

# Public Document Pack



To: Councillor Copland, Convener; and Councillors Al-Samarai, Boulton, Hazel Cameron, Crockett, Fairfull, Grant and Greig.

Town House,  
ABERDEEN 31 January 2023

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Council Chamber - Town House on TUESDAY, 7 FEBRUARY 2023 at 10.00 am.**

This is a hybrid meeting and Members, and the Public may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website.  
<https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON  
CLERK TO THE BOARD

## BUSINESS

- 1 Minute of Meeting of 6 December 2022 (Pages 3 - 8)
- 2 Application for Provisional Premises Licence - Unit 60 Howe Moss Terrace, Aberdeen (Pages 9 - 32)
- 3 Application for Premises Licence - 37 Sheddocksley Drive, Aberdeen (Pages 33 - 50)
- 4 Application for Premises Licence - Baburrito, First Level Mall, Union Square (Pages 51 - 62)
- 5 Application for Variation of Premises Licence - The Academy of Expressive Arts, 26 North Silver Street, Aberdeen (Pages 63 - 78)

- 6 Application for Variation of Premises Licence - Soul, 333 Union Street (Pages 79 - 100)
- 7 Application for Variation of Premises Licence - The College, 9 Alford Place (Pages 101 - 122)
- 8 Application for Variation of Premises Licence - The New Albyn, 11 Albyn Place, Aberdeen (Pages 123 - 142)
- 9 Application for Variation of Premises Licence - Wagamama, Unit FS3A, Union Square, Aberdeen (Pages 143 - 162)
- 10 Application for Variation of Premises Licence - White Horse Bar, 697 Great Northern Road, Aberdeen (Pages 163 - 178)
- 11 Premises Licence Review Hearings
  - 11.1 AC0147 - Citi Hotel Aberdeen, 1 Bath Street, Aberdeen (Pages 179 - 184)
  - 11.2 AC0313- Saigon Restaurant, 29A Crown Terrace, Aberdeen (Pages 185 - 190)
- 12 Licensing Board Dates 2023 - For Noting
  - 7 February 2023
  - 4 April 2023
  - 30 May 2023
  - 7 July 2023
  - 26 September 2023 (followed by Joint meeting of Board and Licensing Forum)
  - 30 November 2023
- 13 General Direction 2023
- 14 Licensing Forum - Update (Pages 191 - 200)

Should you require any further information about this agenda, please contact Arlene Dunbar [ardunbar@aberdeencity.gov.uk](mailto:ardunbar@aberdeencity.gov.uk) 01224 045334

## LICENSING BOARD

ABERDEEN, 6 December 2022. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Copland, Convener and Councillors Al-Samarai, Boulton, Hazel Cameron, Crockett, Fairfull, Grant and Greig.

### COUNCILLOR MACKENZIE

1. The Convenor and Councillor Boulton paid tribute to Board Member Councillor MacKenzie, who had recently passed away

### MINUTES OF MEETING OF 4 OCTOBER 2022

2. The Board had before it for its consideration the minutes of meeting of 4 October 2022.

#### **The Board resolved: -**

To approve the minute.

### APPLICATION FOR PREMISES LICENCE - GIDI GRILL, 263 UNION STREET, ABERDEEN

3. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and that the application was within policy.

#### **The Board unanimously resolved:**

To grant the application.

### APPLICATION FOR VARIATION OF PREMISES LICENCE - BRIG INN, 9 ELLON ROAD, BRIDGE OF DON, ABERDEEN

4. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board thereafter heard from Janet Hood, Solicitor for the applicant, in support of the application

#### **The Board unanimously resolved:**

To grant the application.

**LICENSING BOARD**

6 December 2022

**APPLICATION FOR VARIATION OF PREMISES LICENCE - DEE SWIMMING CLUB AND HUMANE SOCIETY, 50 GERRARD STREET, ABERDEEN**

5. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations and that the applicant was unable to attend the meeting due to other engagements.

**The Board unanimously resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - DRAFT PROJECT, 365 UNION STREET, ABERDEEN**

6. The Board had before them a letter of objection from City Centre Community Council.

The Board heard from Alexander Munro, Depute Clerk to the Board.

The Board thereafter heard from David Scott, Solicitor for the applicant, in support of the application and from Andrew Gilchrist, Principal Environmental Health Officer.

**The Board unanimously resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - DUTCH MILL HOTEL, 7 QUEENS ROAD, ABERDEEN**

7. The Board heard from Alexander Munro, Depute Clerk to the Board that the application was deferred at the Board meeting held on 8 February 2022 until such time as a Noise Impact Assessment was submitted and reviewed by Environmental Health.

The Board had before them the relevant Noise Impact Assessment and an email from Environmental Health confirming that the documentation has been reviewed and was satisfactory.

The Board thereafter heard from Anthony Dawson, Solicitor on behalf of the applicant, Andrew Gilchrist, Principal Environmental Health Officer and Sergeant, Neil Grant, Police Scotland.

**The Board unanimously resolved:**

To grant the application with an amended condition permitting low level background music and televised sports commentary for the external area.

**LICENSING BOARD**

6 December 2022

**APPLICATION FOR VARIATION OF PREMISES LICENCE - IBIS HOTEL, SHIPROW, ABERDEEN**

8. Councillor Grant joined the meeting at this point of the proceedings.

The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board thereafter heard from David Hossack, Solicitor on behalf of the applicant, in support of the application

**The Board unanimously resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE HOLBURN, 225 HOLBURN STREET, ABERDEEN**

9. The Board had before them letters of objections dated 28 September 2022, from two members of the public. The Board heard from Alexander Munro, Depute Clerk to the Board.

The Board thereafter heard from Andrew Hunter, Solicitor for the applicant, in support of the application.

The Board heard from the two public objectors, Shelagh Addison & Kattina Ramos Fernandes and thereafter heard from the Area Manager for applicant premises, Debbie Watson.

The Convener moved to grant the application.

Councillor Fairfull moved as an amendment; to refuse the application on grounds of preventing public nuisance.

On a division there voted: -

For the motion (2) the Convener and Councillor Crockett

For the amendment (6) Councillors Fairfull, Al-Samarai, Boulton, Cameron, Grant and Greig.

**The Board resolved:**

To adopt the amendment.

