



Local Licensing Forum Members' Guide

July 2021

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ABOUT THIS GUIDE

This guide provides information to help you in your role as a local licensing forum member, and practical suggestions and tips to support the forum to function effectively. It has been informed through direct engagement with forum members.

Alcohol Focus Scotland (AFS) developed this guide in response to concerns amongst licensing stakeholders that there is a lack of support available to forums. Our engagement with these stakeholders¹ found that, while many believe forums have the potential to play an important role in the licensing system, they have faced significant challenges that have limited their contribution. These include difficulties retaining members, interpreting their role, and reaching consensus on important issues. However, the most common area of concern identified by forum members is a lack of information, resources and support. We hope that production of this guide may help to address this.

¹ Alcohol Focus Scotland (2017). *Taking Stock: Views and experiences of alcohol licensing in Scotland in 2016/17*. <https://www.alcohol-focus-scotland.org.uk/media/287043/Taking-Stock-Report.pdf>

 Hyper-links to key reference materials and additional resources are included throughout this guide to enable you to access these documents easily.

 We would appreciate any feedback about what is useful, anything that is not needed and anything you would like to see included in future versions of the guide.

To provide feedback please contact
Enquiries@alcohol-focus-scotland.org.uk

“ The most common area of concern identified by forum members is a lack of information, resources and support. We hope that production of this guide may help to address this. ”

PART 1: ESSENTIAL KNOWLEDGE




1.1 The role of the forum

The Licensing (Scotland) Act 2005 is the main piece of legislation that controls the sale of alcohol in Scotland, and it requires every council to establish a local licensing forum.

It is the job of the forum to review the licensing board in the area and to provide it with feedback. Specifically, the law states the forum's role is to:

- **Review:** "keeping under review the operation of this Act [The Licensing (Scotland) Act 2005] in the forum's area, and, in particular, the exercise by the relevant licensing board or boards of their functions", and
- **Advise:** "giving such advice and making such recommendations to that... board in relation to those matters as the forum considers appropriate."

However, this does not include reviewing or offering recommendations in relation to individual applications or cases, which the law prohibits.

 JOB FOR THE FORUM	
Forum's role	NOT the forum's role
<input checked="" type="checkbox"/> Review the licensing board	<input checked="" type="checkbox"/> Comment on individual cases
<input checked="" type="checkbox"/> Give feedback, advice & recommendations to the licensing board	<input checked="" type="checkbox"/> Comment on other areas of law

The local council must provide support to the forum to enable it to be effective in its role. This will normally include a venue for meetings, an administrator to take/circulate minutes and a legally qualified person with experience of alcohol licensing to provide legal advice. It could also include a budget for training of forum members (for more information about training [see section 3.2](#)).

1.2 The membership of the forum

To be effective, licensing forums should be both independent and expert, and trusted by the range of people whose interests are affected by licensing. They have a vital role to play in local licensing arrangements, representing different communities of interest and ensuring that a breadth of views are considered and input to licensing boards.

Forum membership must be representative of the range of people whose interests are affected by licensing, so that they can bring a variety of perspectives on the local situation to the forum. The type of information different forum members can bring will also vary. For example, representatives of bodies such as the police and health board are more likely to have statistical information, whereas representatives of residents or the trade are more likely to bring practical experience and insight.

“ To be effective, licensing forums should be both independent and expert, and trusted by the range of people whose interests are affected by licensing. ”

The law requires all forums to have a membership of between 5 and 21 people, and they must include:

- **At least one Licensing Standards Officer (LSO) for the area.**
 - ☑ The intention behind this part of the law is that the LSO can function as a link between the forum and the licensing system.
- **At least one person from the health board for the area.**
 - ☑ This reflects the need to understand how licensing can protect and improve public health.

The law also sets out five main categories of members which the council must reach and engage in the process of setting up/ maintaining a forum:

- Licence holders (preferably both on-sales and off-sales)
- Police
- Health, education or social work
- Young people
- Residents

The forum has the flexibility to decide at a local level how many representatives there should be for each of the different interests, although all the interests are equally important. It can also include people that represent other interests relevant to licensing, for example the Scottish Ambulance Service, Security Industry Authority (SIA) or third sector organisations.

To ensure independence, the forum must develop an identity that is clearly separate from the licensing board or any other interest or group of interests. It must have the capacity to be impartial.

1.3 Key information for forum members

In order for the forum to fulfil its role, it is important that all the members have an understanding of the licensing system and the functions of the licensing board. The key information which you should familiarise yourself with includes:

- The board's statement of licensing policy and annual functions reports
- The relevant parts of licensing legislation ([The Licensing \(Scotland\) Act 2005](#))
- **Guidance** issued by the Scottish Government

There is no requirement for forum members to have any specific legal knowledge but you may find it helpful to get a basic overview of the law. For more information about building the knowledge of forum members [see section 3](#). However, below is a quick summary of some key points to note.

1.3.1 The licensing system

Alcohol has been part of Scotland's culture for centuries and is seen as an integral part of Scottish life. However, controls have been placed on how, where and when alcohol is sold in recognition that alcohol is intoxicating and addictive, and can cause a range of health and social harms to drinkers and to others around them.

As noted above, the main relevant legislation is the Licensing (Scotland) Act 2005. It regulates the sale of alcohol on licensed

premises and covers all liquor licensing matters. There are five licensing objectives, set out in the legislation, that underpin the licensing system in Scotland. These are:

- Preventing crime and disorder
- Securing public safety
- Preventing public nuisance
- Protecting and improving public health
- Protecting children and young persons from harm

These objectives provide a clear purpose for the licensing system, and each one of them is of equal importance. Many licensing boards describe the need to strike an appropriate balance between supporting the local licensed economy, while also upholding the five licensing objectives.

The purpose of licensing

The Scottish Government has stated that *“the purpose of licensing is to limit or control activities which, while legitimate and permitted, are considered to have the potential to be harmful or disruptive. Licensing protects the public interest, for example... supporting public order and public health”*²

The licensing system works to prevent and reduce alcohol problems in two main ways. It controls the number, type and opening hours of licensed premises, and it regulates the way individual licensed premises do business.

² Scottish Government, The Policy memorandum accompanying the Air Weapons and Licensing (Scotland) Bill, May 2014 (para 11)

1.3.2 Licensing boards

Licensing boards decide all applications for licences to sell alcohol in their area. Board membership consists of local councillors, though the licensing board is separate from the local authority itself and should conduct its business on non-party political lines.

- The licensing board decides whether or not to grant applications for new premises, personal and occasional licences, variations of existing licences and transfers of licences.
- Where problems are reported, it is licensing boards that decide to review a premises or personal licence, and what action (if any) they will take.

Licensing boards are required to publish two documents that will be of close interest to forums in helping them hold boards to account:

- A forward-looking **statement of licensing policy** setting out their strategic approach to promoting the licensing objectives in their area over several years. Boards must have regard to the statement when making their decisions.
- A retrospective annual **functions report** setting out how they have delivered in relation to the licensing objectives and their policy statements in the previous year. Further details on these reports and how your forum might use them is provided in [section 2.1](#).

The clerk of the board provides legal advice to the licensing board. They are employed by the council and are legally qualified, and may attend at the forum to provide updates or other input.

PART 2: HOW THE FORUM CAN FULFIL ITS ROLE



2.1 Reviewing the operation of the Act in the forum's area

A key role for the forum is assessing the operation of the Licensing (Scotland) Act 2005 in your local area. In practice, this means that you are expected to evaluate how the licensing system, and in particular the decisions of the local licensing board, is impacting local communities. To do this you need to be aware of:

- **What the licensing board is doing to address any problems and what further plans it has**

✓ The forum needs to scrutinise the board's licensing policy and how it is being implemented. You can do this using the board's annual functions reports.

- **What is happening in the area**

✓ The forum needs to gather evidence of how alcohol and licensing policy and practice is impacting on local communities.

2.1.1 Scrutinising the implementation of licensing policy

Statements of licensing policy

All licensing boards must publish a statement of licensing policy within 18 months of each local government election. The policies are intended to provide local communities and stakeholders with an indication of how boards will manage the licensed premises in their area; outlining their approach to matters such as opening

hours and children's access. They must also include a policy on overprovision ([see page 9](#)). Each board must ensure that the policy statement is freely available to the public and it will normally be accessible on their website.

The forum can use the local board's policy to identify what the board intends to do to promote the objectives. Actions to promote the objectives could include:

- Declaring one or more areas as overprovided
- Controlling licensed hours
- Applying local conditions
- Asking applicants to provide risk assessments relevant to the objectives along with their applications
- Working with stakeholders to ensure all relevant information is kept up-to-date and accessible
- Facilitating effective communication between local stakeholders
- Liaising with local partners
- Endorsing local initiatives relevant to the objectives
- Carrying out spot checks of premises
- Highlighting good practice
- Conducting reviews of licences

“ You are expected to evaluate how the licensing system, and in particular the decisions of the local licensing board, is impacting local communities. ”

Overprovision

Licensing boards are legally required to assess whether there are too many licensed premises in their area, and to include a statement on 'overprovision' in their licensing policies. This assessment can relate to licensed premises generally or to a particular type of premises (e.g. late-night opening premises), and can cover the entire board area or smaller localities within it. If the board decides there is overprovision, it creates a presumption against granting any new licences to relevant premises in that area, and may also prevent the granting of variations to existing licences. This enables boards to prevent expansion in the supply of alcohol in areas that are considered well-provided for and at risk of becoming overprovided. The board must include a statement of overprovision, regardless of whether it identifies areas of overprovision.

