

**Aberdeenshire Licensing Boards
(North, Central and South Divisions)
Income and Expenditure 2016.17**

Licensing Boards	Liquor £
	-
Income from Fees	303,495.88
LSO Staff Costs	136,024.16
Licensing Staff Costs (3FTE)	103,942.48
Total Staff Costs	239,966.64
Postages	2,016.18
Travel & Subsistence	3,274.83
Printing & Stationery	1,118.19
Legal Exp Gen	168.00
Hospitality	21.00
Misc Exp	690.80
Total Direct overheads	7,289.00
Central Charges - Accommodation	8,674.17
Central Charges - Administration	142,824.37
Total indirect overheads (Central Charges)	151,498.54
Net -Deficit	95,258.29

Included in above

100% LSO Costs

20% Solicitors Costs

100% 3 FTE Admin Staff Costs

20% Admin Supervisor Staff Costs

30% Staff Travel & Subsistence + 100% LSO Travel & Subsistence

30% Central Admin & Accommodation Charges

Central Charges include HR & OD, ICT, Legal, Finance support

Combined Annual Financial Statement to 31 March 2018

Aberdeenshire Licensing Boards (North Central and South)	Liquor £
Income from Fees	-286,098.75
LSO Staff Costs	95,842.43
Licensing Admin Staff Costs	125,858.47
Total Staff Costs	221,700.90
Postages	2,208.75
Travel & Subsistence	5,041.91
Printing & Stationery	1,694.46
Legal Exp Gen	
Hospitality	41.00
Misc Exp	401.43
Total Direct overheads	9,387.55
Central Charges - Accommodation	16,698.04
Central Charges - Administration	158,441.92
Total indirect overheads (Central Charges)	175,139.96
Net - Expenditure	120,129.66
Surplus before Central Charges	-55,010.30
Deficit after Central Charges	120,129.66

ABERDEENSHIRE DIVISIONAL LICENSING BOARDS

NORTH, CENTRAL AND SOUTH DIVISIONAL LICENSING BOARDS

LICENSING (SCOTLAND) ACT 2005
SECTION 9A: ANNUAL FUNCTIONS REPORT
SECTION 9B: ANNUAL FINANCE REPORT
(1st April 2018 to 31st March 2019)



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SECTION 1

PART A – ANNUAL FUNCTIONS REPORT

Statutory Duty

The Air Weapons and Licensing (Scotland) Act 2015 amended the Licensing (Scotland) Act 2005 to place a statutory duty on Licensing Boards to publish an “Annual Functions Report” within 3 months of the end of each financial year.

Section 9A is in the following terms:

9A Annual functions report

- (1) *Each Licensing Board **must** prepare and publish a report not later than 3 months after the end of each financial year.*
- (2) *A report under this section **must** include –*
 - a. *A statement explaining how the Board has had regard to –*
 - i. *The **licensing objectives**, and*
 - ii. *The **licensing policy statement** and any supplementary licensing policy statement (including the Board’s statement under Section 7(1) (duty to assess overprovision)) in the exercise of their function under this Act during the financial year,*
 - b. *A **summary of the decisions** made by (or on behalf of) the Board during the financial year, and*
 - c. *Information about **the number of licences** held under the Act in the Board’s area (including information about the number of occasional licences issued during the year).*
- (3) *A report under this section may include **such other information** about the exercise of the Licensing Board’s functions under this Act as the Board considers appropriate.*
- (4) *At the request of a Licensing Board the relevant council **must** provide the Board with such information as the Board may reasonably require for the purpose of preparing a report under this section.*
- (5) *In discharging their duties under subsection (1) and section 9B(1) (annual finance report) a Licensing Board **may**, if they consider appropriate, prepare and publish a combined report containing the information required under this section and under section 9B (which combined report must be published not later than 3 months after the end of the financial year in question).*
- (6) *The Scottish Ministers **may** by regulations make further provision about reports under this section including, in particular, provisions about –*
 - a. *The form and required content of reports*
 - b. *The publication of reports*
- (7) *In this section “financial year” means a yearly period ending on 31st March.”*

Reporting Obligations

The Boards therefore have the following key obligations:

- To **PUBLISH** an annual functions report within 3 months of the end of the relevant financial year
- To include within the Annual Functions Report –
 - A **STATEMENT** explaining how the Boards have had regard to
 - The licensing objectives; and
 - Their policy statementIn the exercise of their functions
 - A **SUMMARY** of the decisions taken by each Board over the relevant financial year including decisions by officers under delegated powers
 - The **NUMBER** of licences held under the Act in the Board's area, including the number of occasional licences issued during the financial year
 - **OTHER INFORMATION** as determined to be necessary by the Licensing Boards

Purpose of the Annual Function Report

Background

The requirements for an Annual Functions Report were not included in the original Air Weapons and Licensing (Scotland) Bill.

During stage one, a number of parties raised concerns regarding the lack of transparency by Licensing Boards in relation to the exercise of their functions.

At stage 2 of the Bill an amendment was proposed to introduce an "Annual Functions Report" that would place significant reporting duties on Licensing Boards. At that time the Cabinet Secretary for Justice stated:

"...I am sure that committee members recognise that licensing boards are already under a substantial requirement to report on a range of areas, which places a significant burden on them. For example, they are obliged to prepare a licensing policy statement, an overprovision assessment and an annual report on key statistics to the Scottish Government, and to maintain a public register of key information. The public register must contain information in relation to premises, personal and occasional licences and the decisions that have been taken about applications."

The tabled amendment was withdrawn, and the Scottish Government carried out an engagement exercise with stakeholders on the proposal to introduce the requirement for an Annual Functions Report.

Following the engagement exercise, the Scottish Government tabled a revised amendment to introduce an Annual Functions Report. The Cabinet Secretary for Justice stated:

“The annual reports will ensure increased accountability and transparency from licensing boards so that the public can see how they go about their business.”

Statement by the Boards

It is recognised that documents such as the Licensing Policy Statement, are, by their nature, complex legal documents that do not promote transparency beyond key stakeholder groups. The Boards welcome the introduction of the reporting requirements as a means to increase accountability and transparency with particular focus on improving engagement with communities in the licensing process.

The Annual Functions Report will be compiled with a central focus of explaining the work of the Boards to our local communities. The use of plain English shall be promoted, and information will be provided in clear and concise terms wherever possible. Web-links will be used to direct interested parties to more detailed information where required.

It is anticipated that the development of the reports will involve a process which will refine the content and approach with each publication. In addition, the Aberdeenshire Local Licensing Forum will play a key role in shaping future reports through their statutory function of providing advice and guidance to the Aberdeenshire Divisional Licensing Boards.

Meeting the Obligations

The term “function” is used consistently within the Licensing (Scotland) Act 2005 (“the 2005 Act”) to describe the statutory duties to be carried out by relevant bodies. For context, an analytical overview of the current functions carried out by key stakeholders within the licensing system is provided in **Appendix 1**.

Key Stakeholders include:-

	The Licensing Boards
	The Licensing Standards Officers (“LSOs”)
	The Local Licensing Forum
	Statutory Consultees
	The Public

More detailed information relating to the Key Stakeholders can be found at **Appendix 1** to this document.

