

Public Document Pack



To: Councillor Boulton, Convener; and Councillors Cameron, Carle, Copland, Donnelly, Grant, Lawrence, Townson and Yuill.

Town House,
ABERDEEN 11 March 2016

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 22 MARCH 2016 at 10.30 am.**

FRASER BELL
CLERK TO THE LICENSING BOARD

BUSINESS

- 1 List of Applications (Pages 3 - 8)
 - 1.1 Application for Premises Licence - Deserve Restaurant, 25 Crown Terrace, Aberdeen (Pages 9 - 14)
 - 1.2 Application for Provisional Premises Licence - Little Malaya, 25 Inverurie Road, Aberdeen (Pages 15 - 20)
 - 1.3 Application for Provisional Premises Licence - 1 Goodhope Park (Off Mogiemoss Road) Bucksburn, Aberdeen (Pages 21 - 26)
 - 1.4 Application for Provisional Premises Licence - Dim Sum Inn, 303 George Street, Aberdeen (Pages 27 - 28)
 - 1.5 Application for a Variation of a Premises Licence - The Bankhead Inn, 161 -165 Bankhead Road, Aberdeen (Pages 29 - 30)

- 1.6 Application for Variation of Premises Licence - Pizza Hut, Unit FS18, First Level Mall, Union Square, Guild Street, Aberdeen (Pages 31 - 32)
- 1.7 Application for Variation of a Premises Licence - The Watering Hole, Hillhead Halls of Residence, Bridge of Don, Aberdeen (Pages 33 - 34)
- 1.8 Application for the Variation of a Premises Licence - Under the Hammer, 11 North Silver Street, Aberdeen (Pages 35 - 36)
- 1.9 Application for Personal Licence : AC448 (Pages 37 - 38)
- 1.10 Personal Licence Review Hearing: AC3500 (Pages 39 - 40)
- 1.11 Report by the Clerk to the Licensing Board - Records Management Plan (Pages 41 - 74)

Should you require any further information about this agenda, please contact Arlene Dunbar, e-mail ardunbar@aberdeencity.gov.uk or tel. 01224 523411 or Jacqui Wallace, e-mail jwallace@aberdeencity.gov.uk or tel. 01224 522985

ABERDEEN CITY LICENSING BOARD

Meeting 22 March 2016 at 10:30am in , Committee Room 2 & 3, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

New Grant(s)	Premises	Applicant	Date Received	Comments
1	DESERVE RESTAURANT 25 CROWN TERRACE ABERDEEN AB11 6HD	CITY HUNTER LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	22 December 2015	Restaurant; Monday to Sunday 11:00 to 01:00 offering conference facilities, receptions, club meetings and recorded music and films. Food Takeaway service. Children and young persons permitted access when accompanied by an adult. Children permitted until 20:00 and young persons until 22:00.

ABERDEEN CITY LICENSING BOARD

Meeting 22 March 2016 at 10:30am in , Committee Room 2 & 3, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
2	LITTLE MALAYA 25 INVERURIE ROAD ABERDEEN BUCKSBURN AB21 9LJ	MALAYA RESTAURANT LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	5 January 2016	Restaurant offering receptions, club meetings and recorded music. Takeaway facility and alcohol takeaway facility. No Alcohol to be sold except with a full meal on the premises or to accompany a full meal takeaway. Breakfasts, teas, coffees and snacks to be served from 07:00. On sale hours Monday to Sunday 11:00 to 23:00; Off sale hours 11:00 to 22:00 Monday to Sunday. Children and young persons to be permitted access to all public parts of the premises at all times the premises are open for the purposes of consuming a meal and for ordering or collecting a takeaway. General convenience stores with off sales Monday to Sunday 10:00 to 22:00.
3	1 GOODHOPE PARK (OFF MOGIEMOSS ROAD) BUCKSBURN ABERDEEN AB21 9NE	A19 STORES LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	5 January 2016	

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Provisional(s)

Premises

Applicant

Date Received

Comments

4 DIM SUM INN
303 GEORGE STREET
ABERDEEN
AB25 1EP

BULU CHANDRA DAS
C/O LEDINGHAM CHALMERS LLP
SOLICITORS
JOHNSTONE HOUSE
52-54 ROSE STREET
ABERDEEN
AB10 1HA

28 January 2016

Restaurant - On & off sales
Monday to Sunday 12:00 - 15:00
& 17:00 to 00:00 and
receptions, club meetings,
recorded music, live
performances, take away
facilities. Children at
all
times premises are open
accompanied by an adult.

ABERDEEN CITY LICENSING BOARD

Meeting 22 March 2016 at 10:30am in , Committee Room 2 & 3, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Variation (Major)(s)	Premises	Applicant	Date Received	Comments
5	BANKHEAD INN 165 BANKHEAD ROAD BUCKSBURN ABERDEEN AB21 9HQ	LEONARD DOUGLAS BLEAKLEY	15 January 2016	Change to Premises Manager and removal of the bar in the lounge area.
6	PIZZA HUT UNIT FS18, FIRST LEVEL MALL UNION SQUARE GUILD STREET ABERDEEN AB11 5RG	PIZZA HUT (UK) LIMITED C/O BRODIES LLP SOLICITORS 15 ATHOLL CRESCENT EDINBURGH EH3 8HA	11 December 2015	Addition of bar meals as an activity; amendment to the wording from the operating plan at 6(b) "Alcohol is not supplied to anyone under 18 years of age and is only supplied to persons over 18 years of age eating"; increase in capacity; seating to be refurbished and rearranged, bar to be refurbished and opened out in order to include 11 bar stools and to provide bar meals.

ABERDEEN CITY LICENSING BOARD

Meeting 22 March 2016 at 10:30am in , Committee Room 2 & 3, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
7 THE WATERING HOLE HILLHEAD HALLS OF RESIDENCE BRIDGE OF DON ABERDEEN AB24 1WU	UNIVERSITY OF ABERDEEN	9 December 2015	Addition of bar meals, dance facilities, theatre and films as activities. Restaurant facilities to be available from 07:00 hours daily (currently 07:30). Amendment to Children and Young Persons access - Children up to and including the age of 15 years will be permitted entry to the bar and restaurant area accompanied by an adult. The existing bar and lounge area will be developed into a student support welfare and community kitchen & TV lounge. The self-service dining space/cafe/teria will become an open plan bistro. An additional second licensed space will be created to allow events, performances and films to be hosted.
8 UNDER THE HAMMER 11 NORTH SILVER STREET ABERDEEN AB10 1RJ	MURVAGH LTD	8 January 2016	Amendment to Operating Plan - to include live performances.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION PREMISES LICENCE
PREMISES: DESERVE RESTAURANT, 25 CROWN TERRACE

DESCRIPTION

- Restaurant seeking on sales from 11:00 to 01:00 hours Monday to Sunday;
- Conference facilities, Receptions, club and other group meetings;
- Recorded music;
- Food takeaways service;
- Children and young person will be allowed on the premises when accompanied by adult, Children will be permitted until 20:00 and young persons until 22:00

OBJECTIONS/REPRESENTATIONS

- Police

LICENSING POLICY STATEMENT

6 CONDITIONS ATTACHING TO LICENCES

6.5 The Board has devised a number of local conditions which may be attached to premises licences.

Drugs Policy

It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

Note: The applicant has accepted the imposition of the Drugs Policy.

LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

28.2 Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time as recognising that parents and other adults accompanying children also have responsibilities.

28.4 The following examples of control measures are given to assist applicants.

- effective and responsible premises management
- adoption of best practice guidance
- limitations on the hours when children may be present, in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirements for children to be accompanied by an adult
- acceptance of accredited proof of age cards with photographs, or passports
- measures to ensure children do not purchase, acquire or consume alcohol
- measures to ensure children are not exposed to incidences of violence or disorder
- appropriate training and supervision of those employed to secure protection of children from harm.
- Imposition of reasons for children to be present and/ or accompanied by a responsible person / adult who shall have responsibility for, and supervise such children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION PROVISIONAL PREMISES LICENCE
PREMISES: LITTLE MALAYA, 25 INVERURIE ROAD, ABERDEEN

DESCRIPTION

- Restaurant seeking on sales from 11:00 to 23:00 hours Monday to Sunday; and Off-Sale Hours 11:00 to 22:00 Monday to Sunday
- Receptions, club and other group meetings;
- Recorded music;
- Takeaways facility and alcohol takeaway facility. No Alcohol to be sold except with a full meal takeaway;
- Breakfasts, teas, coffees and sacks to be served from 07:00;
- Children and young person will be permitted access to all public parts of the premises at all times the premises are open for the purposes of consuming a meal and for ordering or collecting a takeaway.

OBJECTIONS/REPRESENTATIONS

- Police Scotland
- LSO

LICENSING POLICY STATEMENT

6 CONDITIONS ATTACHING TO LICENCES

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Drugs Policy

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Note: Applicant has accepted the Drugs Policy.

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- appropriate training and supervision of those employed to secure protection of children from harm.
- Imposition of reasons for children to be present and/ or accompanied by a responsible person / adult who shall have responsibility for, and supervise such children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function

NOT PROTECTIVELY MARKED

25 February 2016

Your Ref:

Our Ref: DCU/SID48856/9898/16

Mr Eric W J Anderson
Team Leader (Team Three)
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6
Level 1 South
Marischal College
Broad Street
ABERDEEN
AB10 1AB



Sir Stephen House QPM
Chief Constable

Aberdeen City Division
Queen Street
Aberdeen
AB10 1ZA

01224 306472
AberdeenCityLicensing@scotland.
pnn.police.uk

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF
A PROVISIONAL PREMISES LICENCE
LITTLE MALAYA , 25 INVERURIE ROAD, ABERDEEN,
MALAYA RESTAURANT LIMITED, 25 INVERURIE ROAD, ABERDEEN,
AB21 9LJ**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

The Chief Constable wishes to bring to the attention of the Board that on 4 November 2015, the applicant submitted this application for a grant of a Provisional Premises Licence.

On 10 February 2016, the application was received and processed by Police Scotland.

At Question 2(e) of the application form, the director is named as Yin Jye Choi, Born 13/11/1975. Enquiries have subsequently revealed that on 14 January

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

2016 the above named person's appointment as a director was terminated and another named person appointed.

This information is submitted for your attention when considering this application.

Yours faithfully

Jackie Craig
T/Chief Inspector

Arlene Dunbar

From: Tara-Erin Gilchrist
Sent: 25 February 2016 15:19
To: Arlene Dunbar; LicensingBoard
Subject: Licensing Standards Officer response - Provisional Premises Application - Little Malaya

For the attention of Eric Anderson Team Leader, Legal and Democratic Services

Licensing (Scotland) Act 2005

Application for Provisional Premises Licence

Address: Little Malaya, 25 Inverurie Road, Bucksburn, Aberdeen AB21 9LJ

In terms of Section 22 (1) (b), I make the following representation to the Licensing Board.

In regards to the licensing objective – ‘Protecting Children from harm’, I highlight the following points:

- 1) The application mentions that children and young persons can access the Premises to order and collect takeaway food.
- 2) The application lists “Young persons can access the Premises for the purposes of having a meal and ordering and collecting takeaway food”.

In response to these points, I have the following comments.

- 1) If the application is granted with these terms, unaccompanied children and young persons could access the Premises to order and collect a takeaway meal at any time. I have raised this with the agent who represents Little Malaya. The agent decided that the Takeaway waiting area (as listed on the Layout plan) would be used for unaccompanied children and young persons to order and collect the takeaway meal. If the information listed within Question 6 of the Operating plan is amended to reflect the changes, I will have no further comment in regards to point one.
- 2) If the application is granted with these terms, unaccompanied Young persons could be permitted access to all parts of the Premises and at all times in order to have a meal. I cannot support the application if young persons are allowed to have unaccompanied access for the purpose of consuming a meal after 9pm.

This memo is submitted for your attention when considering the application.

Kindest regards



Tara-Erin Gilchrist

Licensing Standards Officer

Environmental Health and Trading Standards | Communities, Housing and Infrastructure | Aberdeen City Council | Business Hub 15 | Level 3 South | Marischal College | Broad Street | Aberdeen | AB10 1AB | email - tegilchrist@aberdeencity.gov.uk | Tel 01224 522185 | Mobile -07768037136

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: 1 GOODHOPE PARK, (OFF MOGIEMOSS ROAD),
BUCKSBURN, ABERDEEN

DESCRIPTION

- Convenience Store
- Alcohol to be sold for consumption off the premises
- Licensed Hours 10:00 to 22:00 Monday to Sunday

OBJECTIONS/REPRESENTATIONS

- Objections x 2

LICENSING POLICY STATEMENT

Paragraph 6.5 – Conditions Attaching to Licences

The Board has devised a number of local conditions which may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy. (all off-sales are however exempt from 4.2 relating to lip sync capability at entrance and exit doors)

Note: The applicant has accepted the imposition of the condition.

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Arlene Dunbar

Subject: FW: 1 Goodhope Park (Off Sales Objection)

From: [REDACTED]

Sent: [REDACTED]

To: Licensing

Subject: 1 Goodhope Park (Off Sales Objection)

Morning,

As residents of Goodhope Park we object to the sale of alcohol on our estate at any time of day. We purchased our property four years ago, away from such establishments to ensure there would be no encouragement of anti- social behaviour. This estate has a large number of families with young children where such activities are not welcome.

