

**ABERDEENSHIRE LICENSING BOARDS
SOUTH DIVISION**

A Meeting of the LICENSING BOARD for the **SOUTH DIVISION OF ABERDEENSHIRE** appointed in terms of the Licensing (Scotland) Act 2005 will be held within the **COUNCIL CHAMBER, VIEWMOUNT, ARDUTHIE ROAD, STONEHAVEN, AB39 2DQ**, on **7 FEBRUARY 2018 AT 10AM**.

Members are requested to meet in the Member's Room at 9:30am.

After the formal meeting the Board will meet informally to discuss the licensing policy review and in particular to review the recent engagement exercise.

**Viewmount
Arduthie Road
Stonehaven
AB39 2DQ**

**Peter Robertson
Depute Clerk to the Licensing Board**

31 January 2018

BUSINESS

- 1 APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**
- 3. STATEMENT ON EQUALITIES**

Consider, and if so decided, adopt:- "In line with the Council's legal duty under section 149 of the Equality Act 2010 the Board, in making decisions on the attached reports, shall have due regard to the need to":-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

- 4. MINUTES OF BOARD MEETING OF 6 DECEMBER 2017 - FOR APPROVAL**
- 5. LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCES – NON-CONTENTIOUS APPLICATIONS – FOR CONSIDERATION**
- 6. ADDITIONAL REPORTS**
 - (i) Policy Statement Timetable Updated**
 - (ii) Licensing Policy Review – Decision on Locality for Purposes of Overprovision**
 - (iii) Request to extend licensed hours on the occasion of the Royal Wedding**
- 7. DATE OF NEXT MEETING**

3. STATEMENT ON EQUALITIES

PUBLIC SECTOR EQUALITY DUTY – GUIDANCE FOR MEMBERS

What is the duty?

In making decisions on the attached reports, Members are reminded of their legal duty under

section 149 of the Equality Act 2010 to have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it. The “protected characteristics” under the legislation are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to point (i) above only) marriage and civil partnership.

How can Members discharge the duty?

To ‘have due regard’ means that in making decisions, Members must consciously consider the need to do the three things set out above. This requires a conscious approach and state of mind. The duty must influence the final decision. However, it is not a duty to achieve a particular result (e.g. to eliminate unlawful racial discrimination or to promote good relations between persons of different racial groups). It is a duty to have due regard to the need to achieve these goals. How much regard is ‘due’ will depend upon the circumstances and in particular on the relevance of the needs to the decision in question. The greater the relevance and potential impact that a decision may have on people with protected characteristics, the higher the regard required by the duty.

What does this mean for Licensing Board decisions?

Members are directed to the section in reports headed ‘Equalities, Staffing and Financial Implications’. This will indicate whether or not an Equality Impact Assessment (EIA) has been carried out as part of the development of the proposals and, if so, what the outcome of that assessment is. An EIA will be appended to a report where it is likely that the action recommended in the report could have a differential impact (either positive or negative) upon people from different protected groups. The report author will have assessed whether or not an EIA is required. If one is not required, the report author will explain why that is. Where an EIA is provided, Members should consider its contents and take those into account when reaching their decision. Members should also be satisfied that the assessment is sufficiently robust and that they have enough of an understanding of the issues to be able to discharge their legal duty satisfactorily.

For more detailed guidance please refer to the following link:-

http://www.equalityhumanrights.com/uploaded_files/EqualityAct/psed_technical_guidance_scotland.doc

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

Notice and Agenda Continues

5. LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCES – NON - CONTENTIOUS APPLICATIONS – FOR CONSIDERATION

SOUTH ABERDEENSHIRE LICENSING BOARD REPORT TO LICENSING BOARD – 7 February 2018 LICENSING (SCOTLAND) ACT 2005

APPLICATIONS FOR VARIATION OF PREMISES LICENCE NON-CONTENTIOUS APPLICATIONS

1. Purpose of Report

- 1.1 To consider applications for variation of premises licences that are non-contentious.