Statutory Duty

The Air Weapons and Licensing (Scotland) Act 2015 amended the Licensing (Scotland) Act 2005 to place a statutory duty on Licensing Boards to publish an “Annual Finance Report” within 3 months of the end of each financial year.

Section 9B is in the following terms:

9B Annual financial report

- (1) Each Licensing Board **must** prepare and publish a report not later than 3 months after the end of each financial year.
- (2) A report under this section **must** include –
 - a. A statement of –
 - i. The amount of **relevant income** received by the Licensing Board during the financial year, and
 - ii. The amount of **relevant expenditure** incurred in respect of the Board’s area during the year, and
 - b. An **explanation** of how the amounts in the statement were calculated.
- (3) For the purposes of subsection (2) –

“relevant income” in relation to a Licensing Board, means income received by the Board in connection with the exercise of the Board’s functions under or by virtue of –

- a. This Act, or
- b. Section 14(1) of the Alcohol etc. (Scotland) Act 2010 (social responsibility levy) in so far as relating to holders of premises licences or occasional licences, and

“relevant expenditure” in relation to a Licensing Board, means any expenditure –

- a. Which is attributable to the exercise of the Board’s functions under or by virtue of –
 - i. This Act, or
 - ii. Section 14(1) of the Alcohol etc. (Scotland) Act 2010 (social responsibility levy) in so far as relating to holders of premises licence or occasional licences, and
- b. which is incurred by –
 - i. the Board
 - ii. the relevant council, or
 - iii. The Licensing Standards Officer (or Officers) for the Board’s area.

- (4) At the request of a Licensing Board the relevant Council **must** provide the Board with such information as the Board **may** reasonably require for the purpose of preparing a report under this section.
- (5) The Scottish Minister **may** by regulations make further provision about reports under this section including provision:
- a. About the form and contents of reports, including, in particular -
 - i. How a statement required under subsection (2) is to be set out, and
 - ii. What constitutes relevant income and relevant expenditure for the purposes of subsection 2, and
 - b. The publication of reports
- (6) Regulations under subsection (5)(a) may modify subsection (3).
- (7) In this section “financial year” means a yearly period ending on 31st March.”

Reporting Obligations

The Boards therefore have the following key obligations:

- To **PUBLISH** an annual financial report within 3 months of the end of the relevant financial year
- To include within the Annual Financial Report –
 - A **STATEMENT** outlining
 - Relevant Income; and
 - Relevant Expenditure
 - An explanation of how the amounts in the statement were calculated.

Purpose of the Annual Finance Report

The purpose of the Annual Financial Report is to **provide transparency** about the amount of income the Board receives and the amounts its spends to assist the Licensing Forum, the trade and the public in scrutinising how effective the Boards are in carrying out their functions under the Licensing (Scotland) Act 2005.

Meeting the Obligations

As outlined under Section 9A (5) of the Licensing (Scotland) Act 2005 [page 1 of this report], A Licensing Board may, if considered appropriate, prepare and publish a combined report containing information relating to the Board’s annual Functions Report and their annual Financial report.

The Aberdeenshire Licensing Boards have opted to provide a combined report so that all relevant information to comply with the duties of Section 9A and 9B can be found in one location.

The Financial Report is therefore included at **Section 6** of this report.

Copies will be provided to the Scottish Government each year after approval of the report by the Boards.

SECTION 2

The Licensing Objectives

There are **5 core licensing objectives underpinning the 2005 Act**: These are:

Preventing crime and disorder	
Securing public safety	
Preventing public nuisance	
Protecting and improving public health; and	
Protecting children and young persons from harm	

The Licensing objectives provide a basis for the administration of the licensing regime. They also provide potential reasons for refusal of an application for a premises, personal or occasional licence.

Breach of the objectives can provide grounds for a request for the review of a premises or personal licence.

Conditions attaching to premises, personal and occasional licences must be based on one or more of the licensing objectives.

Licensing Policy Statements

The Boards have a duty under Section 6 of the 2005 Act to publish a Statement of Licensing Policy with respect to the exercise of their functions under the Act.

The Boards also have a duty under Section 7 of the 2005 Act to publish to what extent they consider there to be overprovision of licensed premises, or licensed premises of a particular description, in any locality within the areas covered by the Board.

The above Policy Statements must seek to promote the licensing objectives and must comply with the Statutory Guidance for Licensing Authorities published by the Scottish Government in 2007.

The Boards' current policy statements can be accessed **here** ¹.

These policies have been reviewed and the revised Policy Statement was published on the 1st of November 2018.

¹ <https://www.aberdeenshire.gov.uk/licensing/alcohol/policies/policy-statements/>

Statement by the Boards

During the financial year 2018/2019 the Aberdeenshire Licensing Boards have sought to apply and promote the Licensing Objectives by:

- Revising the terms of their previous Policy Statements and agreeing the terms of a new Policy Statement (effective as of 1st November 2018).
- Applying the terms of their Policy Statements to Licence Applications and review applications
- Complying with the statutory grounds of refusal as set out in the 2005 Act relative to the appropriate licence type in their decision-making
- Applying the appropriate grounds for review of licence as set out in the 2005 Act for premises and personal licences
- Completing the statutory review of their existing Licensing Policy Statements ensuring they continue to meet the statutory requirements set out in the 2005 Act and its related guidance, and continue to promote the five licensing objectives
- Have worked with partner agencies, where appropriate, to ensure compliance with the five licensing objectives, particularly in relation to the completion of the review of Licensing Policy Statements.
- Holding the Licensing Matters Event in Inverurie in November 2018

Further evidence on how the Board applies and promotes the Licensing Objectives can be found at **SECTION 4** of this Report.

SECTION 3

Statistical Information

A. North Aberdeenshire Divisional Licensing Board

General

North Aberdeenshire consists of the Banff and Buchan, Buchan and North Formartine areas of Aberdeenshire.

The Board usually meets at Buchan House. St. Peter Street, Peterhead

Licensing Applications and Outcomes 1st April 2018 - 31st March 2019

Premises Licences (2017-2018 figures displayed in brackets)

APPLICATIONS			
Premises / Provisional Premises Licences Received			5 (4)
	On Sale	3 (2)	
	Off Sale	(1)	
	Both	2 (1)	
		TOTAL	5 (4)
	Applications Granted (Board)	5 (3)	
	Applications Refused	0 (0)	
	Applications Still being processed	... (0)	
	Applications Withdrawn	... (1)	
		TOTAL	5 (4)
Note: 2 applications granted subject to additional conditions in support of the following licensing objectives: preventing crime and disorder; preventing public nuisance and protecting children and young persons from harm.			
Confirmation of Provisional Premises Licences Received			5 (3)
	Applications Granted (Delegated)	5 (3)	
	Applications Refused	0 (0)	
	Applications Still being Processed	... (0)	
	Applications Withdrawn	... (0)	
		TOTAL	5 (3)
Minor Variations of Premises Licences Received			57 (56)
	Substitution of Employee	33 (26)	
	Other	24 (30)	
		TOTAL	57 (56)
	Applications Granted (Delegated)	57 (55)	
	Applications Refused	0 (0)	
	Applications Still Being Processed	... (1)	
	Applications Withdrawn	... (0)	
		TOTAL	57 (56)
Applications for Transfer of Premises licence Received			14 (13)
	Section 33	7(6)	
	Section 34	7(7)	
		TOTAL	14 (13)
	Applications Granted (Delegated)	14 (13)	
	Applications Refused	0 (0)	
	Applications Still Being Processed	... (0)	
	Applications Withdrawn	... (0)	
		TOTAL	14 (13)
Applications for Major Variation of Premises Licence Received			12 (24)
	Applications Granted (Board)	12 (21)	
	Applications Refused	0 (0)	