AFS has produced resources to outline the range of measures being used by boards across Scotland to promote the objectives contained in the most recent licensing policies; this should help to give you an idea of the types of policy measures to look for – see [measures](#) & [conditions](#) resources.

Once the forum knows how the board intends to promote each of the objectives, it can then consider what types of information to gather to help measure the impacts of the board's approach. For example, if the board intends to promote the use of schemes like 'Ask for Angela' which seek to prevent gender-based and domestic violence, you might decide to collect police data on domestic crimes/incidents involving alcohol, information from the licensed trade about the use of the scheme, and intelligence from local agencies that work to support people with experience of domestic abuse. Further information about evidence gathering is provided in [section 2.1.2](#).



JOB FOR THE FORUM

- Review the licensing policy to identify how the board intends to promote each of the objectives. Give consideration to any outcomes that might result from the board's approach, and how progress toward achieving the objectives can be measured and tracked.

Annual functions reports

For a policy statement to be effective it needs to be applied in practice and be kept under review to assess what impact it is having. **Annual functions reports provide a vital means for forums to assess the extent to which their local board's licensing policies have been implemented and adhered to.** Licensing boards are legally obligated to include within their annual functions report:

- A statement explaining how they have had regard to the licensing objectives and their policy statements in the exercise of their functions;
- A summary of the decisions they have taken over the relevant financial year including decisions by officers under delegated powers;
- The number of licences held under the Act in their board area, including the number of occasional licences issued during the year.

The forum should be able to easily identify from the local board's report the actions and incremental steps it is taking towards achieving its longer-term aims. If the report is of a good quality, it

should also enable you to identify the types of evidence that the board is using to monitor the impacts of its policy and decisions. As such, the ongoing production of the reports provides a key mechanism for the forum to review progress and develop evidence to make suggestions for changes to licensing policies moving forward.

The duty on licensing boards to publish annual functions reports is still fairly new, with the first reports being published in 2018. An AFS [review](#)³ of these reports found a wide variation between them in the breadth and depth of detail provided, but most allowed for some scrutiny of boards' decision making.

A well-developed annual functions report should enable you to identify:

- ✓ The steps taken by the board to promote each of the five objectives, and how these are being reflected in decisions e.g. refusals of licences or licence conditions being attached on the basis of each of the objectives.
- ✓ Information about the board's delivery against its statement of licensing policy and overprovision policy, including details of instances when it's deviated from the policy (e.g. by granting licences in overprovision areas) and its reasons for doing so.

3 Alcohol Focus Scotland (2019). Review of Licensing Board Annual Functions Reports 2017-2018: <https://www.alcohol-focus-scotland.org.uk/media/310853/afs-annual-functions-report.pdf>

- ✓ Information on the evidence used by the board in following its policy and informing decisions, including how evidence has been updated.
- ✓ Data on the board's decisions during the year, and a summary of the overall provision of alcohol in the area, including the number of occasional licences issued.



JOB FOR THE FORUM



Use the annual functions report to review the decisions of the board, and determine whether/how the licensing policy is being adhered to.

“ The duty on licensing boards to publish annual functions reports is still fairly new, with the first reports being published in 2018. ”

2.1.2 Gathering evidence

It is essential that the forum gathers evidence in order to identify key licensing issues affecting the area, and what impact the decisions of the board is having. This should not be seen as a one-off exercise but rather part of an ongoing process, to enable the identification of changes over time and emerging issues that the forum may wish to bring to the board's attention. There are many ways this can be done, and the forum's broad membership provides opportunities to gather a wide variety of evidence. Different sources of evidence from each forum member's area of expertise can be used to measure the impact of alcohol and licensing policy and practice, including:

- **Experience and knowledge of forum members:** The forum members will likely have extensive professional and/or local knowledge of licensing related matters. This knowledge may also be supported by relevant evidence and statistics.
- **Views and experiences of local residents:** People living in the area will have first-hand experience of how licensed premises operate and how the availability of alcohol affects the community on a day-to-day basis. For example, community councils may be able to provide details about any alcohol-related concerns being raised by residents.
- **Published alcohol data:** A range of alcohol statistics are centrally collated and published, including crime, health, emergency service, alcohol consumption and sales data. This information gives an indication of the extent of alcohol problems and trends over time. Alcohol statistics and information may be available at different geographical levels, from Scotland-wide, to data zones

made up of 500 to 1000 household residents. More information on data sources is available from AFS see [Resource Pack](#) and [Evidence Resource](#).

- **Information from local agencies:** Some alcohol-related statistics are collected locally, but not always published. However, these may be available on request or via forum members or local agencies e.g. Alcohol and Drug Partnerships (ADP), social work, and the fire service. The chief constable must also send a copy of a report annually to the forum setting out their views on matters relating to policing/licensing.
- **Information from licensing boards:** You can request copies of any relevant statistics, information and reports from the licensing board. It must supply this information to the forum when requested.

Information from Licensing Standards Officers: LSOs may be able to provide information about their engagement with the public, licensees and applicants in your area. This could include details of visits to premises and any complaints received by the LSO about premises.

- **Information from the licensed trade:** The licensed trade should be able to provide insight into the licensed economy and any issues of concern. This could include issues such as aggression faced by staff when refusing entry or service, and difficulties with transport or 'hot-spots' in busy areas. It may also be able to provide information from incident logs or refusals books.
- **Qualitative information/evidence:** Local agencies, charities and organisations can be invited to attend the forum to testify on the impact of alcohol problems and alcohol availability in local communities.

Example: Sources of evidence by licensing objective

Objective	Evidence
Preventing crime & disorder	Examples include: <ul style="list-style-type: none"> • Numbers of alcohol-related police incidents and crimes, including domestic and road traffic incidents • Details of police inspections of premises • Police advice about identifiable “hot spots” • Research into glassing and bottling incidents • Reports from licensed premises about aggression faced by staff when refusing entry or service or other issues • Information from local agencies supporting victims or perpetrators of crime
Securing public safety	Examples include: <ul style="list-style-type: none"> • Police details of incidents of anti-social behaviour and other types of public disorder linked to alcohol use • Scottish Fire and Rescue Service data on domestic fires where impairment due to alcohol is suspected
Preventing public nuisance	Examples include: <ul style="list-style-type: none"> • Public nuisance information supplied by the Environmental Health Service • Alcohol-related noise complaints received by the Environmental Health Service • Feedback from residents about alcohol-related disorder • Details of concerns being reported by residents to Licensing Standards/Community Councils
Protecting and improving public health	Examples include: <ul style="list-style-type: none"> • Numbers of people engaged in alcohol treatment and recovery services • Details of alcohol-related hospital admissions (including mental health) • Alcohol-related death rates • Numbers of presentations at A&E where alcohol is a contributory factor
Protecting children and young persons from harm	Examples include: <ul style="list-style-type: none"> • Surveys of young people to show levels of consumption e.g. The Scottish Schools Adolescent Lifestyle and Substance Use Survey • Police intelligence about agent sales – where an adult purchases alcohol for a person who is underage • Information from youth groups, schools and higher education providers about any alcohol-related issues • Social work data on numbers of child protection cases where alcohol is identified as a concern • Input from local youth groups and services

The forum might also decide to undertake its own research into local issues or specific policy measures. For example, it could collate information from licensed premises' refusals/incident books to get a picture of what's happening locally, such as the most common reasons for refusing service or times when problems are more likely to occur etc. Or, if the board decided to grant extended hours to certain types of premises, the forum could collect the views of local residents, licensees and patrons about the changes, and data from public agencies to indicate what impact (if any) the extended hours are having.



JOB FOR THE FORUM

- ✓ Gather evidence (on an on-going basis) to measure the impact that alcohol, and the licensing board's decision making, is having on communities.

Developing local alcohol profiles

Local alcohol profiles are reports that pull evidence together from multiple agencies to show how alcohol is impacting on communities in the area. They can be a particularly useful tool to help forums and others identify changes over time and key issues affecting their area, as well as to monitor the effectiveness of licensing policy and practice.

In some areas, forums produce these reports on an ongoing basis, often working in conjunction with licensing boards and/or public agencies. They can also be provided to licensing boards to help inform their approach and highlight issues that may require additional action.