2. Recommendations

It is recommended that the Board grants the applications for variation of premises licences listed in Appendix 1 to this Report as non-contentious applications, as determined by the Clerk in terms of the Board's Scheme of Delegation.

3. Background

- 3.1 In terms of Section 17 of and in terms of Part 3 of the Licensing (Scotland) Act 2005, a Premises Licence is required to authorise the sale of alcohol on premises from 1st September 2009.
- 3.2 In terms of Section 30 any application for a variation of a Premises Licence, which is not a minor variation as defined by Section 29(6), must be considered by the Board by means of a hearing.
- 3.3 An number of applications for variation of Premises Licences are now ready to be put before the Board for consideration. These are listed in Appendix 1 to this report.

3.4 The Board's Scheme of Delegation provides that consideration of Premises Licence is a matter reserved to the Board. Each application should be considered on its own merits

3.5 In relation to the application to be considered by the Board -

- (a) there are no valid objections to the application;
- (b) the hours sought in the Operating Plan are within the Licensing Board's general policy on Licensing Hours as set out in its Statement of Licensing Policy.

4 Proposal

4.1 The Depute Clerk has determined, as outlined above, that the following applications for variation of Premises Licences listed at Appendix 1 to this report are non-contentious applications and asks that the Board grant the same.

4.2 Copies of the application forms, operating plans and layout plans where applicable will be available in the Members Room for perusal by Board Members prior to the Board Meeting from 9.30am.

5. Consultations

5.1 The Depute Clerk examined the applications in detail and the Applicants then addressed any issues requiring to be addressed. Thereafter, the Depute Clerk forwarded the applications to the following persons or bodies as part of the consultation process:

- (a) Police Scotland;
- (b) Scottish Fire & Rescue Service;
- (c) The Environmental Health, Planning and Building Standards Services of Aberdeenshire Council;
- (d) The Licensing Standards Officer;
- (e) The appropriate Community Council; and
- (f) Neighbouring Occupiers
- (g) Health Authority

5.2 At the same time as the applications were consulted on, the applicants required to display a site notice at the premises, in a location where it could be easily read by members of the public, advertising the fact that an application to vary the Premises Licence had been made. The Licensing Standards Officers checked to ensure the site notices had been appropriately displayed, and had been displayed for the correct time period, as part of their consultation exercise for each premises.

5.3 The applications were also advertised on the Council's website.

6. Objections and Representations

6.1 No objections were received in respect of these applications.

6.2 In some cases, the statutory consultees have made representations. These were copied to the applicants who have made the appropriate amendments to their applications in order to satisfy the representations made.

6.3 Any applicant who has taken issue with the representations made will have their application considered at a full hearing of the Board at a future Board meeting.

7. Equalities Staffing & Financial Implications

7.1 An Equality Impact Assessment is not needed in this case because the granting or refusing of these applications will not have a differential impact on the protected characteristics of the applicants or any third parties.

7.2 There are no area, policy, finance, staffing or sustainability implications directly arising from this report.

Geraldine Fraser
Clerk to the Board

Report prepared by Peter Robertson, Depute Clerk to the Licensing Board
Date 26 January 2018

Non - Contentious Major Variation

Name of Applicant	Name and Address of Premises	Premises Licence No.	Variation Applied For	Remarks (if any)
Drumlithie Hotel Ltd	Drumlithie Hotel Station Road Drumlithie	AB-S-P021	<ol style="list-style-type: none">1. Licensed hours for on and off sales will commence at 1200 hours each day.2. Films and indoor/outdoor sports are to be provided as activities, within core hours.3. The inclusion in Q5(f) of a catering van or other stalls to operate from the premises car park.4. Children to be permitted entry until 2100 hours to the lounge bar, reception area, bedrooms and outdoor drinking area when accompanied by an adult, or until terminal hour if attending a private function held in the function room.5. Young Persons to be permitted unaccompanied entry to the lounge bar, reception area, bedrooms and outdoor drinking area and function room until 2100 hours, after which time they must be accompanied by a responsible adult.	No representations were received in respect of this application.