## LICENSING BOARD

6 December 2022

### **APPLICATION FOR VARIATION OF PREMISES LICENCE - UNION KIRK, 333 UNION STREET, ABERDEEN**

10. The Board had before them a letter of objection from City Centre Community Council.

The Board heard from Alexander Munro, Depute Clerk to the Board.

The Board thereafter heard from David Scott, Solicitor on behalf of the applicant and heard from Peri Polly, on behalf of the City Centre Community Council.

#### **The Board unanimously resolved:**

To grant the application.

### **APPLICATION FOR PERSONAL LICENCE**

11. Councillor Crockett left the meeting at this point in the proceedings.

The Board had before them a letter from Police Scotland, dated 2 November 2022 and heard from Sgt Neil Grant, Police Scotland in support of their letter.

Thereafter the Board heard from the applicant.

The Convener moved to refuse the application on grounds of preventing crime and disorder.

Councillor Al-Samarai moved as an amendment to grant the application.

On a division there voted:

For the motion (2) - the Convener and Councillor Greig

For the amendment (5) - Councillors Al-Samarai, Boulton, Cameron, Fairfull and Grant.

#### **The Board resolved:**

To adopt the amendment.

**LICENSING BOARD**

6 December 2022

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES - PERSONAL LICENCE HOLDER**

12. The Board had before them a letter from Police Scotland, dated 18 October 2022

The Board heard from Alexander Munro, Depute Clerk to the Board that the personal licence holder was absent despite being sent an invite on 28 October 2022 and a reminder on 22 November 2022 through the post.

The Board agreed to proceed with the consideration of the matter in the absence of the personal licence holder.

The Board thereafter heard from Sergeant Neil Grant.

Cllr Boulton moved that the matter be deferred. Cllr Al-Samarai moved as an amendment that the Board proceed to determine the matter.

On a division there voted:

For the motion (3) - the Convenor, Cllr Boulton and Cllr Grant.

For the amendment (4) - Councillors Al-Samarai, Cameron, Fairfull and Greig

Cllr Al-Samarai then moved that the licence be revoked. Cllr Fairfull moved as an amendment that the licence be suspended.

On a division there voted:

For the motion (3) - Cllrs Al-Samarai, Cameron and Greig

For the amendment (4) - the Convenor, Cllrs Boulton, Fairfull and Grant

Majority of the Board agreed for the personal to be suspended for 6 months with immediate effect.

**The Board resolved:**

To suspend the licence for 6 months with immediate effect.

**LICENSING BOARD DATES 2023 - FOR APPROVAL**

13. The Board had before them a list of proposed dates for the licensing Board meetings for 2023.

The Board unanimously resolved that the proposed dates would require to be reviewed.

**LICENSING BOARD**

6 December 2022

**OUTSTANDING PREMISES ANNUAL FEES**

14. The Board had before them a list of licensed premises that have not paid the annual fees for 1 October 2022. The Board resolved that the LSO should continue to investigate the outstanding premises and that any remaining outstanding by the date of the next Board meeting would be subject to review.

**LICENSING FORUM UPDATE**

15. The Board heard an update from Elaine Mottram, Convenor of the Local Licensing Forum, who discussed the Board's Statement of the Licensing Policy.



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE**

**PREMISES: UNIT 60 HOWE MOSS TERRACE**

### DESCRIPTION

Taproom located external to brewery located in an industrial building.

On- consumption and Off-consumption - Thursdays 17:00 to 22:00 and Friday to Sunday 12:00 to 22:00

Offering bar meals, receptions, club meetings, recorded music, live performances, gaming, televised sport, outdoor drinking.

### OBJECTIONS/REPRESENTATIONS

None

### CONDITIONS

- The Board would wish to attach the following local conditions to the licence
- 
- Outdoor drinking condition.
- Duty of Care
- Drugs Policy

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: PREMISES LICENCE**  
**PREMISES: 37 SHEDDOCKSLEY DRIVE, ABERDEEN**

### DESCRIPTION

Residential premises where alcohol is to be stored and dispatched for remote sales.  
Off- Consumption Monday to Sunday 10:00 to 22:00

### OBJECTIONS/REPRESENTATIONS

None

### CONDITIONS

The applicant has accepted the imposition of the local condition in respect of Delivery Drivers.

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: PREMISES LICENCE**

**PREMISES: BARBURRITO, UNION SQUARE**

### DESCRIPTION

Premises offering:

alcohol for on consumption Monday to Sunday 10:00 to 23:00

alcohol for off consumption Monday to Sunday 10:00 to 22:00

restaurant facilities, bar meals, receptions, recorded music, live performances and televised sports

### OBJECTIONS/REPRESENTATIONS

None

### CONDITIONS

The applicant has accepted the imposition of the following conditions:

Drugs Policy

Duty of Care

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE**

**PREMISES: ACADEMY OF EXPRESSIVE ARTS, 26 NORTH SILVER STREET**

### DESCRIPTION

Amendment to the Premises description to reflect change from gaming venue to Arts Academy

Adding the following activities: Dance facilities, Theatre and films

Removing the following activities; Gaming, indoor, outdoor sports, televised sports

Amendment to Children and young person's access to: Children will not be permitted on the premises after 22:00. Young persons will need to be accompanied by an adult after 22:00

### OBJECTIONS/REPRESENTATIONS

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### CONDITIONS

N/A
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### POLICY

#### Protecting Children and Young Persons from Harm

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach.

The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

What the Board Will Do:

Assess all applications for suitability of access for children and young persons.

Impose additional conditions where necessary to protect children and young persons from harm.

Limit the hours during which children and young persons have access if appropriate.

Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

Consider the ambience of premises and what is appropriate in terms of children and young persons' access.

Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.

Vigilance against underage drinking and proxy purchasing.

Strict enforcement of Challenge 25.

Comprehensive and up to date staff training.

Restrict access for children and young persons to appropriate hours and parts of the premises

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE**

**PREMISES: SOUL, 333 UNION STREET**

### DESCRIPTION

Removal of the local condition in respect of Door Stewards -Sundays to Thursdays

### OBJECTIONS/REPRESENTATIONS

- Police Scotland
- Community Council

### CONDITIONS

The terms of the Door Supervisors condition are as follows:

Door Supervisors It is a condition that the licence holder will ensure that from 23:00 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives.

