

Orkney Local Licensing Forum

Constitution

The following sets out the Constitution for the Orkney Local Licensing Forum.

1. Name

1.1. The name of the Forum shall be the Orkney Local Licensing Forum.

2. Terms of Reference

2.1. The terms of reference of the Forum are as follows:

- To keep the liquor licensing system in Orkney under regular review and to respond to consultation exercises undertaken by the Orkney Islands Area Licensing Board and the Scottish Government as appropriate.
- To consider the implications of relevant local data and statistics provided by Police Scotland, Alcohol and Drugs Partnership and the Scottish Fire and Rescue Service.
- To meet the Orkney Islands Area Licensing Board at least once per annum.
- To give advice and make recommendations to the Orkney Islands Area Licensing Board in relation to any matters the Forum considers appropriate, excepting individual licensing applications.

3. Membership

3.1. In terms of the Licensing (Scotland) Act 2005, the Forum shall consist of not fewer than five and not more than 21 members from the various representative groups specified in the Act.

3.2. Members will be appointed by the Chief Executive and will serve for the life of the Council, after which they will be eligible for re election.

3.3. Any vacancies during this term may be filled and will run for the remainder of the life of the Council above.

3.4. One of the members must be a Licensing Standards Officer, and at least one member must be a person nominated by the Health Board for the Forum's area.

3.5. In order to be eligible for membership of the Forum, a person should be currently employed in or be a duly appointed representative of one or more of the following groups, namely:

- Holders of premises licences and personal licences.
- The Chief Constable or his nominated representative.
- Scottish Fire and Rescue Service.
- Persons having functions relating to health, education or social work.

- Young people.
- Persons resident within the Forum's area.

4. Quorum

4.1. The quorum of a meeting of the Forum will be one half of its members, but shall never be less than three members.

4.2. If at any time during a meeting the question arises on whether a quorum is present, the Convener will allow an interval of two minutes after which a count shall be taken of member of the Forum present. If a quorum is not present, the meeting shall stand adjourned until such time as the Convener may determine.

5. Meetings

5.1. As laid out in the Licensing (Scotland) Act 2005, there shall be at least four meetings of the Forum per calendar year, including at least one meeting with the Licensing Board.

5.2. At least three clear days before a meeting, and normally seven days before a meeting, the Chief Executive shall issue a notice of the meeting. If a meeting is held at short notice as requested by the Convener, the notice will be issued as soon as possible. The notice shall specify the place, date and time of the meeting and business to be transacted at the meeting.

5.3. All meetings of the Forum shall be open to members of the press and public.

5.4. No business will be conducted at any meeting unless that meeting is quorate.

5.5. Other interested parties may be invited by the Forum to participate in their meetings and present the Forum with information as required. No voting rights shall apply to such invited parties.

6. Appointment of Convener

6.1. At their first meeting in each calendar year a Forum must elect one of the members of the Forum to be the Convener.

7. Powers and Duties of Convener

7.1. Deference shall at all times be paid to the authority of the Convener. When the Convener wishes to speak, any member who is addressing the meeting must cease to do so. It is the duty of the Convener to keep good order and to ensure that all members obtain a fair hearing.

7.2. The Convener shall decide all matters of order, points of order, competency and relevancy arising at a meeting, and shall determine all questions of procedure for which no express provision is made in this Constitution. His/her decision is final and not open to discussion. He/she will decide amongst members who wish to speak, by calling the member whom he/she has first observed as requesting to speak at the meeting.

7.3. If there is disorder at any meeting, the Convener may adjourn the meeting to a time he/she may then, or subsequently, decide.

7.4. If the Convener is not present, the meeting of the Forum may be chaired by any other member present.

8. Motions and Amendments

8.1. A motion and amendment must be proposed by a member, and seconded by another member. Every amendment must be relevant to the motion on which it is moved; its relevancy shall be decided by the Convener.

8.2. A member shall not move or second more than one motion or amendment on a single issue. It is competent for a member, if a motion or amendment has been subsequently withdrawn, to move or second another motion or amendment on the same issue.

8.3. Only one amendment can be moved and seconded at one time. No further amendment will be moved until the Forum has dealt with the amendment under discussion.

9. Form of Voting

9.1. A vote may be taken by ballot or by a show of hands. If there is an equal number of votes, the Convener shall have a casting vote, in addition to his/her deliberative vote.

9.2. Any casting vote shall be cast in favour of the maintenance of the status quo.