

AGENDA ITEM

FALKIRK COUNCIL

Subject: REPRESENTATION ON LOCAL LICENSING FORUM
Meeting: LICENSING FORUM
Date: 24 FEBRUARY 2011
Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise members of the Licensing Forum of a request received by Falkirk Council from Michael Matheson, MSP, to include in Forum membership representation from sports and social clubs.

2. BACKGROUND

- 2.1 Schedule 2 of the Licensing (Scotland) Act 2005 requires Councils to establish a Local Licensing Forum. These should be made up of not more than 20 members.
- 2.2 Falkirk Council, on 26 June 2007, agreed arrangements for the establishment of the Licensing Forum, delegating the appointment of members to the Acting Director of Law and Administration Services in consultation with Group Leaders. Following a consultation exercise, appointments to the Forum were duly reported to the Policy and Resources Committee on 11 September 2007.
- 2.3 In appointing members Council sought to ensure, as far as possible, and in accordance with the said Act, that membership was representative of the interests of persons, or descriptions of persons, with an interest which is relevant to the Forum's general functions. Those persons include:-
- Holders of a personal or premises licence;
 - Persons having functions relating to health, education and social work;
 - Young people;
 - Persons resident within the Forum area; and
 - The Chief Constable for the area.

3. MEMBERSHIP CONSULTATION PROCESS

- 3.1 In 2007 expressions of interest were sought from a wide variety of organisations, falling within the groups listed in paragraph 2.3 above, within the Falkirk Council area. In total 18 expressions of interest were received.

4. AGREED MEMBERSHIP

4.1 On 11 September 2007 the Policy and Resources Committee noted a Forum membership of 15. Within this, one place was to be reserved for the Council's Licensing Standards Officer and one for the Chief Constable's representative for the area.

4.2 The approved membership is as undernoted:-

- One Licensing Standards Officer;
- One representative of the Chief Constable;
- Paul Smith, representing BEDA;
- Pete Cheema, representing Scottish Grocers Federation;
- Alan Keir, representing Belhaven Brewery;
- David Kerr, representing CRLTA;
- Caird Forsyth/Gordon Coster, Substance Misuse Officers, Falkirk Council;
- Doctor Graham Foster, representing NHS Forth Valley;
- Andrew Lawson, representing Forth Valley College;
- Bill Little, representing Dialogue Youth/Community Education, Falkirk Council;
- Tom Grieve, representing Brightons Community Council;
- Lennox Ainslie, representing Bo'ness Community Council;
- John Rintoul, representing Denny Community Council;
- Ronald Peebles, representing Falkirk Central Community Council; and
- Tom Wilson, representing Grangemouth Community Council.

4.3 In terms of the Forum's Constitution, which was agreed in October 2007, the number of members will be subject to review by Falkirk Council on the application of the Forum, the Licensing Board or the Acting Director of Law and Administration Services subject to the statutory maximum of 20. The Forum constitution states that members are appointed until the next Local Government Elections. Members of the Forum are entitled to send substitutes

5. CONCLUSION

5.1 The request from Michael Matheson, MSP asks that consideration is given to including representation from sports and social clubs within the Forum membership. He considers that this would ensure that the specific needs of these organisations are being adequately considered in relation to the implementation of the Licensing (Scotland) Act 2005.

5.2 The Forum is invited to consider this request and to consider whether the groups identified in paragraph 2.3 are adequately represented on the Forum.

5.3 Should the Forum agree that its membership should be extended beyond the current 15, it is proposed that a Report be submitted to Falkirk Council seeking approval to extend the membership accordingly.

6. **RECOMMENDATIONS**

6.1 The Forum is invited to:-

- (a) Consider the request for an increase in membership to include representation from sports and social clubs; and
- (b) Review its current membership against the representative groups identified in paragraph 2.3 and in light of this to consider whether there are other organisations/groups which should be represented on the Forum; and

6.2 Request, should the Forum agree to extend its membership, that the Clerk submit a Report to Falkirk Council seeking approval to extend the Forum membership.

.....
Acting Director of Law and Administration Services

Date: 17 September 2010

Contact Officer: Arlene Fraser, Committee Services Officer on 01324 506118

LIST OF BACKGROUND PAPERS

Nil