

# Public Document Pack



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

Town House,  
ABERDEEN 7 July 2023

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Council Chamber - Town House on FRIDAY, 7 JULY 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

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- 3 Application for Variation of Premises Licence - No 10 Wine Bar, 10 Queens Terrace, Aberdeen (Pages 37 - 52)
- 4 Application for Variation of Premises Licence - Co-op, 15 Fountainhall Road, Aberdeen (Pages 53 - 72)

- 5 Application for Variation of Premises Licence - Co-op, Lewis Road, Sheddocksley, Aberdeen (Pages 73 - 92)
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- 10 Annual Financial Report (Pages 181 - 184)

Should you require any further information about this agenda, please contact Benedict Kpohraror - [bkpohraror@aberdeencity.gov.uk](mailto:bkpohraror@aberdeencity.gov.uk)

## LICENSING BOARD

ABERDEEN, 30 May 2023. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Copland , Convener; and Councillors Boulton, Hazel Cameron, Crockett, Fairfull, Grant, Greig and McLeod.

### MINUTES OF MEETING OF 4 APRIL 2023

1. The Board had before it for its consideration the minutes of meeting of 4 April 2023.

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

To approve the minute.

### **APPLICATION FOR PREMISES LICENCE - LONDIS, 314 KING STREET, ABERDEEN**

2. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and that the application was within policy. The Board further heard from Sandy Munro, that the applicant had accepted the imposition of the local condition in respect of CCTV.

Karen Gatherum, Solicitor for the applicant attended the meeting virtually however due to some technical difficulties she was unable to speak in support of the application.

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

To grant the application.

### **APPLICATION FOR VARIATION OF PREMISES LICENCE - NO 10 WINE BAR, 10 QUEENS TERRACE, ABERDEEN**

3. The Board heard from Sandy Munro, Depute Clerk to the Board that the applicant had requested for the application to be deferred.

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

To defer the application.

### **APPLICATION FOR VARIATION OF PREMISES LICENCE - RICHMOND ARMS, 327 NORTH DEESIDE ROAD, ABERDEEN**

**LICENSING BOARD**

30 May 2023

4. The Board had before them a letter of objection from Culter Community Council. The Board heard from Sandy Munro, Depute Clerk to the Board that the objector was unable attend the meeting due to other engagements.

The Board thereafter heard from Anthony Dawson, Solicitor for the applicant, in support of the application.

**The Board unanimously resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - WAGAMAMA, UNIT FS3A, FIRST FLOOR, UNION SQUARE, ABERDEEN**

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

The Board thereafter heard from Audrey Ferrie, Solicitor for the applicant, in support of the application.

**The Board unanimously resolved:**

To grant the application.

**GENERAL - BOARD POLICY STATEMENT**

6. The Board had before them a consolidation of the responses received from the public at the licensing policy conference workshop held on 8 November 2022. The Board considered the responses and concluded that they did not warrant further examination of any particular parts of the Policy Statement at this time. The Board then discussed what areas would be suitable for the overprovision exercise and resolved to maintain the same areas as the previous Policy Statement, namely the whole of the Board's area for offsales, and a distinction between City Centre and Outwith City Centre for onsales.

**LOCAL LICENSING FORUM UPDATE**

7. The Board had before them an update from Elaine Mottram, Chair, Local Licensing Forum regarding the activity of the Local Licensing Forum after their meeting held on 23 March 2023.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR A PROVISIONAL PREMISES  
LICENCE

**PREMISES:** 495 – 499 GREAT WESTERN ROAD, ABERDEEN

### DESCRIPTION

- On and Off Sales consumption. Offering restaurant facilities, recorded music and outdoor drinking facilities.

### OBJECTIONS/REPRESENTATIONS

- Public Objection x1

The applicant has accepted the External Areas Conditions and Local Conditions – Duty of Care, Drugs Policy & Radio Link.

### POLICY

#### **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.

Outwith City Centre	Earliest Opening Hour	Latest Terminal Hour
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

City Centre	Earliest Opening Hour	Latest Terminal Hour
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

**Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

Earliest Opening Hour	Latest Terminal Hour	
All off-sales premises	1000	2200

## **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

### **What the Board Will Do:**

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.

- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

**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

#### **SECURING PUBLIC SAFETY**

The Board is committed to ensuring the safety of persons within licensed premises as well as those in the surrounding areas.

When considering this licensing objective, a number of factors should be considered including, but not limited to:

- Capacity – this will be assessed by the Council's Building Standards department to establish a maximum safe capacity figure in terms of the regulations. Please note the safe maximum operating figure may be smaller than the technical figure.
- Maintenance of premises.
- Fire safety.
- Suitability of glassware or alternatives to glass.
- Disabled access and facilities.
- Nature of activities to be carried out on the premises.

- Vulnerability of patrons.

Again, the Board will look to operate a partnership approach with all stakeholders in order to ensure that public safety is not compromised by the operation of licensed premises.

What the Board Will Do:

- Promote education and awareness of potential risks.
- Apply additional licence conditions where appropriate for the purposes of this licensing objective.
- Facilitate effective communication between all relevant parties.
- Disseminate relevant information from partner agencies as widely as possible.
- Review licences as a last resort.

What the Board Will Expect of Licence Holders/Applicants:

- High standards of maintenance of premises.
- Membership of schemes to secure public safety such as radiolink and pubwatch.
- Glassware or alternatives to glassware including toughened or safety glass frequently cleared
- Accurate disability access statements. Although these are only required for new applications the Board would encourage all existing premises to consider the preparation of an appropriate statement for publication.
- Clear and accurate signage in and around premises.
- Fully completed risk assessments where appropriate, for both premises and proposed activities to be carried out.
- Policies on crowd management and dispersal, both in the ordinary course of operation and in an emergency.

- Regular maintenance and testing of security and operating systems.
- Designation of a “safe space” within the premises in which vulnerable persons can be provided with assistance.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

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

- Co-operative approach.
- Effective communication and the sharing of up to date relevant information.
- Involvement in a licence review as a last resort.

#### **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.

### **Supplementary Policy – External Drinking Areas**

The Board recognises that the incorporation of outdoor areas within the licensed footprint of premises can enhance the operation of such premises but considers that it also attracts additional responsibilities on the part of the licence holder to uphold the licensing objectives.

Before an application to licence an outdoor area will be considered the area in question must benefit from the necessary planning permission and, if required, a pavement permit from the Roads Department of Aberdeen City Council.

All outdoor areas must be delineated on the layout plan forming part of the premises licence and outdoor drinking should be included as an activity within the body of the licence.

The Board will expect premises who currently utilise unlicensed outdoor areas to incorporate such areas within the premises licence by way of variation.

Applicants and licence holders must demonstrate that the areas will not contravene the licensing objectives, in particular with regard to noise, litter and antisocial behaviour. The areas must be regularly monitored, and glassware removed.

The Board will routinely attach additional conditions where an outdoor area is licensed including but not restricted to:

- Outdoor area to be clearly demarcated onsite.
- Use of the area to cease at 2200 hours.
- No amplified music or entertainment to take place in the outdoor area.

The terminal hour may be further restricted, and drinks may be required to be decanted into alternatives to glassware if appropriate.

### **6 CONDITIONS ATTACHING TO LICENCES**

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

**Duty of Care** - It is a condition that the licence holder must have in place a duty of care policy to ensure a standard approach is taken when any patron appears to be displaying signs of excessive intoxication. The purpose of this policy is to reduce vulnerability through intoxication, however attained. All staff must have training in identifying signs of excessive intoxication and an enhanced awareness of vulnerability through intoxication. This should include use of material such as the 'Who are You' video ([whoareyou.nz](http://whoareyou.nz)) or similar. All related training should be recorded and such records available for inspection by Police and Licensing Standards Officers.

**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.

**Radio Link** - It is a condition that the licence holder is a member of the local Radio link Scheme

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** No 10 WINE BAR, 10 QUEENS TERRACE, ABERDEEN

### DESCRIPTION

- Variation to include outdoor drinking facilities during core licensed hours.
- Increase in capacity from 160 to 557.
- Variation to layout plan.
- Variation to operating plan.

The application was deferred at the request of the applicant at the Board Meeting held on 30 May 2023.

### OBJECTIONS/REPRESENTATIONS

- None

The applicant has accepted the External Areas Conditions.

### POLICY

#### **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.

#### **Supplementary Policy – External Drinking Areas**

The Board recognises that the incorporation of outdoor areas within the licensed footprint of premises can enhance the operation of such premises but considers that it also attracts additional responsibilities on the part of the licence holder to uphold the licensing objectives.

Before an application to licence an outdoor area will be considered the area in question must benefit from the necessary planning permission and, if required, a pavement permit from the Roads Department of Aberdeen City Council.

All outdoor areas must be delineated on the layout plan forming part of the premises licence and outdoor drinking should be included as an activity within the body of the licence.

The Board will expect premises who currently utilise unlicensed outdoor areas to incorporate such areas within the premises licence by way of variation.

Applicants and licence holders must demonstrate that the areas will not contravene the licensing objectives, in particular with regard to noise, litter and antisocial behaviour. The areas must be regularly monitored, and glassware removed.

The Board will routinely attach additional conditions where an outdoor area is licensed including but not restricted to:

- Outdoor area to be clearly demarcated onsite.
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The terminal hour may be further restricted, and drinks may be required to be decanted into alternatives to glassware if appropriate.

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## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** CO-OP, 15 FOUNTAINHALL ROAD, ABERDEEN

### DESCRIPTION

- Variation to amend the wording on Q5(f) of the operating plan.

### OBJECTIONS/REPRESENTATIONS

- None

The applicant has agreed to the imposition of Age Verification System and Delivery Driver Conditions

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** CO-OP, LEWIS ROAD, SHEDDOCKSLEY, ABERDEEN

### DESCRIPTION

- Variation to amend the wording on Q5(f) of the operating plan.

### OBJECTIONS/REPRESENTATIONS

- None

The applicant has agreed to the imposition of Age Verification System and Delivery Driver Conditions

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** THE COUNTRY CLUB, GLASHIEBURN, BRIDGE OF DON,  
ABERDEEN

### DESCRIPTION

- Variation to on sales terminal hour from 01:00 to 02:00 on Friday and Saturday.
- Variation to on sales opening hour from 11:00 to 10:00 on Saturday.
- To allow restaurant facilities during and outwith core licensing hours.
- To include karaoke and comedy shows to existing activities at 5(f).
- To amend 'N/A' to 'No' at 5(g).
- To amend the times in which children and young persons are permitted access.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

#### **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.

Outwith City Centre	Earliest Opening Hour	Latest Terminal Hour
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100
City Centre	Earliest Opening Hour	Latest Terminal Hour
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

**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.

#### **Supplementary Policy – External Drinking Areas**

The Board recognises that the incorporation of outdoor areas within the licensed footprint of premises can enhance the operation of such premises but considers that it also attracts additional responsibilities on the part of the licence holder to uphold the licensing objectives.

Before an application to licence an outdoor area will be considered the area in question must benefit from the necessary planning permission and, if required, a pavement permit from the Roads Department of Aberdeen City Council.

All outdoor areas must be delineated on the layout plan forming part of the premises licence and outdoor drinking should be included as an activity within the body of the licence.

The Board will expect premises who currently utilise unlicensed outdoor areas to incorporate such areas within the premises licence by way of variation.

Applicants and licence holders must demonstrate that the areas will not contravene the licensing objectives, in particular with regard to noise, litter and

antisocial behaviour. The areas must be regularly monitored, and glassware removed.

The Board will routinely attach additional conditions where an outdoor area is licensed including but not restricted to:

- Outdoor area to be clearly demarcated onsite.
- Use of the area to cease at 2200 hours.
- No amplified music or entertainment to take place in the outdoor area.

The terminal hour may be further restricted, and drinks may be required to be decanted into alternatives to glassware if appropriate.



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## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** THE GRANITE CITY, ABERDEEN AIRPORT, DYCE, ABERDEEN

### DESCRIPTION

- Variation to on sales opening hour from 05:00 to 03:30 on Monday to Sunday.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

#### **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.

Outwith City Centre	Earliest Opening Hour	Latest Terminal Hour
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

City Centre	Earliest Opening Hour	Latest Terminal Hour
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

Earliest Opening Hour	Latest Terminal Hour	
All off-sales premises	1000	2200

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PERSONAL LICENCE APPLICATION

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### DETERMINATION

The Board Must:

- a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- b) If not so satisfied, grant the application.

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## Aberdeen City Review Data.

### Violence in Licensed Premises.

The following charts and data present figures for reported instances of violence directly related to licenced premises and it excludes instances of violence reported elsewhere but where those involved may have been in a licenced premises prior to the incident.

These figures confirm that Licensed Premises still remain a significant factor in violent crime within Aberdeen City. Although not presented in the figures, the overwhelming majority will also be alcohol related and there is still much work to be done in reducing drunkenness and by association violence within Aberdeen City.

There appears to be an encouraging trend over the five years which shows a reduction in violence however, cognisance should be taken of the 2020-2021 and 2021-2022 data which shows the effects of the COVID lockdowns and the arrival of the current slowdown in the national economy.

