda

### Joint Renfrewshire Licensing Forum and Licensing Board

Date	Time	Venue
Wednesday, 16 November 2016	14:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM  
Head of Corporate Governance

### Members

R Anderson; M Brier; H Cameron; P Carroll; C Colquhoun; C Dickson; M Dillon; M Dymond; F MacKay; P MacLeod; D McEwan; S McLain; P Pieraccini; D Reid; F Taylor; R Watson and R White.

### Chair

M Dymond

### Licensing Board Members

Councillors B Brown; Caldwell; M Devine; Hood; McQuade; Murrin and Perrie.

### Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

## Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at [www.renfrewshire.gov.uk/agendas](http://www.renfrewshire.gov.uk/agendas).

For further information, please either email [democratic-services@renfrewshire.gov.uk](mailto:democratic-services@renfrewshire.gov.uk) or telephone 0141 618 7112.

## **Items of business**

### **Apologies**

Apologies from members.

### **Declarations of Interest**

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

- 1 Minute of Previous Meeting** **5 - 10**  
  
Minute of meeting held on 14 September 2016
- 2 Police Scotland**  
  
Verbal report by Police Scotland representative relative to local licensing issues.
- 3 Scottish Fire and Rescue Service - Update**  
  
Verbal report by the Scottish Fire and Rescue representative relative to local licensing matters.
- 4 Licensing Survey** **11 - 28**  
  
Presentation by the Licensing Intern, Renfrewshire Alcohol & Drug Partnership
- 5 Licensing Issues**  
  
General discussion between the Licensing Board and the Licensing Forum on local licensing issues
- 6 Licensing Standards Officer (LSO)**  
  
Verbal report by the Licensing Standards Officer relative to recent involvement in local licensing matters.
- 7 Licensing Forum Governance Arrangements** **29 - 34**  
  
Licensing Forum constitution
- 8 Date of Next Meeting**  
  
Members are asked to note that the next meeting of the Licensing Forum will be held on Wednesday 8 February 2017 at 2.00 pm.



## Minute of Meeting

### Renfrewshire Licensing Forum

Date	Time	Venue
Wednesday, 14 September 2016	14:00	CMR 2, Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

#### **PRESENT**

D Reid and N Lappin (Renfrewshire Drug and Alcohol Partnership); M Brier and C Dickson (Civic Government Enforcement Officers); R White (Children's Services); M Dymond and S McLean (local residents); C Colquhoun and P Pierraccini, (Licence Holders); S Clocherty (Health & Social Care Partnership) P Carroll (Scottish Fire and Rescue Service) and D McEwan and A Whitelaw (Police Scotland).

#### **IN ATTENDANCE**

R Devine, Senior Committee Services Officer.

#### **OBSERVER**

D Campbell, Assistant Managing Solicitor (Licensing).

#### **APOLOGIES**

F Taylor, H Cameron and R Anderson.

#### **DECLARATIONS OF INTEREST**

There were no declarations of interest intimated prior to the commencement of the meeting.

**1 MINUTE OF PREVIOUS MEETING**

There was submitted the Minute of the meeting of Renfrewshire Licensing Forum held on 3 February 2016.

The Clerk referred with sadness to the death of G Lethorn, who had been a member of Renfrewshire Licensing Forum, as a representative of local residents, since its establishment in 2007, and to his valued contribution.

**DECIDED:** That the Minute be approved.

**2 NOTE OF INQUORATE MEETING**

There was submitted the Note of the Inquorate Meeting of Renfrewshire Licensing Forum held on 11 May 2016

**DECIDED:** That the Note of the inquorate meeting be noted.

**3 POLICE SCOTLAND UPDATE**

Police Constable McEwan provided an update on Police activity in the Forum area since the previous meeting.

The Forum was advised that it was intended to hold another local licensing seminar, arrangements were currently being made in this connection although at present no specific dates or venues had been selected. Members of the Forum requested that, in due course, they be invited to attend the seminar.

