

**ABERDEENSHIRE LICENSING BOARD
SOUTH DIVISION**

Minute of the Annual Joint Meeting of the **LICENSING BOARD** for the **CENTRAL DIVISION OF ABERDEENSHIRE** and the **ABERDEENSHIRE CENTRAL LICENSING FORUM** held in the **COUNCIL CHAMBER, GORDON HOUSE, INVERURIE** on **WEDNESDAY, 13th DECEMBER 2017 at 11:30 am.**

- Present -

Aberdeenshire Central Licensing Board

Fergus Hood (Convenor), Neil Baillie (Member), Marion Ewenson (Member), Gwyneth Petrie (Member), Victoria Harper (Member) and Dominic Lonchay (Member)

Aberdeenshire Central Licensing Forum

Robin Philip (Member), Carol Muir (Aberdeenshire Alcohol & Drugs Partnership), Kenneth McGeough (Police Scotland) and Lauren Eastwood (Licensing Standard Officer), Lisa Godini (Licensing Standard Officer)

In Attendance

Jill Joss (Depute Clerk), Fiona Stewart (Depute Clerk to North Licensing Board) and Anna Ziarkowska (Committee Officer).

1. APOLOGIES FOR ABSENCE

Apologies were received from Board members: Cllr Karen Adam, Robbie Withey. Apologies were received from Forum members: Bill Duncan (Convener), Paul MacLennan (Member), Nicola Sedgwick (Member), Darren Moir (Member), Keith Whyte (Member), Dawn Tuckwood (Public Health Coordinator).

2. STATEMENT ON EQUALITIES

In taking decisions on the undernoted items of business, the Partnership **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality and opportunity between those who share a protected characteristic and persons who do not share it, and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it; and
- (2) to consider, where an equality impact assessment had been provided, its contents and to take those into consideration when reaching a decision.

3. LICENSING FEE

In response to a query forwarded from a Forum members, the Depute Clerk introduced a report containing Annual Financial Statement for the Aberdeenshire Licensing Boards for 2016-2017. It was reported that by virtue of section 9B of Licensing (Scotland) Act 2005 the duty has been placed on Licensing Boards to prepare and publish an annual financial report no

later than 3 months after the end of each financial year. The statutory duty has been brought into force in May 2017 and Boards prepared their first Annual Financial Statement in June this year. It was noted that the report is in public domain and is available on Council website.

The Depute Clerk discussed the running costs of the Board and explained basic principles guiding the licensing fees. Members were advised that Board is restricted in terms of setting the charges for licensing fee as the whole regime is governed by the Licensing (Fees) (Scotland) Regulations issued by the Scottish Government. It was also indicated that Aberdeenshire Boards currently operate at costs and its deficit amounts to £95,258.29.

4. PRIVATE MEMBERS CLUBS

In response to a query forwarded from a Forum members, the Depute Clerk advised members not to discuss this item as it might relate to individual premises and particular license holders. Members were informed that LSOs and Police are aware of the issue with visits at licensed premises and they will take appropriate actions to rectify the situation. Members were advised that the update on progress would be provided at the next meeting of the Forum.

5. LICENSING POLICY REVIEW – CONSULTATION ON LOCALITIES AND OVERPROVISION

Members were informed about the Consultation on Localities launched by the Licensing Board and invited to consider the proposed localities within the Central Board area. It was noted that data regarding the population provided in a table attached was not sufficient to properly determine the localities. Members were interested to see how many facilities operate within the area and where is the largest concentration of them. Despite the observations made, Members were happy to continue with the current localities based on the AC Wards and highlighted the need for greater flexibility which would allow to focus on particular locations.

6. AOCB

Members were asked to identify and raise any issues that Board should focus on in reviewing the licensing policy. It was observed that more flexibility in drafting the new licensing policy statement is required. Forum Members identify a need to streamline/simplify the document by ensuring the user friendly layout/format and produce a leaflet/summary of bullet points

Forum Members asked what the Licensing Board could do in relation to adjusting the operating hours of the licensed premises due to the change in drinking pattern. The Depute Clerk advised that this could be done under application for variation, however, it was agreed to investigate this matter further and identify more flexible solutions.

Inspector McGeough briefly outlined the issues with intoxication in licensed premises, alcohol related violence and vulnerabilities which became a major focus for Police recently. It was reported that Police Scotland worked with licensed premises which were experiencing problems in order to guide the staff and raise awareness of how to deal with vulnerability. Inspector McGeough advised that a detailed guidance for staff employed at licensed premises is available at Police Scotland Facebook and it was agreed to publish this on Council website.