6. ADDITIONAL REPORTS

(i) Policy Statement Timetable Updated

POLICY STATEMENT REVIEW

Review of Licensing Policy Statements

Supervising Officer – Lauren Cowie

Lead Officer – Fiona Stewart

KEY – Tracking Column	Target deadline met	Ongoing	Target deadline missed
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Officers will use Aberdeenshire Council's Policy Development & Review Framework as the foundation for the review of the Licensing Boards' Policy Statements. This can be found at Section 6 of Part 4A - Scrutiny at Aberdeenshire of Aberdeenshire Council's Scheme of Governance.

Item Number	Responsible Officer	Activity	Timescale	Tracking	Updated	Comments
STEP 1 – Agree the timeline						
1A	Peter Robertson	South Board to agree Indicative Timetable for Review of Policy Statements	2/8/17		17/8/17	Approved 16/8/17 - This was delayed due to no Quorum at Board meeting on 2/8/17. This was rescheduled to 16/8/17.
1B	Jill Joss	Central Board to agree Indicative Timetable for Review of Policy Statements	9/8/17		10/8/17	Approved 9/8/17
1C	Fiona Stewart	North Board to agree Indicative Timetable for Review of Policy Statements	30/8/17		31/8/17	Approved 30/8/17
1D *New*	Review Team	Notified all partner agencies of the Review, providing sight of the timeline with a view to future engagement	Sept 2017		12/9/17	Completed

STEP 2 – Review existing Policy Statement and identify focus issues for the review						
2A	Fiona Stewart	Review Existing Policy Statements	Aug-Sept 2017		18/8/17	Completed
2B	Paralegal Trainee	Look at examples of other policy Statements	Aug-Sept 2017		18/8/17	Completed
2C	Fiona Stewart Paralegal	Finalise Annual Report on Existing Policy Statement	Aug-Sept 2017		29/9/17	Completed
2D	Peter Robertson	Engage with South Board to identify main issues to address in the review	4/10/17		4/10/17	Completed
2E	Jill Joss	Engage with Central Board to identify main issues to address in the review	11/10/17		11/10/17	Completed
2F	Fiona Stewart	Engage with North Board to identify main issues to address in the review	25/10/17		25/10/17	Completed
2G	Peter Robertson	Progress Report to South Board	4/10/17		4/10/17	Completed
2H	Jill Joss	Progress Report to Central Board	11/10/17		11/10/17	Completed
2I	Fiona Stewart	Progress Report to North Board	25/10/17		25/10/17	Completed
STEP 3 – Draft Impact Assessments						
3A	Fiona Stewart Iain Meredith	Draft outline Equalities Impact Assessment	30/9/17		ongoing	Drafts done. Assessments will be updated throughout the review as required
3B	Fiona Stewart Iain Meredith	Draft outline Privacy Impact Assessment	30/9/17		ongoing	

STEP 4 - Engagement with partners on identified issues (in conjunction with the overprovision policy review)						
4A	Fiona Stewart Iain Meredith Paralegal ICT and Corporate Communications	Prepare and issue survey monkey to all stakeholders	Nov-Dec 2017			Survey monkey closes 15th January 2018
4B	Fiona Stewart Trainee	Consult with Council Services and Community Councils	Nov-Dec 2017		31/12/17	Completed
4C	Fiona Stewart	South Board engages with Forum re issues	Nov 2017		6/12/17	Deferred to December Boards to save resources
4D	Fiona Stewart	Central Board engages with Forum re issues	Nov 2017		13/12/17	Deferred to December Boards to save resources
4E	Fiona Stewart	North Board engages with Forum re issues	Nov 2017		13/12/17	Deferred to December Boards to save resources
4F	Peter Robertson	South Board engages with Police, LSOS & Public Health	6/12/17		6/12/17	Completed
4G	Jill Joss	Central Board engages with Police, LSOS & Public Health	13/12/17		13/12/17	Completed
4H	Fiona Stewart	North Board engages with Police, LSOS & Public Health	20/12/17		20/12/17	Completed
4I	Peter Robertson	Progress Report to South Board	6/12/17		6/12/17	Completed
4J	Jill Joss	Progress Report to Central Board	13/12/17		13/12/17	Completed
4K	Fiona Stewart	Progress Report to North Board	20/12/17		20/12/17	Completed