The representatives of Police Scotland then responded to questions from members of the Forum. Following discussion in connection with incidents in the vicinity of licensed premises after hours it was proposed and agreed that details of incident hotspots, the number of incidents, whether the premises were open or closed be circulated to members of the Forum, together with a copy of the Vector Survey report considered by the Council's Regulatory Functions Board.

**DECIDED:** That details of incident hotspots in the vicinity of licensed premises, the number of incidents, whether the licensed premises were open or closed be circulated to members of the Forum, together with a copy of the Vector Survey report considered by the Council's Regulatory Functions Board and that otherwise the information be noted.

**4 SCOTTISH FIRE AND RESCUE SERVICE - UPDATE**

Watch Manager Carroll advised the Forum of the range of licensing activities undertaken by the Scottish Fire and Rescue Service. Reference was made to support and advice element of these activities. Notwithstanding this role there had been inspections of licensed premises undertaken which had raised fire standards concerns. It was noted that the Licensing Board had subsequently continued consideration of the applications involved.

Watch Manager Carroll was then heard in answer to questions from Members of the Forum.

The Forum noted that Watch Commander Coates was to retire on 16 September, 2016.

**DECIDED:** That the information be noted.

## 5 **MEMBERSHIP - UPDATE**

The Clerk advised that intimation had been received that P Sale and F Taylor, would undertake the role of Education representative role at future meetings of the Forum.

A general discussion ensued regarding the current vacancies on the Forum, for (i) licence holders; (ii) young people; and (iii) a local resident. Reference was made to the difficulties encountered in attracting and retaining representatives of each of these sectors and the consequential impact on the frequency of inquorate meetings. It was proposed that a pro-active approach be adopted to address the situation with contact being made with neighbouring Licensing Forums to identify how they had resolved the issue, approaches being made to Children's Services, the local pubwatch scheme, tenants and residents associations, Community Councils, etc to identify potential representatives.

In addition following discussion regarding the desirability of altering the perception, amongst some, that the Forum was a 'talking shop' it was agreed that key documents, such as the remit and constitution of the Forum, the licensing objectives, the local Licensing Policy, Alcohol Focus tool kit and action plan developed at the Drug Partnership training be circulated to existing members of the Forum to assist in their understanding of their role and potential influence on local licensing policy. In addition it was proposed and agreed that, prior to the issue of the agenda for each meeting of the Forum, the Clerk contact all members of the Forum to identify potential business items for consideration.

Consideration of altering the time and format of meetings to make them more 'user friendly' was continued pending the outcome of the above actions.

**DECIDED:**

(a) That it be noted that P Sale and F Taylor, would undertake the role of Education representative role at future meetings of the Forum;

(b) That a pro-active approach be adopted to address the membership vacancies with contact being made with neighbouring Licensing Forums to identify how they had resolved the issue, approaches being made to Children's Services, the local pubwatch scheme, tenants and residents associations, Community Councils, etc to identify potential representatives;

(c) That key documents, such as the remit and constitution of the Forum, the licensing objectives, the local Licensing Policy, Alcohol Focus tool kit and action plan developed at the Drug Partnership training be circulated to existing members of the Forum to assist in their understanding of their role and potential influence on local licensing policy;

(d) That, prior to the issue of the agenda for each meeting of the Forum, the Clerk contact all members of the Forum to identify potential business items for consideration; and

(e) That consideration of altering the time and format of future meetings of the Forum

to make them more 'user friendly' be continued pending the outcome of the above actions.

## **6 LICENSING STANDARDS OFFICER - UPDATE**

C Dickson, who had recently commenced employment as a Licensing Standards Officer (LSO), within the Council, was introduced.

M Brier (LSO) provided an update in relation to his recent licensing activities. He advised that during the period three noise complaints had been received and 189 compliance visits to licensed premises, 53 of which required revisits, many as a result of changes in tenancy.

The Forum was advised that guidance was awaited from the Scottish Government regarding the need for personal licence holders to undertake training prior to their licence being issued in 2019. The LSO was then heard in answer to questions from members of the Forum.