	Applications Still being processed	... (2)	
	Applications Withdrawn	... (1)	
		TOTAL	12 (24)
Note: 1 application granted subject to additional conditions in support of the following licensing objective: protecting children and young persons from harm.			
Applications for Extended Hours Received			3 (12)
	Applications Granted (Delegated)	3 (12)	
	Applications Refused	0 (0)	
	Applications Still being processed	0 (0)	
	Applications withdrawn	0 (0)	
		TOTAL	3 (12)
Applications for Occasional Licences Received			319 (322)
	Applications Granted (Delegated)	317 (312)	
	Applications Granted (Board)	2 (-)	
	Applications Refused (Board)	0 (1)	
	Applications Still being processed	... (1)	
	Applications Withdrawn	... (8)	
		TOTAL	319 (322)
Note: 1 application granted by the Board was subject to additional conditions in support of the following licensing objective: prevention of public nuisance.			
Applications for Temporary Premises Licences Received			0 (0)
	On Sales	0 (0)	
	Off Sales	0 (0)	
	Both	0 (0)	
		TOTAL	0 (0)
	Applications Granted	0 (0)	
	Applications Refused	0 (0)	
	Applications Still being processed	... (0)	
	Applications withdrawn	... (0)	
		TOTAL	0 (0)
Applications for Personal Licences Received			89 (93)
	Applications Granted (Delegated)	88 (86)	
	Applications Granted (Board)	0 (-)	
	Applications Refused (Board)	1 (2)	
	Applications Still Being Processed	... (3)	
	Applications Withdrawn	... (2)	
		TOTAL	89 (93)
Note: The application was refused on the grounds that the Board was unable to satisfy themselves of the identity of the applicant and therefore could not comply with S.72 of the Act and therefore the granting of the licence would be contrary to the preventing crime and disorder licensing objective.			
REVIEWS			
Requests for Review of Premises Licences Received			0 (0)
	From Police Scotland	0 (0)	
	From LSOs	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	0 (0)
<i>Resulting in</i>	Written warning	0 (0)	
	Variation of Licence	0 (0)	
	Suspension of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No action being taken	0 (0)	
		TOTAL	0 (0)
Requests for Review of Personal Licences Received – Notice of Further Conviction			0 (1)
<i>Resulting in</i>	Endorsement	0 (0)	
	Suspension of licence	0 (0)	
	Revocation of licence (Board)	0 (1)	
	No action being taken	0 (0)	
		TOTAL	(0) (1)

Requests for Review of Personal Licences Received – Conduct Inconsistent with the Licensing Objectives			1 (0)
	From Police Scotland	1 (0)	
	From LSO	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	1 (0)
<i>Resulting in</i>	Endorsement	1 (0)	
	Suspensions of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No Further Action	0 (0)	
		TOTAL	1 (0)
Note: The review was sought on the basis that the licence holder had acted in a manner inconsistent with the following licensing objectives: preventing crime and disorder and prevention of public nuisance.			
Request for Review of Personal Licences Received – Fit and Proper Person			0 (0)
<i>Resulting in</i>	Revocation of Licence	0 (0)	
	No Further Action	0 (0)	
		TOTAL	0 (0)
Request for Review of Personal Licences Received – Multiple Endorsements			0 (0)
	From Police Scotland	0 (0)	
	From LSO	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	0 (0)
<i>Resulting in</i>	Endorsement	0 (0)	
	Suspension of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No further Action	0 (0)	
		TOTAL	0 (0)
Revocations of Personal Licence for Failure to Provide Evidence of Having Undertaken Refresher Training			56 (57)
LICENCES IN FORCE AS AT 31ST MARCH 2019			
Premises Licences			225 (225)
	On Sale	78 (79)	
	Off Sale	82 (82)	
	Both	65 (64)	
		TOTAL	225 (225)
Personal Licences			925 (937)
Number of Extended Hours Applications Granted			0 (12)
Number of Occasional Licences Granted			319 (315)
For further details in respect of the decisions made and the conditions applied by the Board in respect of these applications please see their published minutes online which are available here ² .			

² <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487>

B: Central Aberdeenshire Divisional Licensing Board

General

Central Aberdeenshire consists of the South Formartine, Garioch and North Marr areas of Aberdeenshire.

The Board usually meets at Gordon House, Blackhall Road, Inverurie

Licensing Applications and Outcomes 1st April 2018 - 31st March 2019

Premises Licences (2017-2018 figures displayed in brackets)

APPLICATIONS			
Premises / Provisional Premises Licences Received			4 (6)
	On Sale	(0)	
	Off Sale	(3)	
	Both	4 (3)	
		TOTAL	4 (6)
	Applications Granted (Board)	4 (6)	
	Applications Refused	0 (0)	
	Applications Still being processed	... (0)	
	Applications Withdrawn	... (0)	
		TOTAL	4 (6)
Confirmation of Provisional Premises Licences Received			3 (5)
	Applications Granted (Delegated)	3 (5)	
	Applications Refused	0 (0)	
	Applications Still being Processed	... (0)	
	Applications Withdrawn	... (0)	
		TOTAL	3 (5)
Minor Variations of Premises Licences Received			54 (59)
	Substitution of Employee	36 (17)	
	Other	18 (42)	
		TOTAL	54 (59)
	Applications Granted (Delegated)	54 (57)	
	Applications Refused	0 (0)	
	Applications Still Being Processed	... (2)	
	Applications Withdrawn	... (0)	
		TOTAL	54 (59)
Applications for Transfer of Premises Licence Received			7 (11)
	Section 33	2 (9)	
	Section 34	5 (2)	
		TOTAL	7 (11)
	Applications Granted (Delegated)	7 (8)	
	Applications Granted (Board)	0 (1)	
	Applications Refused	0 (0)	
	Applications Still Being Processed	... (1)	
	Applications Withdrawn	... (1)	
		TOTAL	7 (11)
Applications for Major Variation of Premises Licence Received			21 (18)
	Applications Granted (Board)	21 (13)	
	Applications Refused	0 (0)	
	Applications Still being processed	... (5)	
	Applications Withdrawn	... (0)	
		TOTAL	21 (18)
Note: 9 applications granted by the Board were subject to additional conditions in support of the following licensing objectives: securing public safety, preventing public nuisance and protecting children and young persons from harm.			
Applications for Extended Hours Received			4 (15)
	Applications Granted (Delegated)	4 (13)	