### POLICY

#### 2. PREVENTING CRIME & DISORDER

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

#### What the Board Will Do:

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all policies are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

#### What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

#### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort



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# SOUL

A: Soul, 333 Union Street, Aberdeen, AB11 6BS.

T: 01224 211150. W [www.pbdevco.com/soul](http://www.pbdevco.com/soul) E: [soul@pbdevco.com](mailto:soul@pbdevco.com)

3a) Soul is seeking a variation to the local condition:

## Door Supervisors

It is a condition that the licence holder will ensure that from 23:00 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons from breaching the licensing objectives.

The lack of footfall within Aberdeen's city centre, in particular on weekdays, has been highlighted by several partners and culminated in Aberdeen Inspired organising their Emergency Summit of Union Street in November 2022. As the cost-of-living crisis grows into the beginning of 2023, the disparity between those that can afford to go out and those that cannot become more prevalent and will further decrease the city's footfall.

Due to the local licensing condition of SIA staff from 11 pm, Soul is simply closing their doors at 11 pm rather than paying the extra money for Security. This then leads to the dispersal of customers from licensed premises varying from venue to venue which will not be communicated to partners. Furthermore, this stipulation leads to Aberdeen essentially 'closing early' and becoming less attractive for people to use our city centre. However, Soul is keen to promote our Purple Flag city of Aberdeen to all and ultimately portray what makes Aberdeen an attractive place to live, work and visit and would stay open if this condition was lifted.

We would only be looking for an amendment of our licence on weekdays. Nevertheless, if Soul or Aberdeen is expecting an increase in normal trade then we would not hesitate to have door staff on duty.

The national shortage of SIA badged door staff has led to having less door staff on during the week than was previously the norm, with our Manager's that hold Personal Licences making up the shortfall to ensure our venue is still compliant as a safe and welcoming premises.

People socializing within licensed premises strengthen community spirit and, unlike the off-sales trade, on sales provide a safe place for people to get together. At least one of the Personal Licence Holders that are employed by Soul will be on duty Sunday until Thursday to provide duty of care to vulnerable patrons and abide by the five licensing objectives: preventing crime and disorder, securing public safety, protecting children and young persons from harm, promoting public health and preventing public nuisance.

Lastly, Soul operates a business strategy that encourages high-class clientele to dine and drink within the premises. It seeks to promote a safe and comfortable environment that it is a safe, family-friendly, locally sourced Restaurant combined with a contemporary and relaxed bar atmosphere.

18 January 2023

Your Ref: AC0303

Our Ref: 690224

Licensing Team  
Legal Services Governance  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
SOUL BAR (GROUND FLOOR), 333 UNION STREET, ABERDEEN, AB11 6BS.  
PB DEVELOPMENT COMPANY LTD**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested is in regard to the applicant seeking amendment to the Local Condition, relating to Door Supervisors, whereby this condition is removed between 2300 to 0200 hours on weekdays only.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

It is a local condition that the licence holder will ensure that from 2300 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives.

In support of the Preventing Public Nuisance licensing objective, during any consultation process, Police Scotland consistently recommends that suitably licensed door supervisors are deployed within the licensed area during the stipulated hours.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, in pursuance of the above licensing objective, I wish to make representation to the application and recommend that the Local Condition, currently attached, remains in place.

In light of this request and the impact of the latest economic downturn across the licensed trade, the Board may wish to consider a wider consultation process in

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anticipation of further requests being received for the removal and/or amendment of this Local Condition by other like-minded licensed premises.

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

Yours faithfully

Graeme Mackie

Chief Superintendent

For enquires please contact the Licensing Department on 01224 304154

**Licensing (Scotland) Act 2005, section 22**

**Notice of Objection or Representation**

**If you are completing this form by hand, please write legibly in block capitals using ink.**

**Please refer to [Guidance Note for making Objections](#) before completing this form**

**Please return the form by email to:** licensing@aberdeencity.gov.uk

If you are unable to return the form by email, you can post it to:

Depute Clerk to the Licensing Board  
Licensing Team  
Business Hub 6  
Marischal College  
Broad Street, Aberdeen  
AB10 1AB

Your full name & address (include postcode)	Laura Fuller-Khairul Licensing officer for Aberdeen City Community Council.
Your email address	city.centre.abz.ccc.licensing@gmail.com
Name & Address of premises	Soul (Ground Floor), Langstane Kirk, 333 Union Street, Aberdeen, AB11 6BS
Applicant's Name (if know)	n/a

The Application is for:	Provisional Premises Licence	<input type="checkbox"/>
	Premises Licence	<input type="checkbox"/>
	Variation of Premises Licence	<input checked="" type="checkbox"/>
	Occasional Licence	<input type="checkbox"/>

**Any person may, by notice to the Licensing Board—**

- (a) Object to the application on any ground relevant to one of the grounds for refusal or**
- (b) Make representations to the Board concerning the application.**

**If you are OBJECTING, please complete Part A of this form.**

**If you are MAKING REPRESENTATIONS, please complete Part B of this form.**

**PART A – OBJECTION**

I object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(c) Granting the application would be inconsistent with one or more of the licensing objectives. Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

Objective	Objection
Securing public safety	Door stewards play an important role in keeping people safe in the venue but also by having a presence outside the venue. It is the opinion of the residents in the area that the numbers of people out in the area on a Thursday definitely warrants the need for their presence.

Preventing public nuisance	Residents living close to Langstane place have reported noise issues along the street. Thursday in particular can be noisy due to it being a popular night for students. Removing door stewards on a Thursday could result in people not being moved on from outside the premises and increased noise levels in the area. When noise levels are already an issue on Thursday nights removing door stewards will only make it worse.
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Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Your Signature	
Date	

Please refer to the Privacy Notice for information on how we use your data.

[Your data: Liquor Licence objections and representations | Aberdeen City Council](#)

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE**

**PREMISES: COLLEGE, 9 ALFORD PLACE**

### DESCRIPTION

- Removal of the local condition in respect of Door Stewards -Sundays to Thursdays
- Appointment of a new premises manager
- Amendment to commencement hours on Sundays from 12:30 to 11:00

### OBJECTIONS/REPRESENTATIONS

- Police Scotland
- Community Council

### CONDITIONS

The terms of the Door Supervisors condition are as follows:

Door Supervisors It is a condition that the licence holder will ensure that from 23:00 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives.