It was agreed that details of the number of existing licence holders in Renfrewshire be circulated to members of the Forum and regular updates be provided by the LSO at all future meetings of the Forum.

**DECIDED:** That details of the number of existing licence holders in Renfrewshire be circulated to members of the Forum, that regular updates be provided in this connection by the LSO at all future meetings of the Forum and that otherwise the information be noted.

## **7 LICENSING SURVEY**

There was submitted a copy of the Community Consultation on Alcohol in your Local Authority Area, which had been prepared by Renfrewshire Alcohol and Drug Partnership (RADP), and sought the views of people living in Renfrewshire regarding alcohol availability. It was highlighted that the survey was available for completion on line and details of the number completed was provided.

It was proposed and agreed that the survey be circulated to local Community Councils, Tenants and Residents Associations and the Federation of Local Authority Housing Associations for completion.

**DECIDED:**

(a) That the content of the Community Consultation on Alcohol in your Local Authority Area be noted; and

(b) That RADP arrange to circulate the survey to local Community Councils, Tenants and Residents Associations and the Federation of Local Authority Housing Associations for completion.

## **8 ARRANGEMENTS FOR FUTURE MEETINGS**

There was submitted a report by the Clerk proposing dates for future meetings of the Forum as under:

Wednesday 16 November, 2016;  
Wednesday 8 February, 2017; and  
Wednesday 10 May, 2017.



**DECIDED:**

- (a) That the proposed dates for future meetings of the Forum, as detailed in paragraph 3.3 of the report be approved; and
- (b) That it be delegated to the Clerk, in consultation with the Conveners of the Licensing Board and the Licensing Forum to determine which of these meetings will be a joint meeting with the Licensing Board.



# Renfrewshire Alcohol & Drug Partnership

Licensing Intern



**SLIDE 1**

## My Role

- ♦ Develop and implement effective community engagement and consultation strategies, relating to the alcohol licensing processes.
- ♦ Develop surveys aimed at gathering information on community members views of alcohol in Renfrewshire.
- ♦ To develop and support community lead research on the impact alcohol and drugs have on local neighbourhoods in Renfrewshire.
- ♦ Engage with local community groups.
- ♦ Supporting communities to contribute to licensing processes.
- ♦ Empowering communities to work in partnership to reduce harm caused by alcohol and drugs.
- ♦ Supporting community members to influence alcohol policy at strategic level.
- ♦ Manage community volunteer recruitment and Support community volunteers to perform practical community based research relating on alcohol.
- ♦ To support local forums (e.g. Licensing Forums, Community Councils) to contribute effectively to alcohol and drug strategy
- ♦ Collating community research results

**SLIDE 2**

Renfrewshire Alcohol and Drug Partnership (ADP) is gathering views on what people living in Renfrewshire think about alcohol availability.

The survey will also be distributed online to reach as many people as possible. (The survey has 125 responses so far)

## The Research

The process will involve a group of volunteers attending supermarkets, GP surgeries, Leisure facilities and libraries within Renfrewshire.

The information gathered from the surveys will help in the alcohol licensing process.

### SLIDE 3

## Why is this research important?

The information gathered from Alcohol Research UK suggests that increased engagement with public health has increased awareness among some licensing officials of the relationships between alcohol availability, consumption and harm, and increased their confidence to use overprovision policies as a mechanism to regulate alcohol availability. Therefore health research has a significant impact on the Licensing Board's power to challenge and prevent alcohol related harm.



Public health partners have increased engagement and participation in the licensing process in Scotland



Scottish Statements of Licensing Policy show an increased use of health evidence in comparison to 2010



Increased engagement with public health has raised confidence among some licensing officers in using overprovision to tackle harm

## The key factors identified as inhibiting community engagement in the licensing process in Renfrewshire are:



**SLIDE 5**

## We Asked:

Do you consider that the number of licensed premises in your local area is; 0=Too Low, 5=Just Right, 10=Too High?