THE SCOTTISH BORDERS ALCOHOL PROFILE

The Scottish Borders Alcohol Profile is developed every two years by the local Alcohol & Drug Partnership on behalf of the Scottish Borders Local Licensing Forum. It is used to provide evidence to the Scottish Borders Licensing Board to support decision making and inform the development of licensing policy statements.

Data from various sources is used to compile the Profile including from the Scottish Government, NHS Health Scotland, NHS Borders, Police Scotland, Scottish Borders Council and Scottish Fire and Rescue Service. The data shows levels of alcohol consumption and the impact of alcohol in the Borders, including; children and young peoples' consumption, men and women's consumption, alcohol-related deaths, hospitalisations, attendances at A&E and anti-social behaviour.

“The Board acknowledges the work carried out by the Scottish Borders Licensing Forum by way of the multi-agency data gathering project and the subsequently produced report “Scottish Borders Alcohol Profile”. The Board will have regard to the Profile when determining applications.”

Scottish Borders Licensing Board, Policy Statement 2018

AFS has produced a resource setting out in more detail how to develop a [local alcohol profile](#).

2.2 Giving advice and making recommendations to the board

The law states that one of the main roles of forums is to provide advice and recommendations to licensing boards. Boards have reciprocal obligations to have regard to forum's recommendations, and if they decide not to follow them then they must provide their reasons as to why.

There is no legal restriction on what issues forums can comment on but it is recommended that they stick to issues that relate to alcohol licensing as these are the only areas licensing boards have direct control over. It should also be remembered that forums cannot comment on individual premises or applications, but they can talk about areas or types of premises.

It may be that some issues identified by the forum can only be dealt with at a national level (e.g. minimum unit price), or fall outwith with the scope of licensing legislation (e.g. parents allowing teenagers to drink at home). As a general rule, forums should only comment on issues that happen and things that can be done in their local area. This may be by linking with the work of other relevant local or regional groups for example a Community Safety Partnership or ADP.

There is no guidance in the Act about how forums should raise issues with licensing boards. Some suggestions are:

- ✓ Write a letter to the board.
- ✓ Invite members / the Chair of the board to attend a forum meeting.
- ✓ Discuss it at a joint meeting.

It is also recommended that any advice or recommendations from the forum to the licensing board:

- ✓ Are provided in writing along with any supporting evidence.
- ✓ Include a clear statement that the forum is expecting the board to respond. For example, "The forum thinks it would be a good idea if..." can be easily ignored. In comparison, "The forum recommends..." is much stronger.

Below are some suggestions of issues that may be of interest to you, and key opportunities for the forum to provide advice and make recommendations to the board.

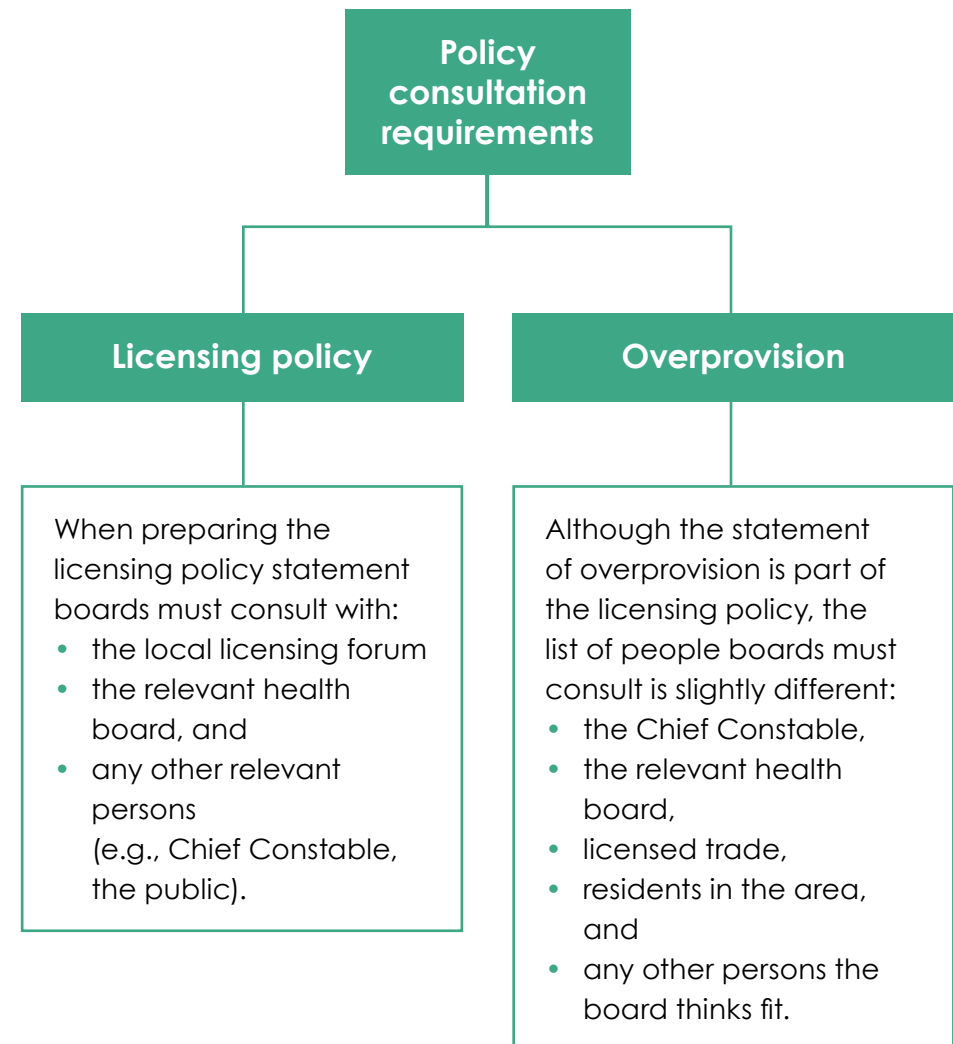
“ Forums cannot comment on individual premises or applications, but they can talk about areas or types of premises. ”

2.2.1 Development of the local statement of licensing policy

When preparing a statement of licensing policy, which includes a statement of overprovision, licensing boards must consult with forums and other groups. This gives local people a chance to have their say on the approach to alcohol licensing in their community, and boards must give appropriate weight to the views of all those consulted. Most consultations will begin around six to nine months before the statement is due to be produced.

Forum members are well positioned to gather evidence to feed into these consultations, and to use their expertise to make recommendations about the policy. In many areas boards and forums work closely together to develop the policy. During previous rounds of policy development some forums established working groups specifically to develop the forum's input to the policy statement process – sometimes at the request of the relevant licensing board.

When licensing boards are writing their policies and determining overprovision they can also look at statistics from the police, health, the local authority etc. Alcohol Profiles (see [section 2.1.2](#)) which pull together a range of evidence from different agencies can provide a particularly valuable evidence base to inform the board's approach.





EXAMPLE: MAKING RECOMMENDATIONS (EXCERPT FROM FORUM COMMUNICATION)

“Layout of premises; height of shelves, security.

The Forum considers it important that recognition is made in the new licensing policy of the influence the layout of shops (including fixtures and fittings) has in the ability of off-sales premises to monitor and regulate alcohol sales (e.g. segregated aisles, height of shelves around alcohol areas). The policy should clearly state that layout plans will be under scrutiny by the Board. The Forum notes that in many off-sales premises soft drinks and alcohol are often displayed side by side or in adjacent aisles.

Recommendation: The Forum recommends that alcohol aisles be segregated in supermarkets, with greater separation between commodities popular with children and young people (e.g. soft drinks) and alcohol aisles, and with no end of aisle displays.

Recommendation: Security requirements should be made explicit in the policy according to the nature and size of premises. For supermarkets and larger retail outlets, this includes adequate CCTV that is maintained and working, manned security and display arrangements that minimise the risk of theft. For small shops, the location of the alcohol should make supervision easy e.g. behind the till, and height of shelves be restricted, to minimise the risk of theft.

With alcohol being the most frequently shop-lifted item from retail outlets, these measures would support the licensing objective of the Prevention of Crime and Disorder as well as Protecting Children and Young People from Harm and Protecting and Improving Public Health.”



JOB FOR THE FORUM

- Respond to the board's consultation on its licensing policy. Provide evidence of the local situation and suggestions of specific controls/measures the board could adopt to promote the licensing objectives, particularly drawing on the experience of the forum's wide membership.

If for any reason a licensing policy is not published within the required timeframe, then the forum could raise this matter with the board, and confirm what plans it has to develop its policy.

2.2.2 Ongoing review of licensing policy

Once published, licensing policies should not be inflexible and unchanging. Boards are expected to keep their policies under review and make revisions as and when appropriate. They can publish a supplementary licensing policy statement at any time and are required to consult with forums before doing so.

The forum is uniquely positioned to assess what impact the local licensing policy is having and whether any changes need to be made to it. It could be the case that some aspects of the policy don't have the intended effect or have unintended consequences. Local circumstances might change making parts of the policy irrelevant or in need of update. New issues might emerge that are not addressed by the policy at all.