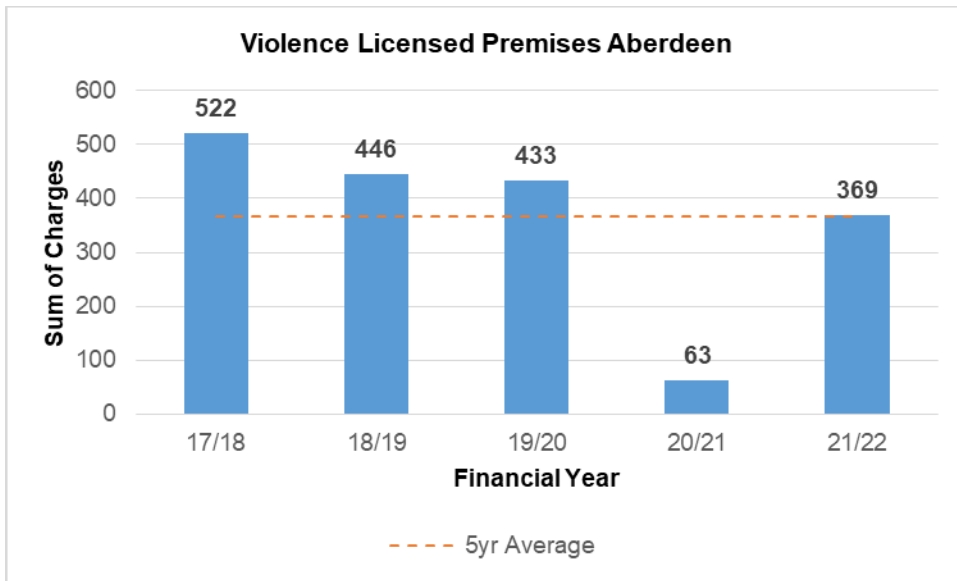
Aberdeen City Officers are now testing surfaces for the presence of cocaine within licensed premises and there is growing evidence that use of the drug is present in a significant portion of these premises. Cocaine use, particularly when mixed with the consumption of alcohol is a recognised contributor to violent behaviour and it is hoped the new Statement of Policy will continue to insist on strong drugs and duty of care policies in respect of premises licenses. These policies should ensure that staff are trained and fully aware of how to identify drug use, what to do in respect of the police and enforcement and how to ensure the safety of a patron under the effects of substance misuse.

The total sum of charges refers to the number of individual charges relating to violence and not the total number of incidents where violence has occurred. A single incident may result in a person(s) being charged with multiple offences.

**AS6** is the beat code for the City Centre Community Policing Team

**WNTE** – Weekend night time economy, (Friday & Saturday nights)

Financial Year	Total Sum of Charges
17/18	522
18/19	446
19/20	433
20/21	63
21/22	369
<b>Grand Total</b>	<b>1833</b>
<b>5 yr Average</b>	<b>366.6</b>

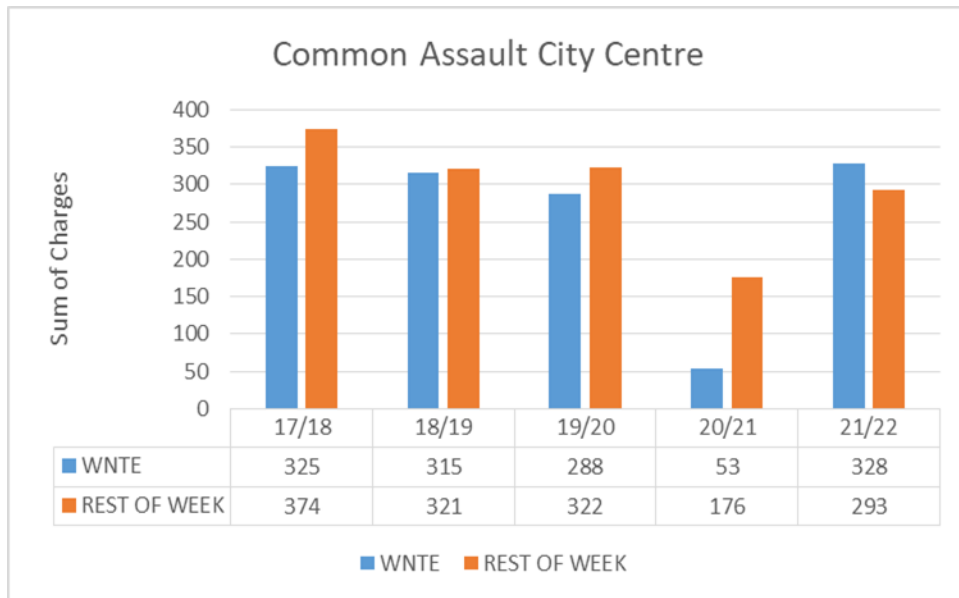


Inspector Area/Financial Year (sum of charges)	17/18	18/19	19/20	20/21	21/22	Grand Total	5 yr Average
AN1 Bucksburn	11	17	16	4	16	64	12.8
AN2 Bridge of Don	13	12	8	4	6	43	8.6
AN3 Tillydrone	4	6	8	2	18	38	7.6
AN4 Northfield	7		3	3	2	15	3.75
AN5 Mastrick	16	3	4	2	13	38	7.6
AN6 Kittybrewster	19	11	15	4	11	60	12
AN7 Seaton	12	19	24	6	15	76	15.2
AS1 Torry	6	3	3	4	10	26	5.2
AS2 Nigg	6	2	5	2		15	3.75
AS3 West End	17	9	7	3	21	57	11.4
AS4 Hazlehead	7	6	8	3	3	27	5.4
AS5 Rosemount	2		4		3	9	3
AS6 City Centre	402	358	328	26	251	1365	273
<b>Grand Total</b>	<b>522</b>	<b>446</b>	<b>433</b>	<b>63</b>	<b>369</b>	<b>1833</b>	<b>366.6</b>



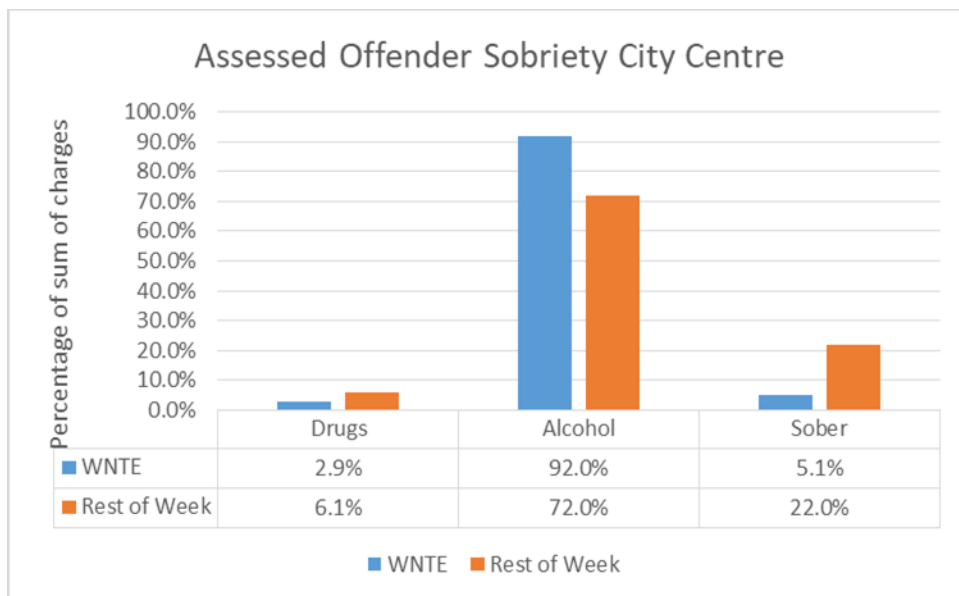
**AS6 – Common Assault charges**

- Common assault
- Assault of retail worker
- Minor assault emergency worker



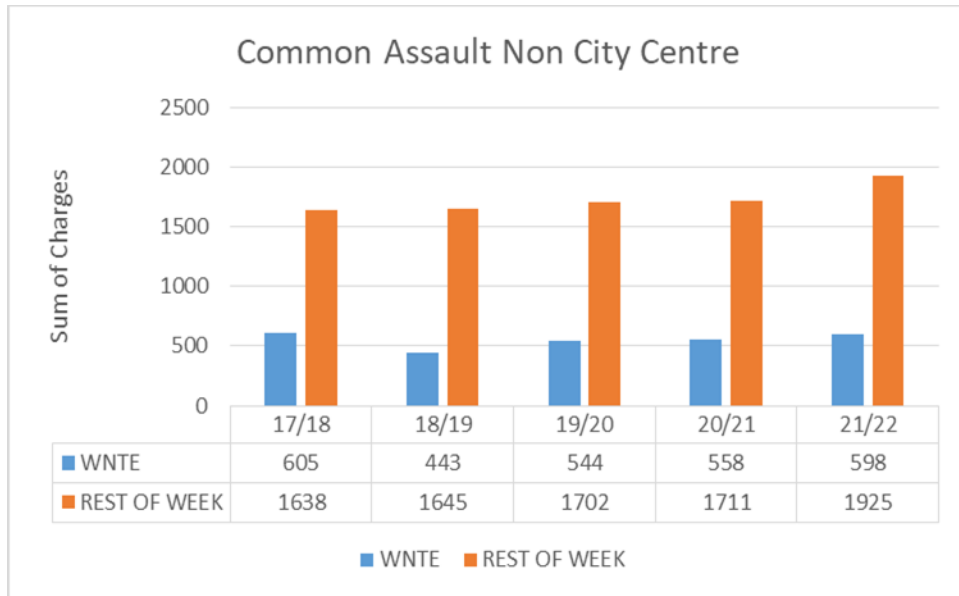
**AS6 Sobriety - accused/suspect Drugs/drunk/had been drinking/sober**

- Common assault
- Assault of retail worker
- Minor assault emergency worker



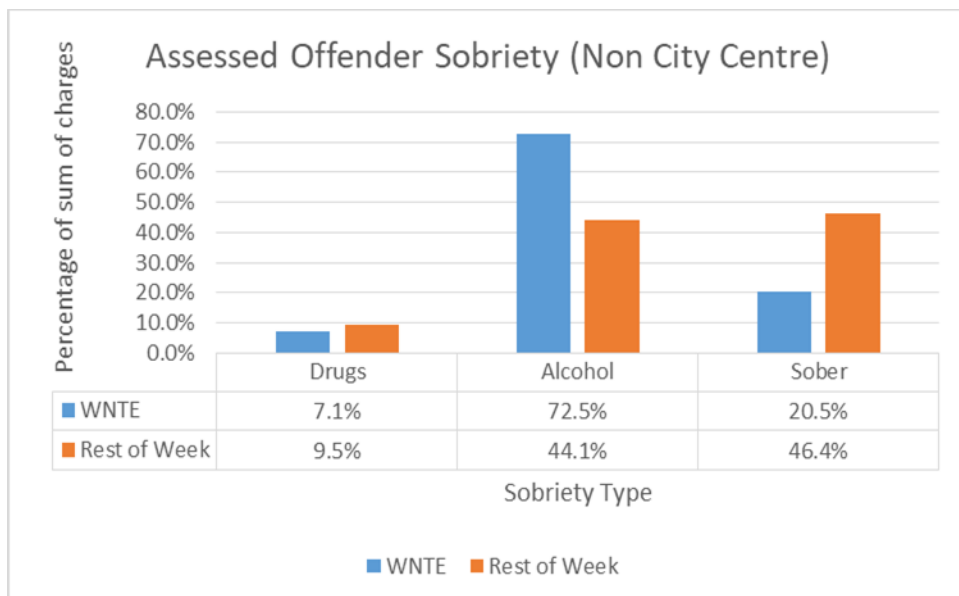
**All other areas of Aberdeen – Common Assault charges**

- Common assault
- Assault of retail worker
- Minor assault emergency worker



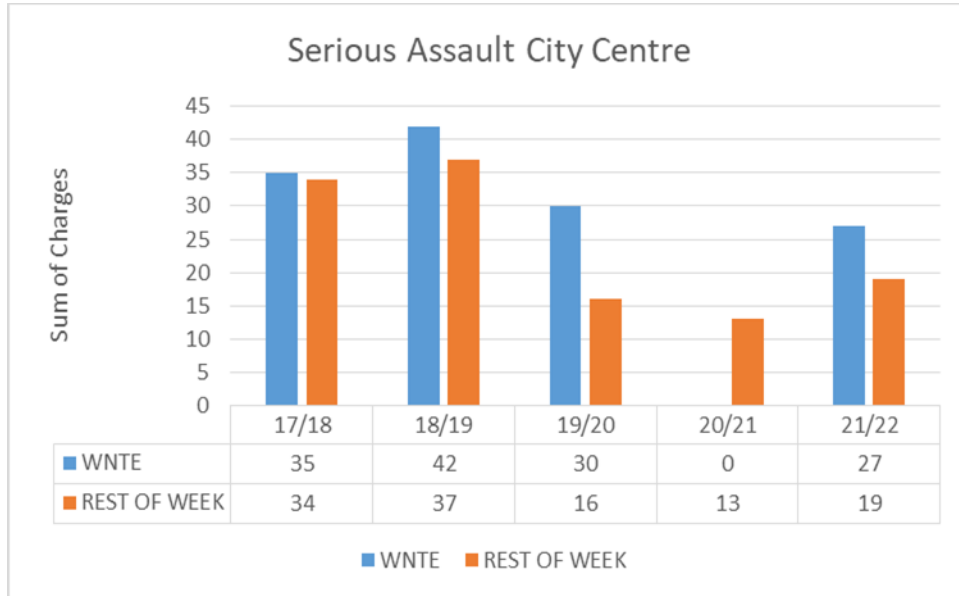
**Sobriety - accused/suspect Drugs/drunk/had been drinking/sober, all other areas of Aberdeen. – Common Assaults.**