Too Low = 13.7%



Just Right = 27.4%



Too High = 59.7%

**SLIDE 6**



## We Asked:

If you consider the number of licensed premises in your local area is too high, please indicate which premises there are too many of.



Corner shop/  
Convenience store  
68.3%



Pub  
66.7%



Off License  
42.9%

**Do you think the current licensing hours should be amended?**



Yes  
31.5%

Don't Know  
24.2%

No  
44.4%

**SLIDE 8**

If yes, please indicate what changes you would like.

50.0

37.5

25.0



SLIDE 9

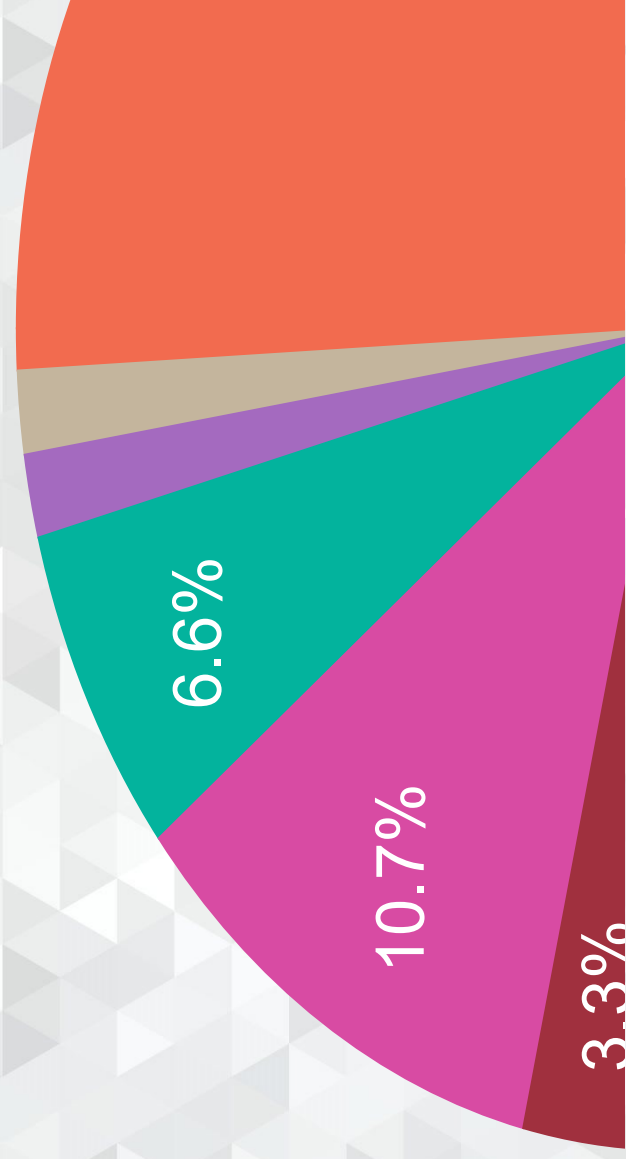
**Do you think  
events targeted at  
children and  
families should  
sell alcohol?**

**No  
77.6%**

**Yes  
12.8%**

**Don't  
Know  
9.6%**

# Where do you buy alcohol most often?



SLIDE 11

# Why do you buy alcohol there?

- ◆ Shopping for other items = 49.2%
- ◆ Price = 44.3%
- ◆ Convenient location = 34.4%
- ◆ Range of choice = 23%
- ◆ Socialising = 18%

