

WEST DUNBARTONSHIRE COUNCIL

Report by the Chief Executive

Council: 16 May 2007

**Subject: Licensing (Scotland) Act 2005
 Local Licensing Forum**

1. Purpose

- 1.1** To provide the Council with information on the requirements under the Licensing (Scotland) Act 2005 (“the Act”) to establish a Local Licensing Forum.
- 1.2** The Report also seeks Council approval on the proposed membership of the Forum.

2. Background

- 2.1** Section 10 of the Act requires every Council to establish a Local Licensing Forum for their area. This Section of the Act comes into force on 1 May 2007. The new Local Licensing Forum will replace the existing non statutory forum which has operated since 2005.
- 2.2** The role of the Forum is to keep under review the operation of the Licensing system in the Council area and give advice and recommendations to the Licensing Board. The Forum should not give advice or recommendations in relation to a particular case or application.
- 2.3** The legislation requires that the Forum consists of between 5 and 20 members. In appointing the members the Council must seek to ensure a fair representation of the following groups:-
 - (a) Holders of premises licenses and personal licenses;
 - (b) The Chief Constable for the Police area in which the Forum’s area is situated;
 - (c) Persons having functions relating to health, education or social work;
 - (d) Young people; and
 - (e) Persons resident within the Forum’s area.
- 2.4** The Forum must hold at least four meetings in each calendar year and there will be at least one joint meeting with the Licensing Board. Training sessions for Local Licensing Forum members will be held during the summer of 2007. Other arrangements for the meetings and procedures of the Forum will be decided once the Forum is formally established.

3. Main Issues

3.1 Preparations to establish the Local Licensing Forum are already under way and the requirements outlined in paragraph 2.3 have been taken into account when determining the proposed membership. Letters have been sent to various individuals asking if they would like to be appointed as a member of the Local Licensing Forum. These individuals were selected because they are members of the existing non statutory forum.

3.2 The following people have been invited to become members of the Forum:-

Holders of Premises Licenses and Personal Licenses

Michael McHugh
James McGroarty
Peter Gray
Robert Sider
Alana Wright
Paul Smith

Representative of the Chief Constable

Chief Superintendent Mitch Roger

Persons having functions relating to Health Education or Social Work

John Stevenson – West Dunbartonshire Council Environmental Health
Helen Weir – West Dunbartonshire Council Social Work Services
John Macdonald – Dumbarton Area Council for Alcohol

Young People

Liz McGinlay or representative/nominee – West Dunbartonshire Council
Education & Cultural Services

Persons resident with the Forum's area

Murdoch Cameron – West Dunbartonshire Community Council Forum

3.3 Acceptances to the appointments have been received, or are expected, from those noted in paragraph 3.2.

3.4 Expressions of interest have also been received from Bellhaven Breweries and SPAR (UK) Limited and it is intended to appoint one member from each of these companies.

3.5 The Council is also asked to invite the Chairman of the Licensing Board to sit on the Local Licensing Forum.

4. Personnel Issues

- 4.1** Any additional work involved in administering the new Local Licensing Forum will be absorbed by existing staff in Legal and Administrative Services.

5. Financial Implications

- 5.1** There are no financial implications.

6. Risk Analysis

- 6.1** No Risk Assessment is required for this Report.

7. Conclusions

- 7.1** The formation of the Local Licensing Forum is an important step in the Council's compliance with the new Licensing (Scotland) Act 2005 and will enable the involvement of various persons who have an interest in the Forum's general functions.

8. Recommendations

- 8.1** The Committee is asked to note the contents of this Report and the requirement for the formation of a Local Licensing Forum.
- 8.2** Members are asked to agree the proposed membership of the Local Licensing Forum as outlined in paragraph 3.2, 3.4 and 3.5.

David McMillan
Chief Executive
Date: 9 May 2007

Person to Contact: Stephen B Brown
Head of Legal & Administrative Services
Council Offices
Garshake Road
Dumbarton G82 3PU
Telephone Number: (01389) 737800

Appendices: Nil

Background Papers: Nil

Wards Affected: Not applicable