- Common assault
- Assault of retail worker
- Minor assault emergency worker



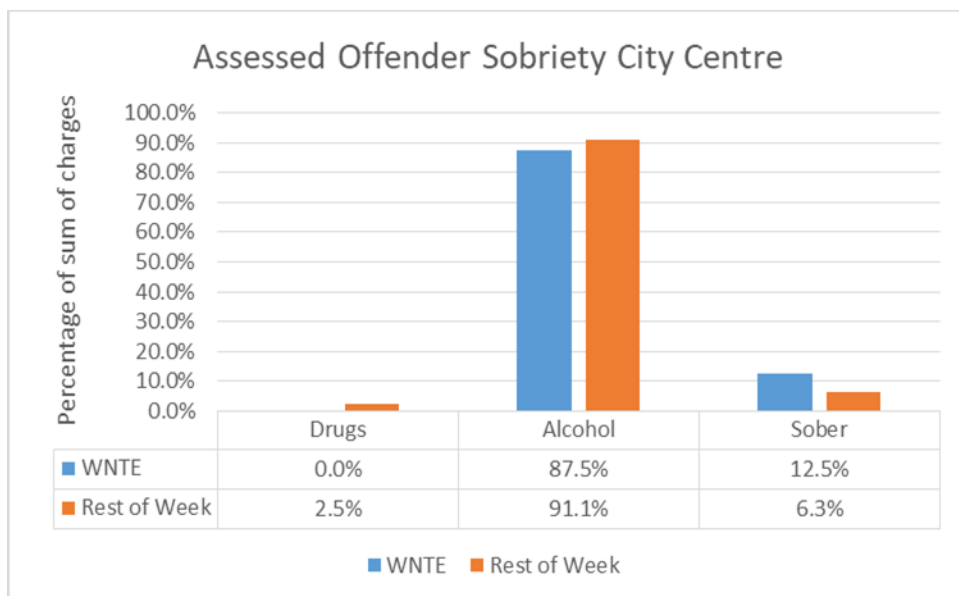
**AS6 Serious Assaults**

- Serious Assault
- Serious Assault of a Retail Worker



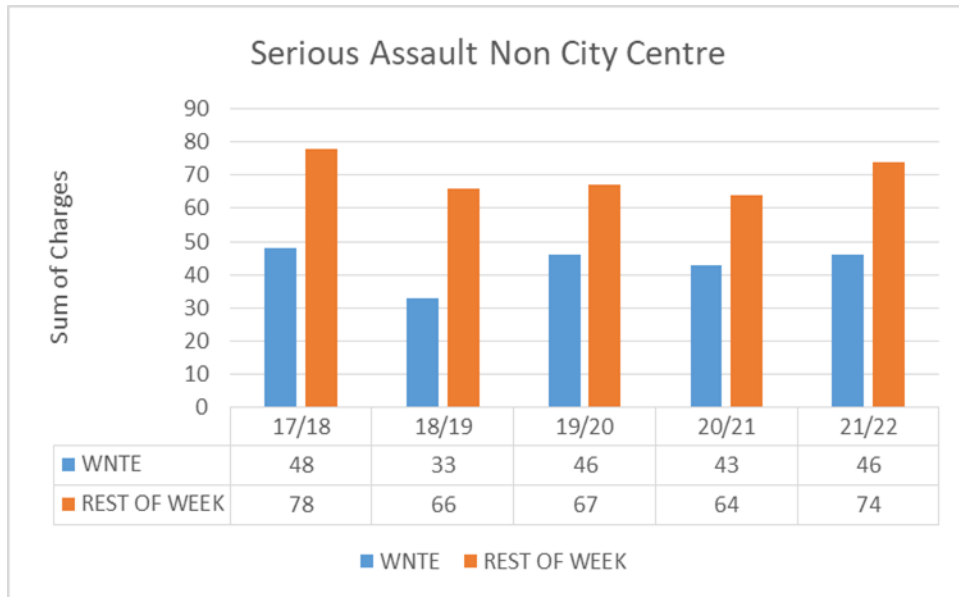
**AS6 Sobriety - accused/suspect Drugs/drunk/had been drinking/sober**

- Serious Assaults
- Serious Assault of a Retail Worker



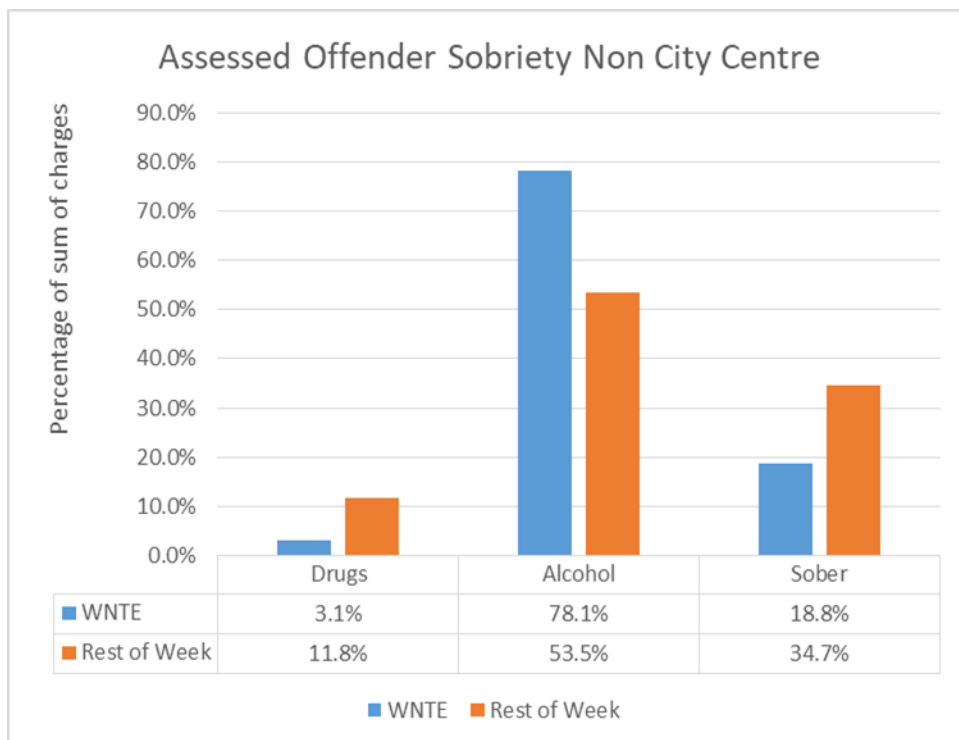
**All other areas of Aberdeen**

- Serious Assaults
- Serious Assault of a Retail Worker



**Sobriety - accused/suspect Drugs/drunk/had been drinking/sober all other areas of Aberdeen**

- Serious Assaults
- Serious Assault of a Retail Worker



**Assaults Licensed Premises Aberdeen City (April 2017 – March 2022)**

These tables highlight when assaults occur within licensed premises in Aberdeen. Note the red/dark orange on Saturday and Sunday mornings between midnight and 0300 hours. This clearly demonstrates the link between late night drinking and serious violence.

	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Grand Total
Mon	24	21	6	3	1		1				1	2				1	2	1	2	5	4	2	8	3	87
Tues	3	13	4	3								1				1	5		2	1	1		7	8	49
Wed	12	13	3	1	1			1		1	1			1		3	3	1	2	8		6	4	10	71
Thurs	12	11	8	5							1				3		2		3	1	1	10	11	9	77
Fri	18	17	11	3		6	1				3				1	2	1	2	11	7	6	19	19	28	155
Sat	39	36	48	10	4	1	1			2		1	1		3	3	4	10	5	14	12	28	33	53	308
Sun	72	77	79	22	9	2	1			1			2	1	3	1	1	3	5	2	12	9	4	10	316
<b>Grand Total</b>	<b>180</b>	<b>188</b>	<b>159</b>	<b>47</b>	<b>15</b>	<b>9</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>6</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>10</b>	<b>11</b>	<b>18</b>	<b>17</b>	<b>30</b>	<b>38</b>	<b>36</b>	<b>74</b>	<b>86</b>	<b>121</b>	<b>1063</b>

**City Centre Common Assaults (April 2017 – March 2022)**

	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon	29	21	32	11	2	5	1	1	1	6	4	5	9	8	7	6	10	14	10	9	10	7	6	9
Tues	13	21	21	6	1	1	1	1	3	5	6	6	11	10	4	5	14	11	5	13	9	4	12	9
Wed	21	15	21	5	2	1	1	2	1	1	3	3	9	10	8	6	9	11	12	8	8	11	11	13
Thurs	24	20	26	6	2		2	1	2	4	3	6	10	13	8	20	8	11	11	8	10	14	11	14
Fri	27	27	35	13	4	6	2	2	2	4	2	4	11	8	7	15	11	6	19	10	15	27	19	42
Sat	59	59	72	56	13	6	1	1	2	9	7	11	5	4	13	9	14	18	18	23	34	31	38	54
Sun	110	122	100	93	27	7	3	1	3	2	4	4	6	3	5	8	14	11	8	14	15	12	9	18

**Non City Centre Common Assaults (April 2017 – March 2022)**

	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon	172	24	22	17	12	13	9	14	33	44	44	26	64	49	37	69	62	86	67	77	66	53	47	38
Tues	117	25	19	20	10	10	13	17	30	43	40	28	78	53	35	70	57	68	55	63	56	51	63	39
Wed	104	33	25	21	10	9	12	22	33	31	40	27	66	54	41	88	60	60	76	72	55	56	61	48
Thurs	138	28	19	13	8	11	11	24	33	49	42	34	62	48	59	66	74	59	79	81	61	70	77	56
Fri	171	32	27	21	6	13	7	21	29	49	43	32	77	49	33	91	66	61	90	75	83	92	123	82
Sat	138	70	69	42	20	27	13	15	31	50	33	36	64	50	52	66	60	85	88	73	86	124	110	108
Sun	206	99	59	73	30	18	15	29	23	31	38	45	74	48	44	53	59	65	96	78	75	61	62	53

**City Centre Serious Assaults (April 2017 – March 2022)**

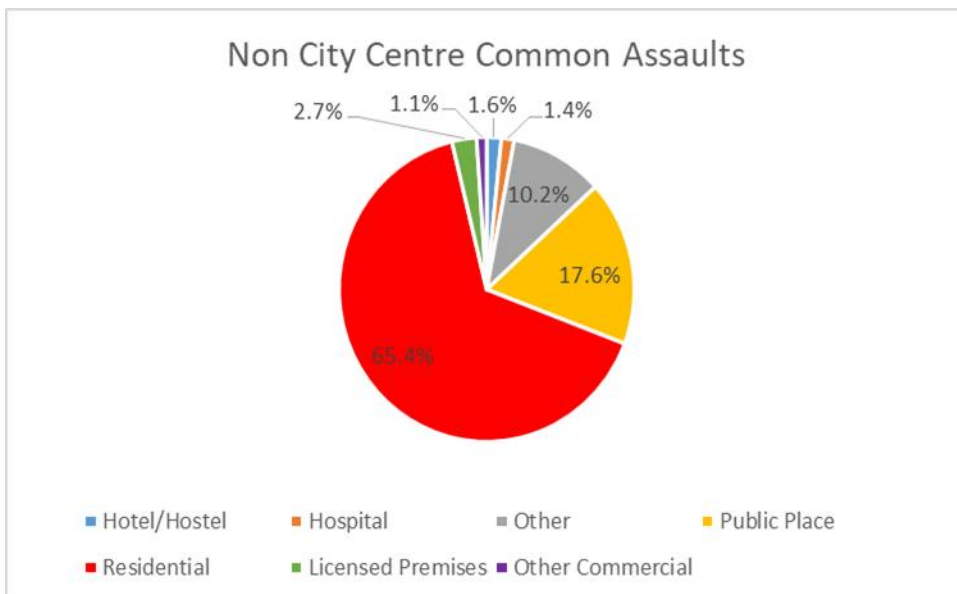
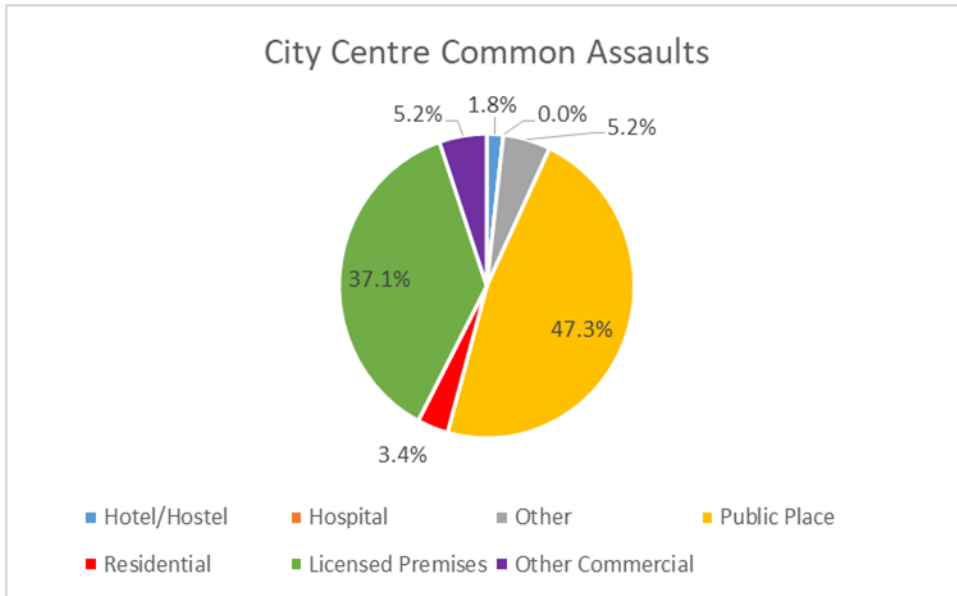
	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon	3	6	4	1														1		1	1			1
Tues	2	5	4	1												1		2				1	1	1
Wed		1	3		1						1			1			2		2			3		
Thurs	4	4	13	2	1									1				1				1	2	1
Fri		9	8	3		1						1		2		3					3	4	1	6
Sat	3	8	9	12	2	1								1		1	1	3	1	2	3	4	4	7
Sun	6	21	14	15	2	1	1								1			1		1		2	1	1