The area already has sufficient provision for the sale of alcohol from Tescos, Great Northern Road and Auchmill Rd. It is not a requirement on Muggimoss Road, where traffic and parking is already an issue.

[REDACTED]

[REDACTED]

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Arlene Dunbar

From: [REDACTED]
Sent: 17 February 2016 09:14
To: Licensing
Subject: 1 Goodhope Park

Dear Licencing Board

Your reference: AC878
[REDACTED]

I would like to send my disapproval and objection for the application for a premises licence which would facilitate the sale of alcohol which is, as I am sure you know a potentially socially disruptive drug. This particular premise is firmly integrated in a residential area and that it should be maintained in that regard. Granting of this application would destroy the principles by which the premise was built. Housing potential residents should have priority over permitting alcohol sales. Apparently the alcohol is to be consumed off site, this would be a difficult thing to guarantee, particularly with their being a pervasive failure in society to police alcohol consumption. It is a strong, deep- rooted and accurate belief that, this will not satisfy all residents as indeed many of them dont drink alcohol, and the concerns of residents must have priority over the wishes of external individuals as indeed it is the residents that occupy the proximal area constantly. Additionally, the apparent off site condition of the alcohol consumption infers that residents wouldn't be able to purchase the alcohol in any case, which further places in doubt the viability of this application. Of course this may also disillusion new residents who wish to purchase a property in the immediate vicinity of the premise.

Please withdraw this licencing application. I would strongly advocate this withdrawal.

Kind Regards
[REDACTED]

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION PROVISIONAL PREMISES LICENCE
PREMISES: DIM SUM INN, 303 GEORGE STREET, ABERDEEN

DESCRIPTION

- Restaurant seeking on sales & off sale hours from 12:00 to 15:00 & 17:00 to 00:00
- Receptions, club and other group meetings;
- Recorded music, live performances, films;
- Takeaways facility
- Children and young person will be permitted access to all public parts of the premises at all times when accompanied by an adult.

OBJECTIONS/REPRESENTATIONS

- None

LICENSING POLICY STATEMENT

6 CONDITIONS ATTACHING TO LICENCES

6.5 The Board has devised a number of local conditions which may be attached to premises licences.

Drugs Policy

It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

Note: The applicant has accepted the imposition of Drugs Policy

LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

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- effective and responsible premises management
- adoption of best practice guidance
- limitations on the hours when children may be present, in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirements for children to be accompanied by an adult
- acceptance of accredited proof of age cards with photographs, or passports
- measures to ensure children do not purchase, acquire or consume alcohol
- measures to ensure children are not exposed to incidences of violence or disorder
- appropriate training and supervision of those employed to secure protection of children from harm.
- Imposition of reasons for children to be present and/ or accompanied by a responsible person / adult who shall have responsibility for, and supervise such children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: THE BANKHEAD INN, 161-165 BANKHEAD ROAD

DESCRIPTION

- Removal of bar in lounge area to increase floor space and to allow for damaged beer pipes to be relocated.

OBJECTIONS/REPRESENTATIONS

- None

LICENSING POLICY STATEMENT

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: UNDER THE HAMMER, 11 NORTH SILVER STREET

DESCRIPTION

- Amendment to the operating plan to include live performances

OBJECTIONS/REPRESENTATIONS

- None

LICENSING POLICY STATEMENT

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION VARIATION OF A PREMISES LICENCE

PREMISES: THE WATERING HOLE, HILLHEAD HALLS OF RESIDENCE, BRIDGE OF DON, ABERDEEN

DESCRIPTION

- Addition of bar meals, dance facilities, theatre and films as activities;
- Restaurant facilities to be available from 07:00 daily (currently 07:30);
- Amendment to children and young persons access – During non-term time periods and only when attending social events, private functions, University events and city festivals, children up to and including 15 years of age, will be permitted entry to the Café Bar and Restaurant (Area 1) up until 21:00 hrs each evening, though only if supervised. At all other period of the year children will continue to be permitted access until 21:00 hrs though only if accompanied by an adult. Children will be permitted supervised access, before & beyond 21:00hrs to the Multi-Purpose space (Area 2) though at those times when alcohol is neither present nor being consumed in this area. Students and young persons' under 18 years of age (16 & 17 years old) may enter the premises and use the facilities unaccompanied.
- The existing bar and lounge area will be developed into a student support, welfare and community kitchen and TV lounge;
- The Self-service dining space/cafeteria will become an open plan bistro;
- An additional second licensed space will be created to allow events, performances and films to be hosted.

OBJECTIONS/REPRESENTATIONS

- None

LICENSING POLICY STATEMENT

LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

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- Imposition of reasons for children to be present and/ or accompanied by a responsible person / adult who shall have responsibility for, and supervise such children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: UNDER THE HAMMER, 11 NORTH SILVER STREET

DESCRIPTION

- Amendment to the operating plan to include live performances

OBJECTIONS/REPRESENTATIONS

- None

LICENSING POLICY STATEMENT

- N/A

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Board
DATE	22 March 2016
CLERK TO THE BOARD	Fraser Bell
TITLE OF REPORT	Records Management Plan
REPORT NUMBER	CG/16/036

1. PURPOSE OF REPORT

The report proposes that the Licensing Board comply with the requirements of the Public Records (Scotland) Act 2011 by approving the adoption of a joint Records Management Plan for the Council and Licensing Board

2. RECOMMENDATION(S)

2.1 That the Board note the content of the joint Records Management plan at Appendix 1;

2.2 That the Board approve the Licensing Board's adoption of the joint Council's Record Management Plan.

3. FINANCIAL IMPLICATIONS

There are no financial implications of adopting the joint Records Management Plan. However, costs could arise from breaches of data protection in the form of financial penalties, if the Licensing Board does not adopt a robust approach to records management.

4. OTHER IMPLICATIONS

Additional implications of not adopting an effective records management plan are outlined at section 7 below.

5. BACKGROUND/MAIN ISSUES

The Public Records (Scotland) Act 2011 (the Act) states that "an authority must submit its proposed records management plan to the Keeper for agreement by such date as the Keeper may determine."

The Act defines 'authority' as including both local authorities and Licensing Boards.

The Council submitted its Records Management Plan to the Keeper of the Records of Scotland on 5 December 2014, in accordance with the requirements of the Act. The Record Management Plan forms part of the Council's Corporate Information Management Strategy which was approved by the Finance, Policy & Resources Committee on 30 September 2014.

The Keeper of the Records of Scotland wrote to the Licensing Board on 4 December 2015 requesting that the Licensing Board's Records Management Plan be submitted no later than 29 April 2016.

