

EAST AYRSHIRE COUNCIL

COUNCIL MEETING - 24 JUNE 2010

EAST AYRSHIRE LOCAL LICENSING FORUM - APPOINTMENT OF AN ADDITIONAL MEMBER

Report by the Executive Director of Finance and Corporate Support

1. PURPOSE OF REPORT

- 1.1 To apprise Members of an application received in respect of membership of East Ayrshire Local Licensing Forum and to recommend the appointment of the applicant.

2. BACKGROUND

- 2.1 In terms of Sections 10-13 and Schedule 2 of the Licensing (Scotland) Act 2005, East Ayrshire Council is required to establish, and thereafter maintain on an ongoing basis, a Local Licensing Forum for the East Ayrshire area.
- 2.2 The Forum's statutory remit requires it to consider a range of preparatory licensing issues with specific emphasis on East Ayrshire Licensing Board statement of licensing policy. Accordingly, at the Council meeting of 21 June 2007 (Item 4.3, Page 46, 07/12), Members agreed to the establishment of the Forum and also to the appointment thereto of a number of individuals who had submitted applications for membership. Further appointments to the Forum were also agreed at the Council meeting of 11 October 2007 (Item 9, Page 136, 07/12), 23 April 2009 (Item 6, Page 693, 07/12), 8 October 2009 (Item 10.2, Page 876, 07/12) and 3 December 2009 (Item 9, Page 954, 07/12).
- 2.3 In terms of membership numbers, the requirements are that the Forum must consist of such numbers (being not fewer than 5 or more than 20) as the Council may determine. Currently, East Ayrshire Local Licensing Forum has 15 members and two substitute representatives, including the Licensing Standard Officers and Councillor John Campbell, as the representative from the Licensing Board.

3. RECRUITMENT AND MEMBERSHIP OF THE FORUM

- 3.1 The Council is required to ensure that the membership of the Forum, as far as possible, is representative of persons or descriptions or persons who have an interest which is relevant to the Forum's general functions. Those persons are stated to be:-
- holders of premises and personal licenses;
 - the Chief Constable for the Police area in which the Forum's area is situated;
 - persons having functions relating to Health, Educational and Social Work;
 - young people; and

- persons resident within the Forum's area.

3.2 Although the Council's current appointees, with the exception of young people, broadly cover these descriptions of persons, the ongoing nature of the Forum's activities require that interest in membership requires to be sought on an ongoing basis. Such efforts will be designed to ensure that East Ayrshire Council can continue to populate an effective and representative Forum to carry out its statutory functions under the Act.

3.3 As referred to above, the requirement to establish the East Ayrshire Local Licensing Forum is an obligation upon the Council by virtue of the Licensing (Scotland) Act 2005. As the obligation is not only to initially establish the Forum, but to thereafter maintain its existence, it is proposed to continue to provide membership application functionality on the Council's website on a permanent basis to allow vacancies to be filled as the Forum develops.

3.4 An application for membership of the Forum has been received from:-

- Paul Moon, resident of Coatbridge (License Holder in East Ayrshire)

4. LEGAL/POLICY/FINANCIAL/COMMUNITY PLANNING IMPLICATIONS

4.1 Other than the ongoing maintenance of the Forum being in accordance with the Council's statutory obligations in terms of the Licensing (Scotland) Act 2005, there are no legal, policy or financial applications arising directly from the contents of this report.

4.2 The establishment and ongoing maintenance of the Local Licensing Forum can also be regarded as an example of partnership working involving the public, private, voluntary and community sectors. As one of the Forum's principle functions will be to review and offer advice to the Licensing Board on the formation and development of all future Licensing Policy and thus be included in East Ayrshire Council's strategic approach to policy making its establishment, although based on a statutory obligation, is fully in accordance with the Council's wider aims in terms of the Community Plan.

5. RECOMMENDATIONS

5.1 It is recommended:-

- (i) that Council appoint the applicant as detailed in Paragraph 3.4 of the report to serve on East Ayrshire Local Licensing Forum; and
- (ii) to note the contents of the report.

Alex McPhee
Executive Director of Finance and Corporate Support

7 April 2010
LY/SC

LIST OF BACKGROUND PAPERS

1. Application form for membership of East Ayrshire Local Licensing Forum from Paul Moon.

Any person wish to inspect the background papers in respect of this report should contact Lynn Young, Administrative Officer, on Tel No (01563) 576283.

Implementation Officer: Lynn Young, Administrative Officer.