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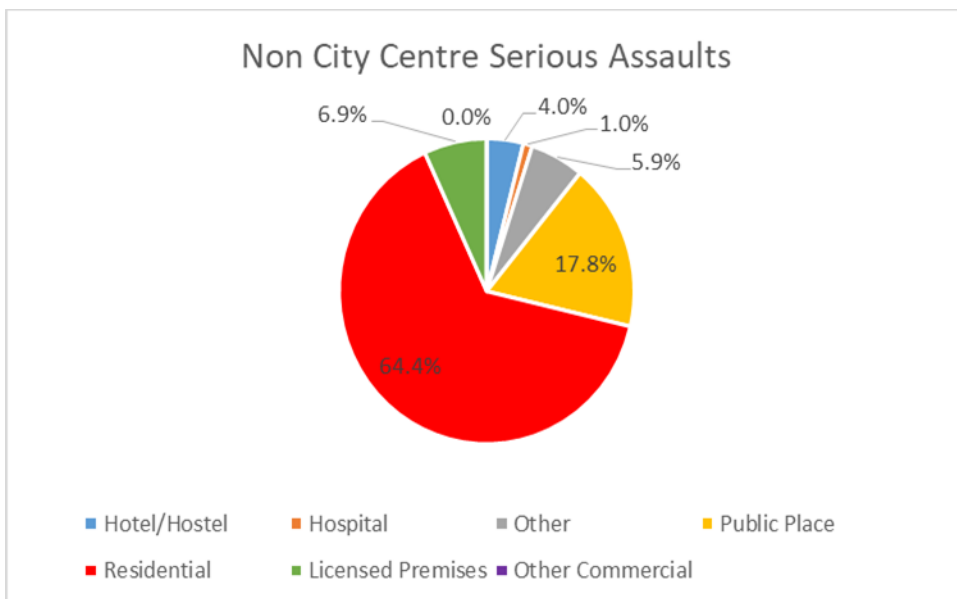
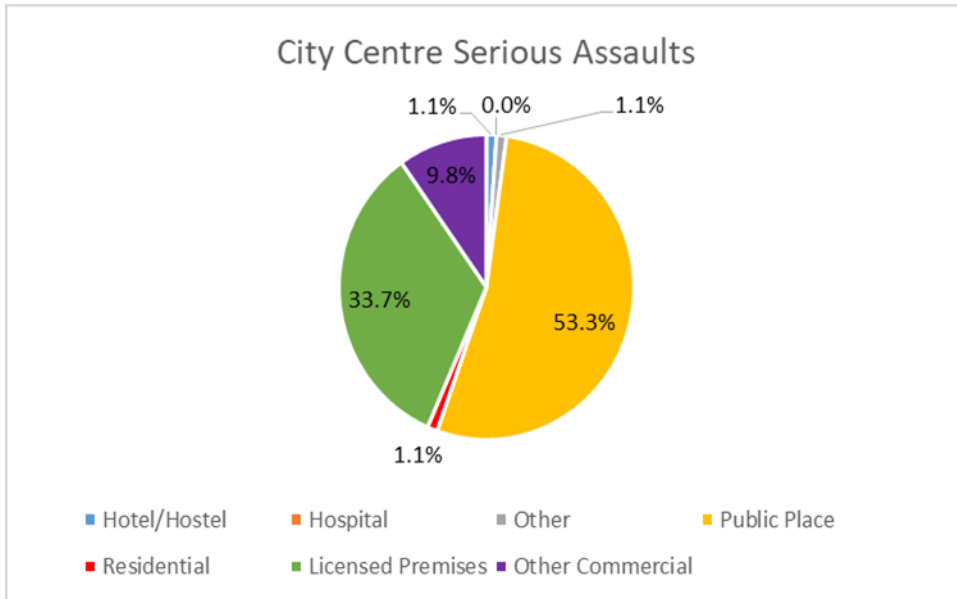
**Non City Centre Serious Assaults (April 2017 – March 2022)**

	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon	3		1	1		2	1		3	2		2	1		1	1	3	5	10	6	4	5	5	3
Tues	2	3	1	3	3		1	1		1			6	1	3	6	4	5	10	5	2	5	4	4
Wed	4	1	1	1	4	1				2				1	3	1		3	4	9	4	4	9	7
Thurs	9	2	2	2		1			1	2	3		1	2	2	3	1	3	4	4	4	2	3	3
Fri	10	3		1	1	2	1		1	1	1	2	5	2	3	2	1	2	13	8	7	6	8	5
Sat	18	7	9	5	7	5	2	1	1				1	2	3	2	4	4	6	4	6	10	11	12
Sun	24	10	8	8	5	2	2	5	1	4		4	5	1	1	5	1	2	3	5	2	3	3	2

**City Centre and Non City Centre Common Assault Locations  
(April 2017 – March 2022) 0000-0400 Hours Sat & Sun**



**City Centre and Non City Centre Serious Assault Locations  
(April 2017 – March 2022) 0000-0400 Hours Sat & Sun**





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**Alcohol related Antisocial Behaviour calls**

The following figures relate to instances of alcohol related antisocial behaviour reported to Police Scotland within Aberdeen City over the last 5 years. It should be noted that there is likely to be an under recording of these calls, as the addition of an 'alcohol' tag to an incident on the Police database relies on the quality of information provided to a call handler during the reporting process.

These instances often have detrimental effect on the quality of life within communities. The source of the alcohol is predominately off sales and there should be a strong emphasis on staff training in off sale premises that allow them to identify individuals with alcohol issues, such as addiction and to empower staff to refuse sale.

The excessive consumption of alcohol continues to cause a significant drain on police resources, in particular when seeking a place of safety for those who are heavily intoxicated. Officers can be committed to such incidents for several hours to ensure an individual's wellbeing and to complete the necessary administrative work.

The various charts and tables evidence the association of alcohol and the Weekend night time economy with Antisocial Behaviour.

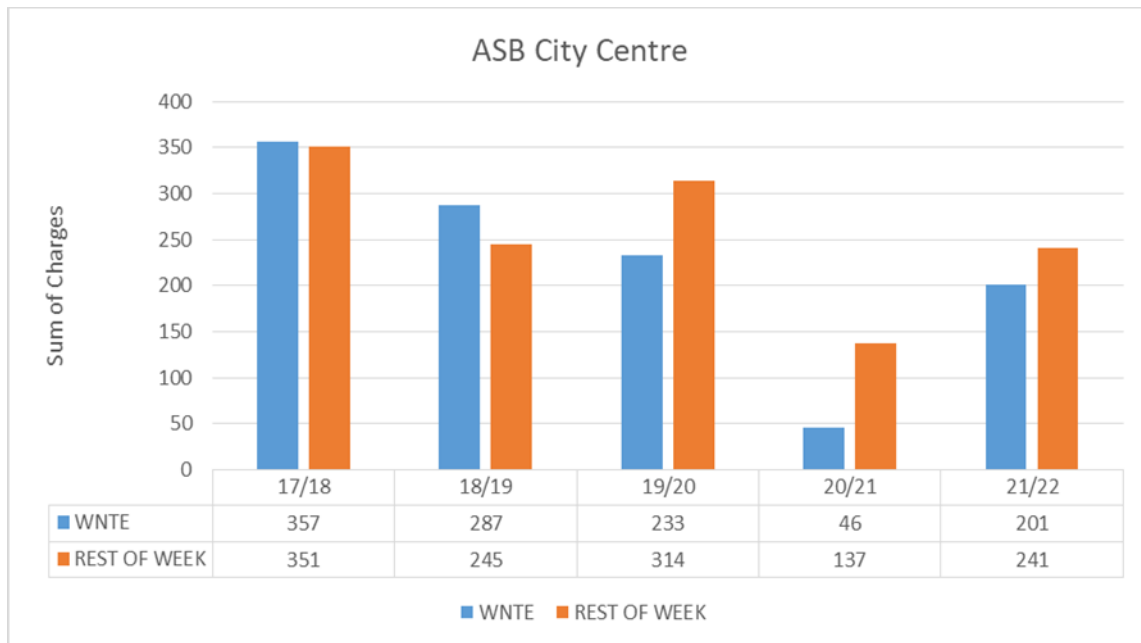
**AS6** is the beat code for the City Centre Community Policing Team

**WNTE** – Weekend night time economy

<b>Aberdeen City</b>			
	Alcohol related ASB Youth Calls	Alcohol related ASB Non-Youth Calls	Alcohol related ASB Calls Total
17/18	2	660	662
18/19	6	566	572
19/20	4	456	460
20/21	11	430	441
21/20	15	348	363

### AS6 Anti-social behaviour offences City Centre

- Breach of the peace
- Licensing, Disorderly on licensed premises, or refuse to quit
- Refusing to quit licensed premises
- Licensing, Drunk and attempt to enter licensed premises
- Threatening or Abusive Behaviour
- Threatening or Abusive Behaviour of a Retail Worker

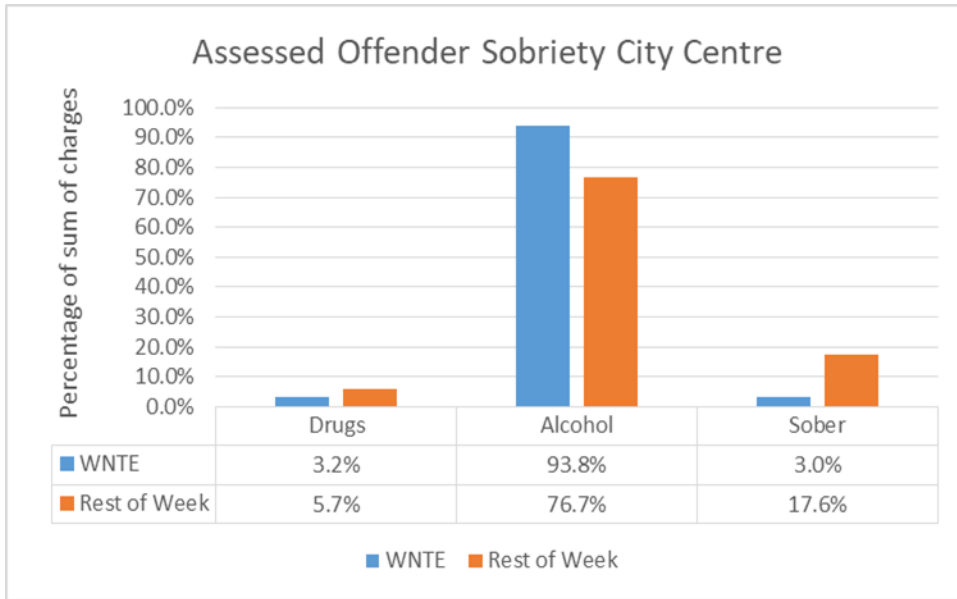


### AS6 Sobriety - accused/suspect - Drugs/drunk/had been drinking/sober

(April 2017 – March 2022)

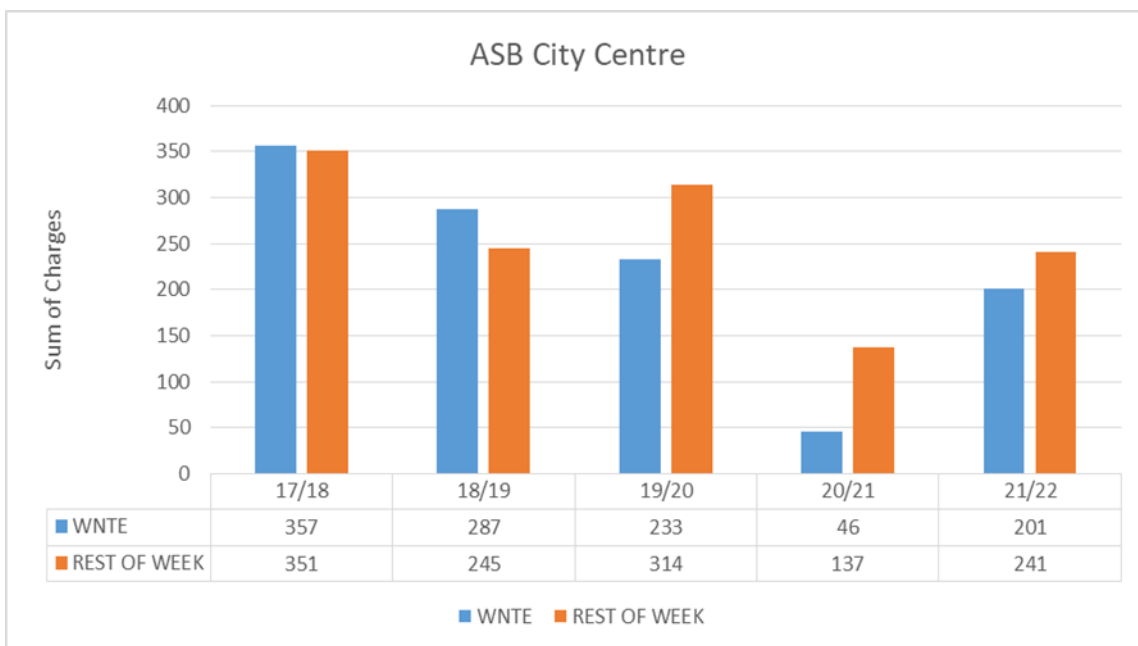
#### Anti-social behaviour offences

- Breach of the peace
- Licensing, Disorderly on licensed premises, or refuse to quit
- Refusing to quit licensed premises
- Licensing, Drunk and attempt to enter licensed premises
- Threatening or Abusive Behaviour
- Threatening or Abusive Behaviour of a Retail Worker