### POLICY

#### 2. PREVENTING CRIME & DISORDER

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

#### What the Board Will Do:

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all policies are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

#### What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

#### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort

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# SOUL

A: Soul, 333 Union Street, Aberdeen, AB11 6BS.

T: 01224 211150. W [www.pbdevco.com/soul](http://www.pbdevco.com/soul) E: [soul@pbdevco.com](mailto:soul@pbdevco.com)

3a) College is seeking a variation to the local condition:

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The lack of footfall within Aberdeen's city centre, in particular on weekdays, has been highlighted by several partners and culminated in Aberdeen Inspired organising their Emergency Summit of Union Street in November 2022. As the cost-of-living crisis grows into the beginning of 2023, the disparity between those that can afford to go out and those that cannot become more prevalent and will further decrease the city's footfall.

Due to the local licensing condition of SIA staff from 11 pm, College is simply closing their doors at 11 pm rather than paying the extra money for Security. This then leads to the dispersal of customers from licensed premises varying from venue to venue which will not be communicated to partners. Furthermore, this stipulation leads to Aberdeen essentially 'closing early' and becoming less attractive for people to use our city centre. However, College is keen to promote our Purple Flag city of Aberdeen to all and ultimately portray what makes Aberdeen an attractive place to live, work and visit and would stay open if this condition was lifted.

We would only be looking for an amendment of our licence on weekdays. Nevertheless, if College or Aberdeen is expecting an increase in normal trade then we would not hesitate to have door staff on duty.

The national shortage of SIA badged door staff has led to having less door staff on during the week than was previously the norm, with our Manager's that hold Personal Licences making up the shortfall to ensure our venue is still compliant as a safe and welcoming premises.

People socializing within licensed premises strengthen community spirit and, unlike the off-sales trade, on sales provide a safe place for people to get together. At least one of the Personal Licence Holders that are employed by College will be on duty Sunday until Thursday to provide duty of care to vulnerable patrons and abide by the five licensing objectives: preventing crime and disorder, securing public safety, protecting children and young persons from harm, promoting public health and preventing public nuisance.

Lastly, College operates a business strategy that encourages high-class clientele to dine and drink within the premises. It seeks to promote a safe and comfortable environment that it is a safe, contemporary and relaxed bar atmosphere.



**OFFICIAL**

11 January 2023

Your Ref:

Our Ref: 690142

Licensing Team  
Legal Services Governance  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE COLLEGE BAR, 9 ALFORD PLACE, ABERDEEN, AB10 1YB**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested is in regard to the applicant seeking amendment to the Local Condition, relating to Door Supervisors, whereby this condition is removed between 2300 to 0000 hours from Sunday to Thursday, only.  
The change of Designated Premises Manager is also noted.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

It is a local condition that the licence holder will ensure that from 2300 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives.

In support of the Preventing Public Nuisance licensing objective, during any consultation process, Police Scotland consistently recommends that suitably licensed door supervisors are deployed within the licensed area during the stipulated hours.

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**OFFICIAL**

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, in pursuance of the above licensing objective, I wish to make representation to the application and recommend that the Local Condition, currently attached, remains in place.

In light of this request and the impact of the latest economic downturn across the licensed trade, the Board may wish to consider a wider consultation process in anticipation of further requests being received for the removal and/or amendment of this Local Condition by other like-minded licensed premises.

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

Yours faithfully

Graeme Mackie

Chief Superintendent

For enquires please contact the Licensing Department on 01224 304154

**OFFICIAL**

**Licensing (Scotland) Act 2005, section 22**

**Notice of Objection or Representation**

**If you are completing this form by hand, please write legibly in block capitals using ink.**

**Please refer to [Guidance Note for making Objections](#) before completing this form**

**Please return the form by email to:** licensing@aberdeencity.gov.uk

If you are unable to return the form by email, you can post it to:

Depute Clerk to the Licensing Board  
Licensing Team  
Business Hub 6  
Marischal College  
Broad Street, Aberdeen  
AB10 1AB

Your full name & address (include postcode)	Laura Fuller-Khairul Licensing officer for Aberdeen City Community Council.
Your email address	city.centre.abz.ccc.licensing@gmail.com
Name & Address of premises	THE COLLEGE, GROUND AND MEZZANINE FLOOR, 9 ALFORD PLACE, ABERDEEN, AB10 1YD
Applicant's Name (if know)	n/a

The Application is for:	Provisional Premises Licence	<input type="checkbox"/>
	Premises Licence	<input type="checkbox"/>
	Variation of Premises Licence	<input checked="" type="checkbox"/>
	Occasional Licence	<input type="checkbox"/>

**Any person may, by notice to the Licensing Board—**

- (a) Object to the application on any ground relevant to one of the grounds for refusal or**
- (b) Make representations to the Board concerning the application.**

**If you are OBJECTING, please complete Part A of this form.**

**If you are MAKING REPRESENTATIONS, please complete Part B of this form.**

**PART A – OBJECTION**

I object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(c) Granting the application would be inconsistent with one or more of the licensing objectives. Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

Objective	Objection
Securing public safety	Door stewards play an important role in keeping people safe in the venue but also by having a presence outside the venue. It is the opinion of the community council that the numbers of people out in the area on a Thursday definitely warrants the need for their presence.

Preventing public nuisance	The community council are aware of reported noise issues on Thursday nights in particular as it is a popular night for students. Removing door stewards on a Thursday could result in people not being moved on from outside the premises and increased noise levels in the area. When noise levels are already an issue on Thursday nights removing door stewards will only make it worse.
----------------------------	---

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Your Signature	
Date	

Please refer to the Privacy Notice for information on how we use your data.

[Your data: Liquor Licence objections and representations | Aberdeen City Council](#)

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE**

**PREMISES: THE NEW ALBYN, 11 ALYBN PLACE**

### DESCRIPTION

Amendment to the commencement hours on Fridays to Sundays to 10:00  
On a Friday and Saturday this would give trading hours of 17 hours which is outwith the Board's policy – see below

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### CONDITIONS

N/A

### POLICY

#### **7. SUPPLEMENTARY POLICY – LICENSED HOURS**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives

On-Sale Premises The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map. The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence

holder or applicant to demonstrate that the premises is suitable for the hours sought.