Evidence is not only vital for policy formation but also for keeping licensing policies under review. As highlighted above, the forum has a key role to play by gathering evidence of how alcohol and alcohol licensing is impacting on local communities. From this activity it will be routinely collecting information that could be used to provide advice and recommendations to the board about the policy. For example, it could highlight:

- ✔ Aspects of the policy that the forum has identified are working well. Positive feedback is important as it supports the board to identify what aspects of its policy should be retained or built upon.
- ✔ Aspects of policy that don't appear to be working well. The forum could provide the board with evidence to show why it believes this to be the case, along with suggestions of how the policy could be improved or adapted.
- ✔ Evidence of changes in local circumstances and suggestions of how the policy could be adapted and updated in response.
- ✔ Evidence of emerging issues or matters that are not addressed within the policy, along with suggestions of how these could be addressed.

JOB FOR THE FORUM

- ✔ Provide evidence to show what impact the licensing policy is having on local communities, and recommend any additional actions that should be taken. This could include the development of a supplementary licensing policy statement.

AFS has developed a resource which provides much more detail about informing the development and review of [licensing policy](#).

2.2.3 Implementation of policy and decision making

Licensing boards must have regard to their statement of licensing policy when making decisions. Using a licensing policy to guide decision-making in this way supports consistent and well-reasoned decision-making. It also makes the licensing process more transparent.

The forum has a key role to play in scrutinising how the board is applying its policy in practice, and whether it is taking decisions in line with its policy. While the forum can't consider individual decisions it can look at the boards overall approach. Annual functions reports provide a vital means for you to do this. If you identify that the board is making decisions that do not align with the policy then the forum could raise this matter with the board and enquire as to the reasons why. It may be that the policy needs to be adapted, or there may be unique circumstances which have led the board to take a different approach.

While the board can make exceptions to its policy, these should always be justified. It's worth noting that if the board makes frequent exceptions then it may find it difficult to rely on its policy if a decision is appealed. Appeals can cost the council a lot of money.

JOB FOR THE FORUM

- ✔ Check that the board is taking decisions in line with its statement of licensing policy.

2.2.4 Reporting requirements

Annual functions reports are of particular relevance to the forum given its role in reviewing the operation of the licensing system in the local area. However, they will also be relevant to a range of other stakeholders such as Community Councils, health boards, police, and Alcohol and Drug Partnerships amongst others, many of whom may sit on the forum.

Beyond the high-level legal requirements outlined in the legislation, there is no guidance to outline what types of information the annual functions report should contain or how it should be presented. AFS's review⁴ of the first reports published identified that, while some were concise and fairly easy to read, a significant number contained legalistic language, appeared to mostly repeat sections of the law and regulations, and may not be particularly accessible for key audiences to understand.

Given the relative newness of these reports, however, it seems likely that boards will seek to refine the content of these reports with each publication. The forum is particularly well positioned to provide feedback to the board about the contents of its annual functions reports to ensure they provide the right information, in the right way, for local partners to make use of. For example you could make suggestions regarding:

- ✓ The types of data or information that could be included within the report to provide increased transparency.
- ✓ How the report could be written so that it is meaningful and accessible to its intended audience.

This type of information will be valuable to the board to help inform the development of future reports.

JOB FOR THE FORUM

- ✓ Give advice and make recommendations regarding the content/format of annual function reports, and any matters arising from them. The reports could be included as an ongoing topic for discussion at joint meetings of the board and forum.

“ Annual functions reports are of particular relevance to the forum given its role in reviewing the operation of the licensing system in the local area. ”

⁴ Alcohol Focus Scotland (2019). Review of Licensing Board Annual Functions Reports 2017-2018: <https://www.alcohol-focus-scotland.org.uk/media/310853/afs-annual-functions-report.pdf>

2.2.5 Recommendations about licensed hours

The Licensing (Scotland) Act 2005 sets the hours for off-licence premises as 10am-10pm. These cannot be extended but licensing boards may grant reduced hours to new applicants if appropriate.

It is for each local board to decide (in its policy) what hours are appropriate for the on-licence premises in their area. These can be nuanced to offer different hours to different types of premises, although there is a presumption against granting 24-hour licences. In addition, licensees can apply for an extension of licensed hours in connection with a special event, and boards can grant general extensions to hours for special occasions e.g. Freshers' Week, sporting events, and local festivals.

Licensing hours are important not only to individual licensed premises but can have a wider impact on an area. Over the past twenty or thirty years we have seen licensed premises opening earlier and closing later. Before longer hours are granted, licensing boards should be seeking evidence that they will not cause any increased harm in the area. This should include harms across all five of the licensing objectives. It is not easy for boards to reduce hours once granted.

The forum is well positioned to check that the board can justify any decisions that are exceptions to its policy on licensed hours. It could also gather evidence about the impact of licensed hours and make recommendations regarding what hours it believes to be reasonable, or when granting extensions of hours what may/may not be appropriate.



MAKING RECOMMENDATIONS (EXCERPT FROM FORUM COMMUNICATION)

“Extended hours

Recommendations:

- Board should consider on a case-by-case basis whether a default two hour extension is appropriate and consider one hour instead.
- Board to provide guidance for applicants to promote consistency in decision making;
- Guidance for applicants to include definitions of 'special event' and 'event of local or national significance'

Explanatory Notes:

- Police Scotland noted that there has been an increase in extended use applications over the last few years, especially in comparison to other Board areas across Scotland. Many applications appear to be generic “party-event”, “DJ-event” as well as ‘days’ (Halloween, St Patrick’s Day etc) turning into weekend-long festivities.
- The trade believes that an event of local or national significance is an event which is significant to a sizeable proportion of the city’s residents.”



JOB FOR THE FORUM



Check that the board is implementing its policy on licensed hours and make recommendations regarding licensed hours in the area.

2.2.6 Identifying conditions to promote the objectives

There are national mandatory conditions for all premises and occasional licences. These can only be changed by the Scottish Government revising the legislation. However, licensing boards can also add their own local conditions to deal with local issues or circumstances. These may be applied to individual premises or to a particular type of premises as boards see fit.

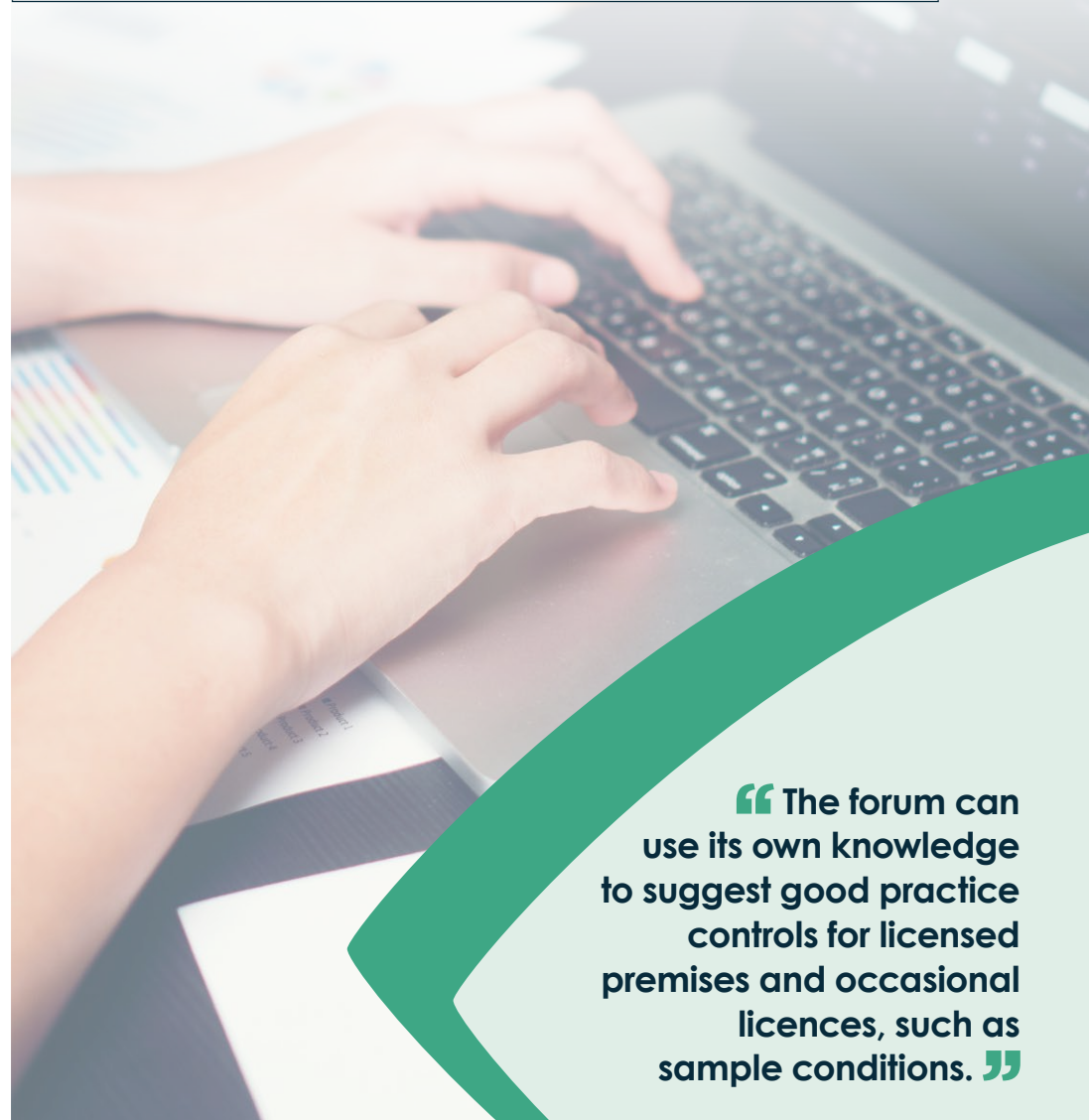
The forum can use its own knowledge to suggest good practice controls for licensed premises and occasional licences, such as sample conditions. These can be included in licensing policies or published elsewhere, and their creation can have a number of clear benefits. Not only do they indicate the ways in which the board will promote the objectives, they also provide examples of what conditions applicants could be subject to or volunteer themselves, and provide people making representations/objections with suggestions of the kinds of conditions they can propose.