**Anti-social behaviour offences**

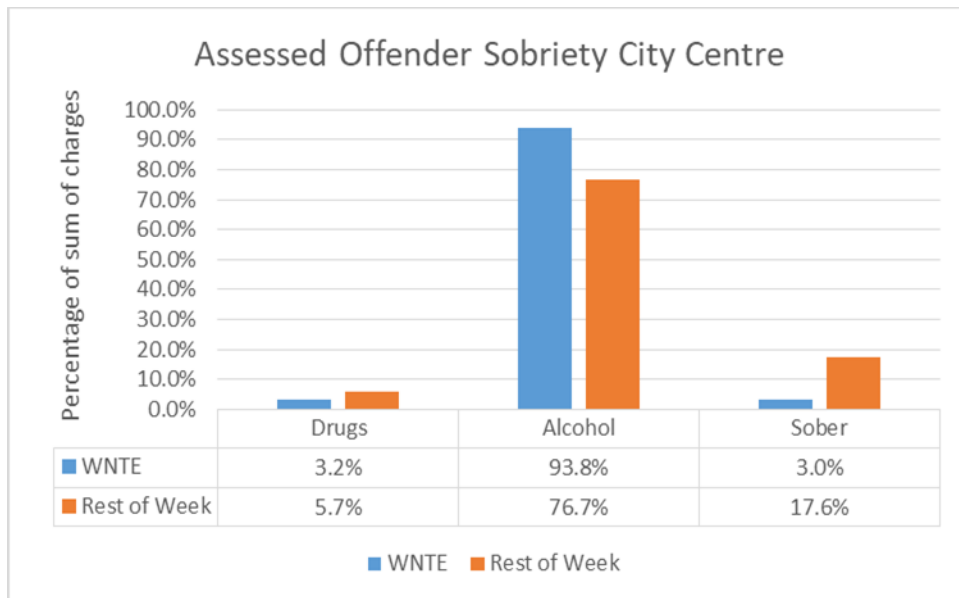
- Breach of the peace
- Licensing, Disorderly on licensed premises, or refuse to quit
- Refusing to quit licensed premises
- Licensing, Drunk and attempt to enter licensed premises
- Threatening or Abusive Behaviour
- Threatening or Abusive Behaviour of a Retail Worker



**AS6 Sobriety - accused/suspect Drugs/drunk/had been drinking/sober  
(April 2017 – March 2022)**

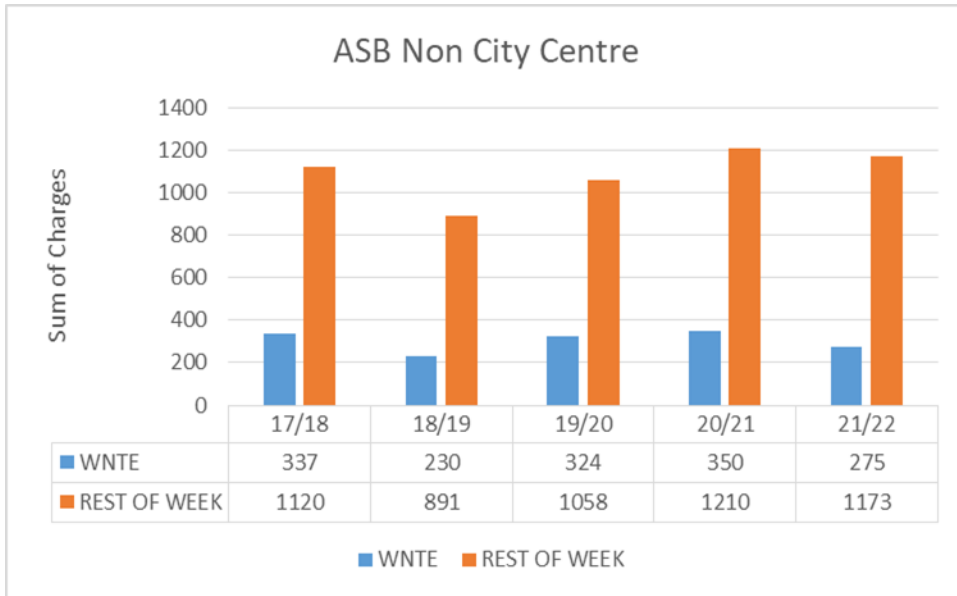
Anti-social behaviour offences

- Breach of the peace
- Licensing, Disorderly on licensed premises, or refuse to quit
- Refusing to quit licensed premises
- Licensing, Drunk and attempts to enter licensed premises
- Threatening or Abusive Behaviour
- Threatening or Abusive Behaviour of a Retail Worker



**Anti-social behaviour offences – All other areas of Aberdeen**

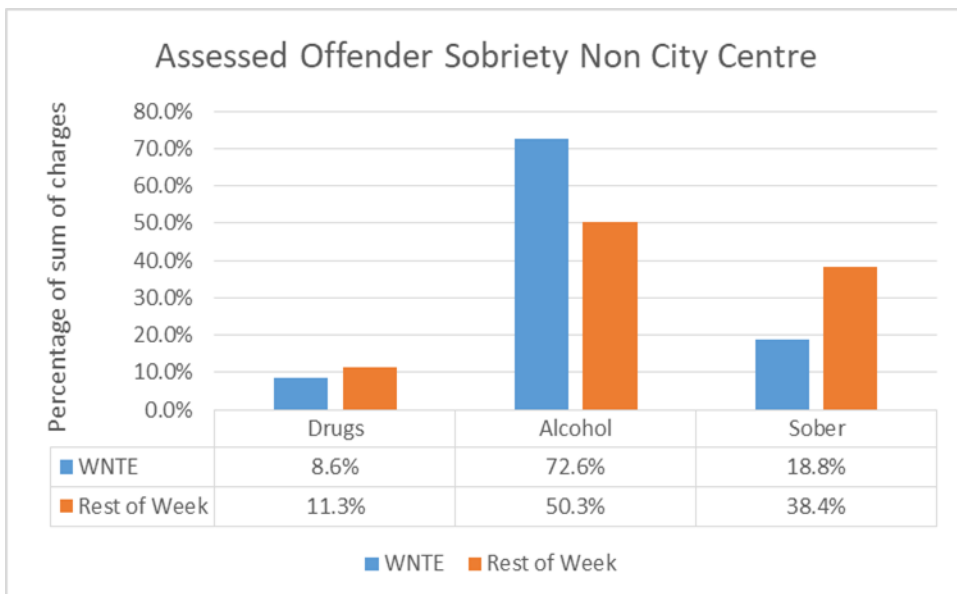
- Breach of the peace
- Licensing, Disorderly on licensed premises, or refuse to quit
- Refusing to quit licensed premises
- Licensing, Drunk and attempt to enter licensed premises
- Threatening or Abusive Behaviour
- Threatening or Abusive Behaviour of a Retail Worker



**Sobriety - accused/suspect Drugs/drunk/had been drinking/sober. All other areas of Aberdeen (April 2017 – March 2022)**

Anti-social behaviour offences

- Breach of the peace
- Licensing, Disorderly on licensed premises, or refuse to quit
- Refusing to quit licensed premises
- Licensing, Drunk and attempted to enter licensed premises
- Threatening or Abusive Behaviour
- Threatening or Abusive Behaviour of a Retail Worker
- 



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**City Centre ASB (April 2017 – March 2022)**

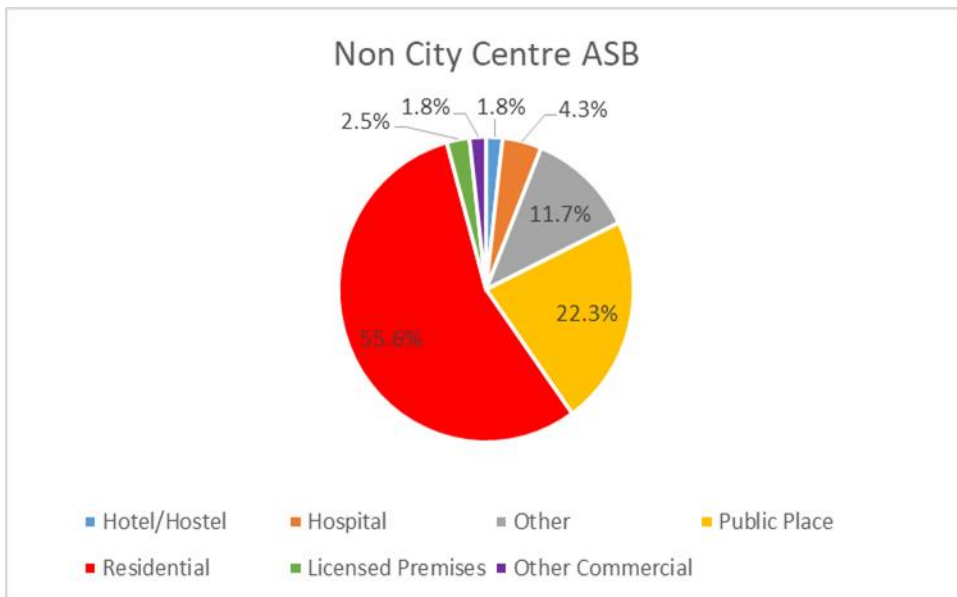
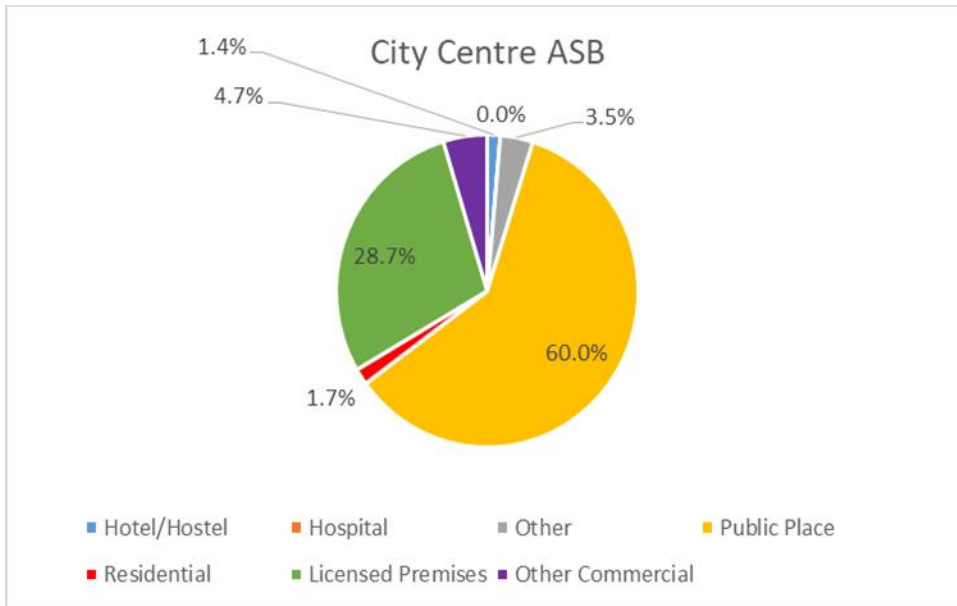
These tables provide strong evidence of the association of late night drinking with peak occurrences of antisocial behaviour.

	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon	24	26	22	12	2	1		5	2	4	4	11	9	9	8	12	7	16	8	14	6	5	10	6
Tues	22	18	11	7	5		1		2	3	6	12	3	15	8	10	10	5	11	9	14	6	12	14
Wed	15	11	23	8	1	1		1	2	1	3	7	9	11	11	8	12	11	15	9	4	10	12	17
Thurs	17	25	20	6	2	3	4	2		4	8	12	4	13	6	19	11	11	13	13	7	7	13	11
Fri	30	27	28	7	7	4	1	1	1	3	9	5	7	9	10	8	16	5	16	11	7	23	20	29
Sat	68	73	84	72	10	7	6	4	3	5	8	3	5	4	5	5	7	8	11	20	33	27	37	72
Sun	104	123	108	101	27	7	2	4	1	1	4	4	4	15	11	8	11	11	9	14	12	22	14	21

**Non City Centre ASB (April 2017 – March 2022)**

	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Mon	55	27	14	15	8	10	11	13	13	25	44	43	59	45	30	64	62	54	56	52	58	44	38	36
Tues	47	25	17	10	8	5	8	8	18	34	36	28	48	44	50	66	55	53	59	56	56	51	35	38
Wed	43	29	18	12	9	8	10	16	19	18	52	34	48	27	41	87	58	52	66	56	56	59	52	33
Thurs	46	21	10	15	4	9	8	16	33	24	34	44	48	57	62	66	60	73	57	74	41	48	53	34
Fri	64	30	22	19	9	13	8	15	19	18	22	29	52	45	38	75	58	58	50	71	72	56	63	73
Sat	65	56	35	33	24	7	15	11	27	36	35	35	52	39	50	57	58	62	59	62	62	79	87	79
Sun	103	63	57	42	33	16	14	17	16	24	25	34	54	40	53	53	50	45	51	53	53	55	32	41

