

Item: 4a

National Licensing Forum - initial exploratory conversation

30 August 2023

Attendees:

- Jim Wilson (JW) (Chair) – Scottish Government (SG), Justice
- Adam Sinclair (AS) – SG, Justice
- Donald MacLeod – Glasgow Licensing Forum
- Iain Miller – Glasgow Licensing Forum
- Laura Dougall – NHS Lothian, West Lothian
- Douglas Hardaker – Fife Licensing Forum
- Neil Ewing – Fife Licensing Forum/ Police Scotland
- Gillian Dewar – Fife Licensing Forum
- Gregor Hannah – Fife Licensing Forum
- Ian Hiles – East Ayrshire Licensing Forum
- John Mooney – Aberdeen Licensing Forum
- Chris Kelly – NHS Greater Glasgow
- Ayleigh Kirk – Police Scotland
- Arlene Lindie – Police Scotland
- Lindsay Fyfe – Falkirk Licensing Forum
- Dominic McMahon – East Renfrewshire Licensing Forum
- Michael McDougall – West Dunbartonshire Licensing Forum
- Nick Long – Orkney Licensing Forum
- Sheryl Wilcox – East Ayrshire Licensing Forum
- Susan Elliot – Borders Licensing Forum/ NHS Borders
- Graham Piggott – East Ayrshire Licensing Forum

Welcome and introductions

JW welcomed attendees to the meeting to discuss the potential setting up of a National Licensing Group/Forum. As way of background, JW explained that from the discussion at the Local Licensing Forum training/ awareness raising session at Glasgow City Chambers on 9 June 2023 there did appear to be an appetite for such a national group/forum.

JW clarified that there is no legislative basis for a national group/forum, and the SG is also acutely aware of the funding and resourcing pressures that everyone is facing. However that need not be a barrier to a national forum that can help to drive behavioural change by working together to look at opportunities to generally share good practice and promote policy in action, and promote a consistency of approach across forums where appropriate, while recognising the need to maintain and respect the independence of individual forums who will continue to consider local issues.

As such, JW was keen to know from group members (a) what should be included in any Terms of Reference (ToR) for a national forum, and (b) how to ensure any national forum is sustainable going forward. He was also mindful that it was not the role of the SG to tell Forums what they should do.

Following round table introductions, JW invited group members to offer their comments.

Comments from Group members

Graham suggested that it was important to have a draft ToR to help to describe what the aim of the national forum actually is. Graham recommended that to start with any national forum should have a narrow focus, i.e. start small and scale up. Graham considered that a national forum would also help to build better relationships between Forums and Councils, as well as Forums and the SG. Graham would also be supportive of meetings being held on MS Teams.

In response to the issue of relationships with the SG, **JW** advised that the SG Licensing Team can help to facilitate discussion with other policy areas in the SG. For example, those teams that deal with Minimum Unit Pricing (MUP) or the Deposit Return Scheme (DRS). JW agreed with the suggestion from Graham that to begin with a national forum would need to have a fairly narrow focus.

Susan highlighted issues with maintaining forum members, and considered that this may often be due to a lack of clarity as to the purpose of the Forum. As such, Susan was happy that the SG had published updated [Section 142 Guidance for Licensing Boards and local authorities](#) on 13 January 2023. It was noted that the updated guidance included a specific chapter on Local Licensing Forums.

Susan noted that there was no national training offered to forum members, and considered that this may be the sort of thing that the national forum can help with. Further, Susan was surprised that no members of Alcohol Focus Scotland (AFS) were present at this meeting. It was felt that AFS should play a key role in any national forum.

In response **JW** assured the group that the SG Licensing Team has a close working relationship with AFS. AFS had helped with the licensing forum consultation last year that had directly led to the event at Glasgow City Chambers, and Diane Thomson from AFS also delivered a presentation at that event. Looking ahead though, SG officials will ensure that AFS are invited to participate in future meetings of this group. **Action: SG**

John agreed that the publication of the updated section 142 guidance had been helpful, and proposed that a possible initial focus of any national forum could be the statements of licensing policy that all Licensing Boards will currently be working on. John also suggested that the national forum could help to move the focus of local forums from the on-trade to the off-trade. As it is now felt that many of the harms associated with excessive drinking are linked to off-sales and people drinking alcohol at home.

In response **JW** agreed that the national forum could provide an opportunity to look at some of the issues that had arisen in relation to statements of licensing policy during the last few months.

JW advised that he had attended the West Dunbartonshire Licensing Forum meeting on 29 August, and noted that issues raised had included MUP and DRS. JW reiterated that the SG Licensing Team is happy to facilitate discussion with other policy areas in the SG if that would be helpful. He could, for example, invite officials from the teams who have policy responsibility for MUP and DRS to future national forum meetings to speak about these issues.