It is worth remembering that if an applicant for a new licence simply promises the licensing board that they will (or will not) do something, once the licence is granted, there is no way of ensuring they fulfil their promise. In comparison, if it is attached as a condition to the premises licence then it can be enforced. If a premises breaches a condition then the board can review their licence. AFS has produced a resource that outlines the conditions contained in the most recent licensing policies, set out against each of the licensing objectives.



JOB FOR THE FORUM

- Suggest good practice controls for licensed premises and occasional licences, such as sample conditions.



“ The forum can use its own knowledge to suggest good practice controls for licensed premises and occasional licences, such as sample conditions. ”

2.2.7 Monitoring the use of occasional licences

An occasional licence allows the temporary sale of alcohol in a place that is normally unlicensed. These are intended to enable premises that are not fully licensed to sell alcohol at occasional events, which in practice can range from wedding receptions and fetes through to large scale music concerts.

Most licensing boards grant several hundreds of occasional licences each year. These are not as strictly scrutinised by boards and, unless there are specific reasons to refuse them, they must be granted. Concerns have been raised that some applicants have sought to apply for consecutive occasional licences as an alternative to a full licence, allowing them to circumvent parts of the licensing regime. They also add to the provision of alcohol in the area but are not included in any assessment of overprovision.

The forum can monitor the number of occasional licences being granted by the board using its annual functions reports, which must state the number of occasional licences issued during the year. The forum could also explore what sort of events occasional licences are being granted for, gather evidence of any impacts, and make recommendations about their use. For example, it could identify the types of events it believes that it is not appropriate to license (such as events for children) and any restrictions the board could add to the use of occasionals (such as refusing to grant consecutive occasional licences for the same premises).



JOB FOR THE FORUM

- Monitor the use of occasional licences and make recommendations e.g. regarding the sort of events it is not appropriate to license, and restrictions the board could add to occasional licences.



“ Most licensing boards grant several hundreds of occasional licences each year. ”



MAKING RECOMMENDATIONS (EXCERPT FROM FORUM COMMUNICATION)

“Extended Use of Occasionals

Recommendations:

- After four months or 10 occasional licences, any application for a further occasional licence should trigger extended scrutiny by the Board, for example to consider whether a full premises licence has been applied for.
- Similarly for temporary, ‘pop-up’ type bars (outwith seasonal festive/Festival periods), after five occasional licences it would be reasonable for an applicant to have to appear before the whole Board.
- Community members thought the Board should consider defining “festive period” to allow for particular scrutiny of such applications.
- Pop ups during the festive/festival periods should be considered as exceptional. We suggest that Festival occasionals should be considered separately.
- The Forum would welcome moves to ensure consistency in decision making over occasionals by Board members and others

Explanatory Notes:

- There was concern specifically about the extended use of occasionals for pop-up bars, often starting during an extended hours period (Christmas/festival) but extending for several weeks beyond that.
- The Police believe that it is inappropriate for pop-ups to operate on a series of continuous occasional licences without the applicant explaining to the Board why a premises licence has not been applied for.
- Trade representatives highlighted legitimate reasons why people might be operating on occasionals, but also that the continuous use of pop-up bars outside of Christmas and the festival periods, and for a prolonged period is unfair to the permanent trade.
- The Police acknowledge that there is very little alcohol related crime during the Festival period.
- It is entirely logical for applicants to have to explain the continuous use of occasionals after a period of time. It was acknowledged that premises may be operating on occasionals for legitimate reasons (i.e. in the process of applying for premises licences)."

2.2.8 Suggesting improvements to board procedures

The licensing board sets its own procedures and etiquette. Therefore, you may wish to attend at board meetings to observe how they operate. You could also offer feedback on the board's procedures to ensure they are as accessible as possible to the public.

The forum could assess whether all stakeholders – e.g., education, social work, communities, police, health, licensed trade – are involved in the licensing process. If one group is not engaged, could more be done to inform them about licensing and ensure that the procedures of the board are as user-friendly for everyone as possible?

Questions you may wish to consider include:

- ❓ What information about the licensing system is publicly available, e.g. on the board's website? Does it include information for objectors as well as for applicants?
- ❓ How easy is it for a member of the public to get more information about an application? E.g., some boards put details of applications on their website in advance, whereas in other areas people struggle to get details about applications.
- ❓ Are meetings intimidating for those without legal representation? How could they be improved?
- ❓ Are meetings held in accessible venues and at convenient times?
- ❓ Is information/support available to enable the general public to participate?

Overly formal processes, intimidating licensing hearings, and a lack of accessible information about the work of licensing boards can all be barriers to public participation. As such, the forum could investigate the extent to which community members feel able to participate in licensing processes, and are confident that their contributions will be given due regard.



JOB FOR THE FORUM

- Review licensing processes and make recommendations to the board on improvements that would increase accessibility and transparency for the public.

2.2.9 When the licensing board does not follow the forum's advice

If the board chooses not to follow the advice or recommendations of the forum then it must provide you with their reasons as to why; it has 42 days from when the decision was taken to provide its reasons. The forum should consider these reasons and ensure that it addresses any issues raised with its future recommendations.

PART 3: TIPS FOR AN EFFECTIVE FORUM



3.1 Ensuring an inclusive approach to involvement

In order to do its job, the membership of the forum should include a range of people and organisations who can bring knowledge of the impact of alcohol and licensed premises in the area. Forums should strive to ensure that a diversity of interests can attend meetings, and be heard in a welcoming and supportive environment.

Maintaining a clear focus for the forum, as well as relevant experience from its membership, is important for ensuring its ongoing motivation. It is essential that forums and the councils that support them keep the membership under regular review, and take pro-active steps to ensure balance and maintain engagement.



TOP TIP

Undertake a review of the forum membership at least once a year, in partnership with the council, to ensure the membership is broadly representative.

If it is identified that the forum membership is not representative of a particular group or interest then a range of methods could be used to encourage/enhance membership. The forum and council should give consideration to which methods may be most suited to the needs of the type of participant you want to attract. For any public agencies, care should be taken to target the most appropriate person, who might not necessarily be the chairperson or chief executive. Some examples are set out in the table on [page 26](#).

Many people seeking information about licensing forums will likely look for it online. It is therefore important that the forum either has a dedicated page on the council's web site, with a prominent link from the home page, or its own web page to provide details about it. Websites can be used to publish meeting agendas and minutes to give people an insight into what the forum does, and also provide people wanting to contact you with an easy way to get in touch.










TOP TIP

Publish meeting agendas and minutes on the forum's website, and ensure that people can easily get in touch with the forum via the website.

Forum meetings and procedures should be regularly reviewed to ensure they are user-friendly and relevant to the needs of different participants. For example, could you create a more youth friendly environment by adapting the language used at meetings and avoiding jargon?

Consideration should also be given to the location and timings of forum meetings. Some people may face additional barriers to attending meetings, especially if they are working or have caring responsibilities. Holding meetings in the early evening might make it easier for more people to attend, while holding them in different venues could help ensure that people from any one geographical area are not disadvantaged. Meetings of a forum must be held in public but the potential to make use of video conferencing and virtual meeting platforms could be explored to make it easier for people to participate in or observe meetings.

