

REPORT TO: DUNDEE CITY COUNCIL, 25TH JUNE 2007

REPORT ON: LICENSING (SCOTLAND) ACT 2005 - LOCAL LICENSING FORUM - APPOINTMENTS

REPORT BY: CHIEF EXECUTIVE

REPORT NO: 367-2007

1.0 PURPOSE OF REPORT

1.1 This Report seeks approval from the Council to establish a Local Licensing Forum under the Licensing (Scotland) Act 2005, and to make appointments to the Forum.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Council:-

- (a) agree to establish a Local Licensing Forum in terms of the Licensing (Scotland) Act 2005;
- (b) approve the appointment of members for the Local Licensing Forum as appended at Appendix A; and
- (c) approve expenditure on training for members up to a maximum total cost of £300 (£20 per person) plus travelling expenses.

3.0 FINANCIAL IMPLICATIONS

3.1 Training costs up to a maximum of £300 plus travelling costs can be contained in the Administration Division Revenue Budget.

4.0 SUSTAINABILITY POLICY IMPLICATIONS

4.1 None

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 The Report aims to improve access from all sectors of the community to contributing to the consultative process.

6.0 BACKGROUND

6.1 The Licensing (Scotland) Act 2005 introduces a new requirement for the Council to establish a Local Licensing Forum for the area, with the role of keeping under review the operation of the licensing system in the area, giving advice and making recommendations to the Licensing Board. The Forum may not however become involved in any particular application being dealt with by the Board.

6.2 The Act requires that the Forum consists of between five and twenty members who must be representative of people in the area, having an interest in the Forum's functions. Members of the Forum are to include:-

- (a) the Licensing Standards Officer for the Council's area;
- (b) holders of premises licences and personal licences under the Act;
- (c) the Chief Constable for the local police area;
- (d) persons having functions relating to health, education or social work;
- (e) young people; and
- (f) persons resident within the Forum's area

It is proposed that members are appointed for a period of four years.

6.3 It is recommended that the allocation of places be made on the following basis

- Licensing Standards Officer (1)
- Chief Constable (1)
- Persons having functions relating to health, education or social work (3)
- Young People (2)
- Persons resident within the Forum's Area (2)
- Holders of premises licences and personal licences (6)

6.4 This gives a total of 15 places, which leaves the opportunity for further appointments to be made, as gaps in representation may become apparent once the forum is in operation. To ensure representation Forum Members will be permitted to send substitutes.

6.5 Once Forum Members have been selected there will be an opportunity for members to attend a training seminar. These will take place at various dates in June and July in Edinburgh. Training is subsidised for all members and the cost is £20 per person.

6.6 The forum must meet at least four times a year (except in 2007) and there must be at least one joint meeting of the Licensing Board and the Forum. The Council should appoint Forum members on such terms and conditions as it sees fit and thereafter the Council requires to administer the business of the Forum, providing it with meeting accommodation and administrative support. Arrangements for the meetings, appointment of a Forum Convener and procedures for the Forum will be determined once the Forum is formally convened.

6.7 Members will be aware that the City Council has already operated a Liquor Licensing Consultative Forum. Applications were invited from previous members of this forum. In addition applications were invited from Community Councils, Neighbourhood forums and other Community Groups.

6.8 Where more applications have been received than there are places available, it is proposed to make appointments on the basis of ensuring adequate representation from all of the categories identified, and representation from different ranges of licensed premises. The proposed appointments are detailed in the Appendix to the Report.

7.0 CONSULTATIONS

7.1 The Chief Executive and the Depute Chief Executive (Finance) have been consulted in the preparation of this report.

8.0 BACKGROUND PAPERS

8.1 Licensing (Scotland) Act 2005.

ALEX STEPHEN
Chief Executive

18th June 2007