

Main Challenges and opportunities to delivering public health objectives via the licensing system

As per the Angus Licensing Board's Statement of Licensing Policy, the Board has regard to all of the licensing objectives contained within the 2005 Act and considers that all of these carry equal weighting. Accordingly, all are paramount considerations when making decisions and carrying out its responsibilities.

In terms of the public health objective, the Board recognises that the excessive consumption of alcohol can have a damaging effect on health and that there are opportunities for the Board to make decisions regarding the sale of alcohol which promote public health.

The Board's Statement of Licensing Policy makes particular mention of irresponsible drinks promotions in respect of the public health objective. The Board usually tackles such issues through the use of the Licensing Standards Officer (LSO). The Board would normally become aware of such issues through the receipt of complaints. The LSO is then usually able to visit in response and mediate when such concerns arise without the need for this to go to the Board.

In respect of applications coming before the Board, the Board have the opportunity to ask applicants questions about potential concerns which have a health focus such as underage drinking or selling alcohol to those already intoxicated. The Board is proactive and experienced in asking such questions and has regard to such matters.

In respect of overprovision, the Board reviews this in line with the legislation and consults on this. The Board has never found any robust or reliable evidence to support that there is an overprovision. The overprovision assessment has not been a contentious area for Angus so far.

The Board regularly consults with NHS Tayside and Angus Alcohol and Drugs Partnership and this has brought about an opportunity to engage with them on issues relating to the sale of alcohol and health. In particular, the Angus Alcohol and Drugs Partnership sit on the Angus Licensing Forum and provide input where appropriate.

The Board have previously received objections or representations from health focussed organisations and have experienced some issues with this. These issues relate to the way in which the information considered relevant is presented. In respect of health concerns, it would appear to be difficult for organisations to present local information and the information presented tends to represent national health concerns. This can be difficult for Board members to consider and apply to local situations. The evidence presented in support of objections or representations is not always accessible (e.g the information is lengthy and unspecific) and accordingly, this makes it difficult for Board members to take full account of the concerns through their decision making. It can therefore be difficult for the Board to attach weight to matters relating to health due to the difficulty in establishing a link between the concerns raised and the applications before the Board. For example, if an organisation objects to an increase in off-sales capacity within a supermarket on the basis of the potential for it to impact on health, it can be difficult to evidence that a supermarket displaying slightly more alcohol for sale actually has an impact on public health within Angus particularly where there is no Angus specific information to back this claim up.

Engaging with Local Community

The Board meets with the Angus Licensing Forum on an annual basis. The forum has representatives from the trade who are licence holders as well as having a representative from the community who is not a licence holder. The Forum has benefited from their engagement.

The Board would tend to agree with the view that the licensing system is not easily understood by members of the public. The Board would welcome ideas or initiatives on how the Board could better engage with the community either through Community Planning Partnerships or otherwise. A particular barrier to this being carried out is resource. Given the number of applications the Board has to deal with in comparison to the income received for the applications, the Board is light in terms of resources so the priority for the Board has to be in carrying out the core functions in terms of the legislation. If the Board had greater resources, there would be more scope for developing community engagement with the licensing system. In the meantime, the Board does what it can in terms of making information available on the website and engaging the public in consultations where possible.

LSOs

The Board currently employs one LSO for the whole area of Angus. While the area of Angus is fairly large, the Board considers that one LSO is sufficient for carrying out the statutory functions required. The number of premises that Angus has can be covered by one LSO and the LSO can also additionally carry out their consultee role in respect of applications.

There are, more widely, resource issues in respect of licensing however, in terms of carrying out the specific statutory functions of the LSO, Angus is adequately resourced.