	Applications Refused (Board)	0 (1)	
	Applications Still being processed	0 (0)	
	Applications withdrawn	0 (1)	
		TOTAL	4 (15)
Applications for Occasional Licences Received			585 (626)
	Applications Granted (Delegated)	584 (608)	
	Applications Granted (Board)	1 (1)	
	Applications Refused	0 (0)	
	Applications Still being processed	... (2)	
	Applications Withdrawn	... (16)	
		TOTAL	585 (626)
Note: 1 application granted by the Board was subject to additional conditions in support of the following licensing objective: prevention of public nuisance.			
Applications for Temporary Premises Licences Received			0 (0)
	On Sales	0 (0)	
	Off Sales	0 (0)	
	Both	0 (0)	
		TOTAL	0 (0)
	Applications Granted	0 (0)	
	Applications Refused	0 (0)	
	Applications Still being processed	0 (0)	
	Applications withdrawn	0 (0)	
		TOTAL	0 (0)
Applications for Personal Licences Received			99 (84)
	Applications Granted (Delegated)	95 (84)	
	Applications Refused	3 (0)	
	Applications Still Being Processed	... (0)	
	Applications Withdrawn	1 (0)	
		TOTAL	99 (84)
Note: 3 applications refused on the grounds that the Board was unable to satisfy themselves of the identity of the applicant and therefore could not comply with S.72 of the Act and therefore the granting of the licence would be contrary to the preventing crime and disorder licensing objective.			
REVIEWS			
Requests for Review of Premises Licences Received			0 (0)
	From Police Scotland	0 (0)	
	From LSOs	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	0 (0)
<i>Resulting in</i>	Written warning	0 (0)	
	Variation of Licence	0 (0)	
	Suspension of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No action being taken	0 (0)	
		TOTAL	0 (0)
Requests for Review of Personal Licences Received – Notice of Further Conviction			2 (0)
<i>Resulting in</i>	Endorsement	1 (0)	
	Suspension of licence	0 (0)	
	Revocation of licence	0 (0)	
	No action being taken	0 (0)	
	Adjourned to next meeting of Board	1 (0)	
		TOTAL	2 (0)
Note: Following review one licence was endorsed to reflect that the licence holder's actions had undermined the following licensing objective: preventions of crime and disorder and the hearing in the other case was adjourned to the next meeting of the Board in April 2019.			
Requests for Review of Personal Licences Received – Conduct Inconsistent with the Licensing Objectives			0 (0)
	From Police Scotland	0 (0)	
	From LSO	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	

		TOTAL	0 (0)
<i>Resulting in</i>	Endorsement	0 (0)	
	Suspensions of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No Further Action	0 (0)	
		TOTAL	0 (0)
Request for Review of Personal Licences Received – Fit and Proper Person			0 (0)
<i>Resulting in</i>	Revocation of Licence	0 (0)	
	No Further Action	0 (0)	
		TOTAL	0 (0)
Request for Review of Personal Licences Received – Multiple Endorsements			0 (0)
	From Police Scotland	0 (0)	
	From LSO	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	0 (0)
<i>Resulting in</i>	Endorsement	0 (0)	
	Suspension of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No further Action	0 (0)	
		TOTAL	0 (0)
Revocations of Personal Licence for Failure to Provide Evidence of Having Undertaken Refresher Training			42 (41)
LICENCES IN FORCE AS AT 31ST MARCH 2019			
Premises Licences			212 (210)
	On Sale		56 (54)
	Off Sale		77 (79)
	Both		79 (77)
		TOTAL	212 (210)
Personal Licences			806 (788)
Number of Extended Hours Applications Granted			0 (13)
Number of Occasional Licences Granted			585 (626)
For further details in respect of the decisions made and the conditions applied by the Board in respect of these applications please see their published minutes online which are available here ³ .			

³ <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=489>

C: South Aberdeenshire Divisional Licensing Board

General

South Aberdeenshire consists of the South Marr and Kincardine & Mearns areas of Aberdeenshire.

The Board usually meets at Viewmount, Arduthie Road, Stonehaven

Licensing Applications and Outcomes 1st April 2018 - 31st March 2019

Premises Licences *(2017-2018 figures displayed in brackets)*

APPLICATIONS			
Premises / Provisional Premises Licences Received			9 (3)
	On Sale	5 (2)	
	Off Sale	3 (0)	
	Both	1 (1)	
		TOTAL	9 (3)
	Applications Granted (Board)	9 (3)	
	Applications Refused	(0)	
	Applications Still being processed	(0)	
	Applications Withdrawn	(0)	
		TOTAL	9 (3)
Confirmation of Provisional Premises Licences Received			0 (0)
	Applications Granted	0 (0)	
	Applications Refused	0 (0)	
	Applications Still being Processed	... (0)	
	Applications Withdrawn	... (0)	
		TOTAL	0 (0)
Minor Variations of Premises Licences Received			44 (42)
	Substitution of Employee	27 (9)	
	Other	17 (33)	
		TOTAL	44(42)
	Applications Granted (Delegated)	44 (41)	
	Applications Refused	0 (0)	
	Applications Still Being Processed	... (0)	
	Applications Withdrawn	... (1)	
		TOTAL	44 (42)
Applications for Transfer of Premises Licence Received			10 (6)
	Section 33	2 (5)	
	Section 34	8 (1)	
		TOTAL	10 (6)
	Applications Granted (Delegated)	10 (4)	
	Applications Granted (Board)	0 (1)	
	Applications Refused	0 (0)	
	Applications Still Being Processed	... (0)	
	Applications Withdrawn	... (1)	
		TOTAL	10 (6)
Applications for Major Variation of Premises Licence Received			18 (11)
	Applications Granted (Board)	17 (8)	
	Applications Refused	0 (0)	
	Applications Still being processed	1 (3)	
	Applications Withdrawn	... (0)	
		TOTAL	18 (11)

Note: 4 Applications were granted subject to conditions relating to the following licensing conditions: securing public safety; preventing public nuisance and protecting children and young persons from harm and the consideration of 1 application was adjourned from the Board's February meeting until April.

Applications for Extended Hours Received			14 (37)
	Applications Granted (Delegated)	14 (36)	
	Applications Refused	0 (0)	
	Applications Still being processed	0 (0)	
	Applications withdrawn	0 (1)	
		TOTAL	14 (37)

Applications for Occasional Licences Received			412 (406)
	Applications Granted (Delegated)	412 (395)	
	Applications Granted (Board)	0 (-)	
	Applications Refused	0 (0)	
	Applications Still being processed	... (5)	
	Applications Withdrawn	... (6)	
		TOTAL	412 (406)

Applications for Temporary Premises Licences Received			0 (0)
	On Sales	0 (0)	
	Off Sales	0 (0)	
	Both	0 (0)	
		TOTAL	0 (0)
	Applications Granted	0 (0)	
	Applications Refused	0 (0)	
	Applications Still being processed	... (0)	
	Applications withdrawn	... (0)	
		TOTAL	0 (0)

Applications for Personal Licences Received			91 (85)
	Applications Granted	89 (82)	
	Applications Granted (Board)	0 (2)	
	Applications Refused	2 (0)	
	Applications Still Being Processed	... (1)	
	Applications Withdrawn	... (0)	
		TOTAL	91 (85)

Note: 1 application was refused as the Board took the view that the granting of the application would be contrary to the following licensing objectives: preventing crime and disorder and preventing public nuisance and 1 was refused on the grounds that the Board was unable to satisfy themselves of the identity of the applicant and therefore could not comply with S.72 of the Act and therefore the granting of the licence would be contrary to the preventing crime and disorder licensing objective

REVIEWS

Requests for Review of Premises Licences Received			1 (0)
	From Police Scotland	0 (0)	
	From LSOs	1 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	0 (0)
<i>Resulting in</i>	Written warning	0 (0)	
	Variation of Licence	0 (0)	
	Suspension of Licence	0 (0)	
	Revocation of Licence	1 (0)	
	No action being taken	0 (0)	
		TOTAL	1 (0)

Note: The review was sought as the premises had failed to trade or a period in excess of 3 months and the licence holder had indicated that had no plans to continue as a licensed premises and the licence could therefore be treated as ceasing to have effect.