Nick would like to see a tightly drawn ToR document that sets out, in practical terms, what 'good practice' looked like. Nick proposed that a national forum would provide an opportunity to share and discuss national issues that affect all forums.

JW agreed that it was important that there was a clear set of outputs that everyone was happy to sign up to. SG officials will draw up a draft ToR document and look to share this with the group for comments as soon as possible. **ACTION: SG**

Lindsay highlighted that at present each local forum is likely doing its own thing, as such it is important that forum members across Scotland receive suitable guidance about issues such as how best to operate forums and how the legislation works. Lindsay also highlighted ongoing issues with recruiting young people to join forums.

JW acknowledged that recruiting young people remains a challenge for many forums, and he also recognised that licensing legislation is complex and not easy to navigate at times.

On the issue of engaging with young people, **Michael** advised that West Dunbartonshire Licensing Forum has looked to local Youth Officers to assist, as they have links to bodies such as the Scottish Youth Parliament. Michael suggested that one idea to encourage young people to attend is to hold a forum meeting later in the day, to allow young people to attend after school/ college.

Michael suggested that an issue the national forum may want to consider is how best to train someone so that they are comfortable appearing/ speaking at a forum. The group members recognised that forums can be quite formal and daunting for inexperienced forum members. Michael proposed that it may be worth considering if webinars would be helpful in this regard. This could, for example, allow more experienced forum members to showcase best practice to newer forum members. Similarly, it may be worthwhile looking to set up a 'Knowledge Hub' for the national forum, which would allow members to share best practice etc.

JW agreed that webinars and a Knowledge Hub for the national forum are ideas that are worth considering further.

Donald referenced some of the work that is now undertaken by the Glasgow Licensing Forum that could be highlighted as good practice. This included the creation of workplans, inviting presentations from bodies as diverse as the NHS and concert promoters. Setting up forum sub groups to look at issues of 'overprovision' and 'operating hours' and considering issues linked to the night time economy/ licensing such as the provision of public transport, MUP, DRS and alcohol sponsorship.

Oh the issue of encouraging young people to participate, Donald highlighted that Glasgow had engaged with the National Union of Students to persuade young people to join the forum. Donald felt that it was important to make forums something that people wanted to participate in.

JW agreed that the Glasgow forum workplan, for example, would be something that could be shared as good practice, as the workplan helps to focus minds of forum members.

Iain agreed with earlier comments from group members that the national forum should concentrate on taking small steps to start with. This will build momentum and help to generate interest. Iain felt that the national forum should look to be creative to increase levels of participation etc. Group members agreed with Iain's comment that we want to see all forums across the country operating well. Iain also agreed that a ToR would be helpful, and stated that he saw the role of the SG as encouraging forums across the country.

Iain also advised that the group that anyone is free to attend a Glasgow Forum meeting if they thought that it would be beneficial.

JW thanked Iain for that offer, and agreed with earlier comments that a national form should look to be innovative and creative. There was also agreement that there is an appetite for a national forum to be created.

JW advised that he saw the role of the SG, at least initially, as helping to facilitate getting the national forum up and running.

Donald highlighted further examples of the sorts of issues covered at forum meetings in Glasgow. Which included matters as varied as the world cycling championships, and the number of alcohol specific deaths in Glasgow per year. Donald considered that having a full varied agenda at forum meetings helped to keep forum members engaged.

Any Other Business

Nick was keen to hear from group members if they had any operational issues around who attends forum meetings. Attendees discussed the local arrangements in place within their respective forums, the relevant provisions within the 2005 Act. JW added that from his own personal experience it would not be uncommon for a number of LSOs to attend forum meetings, but ultimately the convenor and members of the forum will strive to ensure all attendees will support the range of matters covered and add value to the forum discussion.

Meanwhile, with regard to the LSO query, **Graham** advised that more than one LSO attends the East Ayrshire Forum. While **Iain** advised that both LSOs at East Ayrshire attend the local forum meetings. However they are only counted as one when considering the quorum. While Lindsay advised that in Falkirk just one LSO is officially classed as attending forum meetings, with the other LSO listed as a substitute.

In closing JW reiterated that the SG will draw up a draft ToR document and share this with the group for comments as soon as possible. **ACTION: SG**

The SG will give consideration to the creation of a 'Knowledge Hub' as well as the frequency of these group meetings. **ACTION: SG**

As previously advised, SG officials will also ensure that AFS are invited to participate in future meetings of this group. **Action: SG**

*Scottish Government Criminal Law, Practice and Licensing Unit
30 August 2023*