Methods to encourage/enhance membership

 <p>Licence holders</p>	<ul style="list-style-type: none"> • Make request via Local Trade Association / Scottish Trade Association • Visit and distribute information to local licensed premises • Ask local businesses to promote the forum on their social media channels • Advertise in industry publications 	 <p>Young people</p>	<ul style="list-style-type: none"> ✓ Make contact with local Members of the Scottish Youth Parliament (MSYP) (some MSYPs may already have a presence within local council buildings) ✓ Make contact with local/national youth organisations e.g. YouthLink Scotland, YoungScot, Youth Scotland. Invite Youth Workers to approach young people on behalf of the forum, or provide support to young people to enable them to participate ✓ Promote the forum at local schools, youth clubs and youth events ✓ Promote the forum on social networking sites that are used by young people e.g. TikTok
 <p>Police</p>	<ul style="list-style-type: none"> • Contact local police stations, meet with relevant police staff • Make contact with Police Scotland's National Licensing Team 	 <p>Residents</p>	<ul style="list-style-type: none"> • Publicise the forum in local newspapers and publications • Make contact with local Community Councils – they are notified of new licence applications and applications for major variations • Make contact with housing associations and other local organisations • Distribute leaflets/posters to explain the role of the forum and to give notice of public meetings – they could be placed in shops, gyms, libraries and public buildings to reach the general public, or included with letters sent by the Council to individuals and community organisations
 <p>Health</p>	<ul style="list-style-type: none"> • Attend local Alcohol and Drug Partnership meetings • Provide information/make contact with local healthcare services e.g. GP practices, hospitals • Make request via professional bodies and groups e.g. The Royal College of Nursing (<i>N.B: It is a legal requirement that forum membership includes a representative from the health board for the area</i>) 		
 <p>Education</p>	<ul style="list-style-type: none"> • Make contact with local schools, colleges, universities • Make contact with Local Authority education representatives 		
 <p>Social work</p>	<ul style="list-style-type: none"> • Provide information/make contact with local social work services e.g. addiction support, child protection, criminal justice • Make request via professional bodies and groups e.g. Social Work Scotland 		

3.2 Building the knowledge of forum members

To enable forum members to meaningfully participate, it is important that they all share the same core knowledge about licensing in general and the functions of forums in particular. Links to the key information that you should familiarise yourself with are contained in [section 1.3](#).

You should also consider what other opportunities for learning and development in licensing might be useful for you. There are plenty of low-cost ways that you could develop relationships with fellow licensing stakeholders and enhance your licensing knowledge, including:

- Attending relevant meetings and events
- Observing the licensing board
- Creating work shadowing opportunities
- Attending training courses (Personal Licence Holder training, Licensing Board Member training etc.)
- Inviting local stakeholders to deliver presentations on key topics



TOP TIP

Proactively identify opportunities to develop relationships with fellow licensing stakeholders and enhance your understanding of licensing.

It could also be helpful to collate relevant information about the forum in one place by developing documents such as a constitution, terms of reference and/or standing orders. These documents can be a good way of setting out key information for forum members about their responsibilities and the conduct of meetings, including details of:

- Membership – including eligibility and tenure
- Office bearers – including appointment and removal
- Convener and vice convener's duties
- Administrative support
- Meetings/Annual General Meeting – including conduct of meetings/business
- Non-attendance at meetings
- Motions and amendments
- Voting
- Committees/sub-committees/working groups
- Agendas and minutes
- Rescission of previous resolutions (procedure to reverse a previous decision)
- Alterations to the constitution and powers to make or amend rules
- Geographical boundary



TOP TIP

Collate useful information about the forum in one place for members by developing documents such as a terms of reference and/or standing orders.

3.3 Developing a work plan

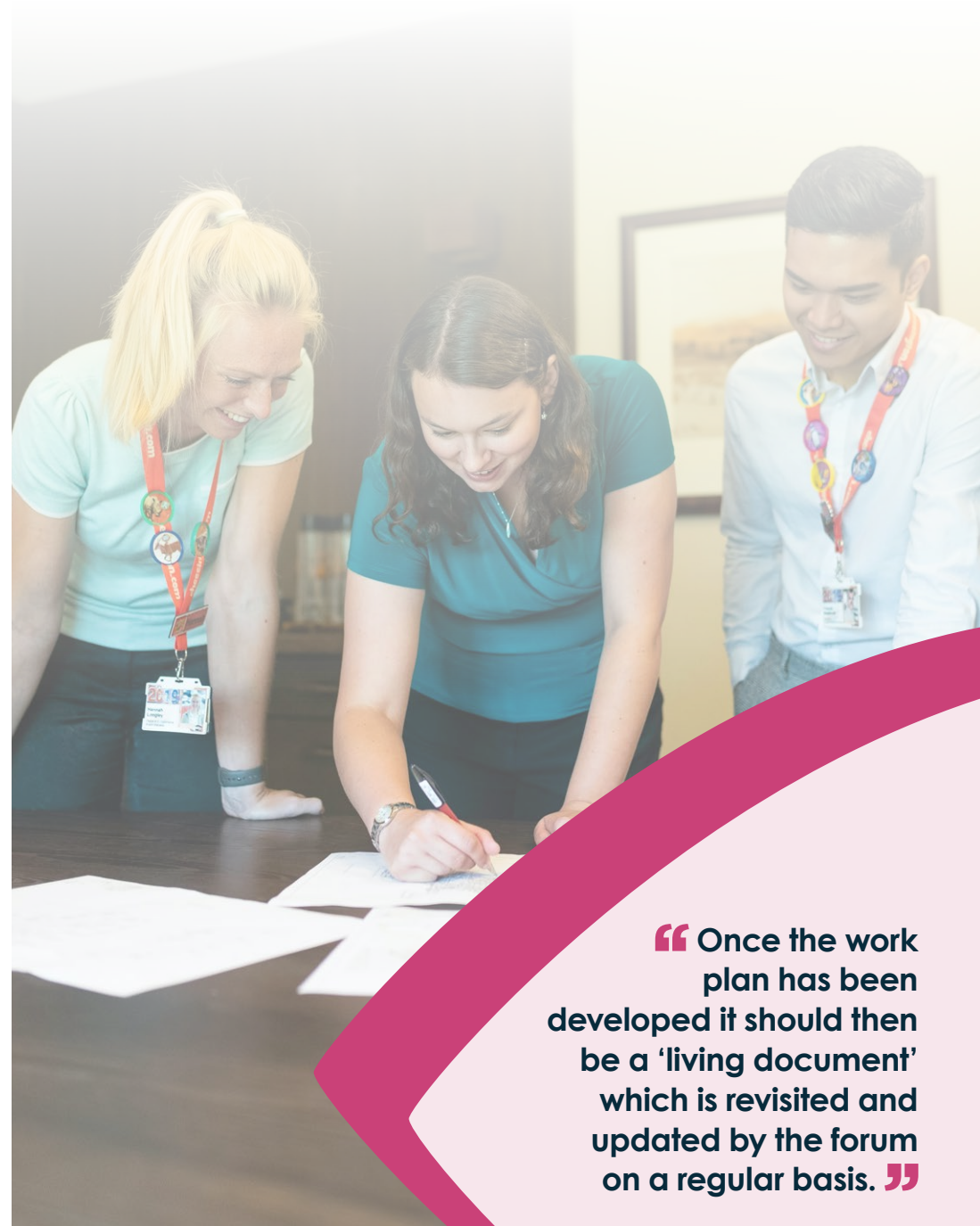
The forum might find it beneficial to develop a work plan setting out the activities that it will undertake in the coming year, or over a longer time period. This can support the forum to agree what actions it will take and what types of issues it will explore, as well as to track progress and consider any related communications with the board.

As a starting point the work plan should include details of the ongoing evidence gathering activities of the forum, and details of when it will review the board's annual functions reports and statement of licensing policy. Other activities may be more issue-specific or reactive in nature depending on what comes to the forum's attention. Once the work plan has been developed it should then be a 'living document' which is revisited and updated by the forum on a regular basis. An example of a work plan is provided on [page 29](#), drawing on some of the examples of activities contained in this guide.



TOP TIP

Develop a work plan setting out the activities that the forum will undertake, and use it to track progress and consider any related communications with the board.