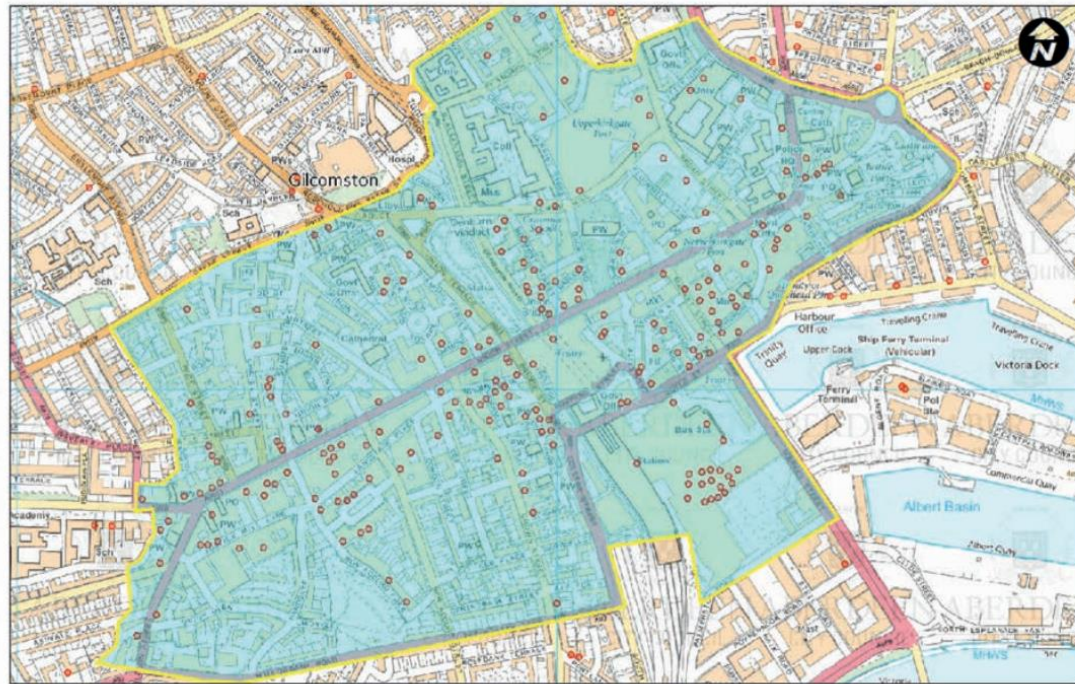
Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<b>Outwith City Centre</b>	<b>Earliest Opening Hour</b>	<b>Latest Terminal Hour</b>
Sunday to Thursday	1000	0000
Friday & Saturday	10:00	0100
<b>City Centre</b>	<b>Earliest Opening Hour</b>	<b>Latest Terminal Hour</b>
Sunday to Thursday	1000	02:00
Friday & Saturday	1000	03:00





Current City Centre Area

1:5,000

0 112.5 225 450 Meters

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**OFFICIAL**

25 January 2023

Your Ref: AC0247

Our Ref: 690234

Licensing Team  
Legal Services Governance  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB



Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE NEW ALBYN, 11 ALBYN PLACE, ABERDEEN, AB10 1YE.  
SKARA HOLDINGS LIMITED**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of a change in core hours from 1200-0300 on Friday and Saturday and 1100-0000 on Sunday to an opening time of 1000 each day inclusive.

In terms of Section 29(5) this request can be considered a variation.

In terms of Section 22(1)(a) of the same Act, I make the following objection and recommend that the variation should be refused on the grounds that it would be inconsistent with the Protecting and Improving Public Health licensing objective.

The Statement of Licensing Policy states, at point 7, "The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement."

The application form submitted by the applicant details no rationale for the proposed variation to trading hours, and provides no 'exceptional circumstances' in relation to the application as to why something out with policy should be considered.

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**OFFICIAL**

I recommend that the grant of the variation of the licence be refused in terms of Section 23(5)(c) of the Licensing Act (Scotland) Act 2005 as, if granted, for the reasons stated above, it will be inconsistent with the boards policy and the licensing objective Protecting and Improving Public Health.

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

Yours faithfully

Graeme Mackie  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 304154.

**OFFICIAL**



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE**

**PREMISES: WAGAMAMA, UNIT FS3A, UNION SQUARE**

### DESCRIPTION

Variation to add recorded music and add takeaway facilities

### OBJECTIONS/REPRESENTATIONS

### CONDITIONS

The applicant has accepted the imposition of the local condition in respect of Delivery Driver

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE**  
**PREMISES: WHITE HORSE BAR, 697 GREAT NORTHERN ROAD**

### DESCRIPTION

Amendment to the commencement of on-consumption hours on Sundays from 12:30 to 11:00

### OBJECTIONS/REPRESENTATIONS

None

### CONDITIONS

N/A

### POLICY

N/A

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## PREMISES LICENCE REVIEW

**PREMISES: CITI HOTEL ABERDEEN, 1 BATH STREET  
LICENCE HOLDER: OTH ABERDEEN LIMITED**

### GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

#### **10 Payment of annual or recurring fees**

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

### BACKGROUND

Payment of the annual fee for the above premises was due to be paid 1 October 2022. As of 26 January 2023, the fee remains outstanding.

### ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

### BOARD'S POWERS ON REVIEW

At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

Those steps are—

- (a) to issue a written warning to the licence holder,
- (b) to make a variation of the licence,
- (c) to suspend the licence for such period as the Board may determine,
- (d) to revoke the licence.

Where, at a review hearing in relation to any premises licence, the Licensing Board are satisfied that the ground for review specified in [section 36\(3\)\(za\)](#) (that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence) is established, the Board must revoke the licence.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

## PREMISES LICENCE REVIEW PROPOSAL

PREMISES: CITI HOTEL ABERDEEN, 1 BATH STREET  
LICENCE HOLDER: OTH ABERDEEN LIMITED

### GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

#### **10 Payment of annual or recurring fees**

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

### BACKGROUND

Payment of the annual fee for the above premises was due to be paid 1 October 2022. As of 17 January 2023, the fee remains outstanding.

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**Aberdeen Licensing Board – Premises Licence Review 7 February 2023**

**Non-payment of Annual Fee – Citi Hotel, 1 Bath Street, Aberdeen, AB11 6HY**

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2022 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

This hotel has been closed for a period of time and the licence holder, OTH Aberdeen Limited, have advised that the hotel was sold in July 2022 and do not accept responsibility re payment of the annual fee. I understand Licensing have had some contact.