Requests for Review of Personal Licences Received – Notice of Further Conviction			1 (2)
<i>Resulting in</i>	Endorsement	1 (1)	
	Suspension of licence	0 (0)	
	Revocation of licence	0 (1)	
	No action being taken	0 (0)	
		TOTAL	1 (2)

Note: Following review the licence holder's licence was endorsed for the purposes of the following licensing objective: preventing crime and disorder.

Requests for Review of Personal Licences Received – Conduct Inconsistent with the Licensing Objectives			0 (0)
	From Police Scotland	0 (0)	
	From LSO	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	0 (0)
<i>Resulting in</i>	Endorsement	0 (0)	
	Suspensions of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No Further Action	0 (0)	
		TOTAL	0 (0)
Request for Review of Personal Licences Received – Fit and Proper Person			0 (0)
<i>Resulting in</i>	Revocation of Licence	0 (0)	
	No Further Action	0 (0)	
		TOTAL	0 (0)
Request for Review of Personal Licences Received – Multiple Endorsements			0 (0)
	From Police Scotland	0 (0)	
	From LSO	0 (0)	
	By the Board	0 (0)	
	Other	0 (0)	
		TOTAL	0 (0)
<i>Resulting in</i>	Endorsement	0 (0)	
	Suspension of Licence	0 (0)	
	Revocation of Licence	0 (0)	
	No further Action	0 (0)	
		TOTAL	0 (0)
Revocations of Personal Licence for Failure to Provide Evidence of Having Undertaken Refresher Training			51 (43)
LICENCES IN FORCE AS AT 31ST MARCH 2019			
Premises Licences			199 (198)
	On Sale		64 (65)
	Off Sale		53 (52)
	Both		82 (81)
		TOTAL	199 (198)
Personal Licences			685 (686)
Number of Extended Hours Applications Granted			0 (36)
Number of Occasional Licences Granted			412 (412)
For further details in respect of the decisions made and the conditions applied by the Board in respect of these applications please see their published minutes online which are available here ⁴ .			

⁴ <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=488>

SECTION 4

What the Boards achieved in 2018-2019

Work in terms of the Licensing (Scotland) Act 2005:

1. Each Divisional Licensing Board met with the Aberdeenshire Licensing Forum on 15th April 2019 in compliance with the statutory requirement. It was not possible to achieve this meeting within the year 2018-2019 but has been undertaken as quickly as possible. Once the draft minutes have been approved by the Forum and the three Boards they can be accessed **here** ⁵.
2. The review of the Licensing Policy Statements was completed on target and the revised policy statement was completed approved and published by 1st November 2018 and can be accessed **here** ⁶.
3. A Licensing Matters Event was held in Inverurie for the Licensed Trade in November 2018 focussing on the revised policy statement, the issue of vulnerability as well as disabled access and facilities statements – a partnership approach involving the Boards, Police Scotland, LSOS, Environmental Health, Public Health, the Alcohol and Drugs Partnership, NHS Grampian and a local solicitor.
4. The procurement process for the purchase of a new licensing software system to improve and streamline the processing of applications, to facilitate easier online applications and to provide online registers has progressed, mapping exercises of the processes involved took place in January and February 2019 and training for the licensing team began in early March 2019.
5. Regular attendance by Licensing Team Members to Licensing Conferences and the SOLAR Licensing Working Group to ensure best practices are implemented and the Boards kept up to date with legislative changes.
6. Responses to various Scottish Government consultations by the Licensing Boards as required
7. Weekly licensing question time skype meetings to ensure Depute Clerks, the licensing team and Licensing Standards Officers engage on common licensing issues that arise across Aberdeenshire to ensure consistent advice is provided to the trade and to potential objectors.
8. Annual Meetings between the Clerk to the Board and the Convenors of the Divisional Licensing Boards to share concerns, forthcoming changes and share best practice.

Other work completed during the year:

1. Gambling Policies for the Boards reviewed, revised, approved and published on the website by 31st January 2019
2. The role of the Licensing Standards Officers extended to include new mandatory duties as Civic Licensing Standards Officers in terms of the Civic Government (Scotland) Act 1982.

⁵ <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=509>

⁶ <https://www.aberdeenshire.gov.uk/licensing/alcohol/policies/policy-statements/>

3. All staff and Board Members trained on the new requirements of GDPR
4. All licensing applications and guidance updated to include privacy notices to comply with the requirements of GDPR.
5. Privacy notices also published online to comply with GDPR.
6. Work carried out by officers for the Update report for compliance with Equalities duties and actions listed under the Boards' Action plans by 31st March 2019.
7. A member of each Board appointed as an Equalities Service Champion to work alongside one Depute Clerk who is also an Equalities Service Champion to promote equalities as a central focus for the Boards.
8. Appointment of a replacement Licensing Standards Officer by Aberdeenshire Council.

Customer Feedback

Over the last year we have received some excellent positive feedback from our customers and partners.

Licensing Survey Monkey

Feedback received from those applying for a liquor licence included:

94% of the respondents who used the licensing website in respect of their application confirmed that the information published was useful and of assistance.

71% of respondents confirmed that they were able to progress their application without needing to contact the Licensing Team which is an increase on last year's total of 60%.

77% of respondents who required to contact the Licensing Team in respect of their application confirmed that this resolved any issues or queries which they had, furthermore, in a large number of these cases this was accompanied by positive comments praising the staff involved not only in respect of their manner but also in terms of their knowledge and efficiency.

76% of respondents stated that they were 'very satisfied' (top rated option) with the overall service which we provide and a further 21% stated they were 'satisfied' (second top option) with only 3% answering in the 'negative'.

What people liked about our service:

" Efficient service, quick turnaround "

" Speedy, efficient a reliable service "

" As we made a mistake and time was running out the licensing people helped us get our licence in time for our event they were extremely helpful to get us sorted "

" Contacted me about form and gave great advice "

" Very easy process, when additional information was required I was told exactly what to provide, in what form and where to provide it "

" The advice and assistance of our local Licensing Standards Officer was invaluable "

“ Staff I spoke to at Viewmount were very friendly, helpful and efficient. I thought it was going to be a laborious process but turned out to be very straightforward ”

“ Extremely helpful advice received ”

“ Polite staff, plenty of information provided in regards how to apply and adhere for the licence, which was issued in a reasonable time scale ”

Comments received – Licensing Survey Monkey Questionnaire (01.04.18 to 31.03.19)

What people felt could improve the service which we provide:

The recommendations put forward by customers were as follows:

- Incorporated the ability to pay fees by BACS.
- Review forms to see whether these could be formatted to allowing completion online.
- Include direct telephone numbers on correspondence and ensure that these are up to date.