The Council reviews its Records Management Plan on an annual basis and provides an update to the Keeper. This first review provides the opportunity for the Licensing Board and the Council to agree and adopt a joint plan going forward. This is a common sense approach which recognises that Licensing Board information is currently managed consistently with Council information in terms of systems and staff. It also aligns with the approach taken by other Local Authorities and Licensing Boards across Scotland to managing compliance with the Act.

6. IMPACT

Improving Customer Experience –

Adopting the Council's Records Management Plan will ensure that:

- Customer information will be accurate, up to date and fit for purpose; and
- Customer information will be accessible but protected where required.

Improving Staff Experience –

Effective records management enables staff to make the best of resources already available and work more efficiently by re-using information and knowledge previously created. Improved access to information and knowledge encourages staff development. A Records Management Plan also provides assurance that risks are reduced and staff are complying with their legal responsibilities.

Improving our use of Resources –

Effective records management enables staff to make the best of resources already available and work more efficiently by re-using information and knowledge previously created. Time spent retrieving information is reduced and in turn resources can be used more efficiently. A Records Management Plan also ensures that business continuity arrangements are in place.

Corporate -

An efficient records management plan ensures the Licensing Board is consistent with the Council's Corporate Information Management Strategy.

Public –

No equality issues arise from the report as the adoption of the proposed Records Management Plan will apply to all public records and does not place any protected group at a disadvantage.

7. MANAGEMENT OF RISK

The implementation of the Council's Records Management Plan will mitigate the risks of information not being managed effectively in accordance with statutory requirements and the Council's Corporate Information Management Strategy.

In addition to the financial implications outlined in section 3, failure to adopt a robust approach to records management may also result in reputational damage and poor customer service if information is mishandled.

8. BACKGROUND PAPERS

Public Records (Scotland) Act 2011

9. REPORT AUTHOR DETAILS

Eric Anderson, Team Leader.

eanderson@aberdeencity.gov.uk

Telephone Number: 01224 522382

Records Management Plan

Aberdeen City Council & Aberdeen City Licensing Board

April 2016



ABERDEEN
CITY COUNCIL

Foreword

We're really pleased to present the combined Records Management Plan for Aberdeen City Council and Aberdeen City Licensing Board, submitted to the Keeper of the Records of Scotland on 29 April 2016, in accordance with the requirements of the Public Records (Scotland) Act 2011.

Our Records Management Plan is corporate programme of work framed around our corporate Information Management Strategy. Our Information Management Strategy embraces a holistic, developmental approach which recognises information management as a corporate function, setting out the adoption of an integrated approach to managing information which encompasses governance, compliance, lifecycle, risk, sharing and culture.

We fully endorse the detail contained in our Records Management Plan, and confirm that we have overall lead responsibility for progressing and developing the appropriate governance and assurance mechanisms for this work, in our roles as Senior Information Risk Officer, and Clerk to the Licensing Board.



**Head of Service for IT &
Transformation and Senior
Information Risk Officer**



**Head of Service for Legal &
Democratic and Clerk to Aberdeen
City Licensing Board**

Records Management Plan Elements

1. Senior Management Responsibility
2. Records Manager Responsibility
3. Records Management Policy
4. Business Classification Scheme
5. Retention and Disposal Schedule
6. Destruction Arrangements
7. Archiving and Transfer
8. Information Security
9. Data Protection
10. Business Continuity and Vital Records
11. Audit Trail
12. Competency Framework for Records Management
13. Assessment and Review
14. Shared Information

1. Senior Management Responsibility

For Aberdeen City Council, senior management responsibility for the Records Management Plan is held by the Council's Senior Information Risk Officer, a role undertaken by the Council's Head of Service for IT & Transformation, Simon Haston, who is one of the Council's Chief Officers. Please refer to the foreword from the Council's Senior Information Risk Officer, formally endorsing this plan and its on-going management. Please refer to the attached CMT report ([Appendix 1](#)) and associated minute ([Appendix 2](#)), demonstrating the Council's Corporate Management Team's understanding of the role of the Senior Information Risk Officer in relation to the Council's Records Management Plan.

For Aberdeen City Licensing Board, senior management responsibility for the Records Management Plan is held by the Clerk to the Licensing Board, a role undertaken by the Council's Head of Legal & Democratic Services. Please refer to foreword from the Clerk to the Licensing Board formally endorsing this plan and its ongoing management

Our joint plan reflects the common staffing, administrative and governance arrangements in place across the Council and Licensing Board in respect of our managing information and records, and reflects our shared commitment to continuous improvement in this area. All references to the Council in this plan should be taken to refer to the Council and the Licensing Board.

The Council is implementing a corporate programme of work, in accordance with its revised Corporate Information Management Strategy ([Appendix 3](#)), which was approved by the Council's [Finance, Policy & Resources Committee on 30 September 2014](#). This work will be led and governed by the Senior Information Risk Officer and key information management domain specialists, in collaboration with Information Asset Owners. The Information Management Strategy and associated Improvement Programme framework sets out a commitment to implement a holistic, developmental approach in which the Council will coordinate more efficient ways of maximising the benefits from its information assets, by managing them more effectively, re-using and utilising where viable, sharing where possible and at the same time protecting accordingly. This framework will ensure a cohesive programme of continuous improvement which supports the future planning, and implementation of corporate information management systems and practice which meet all business, legislative and statutory requirements.

This Information Management Strategy and Improvement Programme is a comprehensive, long term plan that ensures the Council continues to develop a fit-for-purpose framework for the appropriate governance of all information assets that will provide business efficiencies, whilst ensuring business continuity and risk management. In the longer term, it will provide the Council with an internal infrastructure for managing all information assets that is consistent and flexible to meet the variety and complexity of customer and stakeholder service delivery required by the Council now, and in the future, as detailed in our 5 year Corporate Business plan. Each domain area within the Information Management Strategy will align to the governance and reporting structure led by the Senior Information Risk Owner.

2. Records Manager Responsibility

The Council has in place a specialist team who lead on information and records management. This team currently comprises:

- Information Manager (Appendix 4)
- Senior Information Compliance Officer (Appendix 5)
- Information Management Officer (Appendix 6)
- Information Management Advisers (3) (Appendix 7)
- Information Compliance Assistants (2) (Appendix 8)

This team is led by Caroline Anderson, Information Manager, who has responsibility for leading the development, implementation and monitoring of corporate information and records management strategies, policies and procedures across the organisation.

All the team's current job role tasks are focussed on Information and Records Management activities.

