

The background of the slide features the Falkirk Council Coat of Arms. It is a shield divided into four quarters. The top-left quarter shows a castle tower. The top-right quarter shows a stag's head with antlers. The bottom-left quarter shows a three-masted sailing ship on wavy lines representing water. The bottom-right quarter shows a crowned eagle with spread wings. Above the shield is a crown with four fleurs-de-lis. A banner at the bottom of the shield contains the motto 'A'NE FOR A'.

AGENDA ITEM 10

Membership of Falkirk Licensing Forum

Falkirk Council

Title: Membership of Falkirk Licensing Forum
Meeting: Executive
Date: 17 October 2017
Submitted By: Director of Corporate and Housing Services

1. Purpose of Report

- 1.1 The purpose of the report is to appoint members to the Falkirk Licensing Forum.

2. Recommendations

2.1 The Executive is asked to agree:-

- (i) that the size of the forum be increased to 18, and**
- (ii) that the persons listed in paragraph 4.4 be appointed until the next Local Government Election.**

3. Background

The Licensing (Scotland) Act 2005

- 3.1 Section 10 of the Licensing (Scotland) Act 2005 places a duty on each Council to set up and administer a Local Licensing Forum. In February 2013, 15 members were appointed to Falkirk's Licensing Forum, with a term of office which concluded at the Local Government Elections in May 2017.
- 3.2 The functions of the Forum are to:-
- (i) keep under review (a) the operation of the Act in the Forum's area, and (b) the exercise by the Licensing Board of their functions, and**
 - (ii) give advice and make recommendations to the Board in relation to those matters the Forum considers appropriate, but not with regard to individual cases.**
- 3.3 The Licensing Board must have regard to any advice given or recommendations made by the Forum and, if they decide not to follow the advice or recommendation, give the Forum reasons for the decision.

Local Licensing Forum

3.4 In terms of the Act, a Forum shall consist of not fewer than 5 and not more than 21 members. At least one member must be a Licensing Standards Officer. One of the members must also be a person nominated by the health board.

3.5 In appointing members to the Forum, the Council must seek to ensure, as far as possible, that the membership is “representative of the interests of persons or descriptions of persons who have an interest which is relevant to the Forum’s general functions”. These persons include:-

- holders of premises and personal licenses
- the Chief Constable
- persons having functions relating to health, education and social work
- young persons (16 & 17 year olds)
- persons resident within the Forum area.

4. Recruitment and Membership

4.1 The recruitment process opened on 31 July 2017 with a closing date for applications of 1 September 2017. Publicity materials and advertisements were placed on the Council website, in the Falkirk Herald and flyers were posted in Council buildings throughout the district.

4.2 24 expressions of interest were received. The applications received within each category are as follows:-

- Licensing Standards Officer – 1
- Licensing Trade – 4
- Police Scotland – 1
- Health, Education & Social Work – 4 (including the nominee of the health board)
- Young People – 1
- Persons Resident in the Area – 13

4.3 As described above the Council may appoint a Forum of between 5 and 21 members. The Forum was previously constituted of 15 members and included representatives from the groups detailed above in paragraph 4.2. It is considered that for the first five categories the quality of application is such that all should be appointed. For the broader category, the applications vary considerably in the extent or relevance of the information provided. Officers’ assessment is that seven of these applications would be most suitable for appointment. This would involve an increase in the size of the Forum from 15 to 18.

4.4 It is recommended the Forum is established, with a term of office until the next Local Government Elections, as follows:-

- Thomas Ross, Licensing Standards Officer
- Aileen Holliday, representing Forth Valley Health Board
- Gordon Emslie, Personal Licence Holder
- John Hamilton, Personal Licence Holder
- Mark Stevenson, Personal Licence Holder
- Ian Lovie, Premises Licence Holder
- Chief Inspector Damian Armstrong, representing the Chief Constable
- Ruth McDonald, Falkirk Alcohol and Drug Partnership, interest and experience in health
- Amanda Campbell, having an interest and experience in education
- David Gibson, having an interest and experience in social work
- Liam Slavin, representing the Scottish Youth Parliament (young persons)
- June Bertinelli, member of the public
- Carol Carmichael, member of the public
- Madelene Hunt, member of the public
- Andrew Kane, member of the public
- Michael Kleist, member of the public
- Lindsey Sabin, member of the public
- Annette Walinck, member of the public

4.6 In order to provide a link between the Forum and the Licensing Board, members of the Board are invited to attend meetings of the Forum.

5. Consultation

No consultation was carried out on the terms of this report.

6. Implications

Financial

6.1 There are no financial implications arising from the recommendations of this report.

Resources

6.2 There are no resource implications arising from the recommendations of this report.

Legal

6.3 There are no legal implications arising from the recommendations of this report.

Risk

6.4 There are no risk implications arising from the recommendations of this report.

Equalities

- 6.5 The recommended appointments if agreed would produce a Forum broadly balanced by gender.

Sustainability/Environmental Impact

- 6.6 There are no sustainability/environment impacts.

7. Conclusions

Council is required to establish a Licensing Forum under the Act. A recruitment process has been undertaken and a recommendation for membership of the Forum comprising 18 members is now made.

Director of Corporate and Housing
Services

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Date: 02 October 2017

Appendices

None

List of Background Papers:

List of papers were replied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:-

- Application Forms.