SLIDE 12

## Where do you most often drink alcohol?



At home =  
47.6%



Pub = 19.8%



Club/ Restaurant = 11.9%



Do not drink = 10.3%

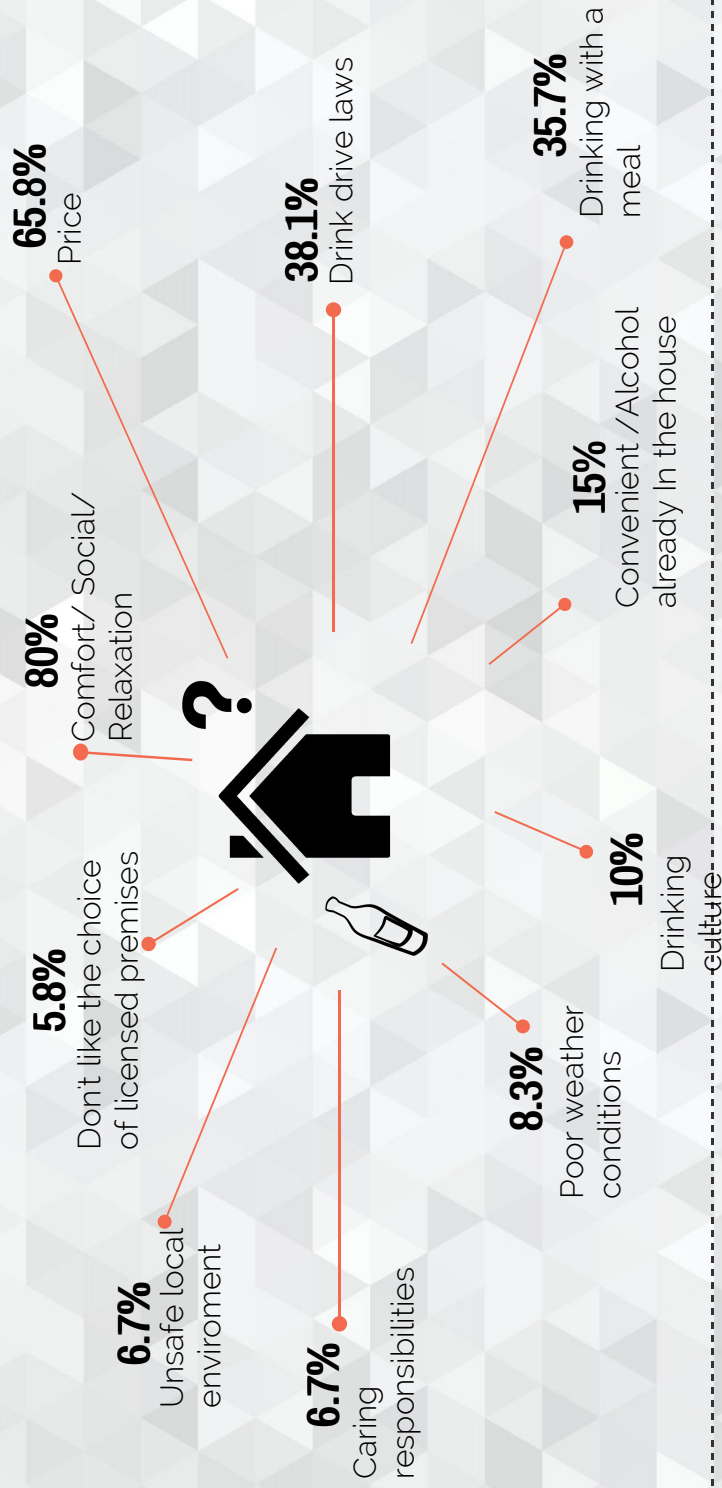


Friend or family members home = 7.9%



Other = 2.4%

## What do you think are the main factors that influence people to drink alcohol in the home?



SLIDE 14



Listed below is a range of social consequences related to drinking that people in Scotland have said concern them. We would like to know if they concern you too?



SLIDE 15

## We asked!

What do you believe the two most important issues are to address in your locality to reduce alcohol related problems?

Some of the responses were:

Limit the amount of alcohol to be served to one person

Alcohol being sold in pubs to people who are clearly intoxicated

Places for young people to go and meet that are affordable.

More availability of after-hours transport after pub closing times.

Continuing to allow drunk people to be served alcohol and monitoring the behaviour of people being served alcohol.

Unemployment and Social isolation in adults.

The culture within the UK requires to be addressed which views alcohol in such an unhealthy way. In moderation it has its place as in most civilised countries.