Summary of Comments received – Licensing Survey Monkey Questionnaire (01.04.18 to 31.03.19)

Licensing Policy Statement Feedback

Changes Made to the Policy Statement:

Licensing Policy Statement	
The following table summarises the changes which were adopted in terms of the new policy:	
All Boards	
Movement to one conjoined Policy Statement which highlights the local variations in policy between the Boards and brings all elements of the policy together in one accessible through the use of hyperlinks, icons and colour throughout and the addition of a glossary.	
New requirement for all licence holders to produce a vulnerability policy in respect of their premises.	
Confirmation within the policy that certain types of events, which primarily focus on children and young persons, will not be deemed suitable for occasional licences.	
Commitment to review pool conditions for occasional licences.	
Confirmation that the Boards discourage the use of end of aisle displays of alcohol in off-sales premises.	
Confirmation that the Boards discourage the provision of rounds of high ABV shots in licensed premises.	
Commitment to create a relevant action plan and performance indicators to measure the effect of the policy.	
Commitment to create Local Area Profiles for each Board Area to build evidence, on an ongoing basis, of any areas of concern regarding availability of alcohol and any issues that may impact positively or negatively on compliance with and promotion of the five licensing objectives and to enhance decision making.	
The policy was also updated to reflect the introduction of the Local Improvement Outcomes Plan (“LOIP”); Disability Access and Facilities Statement Requirements; the introduction of Minimum Unit Pricing as well as the introduction of GDPR.	
North	
Consistency in terms of how the Board’s hours are displayed within the policy (in line with Central & South)	
Removal of the 7.00am early morning opening and restricting this to 9.00am for on-sale premises.	
Removal of the ability of on sales premises to open for 24 hours on Hogmanay.	
Reviewed local conditions in terms of premises licences within the Board’s area.	
Commitment to produce guidance in respect of the management and intake of ‘booze cruises’.	
Central	
Requirement that beer gardens and outside drinking areas are included within premises licence (in line with the North)	
Restriction of the use of successive occasional licence applications (in line with the North)	
Increase in the number of guests who can be signed into Members Clubs (in line with the North)	
South	
Requirement that beer gardens and outside drinking areas are included within premises licence (in line with the North)	
Restriction of the use of successive occasional licence applications (in line with the North)	
Increase in the number of guests who can be signed into Members Clubs (in line with the North)	

FEEDBACK ON THE REVIEW OF THE POLICY STATEMENT

“ A positive reaction to the alignment and production of one policy that accommodates all board areas. This will be both effective and welcomed by the trade and other board policy users for both consistent approaches and clarity of information. “

“ The joining of the three Divisional Licensing Boards’ policy statements also contributes to increased accessibility of the policies. ”

“ Very good document and easy to read. ”

“ Pleased to see a number of positive changes to the policy that aim to make the policy more easily accessible and easier to read. This includes hyperlinking the document where possible; the use of colour; pictures and icons. ”

“ The draft contains a number of important features which we welcome and strongly commend: -

- 1. The Boards’ commitment to adopt a partnership working approach to alcohol and alcohol related issues within Aberdeenshire and the promotion of the licensing objectives.*
- 2. The publication of a single policy document incorporating unique policy provisions for each board where necessary.*
- 3. The Board’s commitment to work more proactively at a local level.*
- 4. The Board’s explicit statement that premises cannot thrive at the expense of patron’s health and wellbeing.*
- 5. The explicit link to the LOIP within the policy statement.*
- 6. The adoption of a vulnerability to intoxication policy as a condition.*
- 7. The Boards’ recognition of general exposure and normalisation of alcohol to be a concern for vulnerable people.*
- 8. The Boards’ presumption against granting occasional licences for events that are aimed primarily at children. ”*

“ The proposed changes are beneficial and improve the Licensing Policy. ”

“ We are pleased to see that the review has taken into account requests from the LOIP Group ‘Changing Aberdeenshire’s attitude to alcohol’. ”

“ We welcome the reduction in the current on sale hours for the North Board area from 7am to 9am. ”

“ We welcome the current approach of the Boards to state that there is no entitlement to grant the maximum off-sale hours of 10.00am to 10.00pm and that they will have particular regard to the effect that proposed off-sale hours would have in the promotion of the licensing objectives. ”

“ As a member of the Shire’s Recovery Community and an active participant in the ADP Central Forum I would like to highly commend the proposal to discourage or ban end of aisle alcohol promotions. “

“ We agree that Board should discourage the use of end of aisle displays for alcohol in off sale premises. ”

“ It is encouraging to see the Boards discourage the placement of alcohol promotions at end of aisle displays within off-sale premises, in order to reduce impulse purchases. We would refer to evidence that end of aisle displays more generally can significantly increase purchases of alcoholic beverages. ”

“ We agree that the Board should discourage the provision of rounds of high alcohol-by-volume shots in licensed premises, which encourage patrons to consume high strength alcohol in a short space of time. ”

“ Ban or discourage the purchase of rounds of shots etc. We are heartened to see that the Boards have publicly taken this position. ”

“ We agree with the proposal that certain types of events, which primarily focus on children and young persons, will not be deemed to be suitable for occasional licences. ”

“ Occasional Licences - We welcome the Boards making a presumption against grant as detailed (children’s events). ”

“ We welcome the adoption of the policy whereby repeated applications for occasional licences, for the same unlicensed premises, which are not detailed specific events and/or are for activities that have been re-occurring regularly over there months or more, will require a hearing before the Board.”

“ We approve the proposal for all Licence Holders to produce a Vulnerability Policy. ”

“ We are very pleased to see Condition 19, which relates to “vulnerability through intoxication” being implemented. ”

“ Thank you for the opportunity to review and comment on the draft Licensing Policy Statement. In general, our club is supportive of most of the proposals within the draft revised Licensing Policy Document. ”

“ We support the change allowing Members Clubs to apply to the Board for a variation of the terms of their licence to allow up to 5 guests to be signed in by Members ... this change will help on the occasions where members have family or friends visiting the area and be able to bring them along to the club. ”

“ Thank you very much for such a quick and reassuring response. This certainly eases our concerns. ”

“ I note that many of the suggestions put forward by NHS Grampian have been included in the draft policy and I am grateful for your consideration and inclusion. ”

“ We welcome the reference being made to the Chief Constable being allowed a 21 day period for consultation. Some Boards allow the Chief Constable only 7 days for consultation and we are appreciative of the three Shire Boards allowing us 21 days. ”

“ I would like to take this opportunity to commend the licensing team for the engagement and involvement of NHS Grampian as a partner in the development of this policy. ”

Area Committee Comments:

Banff and Buchan: *“ The Committee agreed that the changes made to the Policy Statement, as detailed in the report, were moving in the right direction and welcomed the fact that the Licensing Boards were moving towards uniformity. ”*

Buchan *“ Agree the approval of the proposed changes to the policy. ”*

Formartine: *“ Approve and support the document. ”*

Garioch: “ The Committee welcomed the report and expressed its support for the proposals. ”

Kincardine and Mearns: “ Very good document and very easy to read. ”

Marr: “ Approve and support the document. ”

Comments received – Formal Consultation on Draft Policy (02.07.18 to 13.09.18)

Full details of the feedback received and the action which was taken by the Boards in terms of the final policy statement is available [here](#) ⁷.