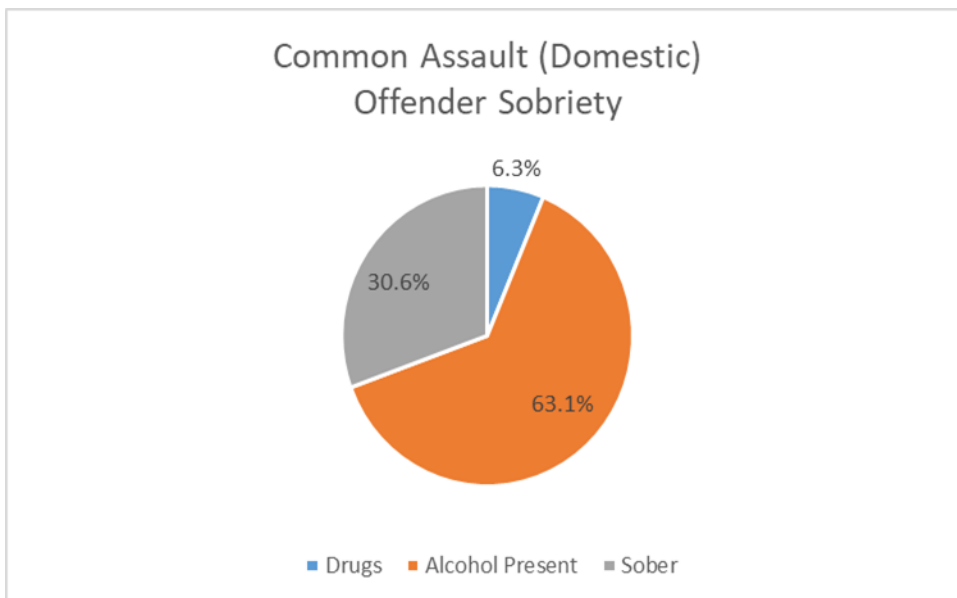
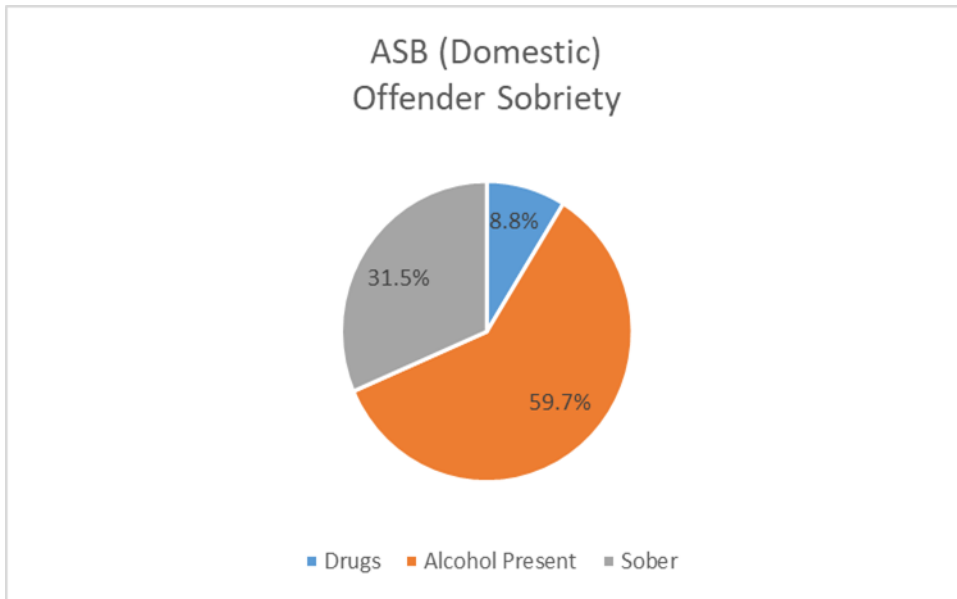
**City Centre and Non City Centre ASB Locations  
(April 2017 – March 2022) 0000-0400 Hours Sat & Sun**

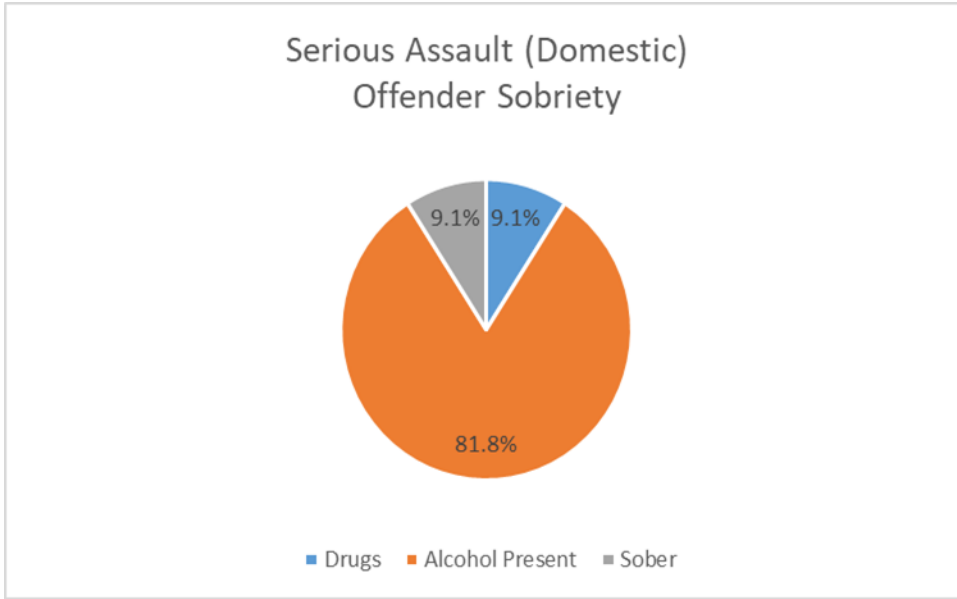




**Domestic Violence linked to Sobriety (April 2017 – March 2022)**

The following three Pie Charts strongly demonstrate the association between the consumption of alcohol and domestic violence.





### **Police Overtime**

The following information relates to the hours of overtime incurred by Police Scotland within Aberdeen City that is attributable Officers being detained on duty as a direct result of policing the weekend night time economy. It is important to note that these figures exclude overtime indirectly attributable to the weekend night time economy, such as alcohol related incidents out with town centres.

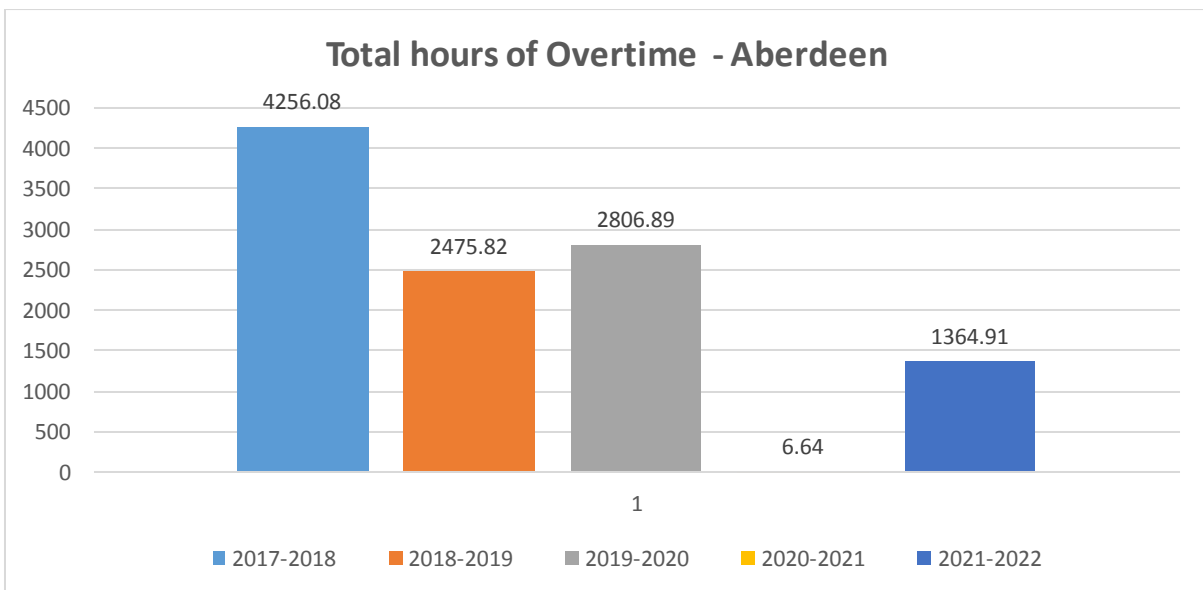
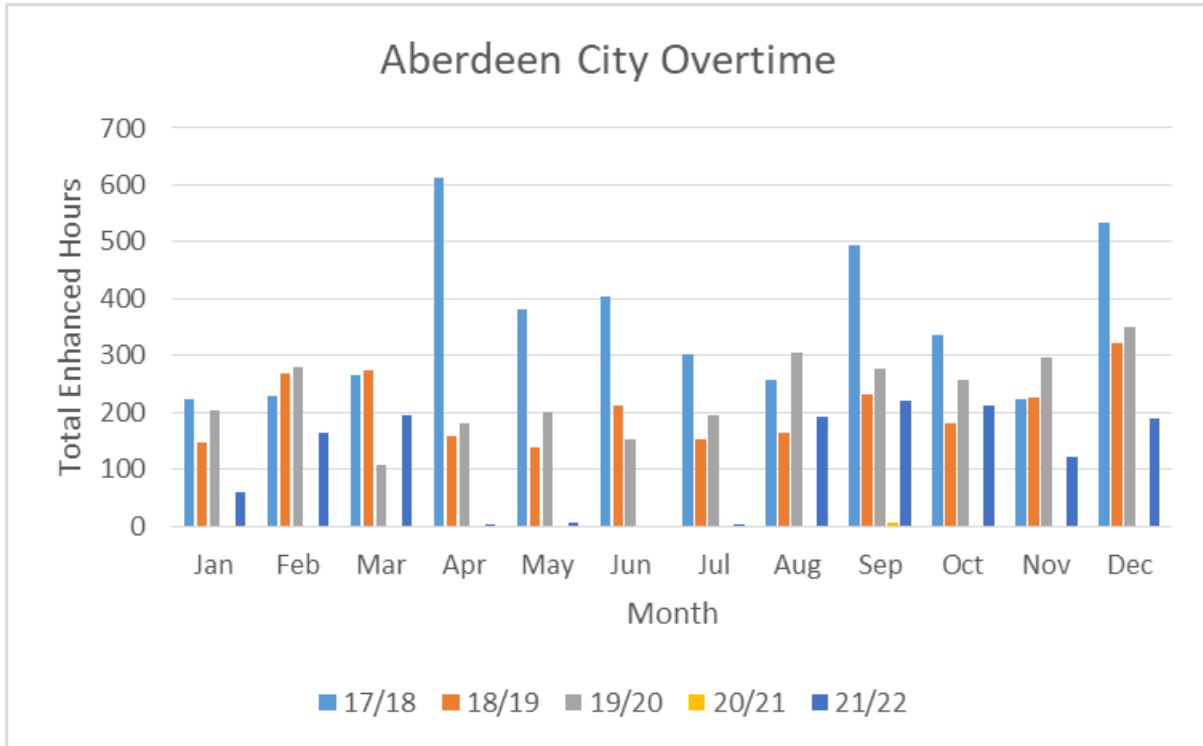
As you will see from the following charts and data, there is a continuing trend that shows a decrease in the amount overtime incurred over the last five years. However, cognisance should be taken of the 2020-2021 and 2021-2022 data which shows the effects of the COVID lockdowns and the arrival of the current slowdown in the national economy.

The 2020-2021 data provides an opportunity to compare data from 'normal' years such as 2017-18 & 2018-19 with 2020-2021 when there was no weekend night economy. The difference highlights the additional 'man hours' that Officers have to work in order to tackle the consequences of late night drinking.

Police Scotland Officers have two shifts which cover the weekend night time economy. Late shift (1700 – 0300) and nightshift (2200-0700). Overtime relating to the night time economy is predominately incurred by officers who are working a late shift duty. As you will note the finish time of a late shift coincides with the 0300 hours closing time. It is common practice for late shift officers to be automatically held on duty until 0400 hours to accommodate the increase in demand that occurs at closing time which cannot be managed nightshift officers alone.

Significant work has been done to balance resources to meet the competing demands throughout the day but the organisation's options are limited. Police Scotland have to ensure there is sufficient staffing on duty to mitigate the risks presented by the weekend night time economy. Having staff available at 0300 hours impacts on the number of Officers available at other times of the day which has an adverse effect on the service we can provide. I propose that any new applications for late licenses be restricted to a 0200 hours finish. I appreciate the Board cannot alter existing licences that have closing times of 0300 but over time, the 0200 hours closing time could be reinforced as new premises applications are made.

A 0200 closing time, would reduce staffing pressures not just for Police Scotland but for other public services, such as the NHS and reduce costs to the public purse.



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<b>Month</b>	<b>17/18</b>	<b>18/19</b>	<b>19/20</b>	<b>20/21</b>	<b>21/22</b>	<b>Grand Total</b>
Jan	222.68	146.39	204.84	0	58.59	<b>632.5</b>
Feb	227.99	268.55	280.52	0	164.12	<b>941.18</b>
Mar	265.55	274.82	107.13	0	195.22	<b>842.72</b>
Apr	611.71	157.09	181.41	0	4	<b>954.21</b>
May	382.1	139.24	201.11	0	5.98	<b>728.43</b>
Jun	402.34	210.77	152.88	0	0	<b>765.99</b>
Jul	301.25	153.36	193.67	0	1.66	<b>649.94</b>
Aug	256.79	165.2	305.87	0	193.31	<b>921.17</b>
Sep	493.66	232.65	277	6.64	219.69	<b>1229.64</b>
Oct	336.36	179.81	256.61	0	212.48	<b>985.26</b>
Nov	223.41	226.65	296.69	0	120.8	<b>867.55</b>
Dec	532.24	321.29	349.16	0	189.06	<b>1391.75</b>
<b>Grand Total</b>	<b>4256.08</b>	<b>2475.82</b>	<b>2806.89</b>	<b>6.64</b>	<b>1364.91</b>	<b>10910.34</b>

**The NHS submission**

There is no need to repeat what is included in the report written by the NHS, however it was completed in consultation with our Chief Inspector from Partnership and Interventions. Police Scotland fully support the report submitted by the NHS in respect of the Statement of Policy Review.