“ Once the work plan has been developed it should then be a ‘living document’ which is revisited and updated by the forum on a regular basis. ”

Example: Forum Work Plan

TASK	TIMESCALE	UPDATE/OUTCOME	COMMUNICATION WITH BOARD
ACTIVITY: Collect data and intelligence relevant to the licensing objectives			
Request quarterly reports from relevant statutory bodies.	January – ongoing	Requests were issued in January. Reports are now being received from Police, ADP/NHS and Social Work on a quarterly basis.	The forum agreed to write to the board regarding increasing incidents of alcohol-related crime in the city centre, along with recommendations to address this. Discussions are ongoing.
Collate information from refusals books/incident books.	May-August	LSO has agreed that Licensing Standards will contact city centre premises to request access to documentation.	The forum will advise the board about days and times when problems are more likely to occur, and recommend control measures.
Request reports from the licensing board about the numbers/types of occasional licences being issued in the summer months.	May – August	Request was made to the board. The board has advised it will provide a report to the forum in August.	Request issued, currently awaiting board's report.
ACTIVITY: Find out from communities what are their areas of concern			
Invite Community Council Members to attend the forum.	January	Community Councils were contacted in January. Three Community Councillors now attend the forum.	N/A
Host open community consultation event.	May	A venue has been identified and date set. Posters advertising the event have been placed in community venues. 15 participants have so far registered to attend.	An event summary report will be provided to the board.
ACTIVITY: Review Annual Functions Report			
Hold a dedicated forum meeting to discuss report.	November	Forum meeting is scheduled for November. A copy of the report will be provided to all members in advance of the meeting.	Report to be included as an agenda item for discussion at board and forum meeting. Forum will make recommendations regarding the content/format of report, and any matters arising.
ACTIVITY: Collect feedback on Forum membership and meetings.			
Conduct post-meeting questionnaires.	Jan – ongoing	Post-meeting questionnaires are now completed each quarter.	N/A
Include the functioning and membership of the forum as an agenda item.	September	The September forum meeting will include this agenda item. Forum members have been asked to consider in advance any key issues they want to discuss.	N/A

3.4 Achieving a culture of participation

In order to achieve a culture of participation, it is vital that forum meetings are managed in an effective way. All members should feel comfortable and able to be involved in discussions, and trust that their contributions will be valued. Meetings should be focused and conducive to generating ideas and effective decision making. The key factors are:

3.4.1 Preparation

Opportunities should be offered for all the members to raise items for discussion. If suggestions cannot find space on formal agendas, other ways may be found to deal with them. This will foster a sense of ownership of the business to be handled. Agendas should not be over-loaded to ensure that the volume of business is realistic and achievable. Attention should also be paid to the order of business, so that the most important items can definitely be concluded. Agendas and papers should be circulated at least a week in advance of meetings.

3.4.2 Management of business

The Chair/Convenor has perhaps the single most important role to play in ensuring that the forum meetings run smoothly. To assist the Chair to undertake their role effectively, it is important all forum members give the role appropriate respect and support.

In essence, the Chair's job is to make sure that all of the items on the meeting agenda are dealt with on time. In practice, this usually means that the Chair will have to make judgements about how much time to allocate to each item. It also means that they may occasionally have to bring speakers back to the agenda and encourage people to make their contributions brief and to the point.

The Chair must be mindful of time and regulate discussion so as to make sure that meetings get through their agendas. Care needs to be taken that discussions reach clear conclusions and/or stipulate clear actions to be taken, specifying who is responsible for taking matters forward. There should be regular reporting back about steps taken as a result of previous discussions and what the outcome was. It is important to guard against unrealistic expectations.

3.4.3 Exploring ideas and group decision making

Forum members will inevitably be presented with a large variety of issues and problems. Some may affect a single group of stakeholders, others the entire community and beyond. The forum must try its best to make a balanced decision on what issues it will explore and how they can be tackled.

As the performance of the forum involves taking into account the opinions of every member, being able to come to a decision as efficiently as possible is important for the effective functioning of the group. However, group decision making is not always easy. Making decisions can sometimes be challenging for forums as members come with different perspectives and have their own views and values. Forums also risk making ineffective decisions if they have incomplete information.

Below is an example of some key steps to help ensure effective decision making. These steps can provide a structure for the forum to choose an appropriate course of action or response to an issue. They can also be used to help deal with any problems or interpersonal conflicts that may arise within the group.

1 Identify the decision to be made. Before beginning to gather information and list alternatives, it is important for the forum to understand exactly what it is you are trying to decide so you have a focus for your discussions. Be clear about what it is you need to decide, and consider if there are any conflicts affecting the forum's effectiveness.

2 Analyse the issue under discussion. Once you have defined your aim (i.e., the decision to be made or the problem to be overcome), examine the information and resources that you already have, and identify what else you may need. Ask: What is causing the problem? Who does it affect? What is wrong with the current situation? Find out the key points and then find out what local people feel about it. This may include seeking views of wider stakeholders/community than just forum membership, or utilising the knowledge and experience of the forum membership to gather evidence.

3 Establish criteria. Identify the criteria or conditions that would enable the forum to measure the success of a chosen course of action or solution. You may want to consider what criteria are the most important (for example, some issues may not be fully resolved). Ask: What would make a solution/decision successful? What issues need to be dealt with by the solution? Are some criteria more necessary than others?

Example: Decision making: Preventing Crime and Disorder

1 Identify the decision to be made

The Police have raised concerns with the forum about increases in alcohol-related crime linked to licensed premises in the City Centre. The forum wants to explore why this might be occurring and what could be done in response.

2 Analyse the issue under discussion

The forum identifies that it has limited information about alcohol-related crime in the City Centre, and so decides to collect more details about the incidents that are occurring. It contacts licensed premises in the area who advise that there are issues with people 'pre-loading' i.e. drinking at home before going out. Customers are not going to licensed premises until late and they're frequently drunk before they get there. Sometimes this leads to groups of drunken people on the streets who are not admitted to the premises. The Police also inform the forum that they have attended at reports of drunkenness and fights in the area related to particular events e.g. football matches. The forum also asks local residents for their views, who comment that there appears to be a lack of late-night transport to enable people to get home, and that taxi ranks are not very well controlled.

3 Establish criteria

The forum identifies a number of key issues that require to be addressed:

- 'Pre-loading' and groups of drunken people congregating on the streets who are not admitted to licensed premises.
- Disorder linked to particular events – e.g. football matches.
- A lack of public transport to enable people to get home.

The forum decides it wants to make recommendations to the board about how to respond to these issues. It determines that while the board may not be able to resolve all of the problems identified, if the recommended actions are implemented then it should result in a reduction in the number of alcohol-related crimes occurring in the area.

- ↓
- 4 Brainstorm potential solutions** (see page 33). Using the information collected, brainstorm for potential solutions to the problem or decision identified. This involves collecting as many ideas as possible. At this stage, ideas should not be criticised or evaluated. Ask: What are some possible solutions that would meet most of our established criteria? Are there any options that we may have overlooked?
- ↓
- 5 Evaluate options and select the best one.** Once you have a list of potential solutions, you can evaluate them for the best option according to the criteria identified in step 3. You may be able to combine ideas to create a solution. Ideally, everyone would agree with the solution (a consensus), but it's possible that they won't. In this case, you will need to use a different decision-making method. For most forums this will be a decision by majority, where they hold a vote and the majority wins. When evaluating options, ask: What are the pros/cons for each option? Which option is the most realistic to accomplish for now? Which option is the most likely to solve the problem for the long-term?
- ↓
- 6 Implement the solution.** This involves identifying what has to happen to implement the decision, as well as the potential obstacles, then taking action. Decide: What should be done? How? When? By whom? In what order?
- ↓
- 7 Monitor and evaluate the outcome.** Based on the criteria identified in step 3, evaluate whether the decision was successful. If not, revisit step 4 to evaluate the other options or generate new ones.

4 Brainstorm potential solutions

The forum brainstorms potential solutions to the problems identified:

- Recommend that the board puts a curfew in place which requires premises to refuse entry to new customers after a certain time.
- Recommend that the board encourages premises in the area to join the local Radiolink Scheme. This would allow premises to use radios to communicate amongst themselves and monitor anyone acting suspiciously. A CCTV control room, directly linked to the Police, would also monitor the radios.
- Suggest that the board encourages premises to keep a Refusals Book and /or incident log.
- Recommend that the policy is used to reinforce that there's a responsibility for the licensed trade to challenge drunkenness at the point of service and throughout the premises.
- Recommend that the board creates a condition that CCTV images should be retained for a specific period of time and that staff should be authorised to make these images readily available to the Police.
- Recommend that the board encourages premises to conduct risk assessments, and that adequate transport must be considered for patrons attending events.

5 Evaluate options and select the best one

The forum reviews the options and decides to recommend that the board encourages premises to conduct risk assessments, and consider transport arrangements when large number of patrons are expected to attending events in the area. It also decides to recommend that the board encourages premises in the area to join the local Radiolink Scheme, and creates a new condition that CCTV images should be retained for a specific period of time.

6 Implement the solution

The forum writes a formal letter to the board setting out its recommendations, along with the evidence it has collected about the issues to be addressed. It also includes the topic as a regular agenda item for discussion at future forum meetings.

7 Monitor and evaluate the outcome

The forum monitors whether its recommendations are implemented by the board, and the response of licensed premises in the area. The forum seeks reports from licensees, the Police and residents about the impact of the changes on reports of alcohol-related disorder and crime.

Brainstorming techniques



Brainwriting

The convener asks members to write down three ideas that relate to the topic of the brainstorm. About five minutes are allowed for this process. Then everyone passes their ideas to the person on their right, who will then build on these ideas, adding bullet points or suggestions. After another few minutes, everyone will pass the piece of paper again until it makes it all the way around the table. Once the ideas have made it around the circle, the group discusses them and decides which ideas are best to pursue.

Advantages: This technique can help prevent unbalanced conversation, or members converging on the first few ideas that are brought up in a brainstorm, which can stifle new ideas and prevent the forum from moving on.