4L	Fiona Stewart All Clerks	Officer engagement with Community Planning, Community Safety, Transport Authorities and Tourism Representatives	Jan 2018			Done by way of an e-mail engagement. Partners will meet with the Boards in February where necessary
STEP 5 – Review of engagement with partners (in conjunction with overprovision policy review)						
5A	Peter Robertson	Review of Engagement Exercise with South Board	Jan 2018			Deferred to February Board to save resources
5B	Jill Joss	Review of Engagement Exercise with Central Board	Jan 2018			Deferred to February Board to save resources
5C	Fiona Stewart	Review of Engagement Exercise with North Board	Jan 2018			Deferred to February Board to save resources
5D	Peter Robertson	Progress Report to South Board	7/2/18			
5E	Jill Joss	Progress Report to Central Board	14/2/18			
5F	Fiona Stewart	Progress Report to North Board	28/2/18			
STEP 6 – Draft revised Statements of Licensing Policy						
6A	Peter Robertson All Clerks Paralegal	Draft revised Statement of Licensing Policy	Feb – Mar (Week 1) 2018			
STEP 7 – Draft Impact Assessments						
7A	Fiona Stewart Peter Robertson	Update the information in the Draft Equality Impact Assessment	Feb – Mar (Week 1) 2018			
7B	Fiona Stewart Jill Joss	Update the information in the Draft Privacy Impact	Feb – Mar (Week 1)			

		Assessment	2018			
STEP 8 – Annual Meeting of the licensed trade						
8A	Fiona Stewart Peter Robertson	South Board engages with the Licensed Trade in their Area	7/3/18			
8B	Fiona Stewart Jill Joss	Central Board engages with the Licensed Trade in their Area	14/3/18			
8C	Fiona Stewart	North Board engages with the Licensed Trade in their Area	28/3/18			
8D	Peter Robertson	Progress Report to South Board	4/4/18			
8E	Jill Joss	Progress Report to Central Board	11/4/18			
8F	Fiona Stewart	Progress Report to North Board	25/4/18			
STEP 9 – Formal consultation on revised Policy Statement						
9A	Fiona Stewart Peter Robertson	Formal consultation with all partners and the public on the proposed revised Statements of Licensing Policy	May-Jul 2018			
9B	Fiona Stewart Jill Joss	Either some form of community engagement exercise at each Board or a joint community engagement exercise with all Boards	Jun 2018			At each Board in June / Special Meeting
9C	Fiona Stewart	Progress Report to South Board	Jun 2018			Board Meeting
9D	Fiona Stewart	Progress Report to	Jun 2018			Board Meeting

	All Clerks	Central Board				
9E	Fiona Stewart Iain Meredith	Progress Report to North Board	Jun 2018			Board Meeting
STEP 10 – Finalisation of Licensing Policy Statements						
10A	Fiona Stewart Peter Robertson	Review Report to South Board following consultation period	Aug 2018			
10B	Fiona Stewart Jill Joss	Review Report to Central Board following consultation period	Aug 2018			
10C	Fiona Stewart	Review Report to North Board following consultation period	Aug 2018			
10D	Fiona Stewart All Clerks	Finalise wording of Revised Licensing Policy Statement	Sept 2018			
10E	Fiona Stewart Iain Meredith	Finalise terms of the Equality Impact Assessment	Sept 2018			
10F	Fiona Stewart Iain Meredith	Finalise terms of the Privacy Impact Assessment	Sept 2018			
STEP 11 – Approval and publication of Policy Statements						
11A	Peter Robertson	Report to South Board for Approval of Policy Statement	Oct 2018			Board Meeting
11B	Jill Joss	Report to Central Board for Approval of Policy Statement	Oct 2018			Board Meeting
11C	Fiona Stewart	Report to North Board for Approval of Policy Statement	Oct 2018			Board Meeting