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## Police Scotland

There has been some discussion nationally within Police Scotland about off sale premises and the amount of alcohol stolen from them.

As you know it's an established practice for stores to keep their alcohol on open display, which makes it very easy to steal regardless of security tags, CCTV etc.

Stores in general appear to only consider their profit margins when reviewing the loss of alcohol by shoplifting and don't take into account the licensing objectives, particularly:

Protecting and Improving Public Health

Protecting Children from Harm

Preventing Crime and Disorder

Those stealing alcohol tend to be children and those from a poorer demographic whose health outcomes are proportionately are greater at risk from alcohol abuse. Not to forget smaller organised crime groups who target alcohol.

Would it be possible to add something to the new policy statements, that reinforces the duty of 'off sale' premises to secure their alcohol stocks from theft? This would allow the police to start submitting representations in relation to this security issue and it would be beneficial if the representations were in line with the new policy.

I appreciate it's not for Boards to enforce crime prevention measures, but the consumption of stolen alcohol is strongly linked to alcohol abuse, underage drinking, antisocial behaviour etc.

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# ABERDEEN CITY ALCOHOL LICENSING POLICY STATEMENT 2023 REVISION

## REFLECTIONS AND RECOMMENDATIONS FROM ABERDEEN CITY LICENSING FORUM.

APRIL 2023

### Introduction & New Guidance

The stated purpose of the task of reviews of alcohol licensing policy statements is to: “allow the Licensing Board to take stock following an election, take the views of others into consideration, gather evidence and set policy statements that reflect their views and aspirations whilst being mindful of the need to promote the five licensing objectives and to be consistent with the provisions of the 2005 Act”.

Implicit in these considerations, particularly around considering *evidence in relation to promoting the five licensing objectives*, is the requirement to be mindful of (and responsive to), any significant changes in the patterns of alcohol purchasing and consumption including the balance of off-trade versus on-trade and the evolution of the night-time economy. Three notable trends in terms of alcohol purchasing and resultant harms have been influencing this landscape since the Covid pandemic and it is relatively straightforward to appreciate how these aspects might be interlinked:

- (i) Continuing rising proportion of off-trade sales, with attendant rises in the types of harm associated with home drinking and appreciating that what is reported will be a small proportion of the true harms (e.g. domestic violence and secondary traumatic impacts on children and families)
- (ii) Increasing social polarisation of mortality and harms (rising most in the less advantaged)
- (iii) Increasing alcohol mortality in Scotland

The following summary notes outline some suggestions which the Licensing Forum considers that the City Licensing Board ought to be cognisant of in their approach to reviewing their statement of licensing policy. These notes draw significantly on recently published guidance to Licensing Boards from the Scottish Government<sup>1</sup>. In addition to enabling better provision to protect the licensing objectives in response to the above trends, there is an appreciation throughout the guidance that there needs to be a component of flexibility to tailor actions to local circumstances and to adapt to changes in local circumstances. A statement of licensing policy therefore is clearly intended to be a dynamic document with the capacity to remain relevant to changing local circumstances.

### I Changes in alcohol purchasing & licensing objectives

To be mindful of the consideration that the vast majority of alcohol purchased in Scotland at the present time is purchased through off-trade facilities / outlets (~75%) and that these routes for obtaining alcohol need to be just as subject to the safeguards inherent in the five licensing objectives as are on-trade premises. Examples of how this might work in relation to each objective:

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<sup>1</sup> [Licensing \(Scotland\) Act 2005 section 142: guidance for Licensing Boards](#) (13<sup>th</sup> January 2023).

1. Preventing crime and disorder:
  - Alcohol harms from consumption at home are likely to occur at home, so police may be asked for summaries of DV incidents tagged for specific areas and time periods (contributing to a picture of alcohol harms for an area). Police do add these tags though the extent of completeness (as with health recording) is likely to be variable.
  - A & E specialist alcohol teams might ask about alcohol purchasing location(s) when patients present with related harms. This could be added to short ABI-style interviews or simply AUDIT-C<sup>2</sup> Q3 query that can be used during an A & E admission with potential alcohol related injury or during 'booking in' or discharge interview at a custody suite if intoxication had been evident on admission.
2. Securing public safety:
  - Reporting of any threats / challenges to public safety that might occur in the vicinity of off-license premises should be documented
3. Preventing public nuisance:
  - Issues of public nuisance / excess noise / antisocial behaviour should be recorded and documented in terms of location;
  - Noise nuisance / public disturbances in the vicinity of off-trade premises should be treated and investigated in the same way as for on-trade premises.
4. Protecting children and young persons from harm:

While we know it to be the case that young persons are for the most part now drinking less alcohol than older age groups, it is important to remember that young people are especially vulnerable to injury / exploitation regarding alcohol and younger initiation of drinking increases the risk of problem alcohol consumption later in life. For these reasons, the Licensing Board should exercise particular scrutiny over:

  - Access restrictions to under 18s and challenge 25 training for staff across on and off-trade
  - Purchasing alcohol online should require a 'verified age' by uploading an official document or purchased via credit card with text or pin confirmation (technical feasibility uncertain). Alternatively, any schedule should detail the means by which young persons will be protected both at point of sale and delivery.
  - Take into account the particular 'suggestibility' of young persons in relation to sophisticated advertising and marketing as the alcohol industry 'responds' to declines in youth alcohol consumption: this would include the visibility of sports and events sponsorship across both amateur and professional spheres.
5. Protecting and improving public health:

Needs to include considerations around the chronic health impacts of alcohol which should be informed by local health intelligence maps of hospital admissions for chronic conditions directly attributable to alcohol such as alcohol related liver disease

## II Interpreting 'Overprovision' as excess of harm

With regard to 'overprovision', the updated SG guidance stipulates that: "There is no simple numerical formula for pinpointing the threshold between provision and overprovision. Determining overprovision involves the application of reason and judgement in the interests of the community". Tailoring the implementation of the policy at community level is therefore within the scope of the guidance, meaning it is legitimate and expected to take account of the broader contexts in which

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<sup>2</sup> [Alcohol use disorders identification test consumption \(AUDIT C\)](#)

harms are greater, social disadvantage being a notable example and where we know that high densities of off-licence shops in particular are to be found.

The long running attribution challenges associated with allocating harms to particular premises or to a concept of 'excess alcohol supply' in a particular locality is especially problematic in the era of multiple purchase opportunities for alcohol. If an area or locality is associated with unacceptable levels of harm (e.g. as evidenced by any of the information gathered above to monitor compliance with objectives 1 to 5), then clearly there may be a case for concluding there is already a sufficient supply and further licence applications need to be curtailed or subjected to a higher level of scrutiny in order to properly safeguard / promote the public health objective.

**Action / Recommendation:** Where an area or locality already has an unacceptable and demonstrable burden of health harms (as is more likely in areas of social disadvantage), there is a case for restricting further availability.

### III Special Considerations in relation to children and young persons

While existing provision in the current SOLP were felt to be good, there were suggestions that the all-round safeguarding for young persons might benefit from considering the following:

- In any policy related matters individuals aged 18-24 years old should also be regarded as 'young people' (linked to [Police Scotland's view](#)), and as such they should be seen as a group requiring additional considerations for being kept safe by license holders, who will be supplying them with alcohol
- Licensing approvals should ideally take account of how close premises are to where children and young people, live, work and play so that premises supplying alcohol should not be permitted within a reasonable vicinity.
- Training for becoming a licensee should ideally include:
  - Child Protection Training (especially where license holders serve children or children could be present in establishments with alcohol. So this relates to both on- and off-sales).
  - Training on spotting signs of exploitation, coercion (which might link to people buying alcohol for younger people or any persons in a premises in a vulnerable situation) etc.

**Action / Recommendation:** Adoption of any (or all) of the above three considerations would enhance the level of reassurance from prospective license applicants around their stated intentions to comply with and promote the 4<sup>th</sup> licensing objective of protecting children and young persons from harm.

### IV Risk Assessments against licensing objectives

Clearly the most transparent means to demonstrate compliance with the five licensing objectives is to document a systematic risk assessment against each of them. The Statement of Licensing Policy should ideally append and exemplar hypothetical risk assessment based on a number of recent comprehensive submissions. Ideally, the application process should require applicants to make a response around how they will promote each licensing objective. This should be the case for applications for areas where the existing level of harm is deemed 'already significant'. The existence of such a threshold is an extension of the above concept where levels of harm are said to be unacceptable and if there was a workable definition of 'already significant harm'. The full evidence paper behind this submission will look to expand on the feasibility of such a concept.

**Action / Recommendation:** One of the most transparent ways to document and demonstrate that each licensing objective has been systematically considered is to simply note a one sentence / one phrase assessment of the level of risk under that particular objective and if appropriate to the risk

level, any mitigation measures that have been applied. This exercise is not intended to be onerous, but should hopefully streamline and simplify the process: e.g. If risk is not significant, then no mitigation would be required.

#### V Revision of Licensing Policy

Given the ever evolving landscape around alcohol legislation, guidance and evidence of harms as well as population impact, the idea that a policy once published is then valid for a 4-5 year term seems to be out of step with reality and the desire for local alcohol licensing policies to be responsive. We would therefore recommend that Statements of Licensing Policy are tabled as a standing item in the annual joint meeting of the Licensing Forum and Board.

**Action / Recommendation:** Statements of Licensing Policy are tabled as a standing item in the annual joint meeting of the Licensing Forum and Board.

#### VI Departing from Guidance

Among the numerous provisions of the Scottish Governments renewed guidance for licensing boards referred to above, was the facility to depart from guidance if this was justified by the scenario in question. There is considerable emphasis / provision within the guidance to tailor implementation to local circumstances (clauses 2.1, 2.5 and 2.9 – see extracts in Appendix) and inherent here also, by implication / extension is retaining the capacity to further adapt to local circumstances, should these change over time.

**Action / Recommendation:** The facility to depart from guidance to licensing boards in order to tailor decisions to local circumstances should be reasonably considered, providing there is no risk of any of the licensing objectives being undermined or compromised.

#### VII Licensing Board and Licensing Forum

Since a fully functional relationship between the Forum and the Licensing Board facilitates a shared understanding of their complementary roles, their communication and interaction would not be expected to be restricted to an annual joint meeting. We would therefore propose that the Licensing Forum Convenor or Vice Convenor are in attendance at each Licensing Board meeting in an observational capacity and that there is provision for ad hoc meetings of the respective Convenors at the request of either party.

#### VIII Consultation with Communities

The Licensing Board should make every effort to maintain relationships of trust with their local community and to this end there should at least one annual meeting where community representatives are pro-actively invited and encouraged to attend. This could be co-ordinated in the first instance by the Licensing Forum.

#### IX Licensed Hours

While maximum trading hours are set by statute, applications need not see the full opening hour provision as a target to be worked towards. In some instances, the correct response to a risk assessment of the sort detailed in III above might be to restrict hours of trading, thereby reducing likely durations of drinking and /or clustering of post- licence period events. The facility to reduce permitted licensing hours either for a temporary period or a permanent basis might be a recommended outcome / condition of a licensing review process, where such a process has been initiated by the enforcement authority.

## X Advertising and Marketing

Since alcohol product promotions in off-sales environments are known to be effective in increasing sales and impulse purchasing, one means of reducing the risks of unintentional purchasing in those for example, who are in recovery from alcohol dependency, would be to segregate as far as possible the areas demarcated for alcohol. While this is already the case for supermarkets and larger retailers in Scotland, there should ideally be a degree of separation also in smaller premises, in order to maintain and promote the objective around the public's health and reduce the visibility of alcohol-containing beverages to children and young people. When reviewing license applications, due regard to a reasonable separation between alcohol and non-alcoholic products should be seen to be implemented (within the constraints allowed by the size of the premises).

## XI Summary Recommendation for submission to SOLP

Licensing boards need to be cognisant of the changing landscape of alcohol harms and the fact harms, behaviours and risks continue to change over time. The key to the success of any statement of licensing policy will therefore be its capacity to adapt and accommodate fresh challenges as and when they arise. Five key core components of maintaining this response fluidity will be, as detailed above:

1. Systematic documented risk assessments for each new license application and major change application (facilitated by a structured pro-forma). As noted above, this need not be seen as overly onerous process and is intended to streamline the application process.
2. A broad interpretation of 'over-provision' to reflect that unacceptable levels of harm must demonstrate on a balance of probabilities, that the supply of alcohol already risks undermining the licensing objectives (in particular that of protecting public health) justifying a greater level of scrutiny for any further applications. Existing 'over-provision' in terms of hours of availability could also be deemed as a reasonable justification for not granting supplementary hours.
3. Additional safeguards need to be developed and introduced to reduce the risks (to minors) from online and remote purchasing methods, such as two stage age-verification or credit card compulsory SMS text checking<sup>3</sup>. Alcohol deliveries should not be permitted outside of normal licensing hours (even if an order was placed before statutory licensing hours).
4. The Statement of Licensing Policy should come under an annual 'fit for purpose' review at the combined Board and Forum meeting and the Forum will pro-actively ensure that the evidence needed to evaluate this is proactively obtained and documented. Ideally community and wider stakeholder feedback would also be sought during this mini-review process.
5. Due regard should be taken of Government guidance around advertising and marketing and the clear separation of alcohol sale display areas to designated areas should be encouraged to dissuade impulsive purchasing and adverse impacts on those engaged in a recovery process. Outside planning permissions and advertising billboards (in cooperation with local planning), also need to be mindful of locations where additional risks to vulnerable groups or persons might be an issue.

## Appendix 1 Extracts from New Guidance<sup>4</sup>:

1.5 Scottish Ministers recognise the independence of the Licensing Boards but also consider it is important for Licensing Boards to share and learn from each other's experiences.