Licensing Matters Event Feedback

The Boards' held their Licensing Matters Event at Inverurie Town Hall on the 21st of November 2018. The event was well attended by members of the trade with representation from all sectors as well as other interested parties. Following discussions with those in attendance officers reported that the event was positively received and that those in attendance found this useful and informative.

⁷ <http://committees.aberdeenshire.gov.uk/FunctionsPage.aspx?dsid=96814&action=GetFileFromDB>

SECTION 5

Goals for 2019-2020

In respect of the Licensing (Scotland) Act 2005:

1. Preparation of Locality Plans for the Boards highlighting the licensed premises in each board area, SIMD statistics, population information, all information that can help each Board identify hotspot areas, areas that might be overprovided and enable the Boards to take action.
2. Publication of the statistical information and representations taken into account in revising the Policy Statements to be published on the website
3. Approval of the Second Annual Financial and Functions report by all Licensing Boards in June 2019, notification to the Scottish Government and publication on the website by 30th June 2019
4. To create new performance indicators for the Licensing Boards
5. To review local conditions for occasional licences across Aberdeenshire
6. To consider implementation of local conditions for premises licences in Central and South Aberdeenshire (already in place in North Aberdeenshire)
7. To create guidance for the Licensed Trade on how to properly manage “Booze Cruises” in licensed premises
8. To finalise the purchase and implementation of the new licensing software system
9. To hold an annual meeting of the Licensing Boards and the Aberdeenshire Local Licensing Forum by the end of April 2020
10. To continue holding weekly licensing question time skype meetings between the Depute Clerks, licensing team and the Licensing Standards Officers
11. To continue to hold Annual Meetings between the Clerk to the Board and the Convenors of the Divisional Licensing Boards
12. Continue to build specialist knowledge both at Board and Officer level through appropriate training courses, conferences and attendance at working groups
13. Complete the process of renewal of personal licences by the first deadline of 31st August 2019 and continue on an ongoing basis thereafter.
14. Continue to respond to Scottish Government consultations as required
15. Implement new legislative requirements as they are brought into force.
16. Update of legal tests and procedure documents and revise report styles for the Boards.
17. To hold a 3rd Licensing Matters Event for the trade in November 2019

Other goals:

1. Create Locality plans for the Gambling Act 2005.
2. Continue to monitor for GDPR requirements.
3. Continue to monitor equalities requirements and promote equalities.
4. Implement a Sexual Entertainment Venue Licensing Regime in Aberdeenshire

SECTION 6

2018 / 2019

LICENSING BOARDS	LIQUOR (£)	
	2017- 2018	2018 - 2019
Fees received	-286,098.75	-312,955.86
TOTAL INCOME FROM FEES	-286,098.75	-312,955.86
LSO Staff Costs	95,842.43	90,277.02
Licensing – Legal and Administrative Staff Costs	125,858.47	150,360.13
TOTAL STAFF COSTS	221,700.90	240,637.15
Postages	2,208.75	3,756.78
Travel and Subsistence	3,027.68	4,356.93
Printing and Stationery	1,694.46	2,758.66
Legal Expenses (General)	0.00	0.00
Hospitality	41.00	0.00
Miscellaneous Expenses (Insurance Premiums & Card Banking Charges)	401.43	433.77
TOTAL DIRECT OVERHEADS	7,373.32	11,306.13
Central Charges – Accommodation	16,698.04	12,879.64
Central Charges – Administration	158,441.92	176,417.70
TOTAL INDIRECT OVERHEADS (CENTRAL CHARGES)	175,139.96	189,297.34
NET EXPENDITURE	118,115.43	128,284.77
Surplus before Central Charges	-57,024.52	-61,012.57
Deficit after Central Charges	118,115.43	128,284.77

Calculation Statement

2018 / 2019

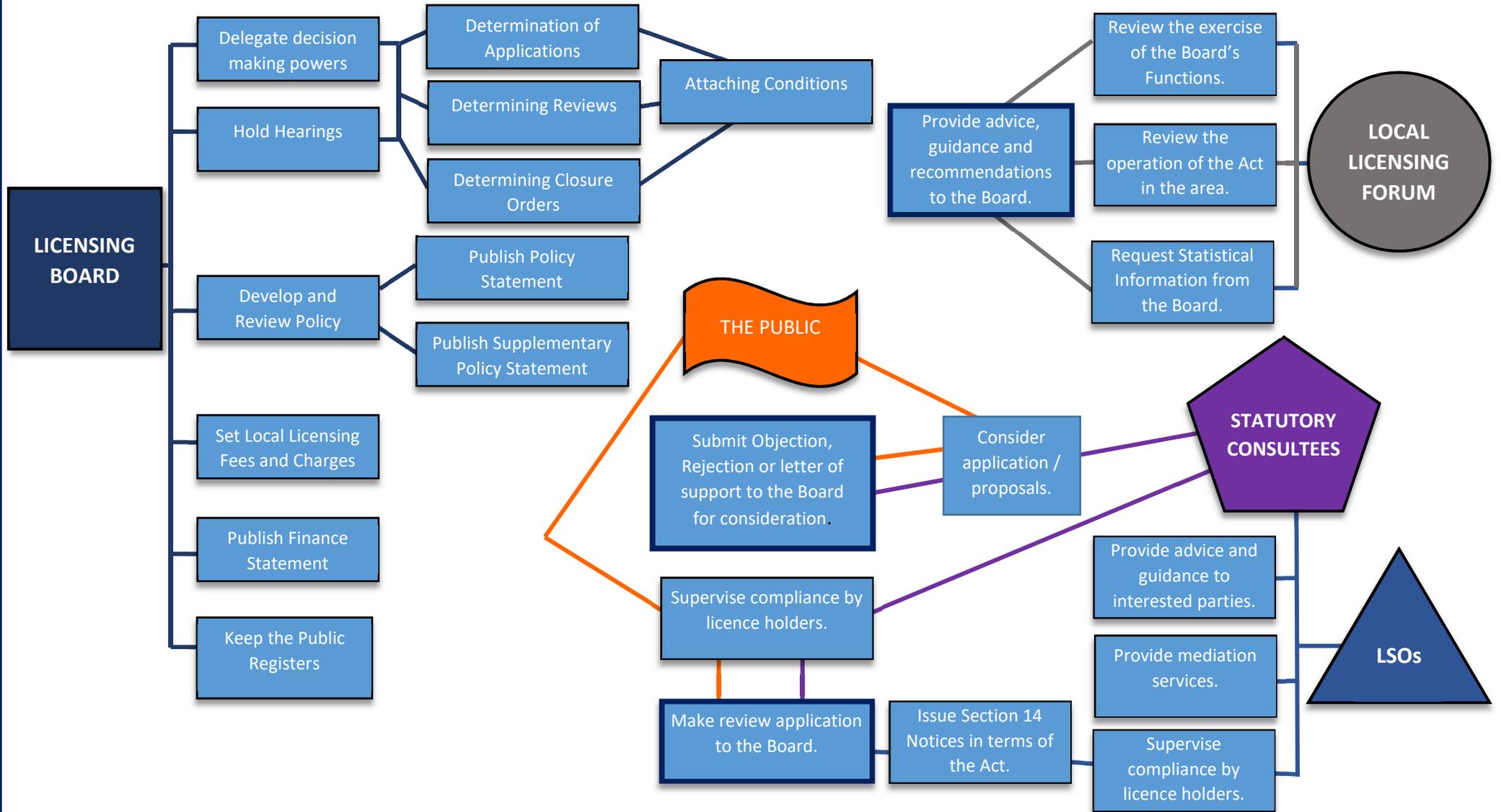
Description of cost	Proportion of overall cost accrued as per the description	
	2017- 2018	2018 - 2019
LSO – Staff Costs	60% of overall costs	60% of overall costs
Administrative Supervisor - Staff Costs	30% of overall costs	30% of overall costs
FTE Administrative Staff (x3) – Staff Costs	100% of overall costs	100% of overall costs
Solicitors Costs	30% of overall costs	30% of overall costs
LSO – Travel and Subsistence	100% of overall costs	100% of overall costs
Administrative Staff – Travel & Subsistence	60% of overall costs	60% of overall costs
Central Charges – Accommodation	30% of overall costs	30% of overall costs
Central Charges – Administration	30% of overall costs	30% of overall costs