3. Records Management Policy

The Council's strategic Information Management objectives, and the improvement programme required to make them a reality, are set out in the Corporate Information Management Strategy. The Information Management Strategy identifies 7 key domains where maturity is crucial to delivery on the strategic objectives:

- Business Continuity & Disaster Planning
- Culture, Training & Communications
- Information & Records Lifecycle Management
- Information Preservation
- Knowledge, Reuse & Performance
- Risk & Governance
- Technical & Physical Systems Management

Each domain will be led by appropriate specialist job roles (please refer to Element 12: Competency Framework for Records Management for further information on these roles) who will drive work toward maturity in each domain, by putting in place the necessary corporate policies, procedures and protocols, and who will work with Information Asset Owners and Administrators, and Liaison Officers in each Directorate and Service to embed good practice by integrating required improvements into individual Service Business Plans.

Figure 1, below, extracted from the Information Management Strategy, shows key corporate priority areas from each domain; Figure 2, below, shows how each domain will feed into each Directorate and Service Business Plan to ensure consistent maturity in practice is achieved across the organisation.

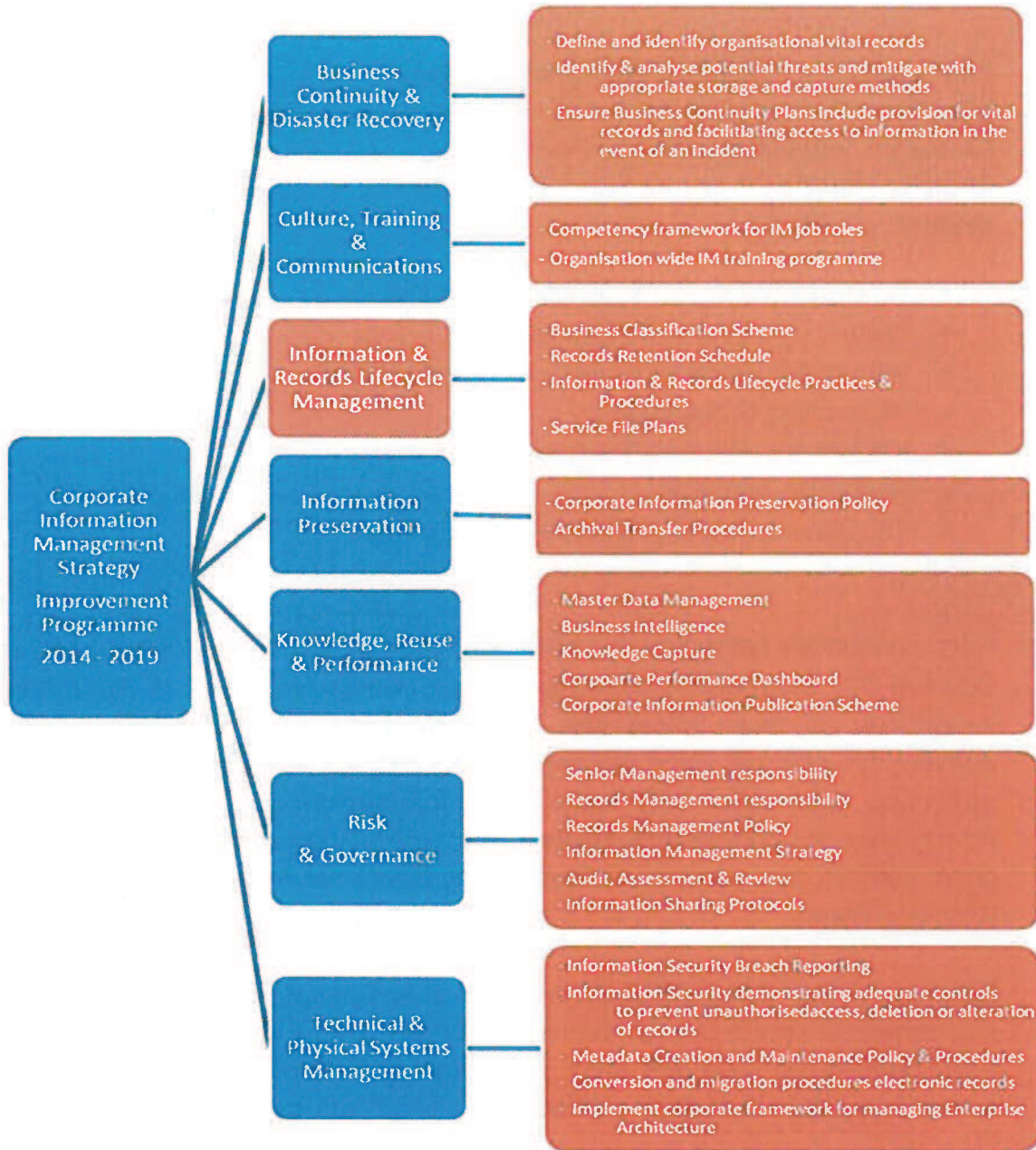


Figure 1

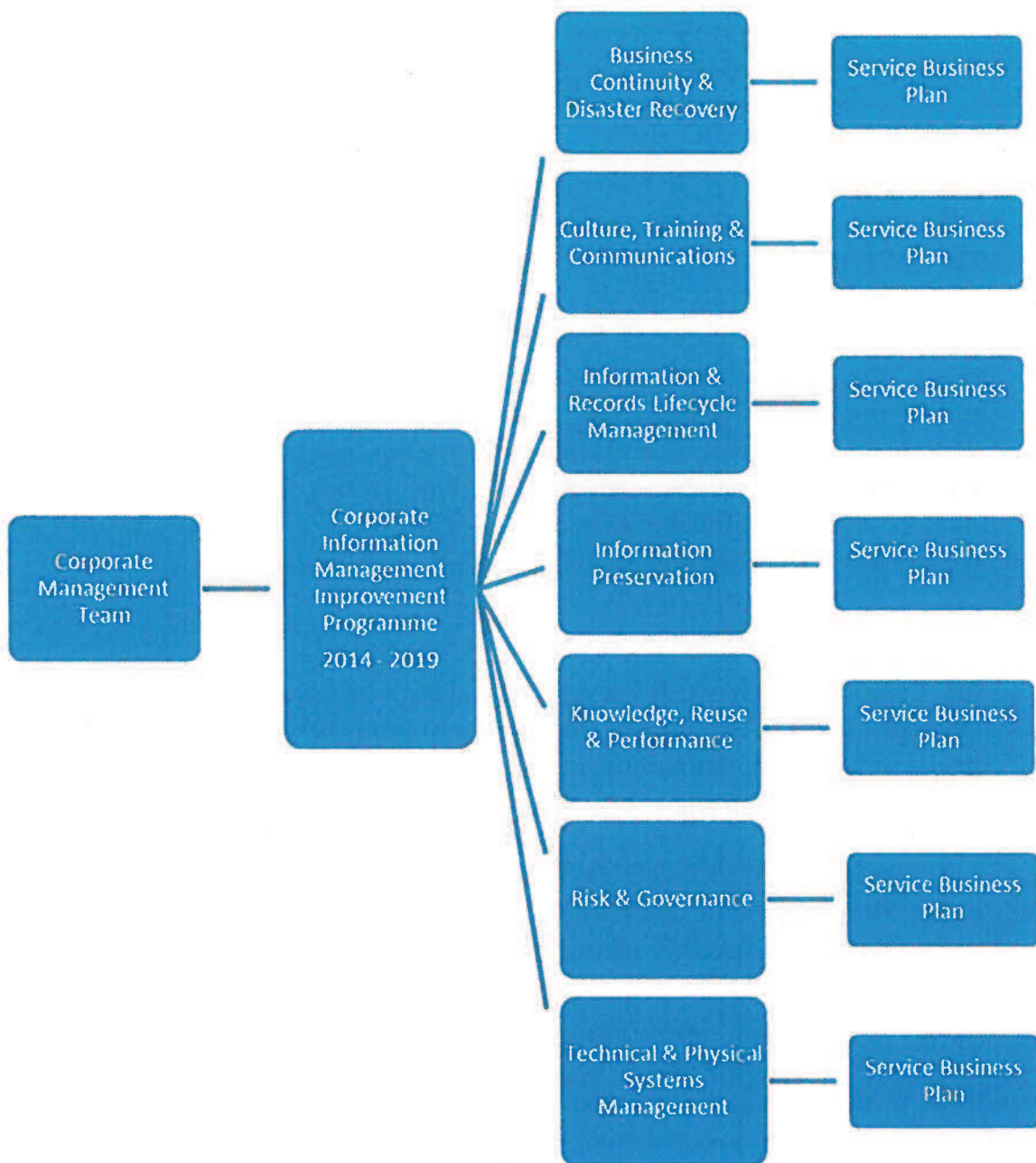


Figure 2

Within this framework, the Council has revised and renamed its Records Management Policy in alignment with our Information Management Strategy:

the Council's Information Lifecycle Management Policy (Appendix 9) has recently been approved, which will:

- i) Build an infrastructure that ensures the effective management of all our business information and records throughout their lifecycle
- ii) Provide the core foundation for delivering maturity in the six other strategy domains.

The Information Lifecycle Management Policy comprises the Council's Policy Statement on Records Management, which covers the records created and managed by third parties, where third parties carry out functions on behalf of the Council. In practice, ensuring appropriate records management practice in such cases will be managed through contractual agreement. Going forward, under the corporate Information Management Strategy Improvement Programme, the Council will drive implementation of the appropriate contractual agreement, and on-going contract management through the Risk and Governance domain, which will allow all key stakeholders to work together to reach maturity in this area of information management practice through the SIRO governance and reporting mechanisms.

The Information Lifecycle Management Policy is supported by three linked corporate policies, which will provide the framework by which the Council assure effective management of all our business information and records throughout their lifecycle:

- Business Classification Scheme Policy (Appendix 10)
- Records Retention and Disposal Schedule Policy (Appendix 11)
- Information Asset Register Policy (Appendix 12)

Going forward, all corporate policies falling within the 7 Information Management Strategy domains will align to the Information Management Strategy objectives, governance and reporting structure, ensuring that the Council's approach is consistent, holistic and user friendly.

Collaboration has begun between the Information and Lifecycle Management and Physical and Technical Systems Management domains to develop the following guidelines:

- Migrating and Transferring electronic records from one system to another
