

4. MINUTES OF BOARD MEETING

ABERDEENSHIRE LICENSING BOARDS CENTRAL DIVISIONAL LICENSING BOARD

*Minute of Meeting of the **CENTRAL ABERDEENSHIRE DIVISIONAL LICENSING BOARD**, held in the **COUNCIL CHAMBER. GORDON HOUSE, BLACKHALL ROAD, INVERURIE** on **WEDNESDAY 15th AUGUST 2018** at **10.30 a.m.***

- Present –

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

- In Attendance -

*Fiona M Stewart Depute Clerk to the Board
Lisa Godini, Licensing Standards Officer
Keith Simpson, Senior Licensing Standards Officer
Inspector Kenneth McGeough, Police (Scotland)*

1. APOLOGIES FOR ABSENCE

Cllr Karen Adams

2. DECLARATIONS OF INTEREST

None

3. 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.*
- (2) Where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.*

4. MINUTES OF THE BOARD MEETING OF 27 JUNE 2018

The Minutes of the Board Meeting of 27 June 2018 were APPROVED as a correct record.

A: LICENSING (SCOTLAND) ACT 2005

5. LICENSING (SCOTLAND) ACT 2005 – APPLICATION FOR OCCASIONAL LICENCE – DONSIDE BALL

The Depute Clerk circulated a copy of the legal test to all parties present prior to the start of the hearing and outlined the requirements of the legal test prior to the Board proceeding with the hearing.

- 1) *Mr Fyffe represented the applicants at the hearing*
- 2) *Lisa Godini and Keith Simpson, Licensing Standards Officers were present at the meeting*
- 3) *Inspector McGeough represented the Chief Constable at the meeting.*
- 4) *The Board heard the applicant’s submissions*
- 5) *The Board heard the Licensing Standard Officer’s submissions*
- 6) *The Board heard Inspector McGeough’s submissions*
- 7) *The Board afforded the applicant an opportunity to respond to the submissions made by the Licensing Standards Officer and Inspector McGeough*
- 8) *Board Members were then invited to ask questions of all parties*
- 9) *Inspector McGeough was then invited to make concluding remarks*
- 10) *The Licensing Standards Officer was then invited to make concluding remarks*
- 11) *The applicant was then invited to make concluding remarks but declined to do so*
- 12) *Cllr Ewenson, seconded by Cllr Harper, moved as a motion that the application be granted, subject to the recommended conditions, but with a terminal hour of 1.30am, on the basis that in terms of Section 59(6)(d)(i) of the Licensing (Scotland) Act 2005, having regard to the nature of the activities proposed to be carried on in the premises it was not appropriate to sell alcohol after that time.*
- 13) *No amendment was proposed.*
- 14) *The Board asked for clarification on the local conditions to be attached to the licence and the Depute Clerk provided the appropriate information*
- 15) *The motion was passed unanimously on a show of hands.*
- 16) *The decision of the Board therefore was that the licence was granted, subject to the recommendation conditions, with a terminal hour of 1.30a.m.*

6. APPLICATION FOR NON-CONTENTIOUS MAJOR VARIATIONS OF PREMISES LICENCES

Following consideration of a report by the Depute Clerk in respect of applications for Major Variation of premises licences, the Board decided the applications as undernoted:

<u>Applicant</u>	<u>Premises</u>	<u>Decision</u>
<i>Kevin Reid t/a K & C Jewellers</i>	<i>K & C Jewellers 2 Bridge Street</i>	<i>Granted</i>

		<i>Ellon Aberdeenshire AB41 9AA</i>	
<i>WM Supermarkets plc</i>	<i>Morrison</i>	<i>Morrisons Middlefield Blackhall Road Inverurie AB51 4JP</i>	<i>Granted</i>

7. ADDITIONAL REPORTS

(a) Policy Statement Review Timeline

The Board considered and discussed the content of the Boards' Licensing Review Policy Timeline and noted that the process had remained on target to date.

The Board asked that their thanks be passed on the licensing team for the amount of work achieved in conducting the review to date.

B: GAMBLING ACT 2005

(b) Revised Licensing Board Publication Schemes

Following consideration of a report by the Clerk, the Board -

- 1.1 Approved the revised Publication Scheme and Revised Guide to Information for the Central Board in compliance with the revised Model Scheme approved by the Scottish Information Commissioner.*
- 1.2 Noted that the revised Scheme and Guide to Information would continue in force until such time as the Board is notified of any changes by the Scottish Information Commissioner*
- 1.3 Authorised the Depute Clerk to publish the revised Scheme and Guide to Information on the Board's website.*

(c) Review of Gambling Policy Station 2019 – 2022 – Initial Report

Following consideration of a report by the Clerk the Board –

- 1.1 Authorised the Clerk to the Board to conduct the review of the Statement of Licensing Principles in terms of the Gambling Act 2005.*
- 1.2 Noted that an update report, including a draft, revised Statement of Licensing Princip[les would be brought to the Licensing Board at their October Meeting*
- 1.3 Noted that a report seeking the approval of the revised Statement of Licensing Principles would be brought to the Board at their December Meeting.*

1.4 Noted that the revised Statement of Licensing Principles would be published on the Board's website, advertised in the press on 3rd January 2019 and would take effect from 31st January 2019.

(d) Consultation on Review of Societies Lotteries

Following consideration of the terms of a report by the Clerk, the Board –

1.1 Recommended -

(i) that limits for all Societies Lotteries remain as presently approved;

(ii) that the Licensing Board receive a Quarterly Bulletin advising them of the applications granted under delegated powers in terms of the Gambling Act 2005

1.2 Authorised the Clerk to the Board to submit a response on behalf of the Aberdeenshire Licensing Boards following consultation with the Board Convenors by the deadline of 7th September 2019.

(e) Consultation on Wholesalers and Minimum Unit Pricing

Following consideration of a report by the Clerk and, having sought the views of the Licensing Standards Officers present at the meeting, the Board –

1.1 Agreed with the proposals as outlined in the consultation document.

1.2 Authorised the Clerk to the Board to submit a response on behalf of the Aberdeenshire Licensing Boards following consultation with the Board Convenors by the deadline of 16th October 2018

8. Date of Next Meeting – Wednesday 10th October 2018

Noted.

Board Member Presiding over meeting

Print Name

Signature

Date