Availability of alcohol and special offers at supermarkets.

Cost of alcohol on health to NHS

Social isolation in adulthood

Lack of police intervention when violence erupts in vicinity in bars.

Need to discuss the damage it can do to health and families living with the problem.

Minimum Pricing.

Better education with children when young and in youth.

## From the research so far...

We can see that the 4 most common emerging themes of concern are;



Availability  
& Price



Underage  
Drinking



Education



Drinking  
Culture

SLIDE 17



1. Gather more information with the help of volunteers and through the online survey.

2. Share information from survey.

3. Use the information to influence future licensing objections, overprovision assessment and licensing policy.

**SLIDE 18**

The Renfrewshire Licensing Forum has been established in accordance with the requirements of the Licensing (Scotland) Act 2005.

### **Name of the Forum**

The Forum shall be known as Renfrewshire Licensing Forum.

### **Purpose of the Forum**

The general functions of the Forum are:-

- (a) to keep under review:-
  - (i) the operation of the Licensing (Scotland) Act 2005 in Renfrewshire; and
  - (ii) in particular, the exercise by the Renfrewshire Licensing Board of its functions.
- and
- (b) to give such advice and make such recommendations to the Renfrewshire Licensing Board in relation to those matters as the Forum considers appropriate.

The Forum is not permitted to review, give advice or make recommendations in relation to the exercise by the Board of its functions in respect of a particular case.

### **Membership of the Forum**

Membership of the Forum shall be 18.

All applicants to be eligible must be:-

- aged 16 years or above
- able to demonstrate an interest in the licensing system
- currently employed in or be a duly appointed representative of the undernoted groups.
  - (i) Holders of premises licences and personal licences in Renfrewshire;
  - (ii) The Chief Constable;
  - (iii) Persons having functions relating to health, education and social work;
  - (iv) Young people
  - (v) Persons resident in Renfrewshire
  - (vi) The Scottish Fire & Rescue Service
  - (vii) A representative from the Alcohol & Drugs Forum

Membership of the Forum shall be for a period of up to 4 years, or such shorter period as considered appropriate by the Council. Forum membership will require to be approved by the Head of Legal & Democratic Services.

### **Duties of the Licensing Board in relation to the Forum**

The Licensing Board must:-

- (a) in exercising any function, have regard to any advice given, or recommendation made, to them in relation to the function by the Forum;
- (b) where the Board decides not to follow the advice or recommendation, give the Forum reasons for the decision.

At the request of the Forum, the Board must provide to the Forum copies of such relevant statistical information as the Forum may reasonably require for the purposes of the Forum's general functions.

### **Meetings of the Forum**

1. The Forum shall meet no less than 4 times a year, one of these meetings being a joint meeting with the Renfrewshire Licensing Board.
2. Notice of the place, date and time of Forum meetings will be given to every member not later than 10 days before the meeting.
3. Forum members unable to attend any meeting should intimate their apologies to the Head of Legal & Democratic Services prior to that meeting. Any member unable to attend in person may appoint a substitute to attend on their behalf who can express their views.
4. Public notice of Forum meetings will be given by posting a notice at the Council Headquarters, Cotton Street, Paisley, and on the Council website, at least one week prior to the meetings.
5. Notice of meetings will include the date, time and place of meeting, information on the availability of the agenda for the meeting and accompanying reports.
6. A special meeting of the Forum can be called at any time by the Convener or by requisition of 2/5ths of the Forum membership. Such a request to hold a special meeting will be in writing and the Convener will determine the date and place of the meeting.

### **Quorum**

1. The quorum for a meeting of the Forum is 9. No business shall be conducted at a meeting unless the meeting is quorate.
2. If after 10 minutes from the appointed start time for a meeting a quorum is not present, the convener will adjourn the meeting to a time he or she may then or afterwards fix, in discussion with the clerk. It will be recorded that owing to a lack of the necessary quorum no business would be transacted.