These guidelines will encompass three levels of detail targeting system user, system administrator and system owner and accessibility and governance arrangements will be established and maintained through

the Physical and Technical Systems Management and Culture, Communication and Training domain of IMS.

- Metadata and system design

An externally hosted workshop – Metadata and system design - was run in October 2014 and attended by 8 key representatives straddling 3 IMS domains, Information and Records Lifecycle Management, Knowledge Re-Use and Performance and Physical and Technical Systems Management. Information & Records Lifecycle Management will lead on this work initially as part of the project plan pilot due to commence in the New Year for a 2 year period where record class and metadata standards will be built into the Business Classification Scheme and Information Asset Register.

4. Business Classification Scheme

The Council has a corporate Business Classification Scheme (Appendix 13) which is the Council's framework for classifying and managing our information and records, based on our key functions and activities.

The Business Classification Scheme will provide the framework for consistently applying the Council's Records Retention and Disposal Schedule to the Council's information and records, making sure that we retain what we need for our business, and dispose of what is no longer required. The Business Classification Scheme will also provide the framework for ensuring that the Council's Information Asset Register makes clear links between the Council's Information Assets and their business purpose.

The Business Classification Scheme template represents a consolidation of business function, activity and transaction detail collated from all 140 Council business areas during August 2013 – June 2014, whilst developing Service File Plans. Please see a sample from each of service of the Corporate Governance file plans (Appendix 14), as follows:

- Corporate Governance – Legal & Democratic - Committee Services
- Corporate Governance – Human Resources & Organisational Development- Organisational Development
- Corporate Governance – Customer Service & Performance – Information & Research Team
- Corporate Governance – Commercial & Procurement Unit – Programme Management Office
- Corporate Governance – Finance – Corporate Accounting Projects

Every Council team will manage the information and records created, used and managed by their teams, regardless of the technical or physical format or age of the information or record, in accordance with the corporate Business Classification Scheme, using these service level file plans. The Business Classification Scheme provides the first three levels, determined by the core and corporate business functions onto which every team and services folder structure and service level file plans will be mapped.

The Information Lifecycle Management project work will commence a programme of work to pilot, test and refine, and implement the corporate Business Classification Scheme via service level file plans across the Council, using the corporate Information Asset Register and aligning with the corporate Records Retention & Disposal Schedule.

Over 2015-16, the Council completed an initial Business Classification Scheme pilot project, which will inform our wider implementation approach, and completed work on compiling our Information Asset Register, which will form the evidence base for prioritising and managing this work in 2016-17 and beyond.

5. Retention and Disposal Schedule

The Council has in place a Records Retention and Disposal Schedule (Appendix 15) which sets out the corporately agreed retention periods and actions for Council and Licensing Board information and records. The Records Retention & Disposal Schedule aligns to the Council's Business Classification Scheme.

