

4. MINUTES OF BOARD MEETING

ABERDEENSHIRE LICENSING BOARDS SOUTH DIVISIONAL LICENSING BOARD

*Minute of Meeting of the **SOUTH ABERDEENSHIRE DIVISIONAL LICENSING BOARD**, held in the **COUNCIL CHAMBER, VIEWMOUNT, ARDUTHIE ROAD, STONEHAVEN, AB39 2DQ** on **WEDNESDAY 6 DECEMBER 2017** at 10AM.*

- Present –

Cllrs Alastair Bews, Jeff Hutchison, Colin Pike, Alistair McKelvie, Dennis Robertson

- In Attendance -

*Lauren Cowie and Jill Joss, Depute Clerks to the Board
Kenny McGeouch, Inspector and Gillian Flett, Licensing Sergeant, Police Scotland
Keith Simpson, Senior Licensing Standards Officer
Delsya Borland, Licensing Administrator*

In the absence of Councillor Peter Argyle, Councillor Alastair Bews was unanimously elected as Convenor for the meeting.

1. APOLOGIES FOR ABSENCE

Cllrs Peter Argyle, Rosemary Bruce and Leigh Wilson intimated their apologies for the Board.

2. EQUALITIES

In making decisions on the following items of business, the Board AGREED, in terms of Section 149 of the Equality Act, 2010:-

- (1) The Board would have due regard to the need to:-*
 - (a) Eliminate discrimination, harassment and victimisation;*
 - (b) Advance equality of 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.*

Where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

3. MINUTE S OF BOARD MEETING OF 4 OCTOBER 2017

The Minutes of Board Meeting of 4 October 2017 were APPROVED as a correct record.

4. APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES LICENCE – NON-CONTENTIOUS

Following consideration of a report by the Clerk the Board decided the applications for new Premises Licences and Provisional Premises Licences as undernoted:

Applicant	Premises	Decision
Spider on a Bicycle Ltd	Spider on a Bicycle Station Square Aboyne AB34 5HX	GRANTED
SONA (Scotland) Limited	Cambus O'May Hotel Cambus O'May AB35 5SE	GRANTED
Primehelm Limited	The Sitting Room Unit 6 The Green Portlethen AB12 4UN	GRANTED

5. APPLICATIONS FOR PERSONAL LICENCE – REBECCA LOUISE GILL – HEARING

- (1) The applicant was present at the hearing.
- (2) The Chief Constable was represented by Inspector Kenny McGeouch and Sergeant Gillian Flett.
- (3) The Board heard Rebecca Louise Gill's submissions.
- (4) The Board heard Sergeant Flett's submissions.
- (5) The Board allowed the applicant an opportunity to respond to the submissions made.
- (6) The Board then asked questions of all parties.
- (7) An opportunity was given to each party to make concluding remarks but all declined
- (8) Cllr Robertson, seconded by Cllr McKelvie, moved as a motion that the application be granted. No amendment was proposed. The motion was passed unanimously on a show of hands.
- (9) The Decision of the Board therefore was that the application be **GRANTED**.

6. APPLICATION FOR REVIEW OF PERSONAL LICENCE – CALUM CHARLES LONIE LEIPER - HEARING

- (1) Licence Holder was neither present nor represented at the Hearing
- (2) The Chief Constable was represented by Sergeant Gillian Flett.
- (3) The Board determined to continue with the Hearing in the absence of the licence holder.
- (4) The Board heard Sergeant Flett's submissions.
- (5) Members then were given the opportunity to ask questions of Sergeant Flett. There were no questions.
- (6) Sergeant Flett was invited to make concluding remarks.
- (7) Cllr Hutchison, moved as a motion that the personal licence be revoked in terms of Section 84(7A) of the Licensing (Scotland) Act 2005 on the basis that, by reason of the licence holder's behaviour having seriously undermined compliance with the Licensing objective of preventing crime and disorder, the licence holder is no longer a fit and proper person to be the holder of a personal licence. This was seconded.
- (8) No amendment was proposed.

- (9) The motion was passed unanimously on a show of hands.
(10) The decision of the Board was, therefore, that the personal licence be **REVOKED** in terms of Section 84(7A) of the 2005 Act.

7. ADDITIONAL REPORTS

(i) Policy Statement Timetable Updated

Lauren Cowie, Depute Clerk, briefed Members on the engagement sessions and the positive response to the survey monkey. The Forum will be approached as to the matter regarding locality.

As these sessions will end in January 2018, a report will be put to the February meeting providing outcomes of consultation and progress to date. A Special Meeting is to be convened with Board Members confirming their preference for this meeting to take place after the scheduled February 2018 Board Meeting.

(ii) Board Report on Licensing Forums

Lauren Cowie, Depute Clerk, outlined what each option entails. After discussions involving Board Members, Police Scotland and the Licensing Standards Officer, the unanimous decision was taken that Option B, to establish a new Aberdeenshire Licensing Forum, is to be recommended to Aberdeenshire Council.

(iii) Approved Meeting Dates 2018/19

Following consideration of a report by the Clerk, the Board were in agreement to the dates for future Board Meetings in 2018/2019.

Board Member Presiding over meeting

Print Name

Signature

Date

End of Minutes