STEP 12 – Publication of Policy Statements						
12A	Fiona Stewart Susan Odlin	Publication of Approved Policy Statements on the Boards' Website	31/10/18			

OVERPROVISION POLICY STATEMENT REVIEW

Review of Licensing Policy Statements

Supervising Officer – Lauren Cowie

Lead Officer – Peter Robertson

KEY – Tracking Column	Target deadline met	Ongoing	Target deadline missed
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Officers will use Aberdeenshire Council's Policy Development & Review Framework as the foundation for the review of the Licensing Boards' Policy Statements. This can be found at Section 6 of Part 4A - Scrutiny at Aberdeenshire of Aberdeenshire Council's Scheme of Governance.

Item Number	Responsible Officer	Activity	Timescale	Tracking	Updated	Comments
STEP 1 – Agree the timeline						
1A	Peter Robertson	South Board to agree Indicative Timetable for Review of Overprovision Policy	2/8/17		17/8/17	Approved 16/8/17 - This was delayed due to no Quorum at Board meeting on 2/8/17. This was rescheduled to 16/8/17.
1B	Jill Joss	Central Board to agree Indicative Timetable for Review of Overprovision Policy	9/8/17		10/8/17	Approved 9/8/17

1C	Fiona Stewart	North Board to agree Indicative Timetable for Review of Overprovision Policy	30/8/17		31/8/17	Approved 30/8/17
1D *New*	Review Team	Notified all partner agencies of the Review, providing sight of the timeline with a view to future engagement	Sept 2017		12/9/17	Completed
STEP 2 – Review existing Policy Statement and gather evidence to assist the Boards in identifying localities						
2A	Peter Robertson	Review Existing Overprovision Policies	Aug-Sept 2017		18/8/17	Completed
2B	Paralegal Trainee	Look at examples of other policy Statements	Aug-Sept 2017		18/8/17	Completed
2C	Peter Robertson Susan Odlin Paralegal Trainee	Identify occupancy Capacity Figures and Licensed Hours Stats for each Board	Aug-Sept 2017		11/9/17	Completed
2D	Peter Robertson	Engagement with partners to provide evidence to assist the Board in identifying localities for Overprovision in each of the Board Areas	Aug-Sept 2017		18/9/17	Completed
2E	Peter Robertson	Progress Report to South Board	4/10/17		4/10/17	Completed
2F	Jill Joss	Progress Report to Central Board	11/10/17		11/10/17	Completed
2G	Fiona Stewart	Progress Report to North Board	25/10/17		25/10/17	Completed

STEP 3 – Draft Impact Assessments						
3A	Peter Robertson Iain Meredith	Draft outline Equalities Impact Assessment	30/9/17		ongoing	Prepared in draft form
3B	Peter Robertson Iain Meredith	Draft outline Privacy Impact Assessment	30/9/17		ongoing	
STEP 4 - Engagement with partners on identified issues (in conjunction with review of Policy Statements)						
4A	Peter Robertson Iain Meredith Paralegal ICT and Corporate Communications	Prepare and issue survey monkey to all stakeholders	Nov-Dec 2017			Survey Monkey ends 15th January 2018
4B	Peter Robertson Trainee	Consult with Council Services and Community Councils	Nov-Dec 2017		31/12/17	Completed
4C	Peter Robertson	South Board engages with Forum re issues	Nov 2017		6/12/17	Deferred to December Boards to save resources
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4F	Peter Robertson	South Board engages with Police, LSOS & Public Health	6/12/17		6/12/17	Completed
4G	Jill Joss	Central Board engages with Police, LSOS & Public Health	13/12/17		13/12/17	Completed