In 2015 the Council created a fully searchable version of its Records Retention & Disposal Schedule, hosted on our intranet, to support all staff to adhere to the corporate Records Retention & Disposal Schedule (Appendices 16, 17, 18, 19, 20)

6. Destruction Arrangements

The Council has in place a corporate contract for the destruction of confidential waste (Appendix 21) from an external supplier. All staff are guided in selecting appropriate destruction methods by Corporate Practice and Procedures: Managing Information (Appendix 22) and this will be further embedded into practice and procedures across business areas as the Information and Records Lifecycle Management project work gets underway and service file plans are implemented. The Council uses an external company to recycle all ICT hardware which is managed through our ICT Helpdesk. The Council maintains records of all hardware destroyed:

- Customer Receipt (Appendix 23)
- Waste Transfer Note (Appendix 24)
- Signed Site Sheet (Appendix 25)
- Destruction Certificate (Appendix 26)

The Council has a contract for the hosting, management and availability of ICT server infrastructure from an external supplier, including back-up and disaster recovery.

7. Archive Transfer Arrangements

The Council's recognised place of deposit for information scheduled for permanent preservation is Aberdeen City & Shire Archive, a service the Council shares with Aberdeenshire Council. The Council has an [Archival Transfer and Acquisition Policy](#) which sets out our commitment to information preservation.

Aberdeen City & Aberdeenshire Archives have in place [Guidance for Depositors](#), which provides information for depositors on what they can expect.

8. Information Security

The Council has a corporate Information Security Policy (Appendix 27) which sets out our commitment to information security. Any information security breaches are managed in accordance with the Corporate Information Security Breach Reporting Procedures (Appendix 28).

The Council has a corporate ICT Acceptable Use Policy (Appendix 29) for all staff and Elected Members.

The Council has in place corporate Information Management Practice and Procedures (Appendix 22) which support staff in maintaining good information security practice on a day to day basis. In addition, the Council publishes regular Information Security Advisories for staff on our intranet pages to disseminate good practice, promote awareness, and highlight key areas of information security risk (Appendix 30).

All staff are required to undertake mandatory Information Security training, which is delivered via our online interactive learning (OIL) system (Appendix 31). Work has recently been completed on a single mandatory induction and refresher online learning module for all staff around core Council policies, which brings together key messages on Information Management, Data Protection, Information Security, and Freedom of Information.

The Council operates two corporate records stores for the management of hard copy records: one onsite store at the Council's corporate headquarters, and one offsite store. These stores are managed by a specialist team who control and supervise access to the records, in accordance with the Records Storage & Retrieval Procedures (Appendix 32). The Council operates a specialist store for the management of social work client records, which is managed by a specialist team who control and supervise access to the records.

Corporately, the Council are implementing a Smarter Working Programme, which combines a programme of office rationalisation with the promotion of more flexible working styles; a key facilitator for the adoption of Smarter Working is good information and records management practice; accordingly, all teams are required to audit and review practice in relation to hard copy records management as a key component of adopting Smarter Working, with the result that all teams who have been through Smarter Working implementation:

- Secure all business information and records in fit for purpose lockable on floor storage, or within corporate records storage (for hard copy records to which less frequent access is required).
- Keep a clear desk

1500 of the Council's 7000 staff have currently implemented Smarter Working, with the remainder of Council staff scheduled to implement Smarter Working over the next two years.

Going forward, under the corporate Information Management Strategy Improvement Programme, the Council will consider and manage issues around information security as part of the Technical and Physical Systems Management domain, which will allow all key stakeholders to work together to reach maturity in this area of information management practice through the SIRO governance and reporting mechanisms.

9. Data Protection

The Council has a corporate Data Protection Policy ([Appendix 33](#)) which sets out our commitment to compliance with the Data Protection Act 1998. This was updated in 2015, in accordance with the recommendations of the Phase Two internal audit report on Public Records (Scotland) Act compliance. In addition, the Council has a Corporate CCTV Procedure ([Appendix 38](#)), which governs the Council's use of CCTV and the processing of any personal data recorded by the use of CCTV.

Breaches of the Data Protection Act must be reported in accordance with the Council's Data Protection Policy, using the Council's breach reporting form ([Appendix 34](#)), available on the Council's intranet pages. Compliance with the Data Protection Act 1998 is reported on quarterly to the Council's Audit, Risk & Scrutiny Committee. The Council invited the Information Commissioner's Office to undertake an [audit of compliance with Data Protection](#), which was undertaken in April 2013.

All staff undertake mandatory Data Protection training, which is delivered via our online interactive learning (OIL) system. Additional in depth face to face training is delivering to staff who handle sensitive personal information as part of their core job, for example, staff delivering Social work and Education functions. The Council's Social Work Case Recording Policy ([Appendix 35](#)) and Social Work Case Recording Procedure ([Appendix 36](#)) provides further, more specialised information about facilitating subject access for social work clients in recognition of the importance of promoting the rights of individuals, whilst exercising our duty of care in providing statutory services in an open and transparent way.

Work has recently been completed on a single mandatory induction and refresher online learning module for all staff around core Council policies, which brings together key messages on Information Management, Data Protection, Information Security, and Freedom of Information.

The Council's Data Protection Policy brings together a range of procedures to support staff in managing Data Protection Act compliance as part of their day to day activities, including collecting personal information, managing subject and third party access to personal information, sharing of personal information, and reporting personal information incidents.

In addition, the Council has clear information on its website [explaining how to make a subject access request](#) (SAR), explaining an individuals' right to personal information. [Specific \(SAR\) guidance](#) has been created for individuals who have received a social work or education service from the

Council, which may include highly sensitive information, in recognition that we promote the rights of individuals whilst exercising our duty of care in providing statutory services in an open and transparent way.

The Council has the following additional procedures in relation to Data Protection compliance, available to all staff on the Council's intranet pages:

- Routine Data Sharing Procedure (Appendix 37)
- Corporate CCTV Procedure (Appendix 38)
- Data Processing by an External Agency (Appendix 39)
- Transferring Data Overseas Procedure (Appendix 40)
- Transfer of Pupil Records Procedure (Appendix 41)
- Notification Procedure (Appendix 42)

Specialist advice and support on data protection compliance matters is provided across the Council by Legal Services, in the Council's Corporate Governance Directorate.

Going forward, under the corporate Information Management Strategy Improvement Programme, the Council will consider and manage issues around Data Protection compliance as part of the Risk & Governance strand of the Information Management Strategy Improvement Programme.

10. Business continuity and vital records

The Council has a corporate Business Continuity Policy (Appendix 43), which sets out how we intend to provide critical services in the event of a disaster or emergency. The Council is currently conducting a test and review phase of work, based on the outcomes of the internal audit recommendations (Appendix 44), ensuring the quality assurance of critical function Business Continuity Plans, and the quarterly reporting of progress to the Council's Corporate Management Team.

Going forward, under the corporate Information Management Strategy Improvement Programme, the Council will consider and manage information and records related issues around Business Continuity as part of the Business Continuity and Disaster Management domain of the Information Management Strategy framework, which will allow all key stakeholders to work together to reach maturity in this area of information management practice.