The purchasers were -

TG Properties Limited  
1st Floor, Viking House  
St Paul's Square  
Ramsey  
Isle of Man, IM8 1GB

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer

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## PREMISES LICENCE REVIEW

**PREMISES: SAIGON RESTAURANT, 29A CROWN TERRACE, ABERDEEN  
LICENCE HOLDER: RELIANCE CATERING**

### GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

#### **10 Payment of annual or recurring fees**

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

### BACKGROUND

Payment of the annual fee for the above premises was due to be paid 1 October 2022. As of 26 January 2023, the fee remains outstanding.

### ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

### BOARD'S POWERS ON REVIEW

At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

Those steps are—

- (a) to issue a written warning to the licence holder,
- (b) to make a variation of the licence,
- (c) to suspend the licence for such period as the Board may determine,
- (d) to revoke the licence.

Where, at a review hearing in relation to any premises licence, the Licensing Board are satisfied that the ground for review specified in [section 36\(3\)\(za\)](#) (that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence) is established, the Board must revoke the licence.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

# PREMISES LICENCE REVIEW PROPOSAL

**PREMISES: SAIGON RESTAURANT, 29A CROWN TERRACE, ABERDEEN  
LICENCE HOLDER: RELIANCE CATERING**

## GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

### **10 Payment of annual or recurring fees**

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

## BACKGROUND

Payment of the annual fee for the above premises was due to be paid 1 October 2022. As of 16 January 2023. The fee remains outstanding.

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## **Aberdeen Licensing Board – Premises Licence Review 7 February 2023**

### **Non-payment of Annual Fee – AC0313 Saigon, 29A Crown Terrace, Aberdeen, AB11 6HD**

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2022 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

This restaurant has been closed for a period of time, the LSO has no contact details for the licence holder, Reliance Catering.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer

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## ABERDEEN CITY LOCAL LICENSING FORUM

### UPDATE FOR LICENSING BOARD 7<sup>th</sup> FEBRUARY 2023

#### Introduction

This paper provides an update to the Licensing Board of key agenda items which will be discussed at the meeting of the Local Licensing Forum on Tuesday 31<sup>st</sup> January 2023. Unfortunately it has not been possible to schedule the January meeting of the Forum early enough to submit a report of what was discussed at the meeting.

The Forum's role is to provide feedback and recommendations to the Board in relation to the safe use of alcohol and the upholding of the licensing objectives.

#### 1. Election of Office Bearers

- The meeting of the Forum on 31<sup>st</sup> January will be its AGM and the election of Convenor and

#### 2. Appointment of new members

- ADP
- Young person
- Street Pastors
- Off sales

#### 3. Scottish Government Local Licensing Forums Survey Report

- The Scottish Government undertook a survey of Local Licensing Forums during summer 2022. The report of this study is attached and the Forum discuss the report and agree any changes which we might consider as a result of the report.

#### 4. ELEPHANT Study – evaluating later or expanded premises hours for alcohol in the night time economy

- This study is being undertaken by Stirling University and is led by Professor Niamh Fitzgerald. Later opening hours were introduced in Aberdeen and Glasgow shortly before the pandemic. This study aims to understand and assess the impact of these later opening hours on harms, services and costs in both Glasgow and Aberdeen
- The Forum receives regular updates on the study.

#### 5. Conclusion

Elaine Mottram

Convenor of the Local Licensing Forum

January 2022

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**Report of Local Licensing Forum Survey 2022**

## **INTRODUCTION**

Local licensing forums have a vital role to play in local licensing arrangements and the development of local licensing policies. However, forums, like the rest of the licensing system and range of stakeholders working within it, have inevitably faced challenges and been required to adapt in response to COVID-19. The Scottish Government therefore worked with Alcohol Focus Scotland (AFS) to undertake a survey of local licensing forums / local councils to identify current levels of forum activity. In addition, the survey asked about what was working well with forums and how they could be better supported or improved. This report summarises the key findings of the survey and the comments provided by the respondents.

## **BACKGROUND /CONTEXT**

The Licensing (Scotland) Act 2005 requires every council to establish a local licensing forum. If the area of a council is divided into separate licensing divisions, then the council can choose to establish separate forums for each division. This means that there should be between 32-40 local licensing forums currently operating in Scotland. It is the job of the forum to review the licensing board in the area and to provide it with feedback. Specifically, the law states the forum's role is to:

- **Review:** *“keeping under review the operation of this Act [The Licensing (Scotland) Act 2005] in the forum’s area, and, in particular, the exercise by the relevant licensing board or boards of their functions”, and*
- **Advise:** *“giving such advice and making such recommendations to that... board in relation to those matters as the forum considers appropriate.”*

The law requires all forums to have a membership of between 5 and 21 people, and they must include at least one Licensing Standards Officer (LSO) and at least one person from the health board. The law also sets out the main categories of members which the council must reach and engage in the process of setting up/maintaining a forum: Licence holders; police; health, education or social work; young people; and residents. Forums have the flexibility to decide at a local level how many representatives there should be for each of the different interests, although all the interests are equally important.

## **ABOUT THE SURVEY AND RESPONDENTS**

An invitation to complete the survey was distributed by the Scottish Government via email to forums/local councils, using the contact details available on the licensing section of each council's website. The invitation asked for a single representative from each forum, or a relevant council officer if the forum was inactive, to provide one response to an online version of the survey. It was recommended that the questions be discussed at a forum meeting prior to the answers being submitted online.

The survey ran between July 2022 - October 2022 and responses were received from 14 local licensing forums. This would represent less than half of the total number of forums that should be in operation, which should be between 32-40 as noted above. The forums that participated included a mix of those within urban areas and those within more rural localities. In addition, an email reply was received from one area (that did not participate in the survey) advising that there had not been a licensing forum in operation since pre-COVID due to staff redeployment and availability from a number of services.

People were free to skip past any question that they did not want to answer and so some questions were not answered by all 14 respondents. Please also note that the percentages given in this report may not always add up to exactly 100% as they have been rounded to the nearest whole number.