4H	Fiona Stewart	North Board engages with Police, LSOS & Public Health	20/12/17		20/12/17	Completed
4I	Peter Robertson	Progress Report to South Board	6/12/17		6/12/17	Completed
4J	Jill Joss	Progress Report to Central Board	13/12/17		13/12/17	Completed
4K	Fiona Stewart	Progress Report to North Board	20/12/17		20/12/17	Completed
4L	Peter Robertson All clerks	Officer engagement with Community Planning, Community Safety, Transport Authorities and Tourism Representatives	Jan 2018		On track	Engagement carried out by e-mail. Partners will meet with the Boards in February where necessary
STEP 5 – Review of engagement with partners (in conjunction with review of Policy Statements)						
5A	Peter Robertson	Review of Engagement Exercise with South Board	Jan 2018			Deferred to December Boards to save resources
5B	Jill Joss	Review of Engagement Exercise with Central Board	Jan 2018			Deferred to December Boards to save resources
5C	Fiona Stewart	Review of Engagement Exercise with North Board	Jan 2018			Deferred to December Boards to save resources
5D	Peter Robertson	Report to South Board to agree localities for overprovision	7/2/18			
5E	Jill Joss	Report to Central Board to agree localities for	14/2/18			

		overprovision				
5F	Fiona Stewart	Report to North Board to agree localities for overprovision	28/2/18			
STEP 6 – Draft revised Overprovision Policy Statements						
6A	Peter Robertson All Clerks Paralegal	Draft revised Statement of Licensing Policy	Feb – Mar (Week 1) 2018			
STEP 7 – Draft Impact Assessments						
7A	Peter Robertson Iain Meredith	Update the information in the Draft Equality Impact Assessment	Feb – Mar (Week 1) 2018			
7B	Peter Robertson Iain Meredith	Update the information in the Draft Privacy Impact Assessment	Feb – Mar (Week 1) 2018			
STEP 8 – Annual Meeting of the licensed trade						
8A	Fiona Stewart Peter Robertson	South Board engages with the Licensed Trade in their Area	7/3/18			
8B	Fiona Stewart Jill Joss	Central Board engages with the Licensed Trade in their Area	14/3/18			
8C	Fiona Stewart	North Board engages with the Licensed Trade in their Area	28/3/18			
8D	Peter Robertson	Progress Report to South Board	4/4/18			
8E	Jill Joss	Progress Report to Central Board	11/4/18			
8F	Fiona Stewart	Progress Report to	25/4/18			

		North Board				
STEP 9 – Formal consultation on revised Overprovision Policy Statements						
9A	Peter Robertson	Formal consultation with all partners and the public on the proposed revised Statements of Licensing Policy	May-Jul 2018			
9B	Fiona Stewart	Either some form of community engagement exercise at each Board or a joint community engagement exercise with all Boards	Jun 2018			At each Board in June / Special Meeting
9C	Peter Robertson	Progress Report to South Board	Jun 2018			Board Meeting
9D	Jill Joss	Progress Report to Central Board	Jun 2018			Board Meeting
9E	Fiona Stewart	Progress Report to North Board	Jun 2018			Board Meeting
STEP 10 – Finalisation of Overprovision Policy Statements						
10A	Peter Robertson	Review Report to South Board following consultation period	Aug 2018			
10B	Peter Robertson Jill Joss	Review Report to Central Board following consultation period	Aug 2018			
10C	Peter Robertson Fiona Stewart	Review Report to North Board following consultation period	Aug 2018			

10D	Peter Robertson All Clerks	Finalise wording of Revised Licensing Policy Statement	Sept 2018			
10E	Peter Robertson Iain Meredith	Finalise terms of the Equality Impact Assessment	Sept 2018			
10F	Peter Robertson Iain Meredith	Finalise terms of the Privacy Impact Assessment	Sept 2018			
STEP 11 – Approval and publication of Overprovision Policy Statements						
11A	Peter Robertson	Report to South Board for Approval of Policy Statement	Oct 2018			Board Meeting
11B	Jill Joss	Report to Central Board for Approval of Policy Statement	Oct 2018			Board Meeting
11C	Fiona Stewart	Report to North Board for Approval of Policy Statement	Oct 2018			Board Meeting
STEP 12 – Publication of Overprovision Policy Statements						
12A	Peter Robertson Susan Odlin	Publication of Approved Policy Statements on the Boards' Website	31/10/18			