11. Audit Trail

The Council currently manage their information and records through a number of corporate systems:

- Hardcopy – corporate records stores (on and off-site), Social Work Record store, office accommodation secure storage
- Electronic – corporate shared drives, bespoke ICT applications, email

An audit trail, from accession to disposal, can be evidenced for all hard copy records managed within the on and offsite Corporate Records Stores; please refer to the extracts for the last complete financial year, from the following logs and registers or the offsite Corporate Records Stores:

- Accession Log (Appendix 45)– record of all accessions to corporate storage in chronological order
- Internal Loans Register (Appendix 46) – record of all retrieval from and returns to corporate storage in chronological order
- Destruction Log (Appendix 47) - record of all disposals from corporate storage in chronological order.

The management of hard copy records in secure on-floor storage is undertaken by individual business areas, who have systems which meet with their individual business requirements. Staff are supported in good practice by Corporate Managing Information Practices and Procedures (Appendix 23), which provides foundational guidance on information and records management, including version control, naming conventions, and disposal of records; please refer to the attached example of a service level Disposal Register (Appendix 48).

In relation to evidencing appropriate audit trails for information and records created or held in electronic format, as outlined above, the Council has in use a very broad range of systems in place, which include specialist content, case, asset and customer relationship management systems, as well as shared drives and email. The key systems currently in use are as follows:

- CareFirst: Social Care Client records
- I-World: Housing Tenant records
- Confirm: Asset management systems used for all carriage and footways, and street furniture.
- Lagan: Customer Relationship Management
- Flare: Case management system used to manage Environmental Health, Trading Standards and Planning Records

- Seemis: Children's Educational Records

Whilst these systems allow the evidencing of audit trails in relation to creation, alteration and disposal of records within them, there is currently no corporately agreed standards or system in place for evidencing the audit trail of all Council information and records.

The mechanisms in place for all other information and record systems will be explored in further detail as part of the Information and Records Lifecycle Management project work; as the framework for developing the foundations of an operational and strategic audit trail that is governed through the corporate policy and practice standards of the broader Information Management Strategy domains and Senior Information Risk Officer reporting mechanisms.

12. Competency framework for Records Management

Records Management is led by the Information Management Team, a specialist team responsible for:

- Providing corporate support across the organisation on managing electronic and hard copy records and information, in accordance with business requirements and the Council's responsibilities under the Public Records (Scotland) Act 2011.
- Providing a Records Storage and Retrieval Service from the on and offsite Corporate Records Stores.

The job roles and responsibilities, as well as the skills and competencies which the Council has identified necessary for successfully undertaking these roles are as follows:

- Information Manager (Appendix 4)
- Senior Information Compliance Officer (Appendix 5)
- Information Management Adviser (3) (Appendix 6)
- Information & Records Stores Officer (Appendix 7)
- Information Compliance Assistants (2) (Appendix 8)

The Information Management Strategy framework comprises 7 domains, each led by specialist job roles, which will support the collaborative approach and improvement programme of works that meet the business, legislative and statutory needs of all business functions across the Council:

Business Continuity & Disaster Management:

Emergency Planning manager
Performance & Risk Manager

Culture Communications & Training:

Team Leader, Organisational Development
Internal Engagement Manager

Information & Records Lifecycle Management:

Records Manager
Information Management Adviser (x3)
Information and Records Store Officer
Information Management Assistants (2)

Information Preservation:

City Archivist
Archivists (2)
Archives Assistants (2)

Knowledge, Reuse & Performance:

Performance & Transformation Manager
E-Government Manager
Information & Knowledge Management Adviser

Risk & Governance:

Performance & Risk Manager
Performance & Transformation Manager
Team Leader, Commercial & Advice
Governance Support Officer

Physical & Technical Systems Management

ICT Manager
Enterprise Architect
Information Security Officer
ICT Project Executive

In addition to the specialist roles outlined above, the Council recognises that information and records management is a core part of everyone's job, and as such have a core mandatory programme in place for all staff, which currently comprises OIL modules on Information Security, Data Protection, and Freedom of Information. This core mandatory programme is supplemented by more in depth face to face training as appropriate. Over 2015 a single mandatory induction and refresher training for all staff covering information risk and compliance has been developed, and will be rolled out to all staff in 2016.

Going forward, under the corporate Information Management Strategy Improvement Programme, the Council will consider and manage information & records related issues around information and records management competency as part of the Culture, Training & Communications domain of the Information Management Strategy Improvement Programme, which will allow all key stakeholders to work together to reach maturity in this area of information management practice.

13. Assessment and Review

The Council commissioned Internal Audit to undertake a 2 part investigation into the Council's readiness to submit a Records Management Plan in compliance with our Public Records (Scotland) Act 2011 responsibilities, as follows:

- [Phase One](#) – Assess the ACCs readiness to evidence compliance with the 14 elements of the Records Management Plan
- [Phase Two](#) – Assess management plan for compliance monitoring the policies and procedures cited for each of the 14 Elements Records Management Plan.

The Phase One report was considered by the Council's Audit, Risk & Scrutiny committee in November 2014, who endorsed the recommendations made for improvement. The Phase Two report was considered by the Council's Audit, Risk & Scrutiny Committee in June 2015; progress on the completion of the actions raised within the report is managed on an ongoing basis through the same committee.

As outlined above, the Council has adopted an updated Information Management Strategy, and associated improvement programme which sets out a commitment to implement a holistic, developmental approach to information management, led and governed by the Senior Information Risk Officer and key information management domain specialists (7), in collaboration with Information Asset Owners. The Senior Information Risk Officer will be accountable for the progress of the Information Management Strategy Improvement programme to the Council's Corporate Management Team, via quarterly progress reporting.

Whilst the Council and Licensing Board view their Records Management Plan as a living document, in accordance with our developmental approach to information management, it is committed to providing formal updates on an annual basis to the Keeper on its progress.

14. Shared Information

The Council and Licensing Board have in place Corporate Data Protection Procedures governing the sharing, transfer and processing of personal information, which include information on when and how an Information Sharing Protocol (Appendix 49) may be entered into:

- Routine Data Sharing Procedure (Appendix 37)
- Data Processing by an External Agency (Appendix 39)
- Transferring Data Overseas Procedure (Appendix 40)
- Transfer of Pupil Records Procedure (Appendix 41)

In accordance with the recommendations of the Phase Two Internal Audit report recommendations, the Council is currently developing an Information Sharing protocol register.

Further Information

For further information about Aberdeen City Council's Records Management Plan, please contact [Caroline Anderson](#), Information Manager.

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Revised by	Helen Cannings

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