

EAST RENFREWSHIRE COUNCIL26 October 2022Report by Director of Business Operations and PartnershipsRE-ESTABLISHMENT OF LOCAL LICENSING FORUM**PURPOSE OF REPORT**

1. To advise members of proposed arrangements for the re-establishment of the East Renfrewshire Local Licensing Forum, including the reappointment of former members and proposals for the filling of any subsequent vacancies

RECOMMENDATIONS

2. That Council:-
- (a) note the proposals for the re-establishment of the East Renfrewshire Local Licensing Forum, including the reappointment of former members;
 - (b) agree to the continued membership of Caroline Church and Onker Singh and the potential continued membership of Helena Shanks and Thomas Henderson;
 - (c) note the proposals for filling any vacancies; and
 - (d) note that following the completion of the recruitment exercise arrangements will be made for the Forum to meet.

BACKGROUND

3. The Licensing (Scotland) Act 2005 (the Act) introduced a requirement for each local authority to establish a local licensing forum for their area. The general functions of licensing forums as set out in the legislation are to

- (a) keep under review
 - (i) the operation of the Act in the forum area; and
 - (ii) in particular the exercise by the licensing board of its functions, and
- (b) give such advice and make such recommendations to the Licensing Board in relation to those matters the forum considered appropriate

4. This ability to review, give advice, or make recommendations does not extend to particular cases being considered by the Licensing Board but does relate to the five licensing objectives prescribed by the Act. These are:

- Licensing Objective 1: Preventing Crime and Disorder;
- Licensing Objective 2: Securing Public Safety;
- Licensing Objective 3: Preventing Public Nuisance;
- Licensing Objective 4: Protecting and Improving Public Health; and
- Licensing Objective 5: Protecting Children from Harm.

Membership

5. In appointing members of a forum, the local authority must seek to ensure that so far as possible, the membership of the forum is representative of the interests of persons or descriptions of persons who have an interest which is relevant to the forum's general functions.

Those persons include:-

- (a) premises and personal licence holders
- (b) the Chief Constable
- (c) persons having functions relating to health, education, or social work
- (d) young people
- (e) persons resident in the forum's area

The Local Licensing Standards Officer is to be a standing appointment.

6. At the time the forum was established the number of members had to be no fewer than 5 and no more than 20. Further legislative changes have seen the maximum number of members increased to 21.

7. When the forum was first set up it was agreed that there were to be 18 members as follows:-

- (a) Local Residents (7)
- (b) Young People (2)
- (c) Education (1)
- (d) Health (1)
- (e) Social Work (1)
- (f) Police (1)
- (g) Premises/personal licence holders (4)
- (h) Licensing Standards Officer (1)

8. Initially the forum was well attended but latterly difficulties were being experienced in recruiting to any vacancies that arose. This was particularly true of licence holders but also in relation to young people where despite regular promotion of the vacancies, showed little if any interest.

9. This dwindling interest was exacerbated by the onset of the Covid 19 Pandemic and associated lockdown restrictions, limitations of available technology and capacity to use such technology by Forum Members. Consequently the forum has not met for some time.

10. A review of membership has shown there to be vacancies in the following categories:-

- (a) Local Residents (5/6)
- (b) Young People (2)
- (f) Premises/personal licence holders (3)

11. In relation to these vacancies, dialogue will take place with the Council's Communications Team about the most appropriate way to encourage individuals to apply for forum membership. Every effort will be made to ensure all geographical areas of East Renfrewshire are represented on the forum.

12. At the time of writing only 1 existing forum member, Caroline Church, had indicated a willingness to continue to participate. Agreement is sought for her continued participation. Efforts continue to be made to contact the remaining members who may wish to continue to

participate; Ms Helena Shanks of Thornliebank and Mr Thomas Henderson of Eaglesham. In the event either or both intimate their willingness to continue to participate approval of their continued membership is sought. 1 licensee, Mr Onker Singh, has intimated he wishes to continue as a member and approval is also sought for his continued membership.

13. Liaison will take place with the Director of Education and the Chief Officer – IJB regarding the nomination of officers to represent education, health and social work interests on the forum.

IMPLICATIONS OF THE PROPOSALS

14. There are no staffing, property, legal, IT, Subsidy Control, equalities, sustainability or climate change implications associated with this report.

CONCLUSIONS

15. Councils are required to have a Local Licensing Forum and this report sets out the plans to be taken forward for the re-establishment of the East Renfrewshire Forum.

RECOMMENDATIONS

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