6. ADDITIONAL REPORTS

(ii) Licensing Policy Review – Decision on Locality for Purposes of Overprovision

ABERDEENSHIRE LICENSING BOARDS

REPORT TO SOUTH DIVISIONAL LICENSING BOARDS – 7 February 2018

LICENSING POLICY REVIEW DECISION ON LOCALITY FOR PURPOSES OF OVERPROVISION

1 Recommendations

1.1 The Divisional Licensing Boards are asked to agree that for the purposes of assessing overprovision as part of the licensing policy review the localities should continue to be based on Council wards.

2 Background

2.1 Members will recall that at the August and December Board meetings the question of deciding what should be the locality or localities for the purpose of assessing overprovision was considered as part of the licensing policy review. Members considered the responses which had been gathered in a consultation exercise and the representations made by partner agencies including the police and LSOs. The Board decided that there was no evidence to suggest that it would be desirable to change the boundaries of the current localities and that they should continue to be the Council ward areas and this was agreed at the Joint Meeting with the Licensing forum in December however this was not formalised. The purpose of this report is to ask the Board to formally agree that for the purposes of assessing overprovision the existing localities should continue to be used and that an assessment should now be made as to whether or not there is evidence of overprovision in any of those localities.

3. Governance

3.1 Paragraph 1.1 and 1.2 of the Licensing Board Combined Scheme of Delegation allows the Board to take decisions on the review of licensing policy and assessment of overprovision.

3. Implications and Risk

3.1 An Equality Impact Assessment is not needed in this case because the decision that is being made will not have a differential impact on the protected characteristics of any persons.

3.2 There are no staffing and financial implications. There are no Risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers.

3.3 The Town Centre Principle does not apply in respect of this matter.

**Geraldine Fraser
Clerk to the Board**

**Report Author: Peter Robertson, Depute Clerk to the Board, Senior Solicitor
(Governance)**

Date: 29 January 2018

6. ADDITIONAL REPORTS

- (iii) **Request to extend licensed hours on the occasion of the Royal Wedding**

ABERDEENSHIRE LICENSING BOARDS – 7 February 2018

REPORT TO SOUTH, CENTRAL AND NORTH DIVISIONAL LICENSING BOARDS

1 Recommendations

- 1.1 The Divisional Licensing Boards are asked to consider whether or not to make a determination extending licensed hours on the occasion of the marriage of HRH Prince Harry on Saturday 19 May 2018 and if so to decide what the extended hours should be and whether it should apply to all premises or only to certain specified descriptions of premises.**

2 Background

- 2.1** Prince Harry is to marry on Saturday 19 May 2018. The wedding is due to take place at 1100hrs.
- 2.2** A Licensing Board may if they consider it appropriate to do so in connection with a special event of local or national significance, make a determination extending licensed hours by such period as the Board may specify in the determination. Such a determination may apply to the whole of a Board's area or part of it and may apply to licensed hours generally or specified descriptions of licensed hours. It may also apply to all licensed premises or only to certain descriptions of licensed premises.
- 2.3** Each Board is asked to consider whether or not to make a determination granting extended hours and if so to specify exactly what it should be.

3. Governance

- 3.1** Section 67 of the Licensing (Scotland) Act 2005 entitles a Licensing Board to make a determination on extended hours

3. Implications and Risk

- 3.1** An Equality Impact Assessment is not needed in this case because the decision that is being made will not have a differential impact on the protected characteristics of any persons.
- 3.2** There are no staffing and financial implications. There are no Risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers.
- 3.3** The Town Centre Principle does not apply in respect of this matter.

**Geraldine Fraser
Clerk to the Board**

**Report Author: Peter Robertson, Depute Clerk to the Board, Senior Solicitor
(Governance)**

Date: 29 January 2018

7. DATE OF NEXT MEETING - 4 APRIL 2018 - Venue to be confirmed