Rapid ideation

The convener asks members to write down as many ideas as possible in a set amount of time before any ideas are discussed or fleshed out. For this brainstorming technique, you will need to set (and stick to) a time constraint, otherwise you'll risk losing the sense of urgency.

Advantages: By allowing everyone to capture their ideas before the critique begins, rapid ideation avoids the premature shooting down of ideas. The time constraint can also prevent people from talking themselves out of an idea before they share it with the group.



Round-robin brainstorming

In a round-robin brainstorm, every member of the meeting participates, contributing one idea to the brainstorm. The first rule is that the group has to make it around the whole room at least once before anyone can contribute a second idea or discuss any of the ideas. The second rule is that no one can say, "My idea was already said." You can come back to that person at the end when they've had more time to think. It's also a good idea to give members some time to prepare ideas before the brainstorm meeting.

Advantages: This technique encourages everyone to participate and allows everyone to get all of their ideas out before moving on to the critique and discussion phase of the brainstorm.



TOP TIP

Use brainstorming techniques to explore issues and generate ideas. This can help boost group morale by getting members to work toward a common goal in a creative and supportive setting. It can also be an effective way for forums to bring together the diverse ideas, strengths and perspectives of the various different forum members.

While forums will often use a vote to arrive at decisions where there is a lack of consensus, divergent views and any supporting evidence can be documented. This information can be helpful for licensing boards and other stakeholders, helping them to understand the different perspectives and potential approaches to an issue. It is also worth remembering that an issue does not need to have only two opposing sides – for example, could the forum be an independent mediator bringing opposing factions together?

When you have determined the official position of the forum on an issue, it should not normally be altered unless there is a material change in evidence or circumstances. Try not to let the forum become the venue for constant debate about the issue's merits, or allow any single issue to dominate your meetings.

3.4.4 Evaluation and review

It is important that all forum members are encouraged to provide feedback about the forum, about both the effectiveness of the meetings themselves and the overall performance of the forum. This can help open up conversations about things like the goals of the forum and areas of improvement.

From time to time, the agenda should include a discussion that lets members air their views about how well things are progressing and whether they feel their involvement is worthwhile. Having this discussion regularly can be incredibly valuable because it can enable members to identify trends in how they are feeling about performance of the forum over time.

Questions you could ask include:

- ❓ How would you describe the forum's current performance?
- ❓ How would you describe our progress toward our goals?
- ❓ How could we improve?

Conducting post-meeting questionnaires can also be a good way to capture members' views on the effectiveness of forum meetings, while the meeting is still fresh in their minds. To do this each member should complete a meeting evaluation questionnaire (that has been prepared in advance) at the end of the meeting. This can help members to identify any problems with the meetings or barriers to participation, as well as provide insights to help resolve any issues.

Questions you could ask include:

- ❓ Was the meeting a good use of time?
- ❓ Did you get what you intended to out of the meeting?
- ❓ How would you rate the meeting overall?
- ❓ What would make the next meeting better?

Any feedback gathered should be compiled and shared with forum members for discussion. If people aren't finding meetings helpful or have concerns about the performance of the forum, consider what you are going to do about it. By identifying areas for improvement, and acting on them, the forum will constantly be becoming more effective.



TOP TIP

Gather feedback from members about the forum to identify areas for improvement. By identifying areas for improvement, and acting on them, the forum will continually be becoming more effective.

3.5 Facilitating effective communication

Good communications are essential for the successful operation of forums, both in relation to their own internal business and also their place in the opinions of the public.

3.5.1 Communicating with the board

Forums are independent from licensing boards but at the same time they share the common goal of having the local community's best interests at the heart of decision making. For the forum to be effective, it is essential that it has ongoing and regular communication with the board.

Practical arrangements in support of this should be agreed between the board and forum, and these arrangements should be regularly reviewed to ensure that they are meeting the needs of both parties. Examples of the types of communications the forum can provide to the board include:

- ✓ Updates about the current and planned activities of the forum.
- ✓ Requests for any relevant statistics, information and reports.
- ✓ Formal advice and recommendations.
- ✓ Suggestions as to the review of policy or procedural matters.
- ✓ Feedback on the licensing policy and annual functions reports (whether positive and/or constructive criticism).

- ✓ Notification of local issues of concern, or areas of progress and positive developments.
- ✓ Local Alcohol Profiles, collating local alcohol-related data.
- ✓ An invitation to attend or to speak to the forum.

There is a mandatory requirement for one formal meeting to take place between the board and the forum annually. However, this is the minimum required by law – there is nothing to prevent you from having more regular joint meetings to facilitate effective communication.

Board members can also be invited to attend or to speak to the forum, for example to provide clarity on an issue or discuss suggestions put forward by the forum. In some areas, licensing board members also attend forum meetings as non-voting 'ex officio' members, to allow for contact between the forum and the board on a regular basis. However, to perform their role effectively, it is vital that forums retain their independence and can conduct business without licensing board members being present should they wish to do so.



TOP TIP

Agree practical arrangements for communication between the board and forum, and keep these arrangements under regular review.

3.5.2 Communicating with stakeholders and communities

It is important that all the forum members take active steps to stay in touch with those whose interests they represent so they can feed their views into the forum. You should do this regularly to ensure you accurately represent their views and needs, rather than expressing your own personal opinions.

For representatives from public agencies, such as the police or health, this will often include making their contact details and role on the forum clear to their colleagues, and participating at meetings which have relevance to alcohol within their respective organisations. Community representatives can discuss issues with local residents and community groups to clarify their views and assess the strength of their feelings on different topics. Similarly, trade representatives are able to liaise with local businesses and encourage them to bring issues to their attention so that they can take them up at forum meetings.

Forums can also establish links with bodies responsible for developing local action plans to reduce alcohol-related harm, as well as organisations supporting the responsible retail of alcohol (e.g. Alcohol & Drug Partnerships, Community Planning Partnerships, Pubwatch/Shopwatch). Representatives from local agencies can be invited to present at forum meetings. It can also be helpful for forum members to attend meetings hosted by local agencies, or visit local services, to learn more about what is happening in the area.

You should also consider community engagement. Forums are a way of connecting the decision makers (licensing boards) more closely with the community affected by their decisions, and so need to find effective ways of gathering and representing the views of the wider community. As a starting point, all information produced about the forum should be widely accessible. It should be easy for members of the public to

inform the forum of issues which they would like to be discussed. Include main contact details in every communication that is sent by the forum, and always encourage feedback. Other ways that the forum could engage with local residents include:

- Holding surgeries/events for the community in public venues. These could be held within community premises, or local supermarkets, libraries etc.
- Attending Community Council and other public meetings. This not only enables members to hear about local issues but also demonstrates to the community that they are being listened to by the forum, and that you will take action to address community concerns where appropriate on their behalf.
- Using newsletters/public notices to share information and gather local views.
- Conducting surveys to ask resident questions about alcohol in their community. Surveys could be conducted online or in paper form, and could be promoted through local agencies such as housing associations, public bodies represented on the forum, via social media or distributed by the Local Authority.
- Placing suggestion boxes in prominent local venues. Residents could be invited to make comments and/or suggestions on how to tackle a specific local alcohol related issue, or on alcohol and the community more generally.

If the forum itself lacks the capacity or resources to carry out these activities, then organisations linked to the forum may be able to provide assistance or individual members could be tasked with some of it.



TOP TIP

Always make it easy for the public to contact you. Actively seek opinions from the community and consider how to do this in a way that makes it as easy as possible for them to respond.

3.6 Forum to-do list

Some examples of activities forums might choose to undertake are set out below.

To-do

Reviewing the operation of the Act in the forum's area

- Review the licensing policy to identify how the board intends to promote the objectives.
- Use annual functions reports to review decisions of the board – is the policy being followed?
- Gather evidence to measure the local impact of alcohol and the board's decision making (e.g., published alcohol data, views of licensees, local services).
- Develop a local alcohol profile that pulls evidence together from multiple agencies (some forums develop these each year).

Giving advice and making recommendations to the board

- Provide evidence to show what impact the licensing policy is having and recommend any actions/changes needed.
- Make recommendations regarding the content of annual functions reports, and any issues arising from them.
- Make recommendations regarding licensed hours in the area.
- Suggest good practice controls for licensed premises and occasional licences, such as sample conditions.
- Monitor the use of occasional licences and make recommendations e.g., what sort of events it is not appropriate to license?
- Make recommendations to the board on improvements to processes that would increase accessibility/transparency for the public.

Developing the forum

- Develop a work plan setting out the activities that the forum will undertake.
- Undertake a review of the membership to ensure it is broadly representative.
- Encourage/enhance membership e.g., contact youth organisations, promote forum on social networking sites.
- Publish meeting agendas and minutes on the forum's website.
- Identify opportunities to develop relationships with fellow licensing stakeholders e.g., work shadowing, training, events.
- Develop constitution, terms of reference and/or standing orders.
- Gather feedback about the forum to identify areas for improvement.
- Agree practical arrangements for communication with the board.
- Actively seek opinions from the community – find new ways for public to feed-in.

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