## **SURVEY RESULTS**

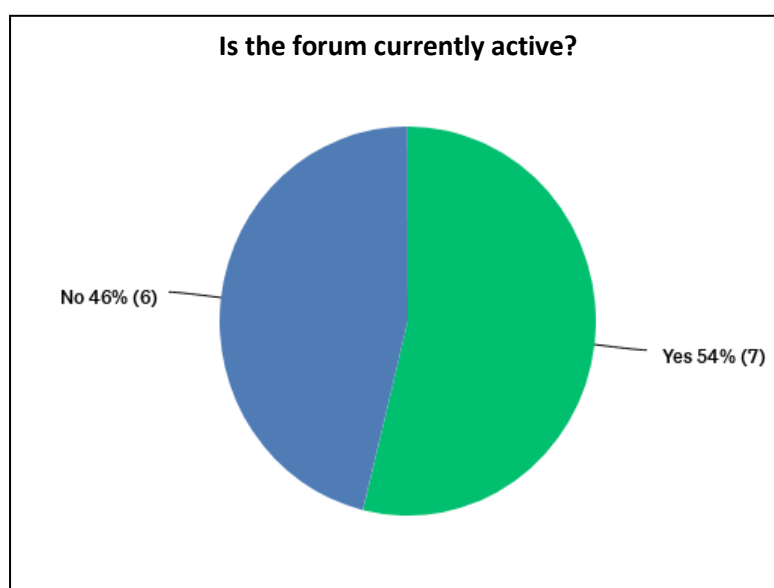
### **Key findings**

The survey ran between July 2022 - October 2022 and responses were received from 14 local different licensing forums; there should currently be between 32-40 forums in Scotland. Of those who answered the relevant questions:

- **54%** of the forums were **currently active**, while **46%** were **not**.
- **66%** rated the forum as either 'very' or 'fairly' **effective** at reviewing the operation of the licensing system, while **33%** rated the forum as '**not effective**' in this regard.
- **55%** rated the forum as either 'very' or 'fairly' **effective** when asked about the forum's role to provide recommendations to the licensing board, with **44%** rating the forum as **not being effective** in this regard.
- Overall, the responses suggest that there is a **wide variation between forums** with regards to whether and how well they are operating, and the challenges being experienced.
- The total number of forum **members** (representing one of the main membership categories) on each forum **ranged from 5-15**, with the average number being 11
- **32%** of all forum members are **licence holders**, followed by LSOs and residents (both 14%). Only **1%** of forum members are **young people**.

### **Are forums currently active?**

The survey asked respondents whether the forum was currently active. In response, 54% (7) answered 'yes' while 46% (6) answered 'no'. When the relevant respondents were asked to describe the main reasons for the forum being inactive, one commented on the impact of COVID and the reluctance of forum members to attend meetings remotely. Other respondents indicated more long-standing and reoccurring difficulties attracting and retaining forum members, with one expressing frustration that repeated attempts to maintain the forum had been unsuccessful and resource intensive.



*"We have never got close to the maximum membership of 21... we barely reach the minimum of 5... Failing to reach a quorum is a common issue - if members do not confirm their intention to attend the next meeting, we cancel the meeting. Since there are only 4 scheduled meetings of the Forum a year, cancellation means there will be a gap of months between meetings."*

Respondents in areas with inactive forums were asked whether there were any plans to reactive the forum, with 67% (2) of those who answered indicating 'yes' and 33% (1) indicating 'no'.

Respondents in areas with active forums were asked how many times the forum had met in the previous 12 months, with the answers given ranging from 1-6 times (1 x 1 time, 2 x 3 times, 2 x 4 times, 1 x 5 times, 1 x 6 times).

## How well are forums functioning?

Respondents were asked to what extent they agreed or disagreed with a number of statements about the operation of the forum, as shown in the table below.

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
<b>Forum members have a good understanding of their role and remit</b>	11% (1)	44% (4)	22% (2)	11% (1)	11% (1)
<b>The forum has clear aims/objectives</b>	11% (1)	44% (4)	11% (1)	11% (1)	22% (2)
<b>The forum has developed a workplan</b>	11% (1)	22% (2)	0%	33% (3)	33% (3)
<b>The Licensing Board takes the forum's views into account</b>	22% (2)	11% (1)	44% (4)	11% (1)	11% (1)
<b>There is good communication between the forum and Licensing Board</b>	22% (2)	11% (1)	44% (4)	11% (1)	11% (1)
<b>The forum has sufficient resources</b>	11% (1)	11% (1)	56% (5)	22% (2)	0%
<b>The forum receives support and input from local agencies</b>	11% (1)	78% (7)	0%	0%	11% (1)
<b>The forum has a good level of membership retention</b>	11% (1)	33% (3)	11% (1)	11% (1)	33% (3)

The statement that the highest proportion of respondents agreed with was "the forum receives support and input from local agencies", with only one respondent indicating that they disagreed with this statement. The next most commonly agreed to statements were "forum members have a good understanding of their role and remit" and "the forum has clear aims/objectives". Conversely, the statement that the highest proportion of respondents disagreed with was "the forum has developed a workplan", with the second most disagreed to statement being "the forum has a good level of membership retention". Overall, however, the responses suggest that there is a wide variation between forums with regards to how well they are operating, and the challenges being experienced.

Respondents were also asked how they would describe the effectiveness of the forum in relation to the functions of forums as set out in the Licensing (Scotland) Act 2005, as shown in the below table.