### **Press and Public**

1. Members of the press and public will be entitled to attend Forum meetings.

### **Convener**

1. Forum members will elect a Convener at their first meeting in each calendar year.
2. The Convener shall hold office until the next election. The retiring Convener shall be entitled to put themselves forward for re-election.
3. Meetings of the Forum shall be chaired by the Convener.
4. If the office of Convener is vacant, or if for any reason the Convener so appointed is unable to attend a meeting, the Forum may be chaired by any other member present.
5. It shall be the duty of the Convener to:-
  - Preserve order and ensure fairness in debate.
  - Decided all matters of order, competency and relevancy
  - Ensure that all Forum members are involved in discussions and debate.

The decision of the Convener on all matters within his/her responsibility shall be final and shall not be open to question or discussion.

### **Obstructive and Offensive Conduct**

1. Any member disregarding the authority of the Convener or obstructing the meeting or conducting him/herself offensively shall be suspended from the remainder of the meeting if a resolution for suspension, moved and seconded, is carried out. There shall be no discussion on such a motion. The member concerned shall forthwith leave the meeting place. Repeated behaviour of this

nature is unacceptable and may lead to the withdrawal of the Forum membership.

### **Minutes**

1. The Head of Legal & Democratic Services will be responsible for providing the secretariat for the Forum, including the production of agendas and reports for meetings, and preparing minutes of Forum meetings.
2. The names of those present at each meeting, as well as those who have submitted apologies for absence, will be recorded in the Minutes of the meeting. These minutes will be circulated to each Forum member prior to the following meeting.
3. Minutes of the Forum meetings shall be submitted to the next meeting of the Forum for approval.

### **Business at Forum Meetings**

1. An agenda specifying the business to be considered at each meeting shall be issued to each Forum member by the Head of Legal & Democratic Services at least 10 days prior to the appropriate meeting. Forum members are able to have matters placed on the agenda for consideration. In order for a matter to be placed on the agenda, written notice of the item must be received by the Head of Legal & Democratic Services at least 21 days prior to the meeting.

### **Restriction on Business**

1. For the purpose of ensuring prior notice of items to be discussed at a meeting, no business other than that identified on the agenda shall be discussed except where the Convener considers it necessary to discuss an additional matter on grounds of urgency, which reason shall be recorded in the Minute of the meeting.

### **Voting**

1. All matters arising before the Forum shall be decided by a majority of the members present and voting thereon. The numbers voting for and against any motion will be recorded in the Minute. In case of an equality of votes, the person presiding at the meeting shall have a casting vote. Voting shall normally be by a show of hands unless the meeting decided voting shall be by roll call.
2. All motions require 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 voting for and against or abstaining will be minuted. If there is no opposition, the motion is minuted as carried.



3. During debate on a motion, the mover may, with the consent of the seconder, modify or withdraw the motion.
4. Each member of the Forum may only move or second one motion or amendment at a time.
5. Motions and amendments moved but not seconded will not be put to the meeting or recorded in the Minutes unless so required by the member.
6. If there is only one motion, the vote will be taken between the motion and the amendment, and whichever is carried shall be the decision of the meeting.
7. If there is more than one amendment, then unless the Convener decided otherwise, 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 decision of the meeting.
8. Each member present at a meeting will be entitled to one vote.
9. In the case of an equality of voting, the Convener shall have a casting vote except where the subject of the vote relates to the appointment of (a) new or additional members where if there is no clear majority, the application to become a new member will be taken to have failed; or (b) to any particular office, when the decision shall be by lots.

### **Alterations to Constitution and Powers to Make or Amend Rules**

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 of any of its meetings, or at a special meeting convened for the purpose at the requisition of 2/5<sup>th</sup> of the Forum membership, provided due intimation of such proposed alteration shall have been sent to each member at least 7 days before such meeting. All such alterations require to be approved by a 2/3rds 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.

### **Attendance at Forum Meetings**

1. In the event a Forum member neither attends two consecutive meetings of the Forum, nor sends a substitute on their behalf, membership of the Forum shall be withdrawn.