APPENDICES



APPENDIX 1

Key Stakeholders and their functions



The Licensing Boards

The 2005 Act provides that Licensing Boards will be appointed for the purpose of administering the system of considering application for licences in accordance with the provisions of the 2005 Act and its associated regulations and for considering requests for review of premises licences.

Each Board must consist of not fewer than 5 and not more than 10 members.

Aberdeenshire Council appoints members to the licensing board at their first Full Council meeting after a local government election. A person must have been elected as a Councillor to be able to sit on the Board

All Members appointed to a Licensing Board must sit and pass a mandatory exam before being able to sit on the Board and make decisions on Board matters.

The Licensing Board must have a legally qualified clerk and administrative support is supplied by Aberdeenshire Council. The Boards do not employ any staff directly.

The Licensing Boards are independent public bodies to local Councils.

Aberdeenshire has 3 Divisional Licensing Boards:

- **North Aberdeenshire Divisional Licensing Board**
- **Central Aberdeenshire Divisional Licensing Board**
- **South Aberdeenshire Licensing Board**

Each Board has 8 members.

The Boards meet bi-monthly. All meetings of the Board must be held in public.

Agendas and Minutes are published on Aberdeenshire Council's website and can be accessed at:

North ⁸

Central ⁹

South ¹⁰

More detailed information on the Licensing Boards can be found within the Boards' Licensing Policy Statements at Supplementary Policy Statement 1 which can be accessed **here** ¹¹.

The Boards reviewed the existing terms of their Licensing Policy Statements over the past year and published a revised Policy Statement on 1st November 2018 which can be accessed **here** ¹².

⁸ <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487>

⁹ <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=489>

¹⁰ <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=488>

¹¹ <https://www.aberdeenshire.gov.uk/licensing/alcohol/policies/policy-statements/>

¹² <https://www.aberdeenshire.gov.uk/licensing/alcohol/policies/policy-statements/>

The Licensing Standards Officers (“LSOs”)

LSOs work with Licence Holders, the public, the Police and the Business community in seeking to promote the licensing objectives.

The LSOs have the following duties:

- Guidance
- Mediation
- Enforcement

Aberdeenshire Council employs 4 LSOs who are based within the Council’s Environmental Health Service and are employed to work in all parts of Aberdeenshire.

LSOs must sit a mandatory training course and pass an exam within a year of being appointed to their post.

The LSOs can be contacted at LSO@aberdeenshire.gov.uk

Further information on the LSOS can be accessed **here** ¹³.

The Local Licensing Forum

The terms of reference for the Forum are:

- (a) *To keep under review –*
- a. The operation of the 2005 Act in Aberdeenshire; and*
 - In particular, the exercise by the Aberdeenshire Divisional Licensing Boards of their functions, and***
- Give such advice and make such recommendations to any of those Boards in relation to those matters as the Forum considers appropriate.*
- (b) *To consider the implications of relevant local data and statistics provided to the Forum by Policy Scotland and the local Health Board;*
- (c) *To meet each of the North/Central/South Aberdeenshire Divisional Licensing Boards at least once per year, jointly or severally; and*
- (d) *To advise the Aberdeenshire Divisional Licensing Boards on any matters of policy and other areas of concern.*

Details of meetings of the Licensing Forum are available **here** ¹⁴.

Members of the public can also email their views, suggestions or comments on local licensing matters to the Forum using the following email address:

licensing.forums@aberdeenshire.gov.uk

Statutory Consultees

The Board is obliged to consult with the following persons/groups of persons in processing applications.

¹³ <http://www.aberdeenshire.gov.uk/licensing/alcohol/contact-us/>

¹⁴ <http://committees.aberdeenshire.gov.uk/committees.aspx?commid=509>

Applications for Premises Licences (including Major Variations)

- Police Scotland
- Scottish Fire and Rescue Service
- Planning Services
- Building Standards
- Environmental Health
- LSOS
- Public Health
- Community Councils
- Any persons owning or occupying property within a 4-metre radius of the application premises

Additionally applications are advertised on the Boards' website **here** ¹⁵.

Applications for Personal Licences

- Police Scotland
- LSOs

Applications for Transfer of Licences

- Police Scotland

Applications for Extended Hours

- Police Scotland
- LSOs

Applications for Occasional Licences

- Police Scotland
- LSOs

The applications are advertised on the Boards' website **here** ¹⁶.

Further information on how the Boards process applications and deal with reviews can be found within the Boards' policy statements **here** ¹⁷.

Detailed Guidance on individual Licence types and application fees can be found **here** ¹⁸.

The Public

Any person can object or lodge a representation (including letters of support) in respect of a licence application. More detailed information on objections/representations can be found **here** ¹⁹.

¹⁵ <https://www.tellmesotland.gov.uk/notices/aberdeenshire/licensing>

¹⁶ <https://www.tellmesotland.gov.uk/notices/aberdeenshire/licensing/>

¹⁷ <https://www.aberdeenshire.gov.uk/licensing/beer/policies/policy-statements/>

¹⁸ <http://www.aberdeenshire.gov.uk/licensing/licences-and-permits/?tag=Alcohol#records>

¹⁹ <https://www.aberdeenshire.gov.uk/licensing/appeals-and-objections/>

Licence Fees and Funding

In the main, Licence fees are set centrally by way of statutory instrument.
The Boards' fees for each licence type can currently can be found **here** ²⁰.

²⁰ <http://www.aberdeenshire.gov.uk/licensing/licences-and-permits/?tag=Alcohol#records>