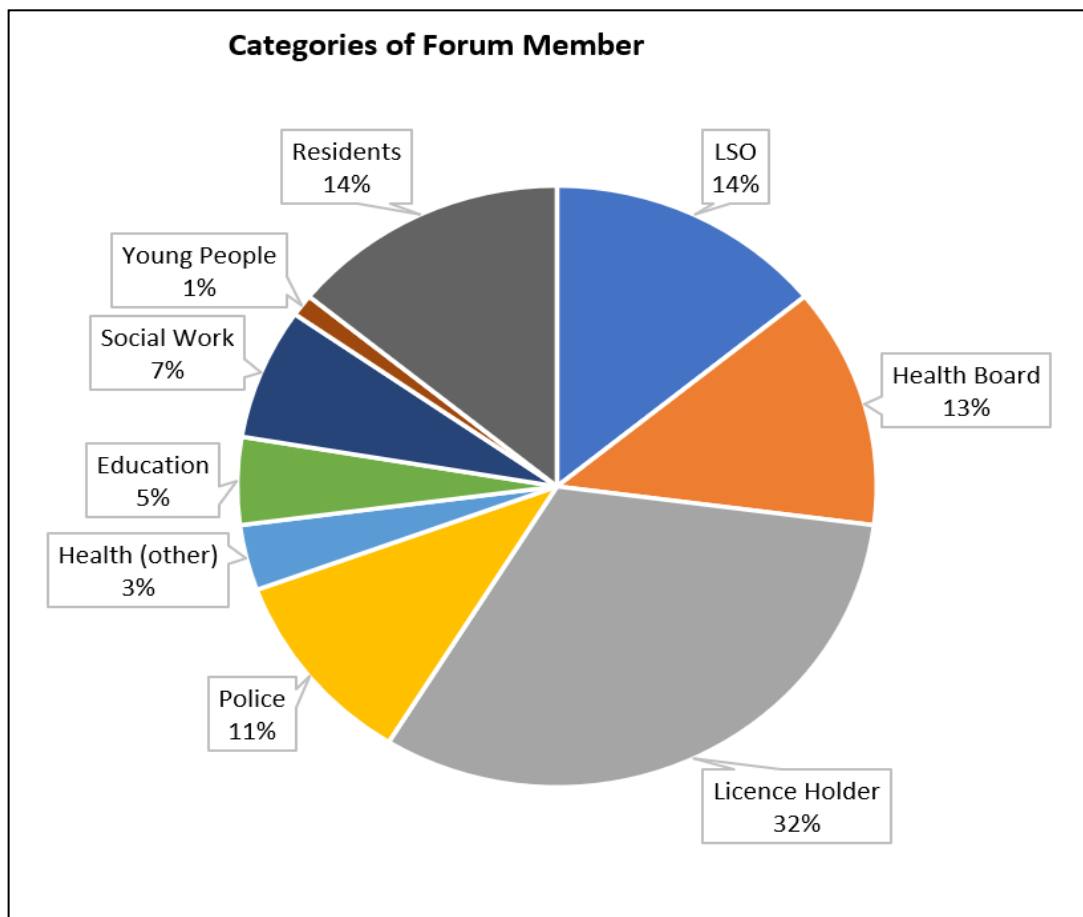
	<b>Very Effective</b>	<b>Fairly Effective</b>	<b>Not Effective</b>
<b>Keeping under review the operation of the licensing system in the area</b>	22% (2)	44% (4)	33% (3)
<b>Giving advice and recommendations to the Licensing Board</b>	22% (2)	33% (3)	44% (4)

The responses again suggest a variation in how effectively forums are functioning. Of the respondents who answered this question, 66% rated the forum as either 'very' or 'fairly' effective at reviewing the operation of the licensing system, while 33% rated the forum as 'not effective' in this regard. A smaller proportion (55%) rated the forum as either 'very' or 'fairly' effective when asked about the forum's role to provide recommendations to the licensing board, with a higher proportion (44%) rating the forum as not being effective in this regard.

### What is the current membership of licensing forums?

Respondents were asked to state how many of each 'category' of forum member (as per the Licensing (Scotland) Act 2005) was represented on the forum. If a forum member belonged to more than one category, then the respondent was directed to count them as belonging to the category that best represented their key reason for attending the forum.

The total number of forum members (representing a main category) on each forum ranged from 5-15, with the average number being 11. The total proportion of each category of forum member from all the forms combined is set out in the chart below.



Licence holders make up the highest proportion (32%) of forum members, followed by LSOs and residents (both 14%). Conversely, the least well represented category is young people (1%), followed by Education (3%).

*"We find that "young people" (16-17) tend to attend only one or two meetings before they become too old to be "young people""*

In addition, several respondents commented that the forum membership included people who did not represent one of the main categories of forum member, with examples being representatives from chambers of commerce, council teams e.g., Safer Neighbourhood Team, and local country halls.

## **How could forums be supported/improved?**

Respondents were asked for their suggestions of how forums could be supported/improved.

One respondent suggested that forums should be encouraged to adopt good practice based on learning from areas where forums were operating effectively. However, they also commented that a lack of resources may limit what is possible in some areas, and that some forums may require more support and encouragement to enable them meet more regularly.

*"Here the forum is very well attended, has a full work plan set out, full and proper representation from all parts of the licensing sector, as well as student, local community, NHS, Police Scotland and LSO representation... [forums need] more resource and support to encourage and enable forums to meet more regularly. As it is, some don't meet at all or only infrequently."*

Other respondents also highlighted the infrequency of forum meetings as being highly problematic, with some feeling that it contributed to breakdowns in communication between the different stakeholders involved in the forum and also with the licensing board. Several respondents highlighted that having more regular and informal meetings between the forum and board had been (or would be) beneficial.

*"Interaction between the forum and the Board through the annual meeting is a good thing, but this should be augmented by a close working relationship with the Chair of the forum and the Chair of the Board, so that things are discussed and debated as they arise and not just annually."*

*"The quarterly meetings of the LLF [Local licensing Forum] and the annual meeting with the board are insufficient to build and maintain a positive working relationship. There are now occasional, informal meetings, where information and advice can be more regularly shared."*

Other comments related to forum membership, and the need to invest in the recruitment and retention of members. Some suggested that the provision of training and support would encourage more members to participate and stay on forums.

*"Increase level and diversity of members. Increase level of funding to allow for better community engagement."*

*"More recruitment of community members - Recognition schemes for community members who volunteer – i.e., voluntary hours given recognition schemes (helps build CVs, job application etc potentially),"*

*"Training for all forum members to maximise participation in individual contributions to the wider shared goals - training around the technicalities around licencing issues."*

*"Clear training and a work plan from the Scottish government, also some form of supervision to make sure the system/engagement with the board is happening as it should"*



*“There is a need to extend the membership of the forum (and this needs to include proper representation from local communities)/ formalise and improve joint working with the licencing board/ develop a clear programme of work, and this should include upskilling and development opportunities for forum members.”*

Additional suggestions put forward included the possibility of creating opportunities for representatives from forums to come together at a national level.

*“It would be helpful to have some form of national meeting where local Licensing Fora can exchange ideas.”*

*“Some kind of network where Forum Convenors and Vice Convenors could meet and share experiences and ideas and gain support would be helpful.”*

However, it was also commented that forums may require a more fundamental review and overhauled in order for them to be able to function as intended.

*“Forums essentially need to be rebooted as they have not worked in some time and are directionless”*

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