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<sup>3</sup> Not sure about technical feasibility of this: idea being that credit card ownership requires person to be over 18 and an SMS follow up would constitute card-holder confirmation.

<sup>4</sup> [Licensing \(Scotland\) Act 2005 section 142: guidance for Licensing Boards](#) (13<sup>th</sup> January 2023).

*[Note: case for pan-Grampian oversight – currently informally worked through – between police and NHSG: worth formalising].*

**1.8** Going forward, the intention is to have more frequent updates to the Guidance. This will be achieved through the creation of a small Scottish Government led stakeholder group that will meet twice a year to reflect legislative changes and other matters. The Licensing Team will also look to Licensing Boards to provide examples of best practice, which can be incorporated into the guidance.

*[Note: case for feeding back up the chain – examples of successes / good practice]*

**1.12** (from MESAS Report): “...of the total alcohol sold in Scotland, 73% is now sold in the off trade. Drinking at home means less control over how much is consumed and some harms are harder to detect e.g. domestic violence. Many Licensing Boards recognise this shift and have reflected this when developing their licensing policy statements.

**1.14** An example of statistical information can be found on the National Records of Scotland (NRS) website: Number of alcohol specific deaths up 5% to 1,245 in 2021. Alcohol-specific deaths have generally risen since 2012. Before this point, deaths fell sharply from the peak of 1,417 in 2006 to 968 in 2012. Last year, deaths rose by 5% or 55 deaths to 1,245. NB: these are alcohol specific deaths – which we know to be the tip of iceberg – alcohol is a contributory cause to many more.

**1.16** The Scottish Government acknowledges that many Licensing Boards do review relevant information and actively engage with key partners. In addition, a number of Licensing Boards publish on their websites details containing the background information that has led them to adapt a particular policy. The Scottish Government commends these approaches to all Licensing Boards.

### **Licensing Objectives:**

**2.1** This chapter provides information on the five licensing objectives. A key component of the licensing system set out in the 2005 Act is that it provides local flexibility to deal with local circumstances.

*AND:*

**2.5** Since the implementation of the 2005 Act, Licensing Boards have **been able to develop their knowledge and understanding of how to best promote the 5 licensing objectives**. This will continue to be an ever evolving process, **informed by local experience**.

**2.7** Each objective is equally important and whilst the licensing objectives are standalone, there will also be an element of interaction between them.

**2.9 [Relevance to local neighbourhoods]:** Applicants will be expected to demonstrate in their operating plan that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and the activities at those premises”.

### ***[Covering a fuller spectrum of harms]***

**2.10** Alcohol related crime and disorder does not only occur within or immediately outside licensed premises. A significant proportion of alcohol is bought to be consumed at home or in other private dwellings. Whilst alcohol licensing alone cannot directly address issues such as domestic violence, Licensing Boards may wish to consider supporting work in this regard through partnership working.

## PROTECTING AND IMPROVING PUBLIC HEALTH

This Licensing objective, probably more so than the others, provides Licensing Boards with the opportunity to take a more strategic approach to licensing in their area, and set out their vision for their licensing area through engagement with the local community.

A GOOD EXAMPLE – BEING THE RELATIVELY CRUDE POLICY INSTRUMENT OF OVERPROVISION:

However, **overprovision is only one ground for refusal**, and the Licensing Board believes that in terms of the alcohol related health data it has considered, it is important to clearly set out its concern regarding the granting of an off-sales licence and the Licensing Objective of Protecting and Improving Public Health.

And echoes of CIP approach:

"While each application will be considered on its own merits, in the view of the Board where there is evidence that the locality in which the applicant premises are situated suffers from higher than the national average levels of alcohol related health harms, .....the Licensing Board will carefully consider whether the granting of such a licence would be inconsistent with the Licensing Objective of Protecting and Improving Public Health".

### Protecting Children and Young Persons from Harm

While understandable that licensed premises would not wish to discourage family-orientated events etc, a number of considerations are outlined:

Premises which are small and contained with few facilities are unlikely to be suitable

All reasonable measures must be taken to minimise exposure of C&YP to marketing materials / branding etc. (with potential implications for prizes)

While Boards would not be expected to have 'the reach' to deal with or directly tackle the risks of child exploitation, they should seek to work with wider partners to help achieve this wider aspect of harm to children – such as police and social work colleagues and third sector specialists (such as Barnado's).

*JM 14<sup>th</sup> April 2023*

**Note:** to be followed by a supplementary detailed overview of the evidence supporting the above.





## 12. SCHEME OF DELEGATION

This Scheme of Delegation details the powers of the Licensing Board for Aberdeen City in terms of the Licensing (Scotland) Act 2005. This Scheme of Delegation was approved by the Board on 10 October 2017.

The Board recognises that any application should only be determined by the Board where necessary and any straightforward matters should be considered by the Clerk or any member of the Clerk's staff having authority to do so, to save resources and to create as little inconvenience to applicants as possible.

The Board therefore agrees that only those applications and matters which by statute are required to be considered by the Board will be submitted to them for determination and other applications will be determined by the Clerk (or Depute Clerk or persons appointed to assist them) in accordance with the following Scheme of Delegation.

1. MATTERS RESERVED TO THE LICENSING BOARD			
	Nature of Function/ Application	Relevant Provision in Licensing (Scotland) Act 2005	Function
1.1	Determination of Licensing Board Policy	s.6 and Sch.1 para 10(2)(a)	Determining the Board's policy for the purposes of a Licensing Policy Statement or any Supplementary Licensing Policy Statement;
1.2	Determination of Overprovision of Licensed Premises	s.7 and Sch.1 para 10(2)(b)	Determining, for the purposes of any such statement, whether there is overprovision of licensed premises, or licensed premises of any particular description, in any locality;
1.3	Premises Licence Application	s.23 and Sch.1 para 10(2)(c)	Determining a premises licence application;
1.4	Premises Licence Major Variation Application	s.30 and Sch.1 para 10(2)(d)	Determining a premises licence variation application where the variation sought is not a minor variation;
1.5	Premises Licence Transfer Application (Conviction)	s.33, s.34 and Sch.1 para 10(2)(e)	Determining an application for the transfer of a premises licence where the applicant has been convicted of a relevant or foreign offence;
1.6	Provisional Premises Licence Confirmation (Refusal)	s.46 and Sch.1 para 10(2)(i)	Refusing an application for confirmation of a provisional premises licence;
1.7	Temporary Premises Licence	s.47	Determining a temporary premises licence application;
1.8	Personal Licence (Conviction)	s.74 and Sch.1 para 10(2)(f)	Determining a personal licence application, or a personal licence renewal application where the applicant has been convicted of a relevant or foreign offence;

<b>1.9</b>	Conducting a Hearing	s.39, s83(7) s.84 and Sch.1 para 10(2)(g)	<p>Conducting a hearing under the Act, including taking any of the following steps:</p> <p>At a review hearing in respect of a premises licence where necessary in terms of the licensing objectives flowing from the sale of alcohol:</p> <p>Issuing a written warning to the premises licence holder;</p> <p>Revoking or suspending the premises licence; or</p> <p>Making a variation of the premises licence; or</p> <p>Making an order revoking, suspending or endorsing a personal licence.</p>
<b>1.10</b>	Closure Order	s.97 and Sch.1 para 10(2)(h)	Making a Closure Order;

## 2. MATTERS DELEGATED TO SUB-COMMITTEE

	Nature of Function/ Application	Relevant Provision in Licensing (Scotland) Act 2005	Function
<b>2.1</b>	Occasional Licence (Objection/ Contrary to Policy)	s.59 and Sch.1 para 10(1)	Determining whether or not the Licensing Board will hold a hearing to determine an application for an occasional licence where an objection, representation or a notice recommending refusal from the Chief Constable or Licensing Standards Officer or where the application is contrary to the terms of the Board's Policy;
<b>2.2</b>	Occasional Licence (Objection)	s.59 and Sch.1 para 10(1)	Where a decision has been taken by the Convenor/Sub-Committee not to hold a hearing in terms of section 59(4) of the Act, the determination of the application following an opportunity for the applicant to comment on the representation in terms of section 59(5);
<b>2.3</b>	Extended Hours Application (Objection/ Contrary to Policy)	s.70 and Sch.1 para 10(1)	Determining whether or not the Board will hold a hearing to determine an application for extended hours where an objection, representation or a notice recommending refusal from the Chief Constable or Licensing Standards Officer or where the application is contrary to the terms of the Board's Policy;

<b>2.4</b>	Extended Hours Application (Objection)	s.70 and Sch.1 para 10(1)	Where a decision has been taken by the Convenor/Sub-Committee not to hold a hearing in terms of section 70 (2) of the Act, the determination of the application following an opportunity for the applicant to comment on the representation in terms of section 70(3);
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### 3. MATTERS DELEGATED TO THE CONVENOR

	Nature of Function/ Application	Relevant Provision in Licensing (Scotland) Act 2005	Function
<b>3.1</b>	Notice of Convictions	s44(7A), s83(7A)	Determining whether to hold a licence review hearing or to take no further action upon receipt of a notice from the Chief Constable which does not contain a recommendation to vary, suspend, revoke or endorse the licence in question
<b>3.2</b>	Occasional Licence or Extended Hours ("Fast Track")	ss.57(4) and 69(4) and Sch.1 para 10(1)	Determining whether an application for an occasional licence or occasional extension requires to be dealt with quickly.
<b>3.3</b>	Personal Licence (Licence Previously Surrendered – Hearing)	s.74(7)	Where the applicant has surrendered a personal licence within the period of 3 years prior to an application for a further personal licence being made by that person to decide whether the reasons for surrender of the previous personal licence warrant consideration of the application by the relevant Board;
<b>3.4</b>	Power to Relieve Procedural Errors	s.135 and Sch.1 para 10(1)	To relieve any applicant or other party to proceedings before the Board of any failure to comply with any procedural provision if the failure is due to a mistake, oversight or other excusable cause, and it is considered appropriate in all of the circumstances to relieve the failure.
<b>3.5</b>	Rejection of Frivolous or Vexatious Objections	s.22(4), s.36(6), s.58(3)	Determining whether to reject a notice of objection or representation or request for a premises licence review received by the Board where they consider it to be frivolous or vexatious;
<b>3.6</b>	Premises Licence Review Proposal	s.37 and Sch.1 para 10(1)	Determining whether to make a premises licence review proposal;

<b>4. MATTERS DELEGATED TO THE CLERK OR DEPUTE CLERKS TO THE LICENSING BOARD OR ANY PERSONS APPOINTED TO ASSIST THEM</b>			
	<b>Nature of Function/ Application</b>	<b>Relevant Provision in Licensing (Scotland) Act 2005</b>	<b>Function</b>
<b>4.1</b>	Premises Licence Minor Variation Application	s.29 and Sch.1 para 10(1)	Determining any premises licence variation application where the variation sought is a minor variation, including for the avoidance of doubt a change of Designated Premises Manager;
<b>4.2</b>	Premises Licence Application or Variation Application Hearing Attendance	Sch.1 para 10(1)	Determining whether to request an Applicant to attend a hearing for a premises licence application or a variation application where there are no representations or objections and the application is not contrary to the Board's Policy;
<b>4.3</b>	Premises Licence Transfer Application (No Conviction)	s.33, s.34 and Sch.1 para 10(1)	Determining any application for the transfer of a premises licence where the applicant has not been convicted of a relevant or foreign offence;
<b>4.4</b>	Provisional Premises Licence Confirmation	s.46 and Sch.1 para 10(1)	Determining any application for confirmation of a provisional premises licence – where no variation (other than a minor variation) has been made to the operating plan or layout plan for the premises to which the licence relates since the provisional licence was issued or since a variation of the provisional premises licence was granted;
<b>4.5</b>	Obtaining Further Information for the Purposes of a Review Hearing	s.38(5) and (6), and Sch.1 para 10(1)	To exercise the powers under section 38(5) and (6) for the purposes of a review hearing to obtain further information, request any person to attend to provide information and/or request production of any document at a review hearing;
<b>4.6</b>	Premises Licence (Licence Production)	s.49(3) and Sch.1 para 10(1)	To require a premises licence holder to produce the premises licence;
<b>4.7</b>	Occasional Licence (No Objection)	s.59 and Sch.1 para 10(1)	Determining an application for an occasional licence – where no objections or representations have been received, nor a notice recommending refusal from the Chief Constable or any report from the Licensing Standards officer recommending refusal;

<b>4.8</b>	Occasional Licence Conditions	s.60 and Sch.1 para 10(1)	To impose conditions under section 60 in respect of an occasional licence as necessary or expedient for the purpose of any licensing objective;
<b>4.9</b>	Extended Hours Application (No Objection)	s.70 and Sch.1 para 10(1)	Determining an application for extended hours where no objections or representations have been received nor a notice recommending refusal from the Chief Constable or any report from the Licensing Standards Officer recommending refusal;
<b>4.10</b>	Personal Licence (No Conviction)	s.74 and Sch.1 para 10(1)	Determining a personal licence application, or a personal licence renewal application where the applicant has not been convicted of a relevant or foreign offence;
<b>4.11</b>	Personal Licence (Licence Previously Surrendered)	s.77(6)	To grant personal licences where the applicant has previously surrendered their personal licence under section 77(6) or their licence has been revoked under s.87(3);
<b>4.12</b>	Revocation of Personal Licence	s.87(3) and Sch.1 para 10(1)	The revocation of a personal licence where the licence holder has not complied with the requirements of Section 87(1) of the Act;

## 5. Other Matters

Any matters which are not the subject of a specific delegation in terms of this Scheme of Delegation and are not prescribed by the Licensing (Scotland) Act 2005 shall be determined by the Clerk (or any person appointed to assist the Clerk) as appropriate unless the nature of such matter is considered to be appropriate to be determined by the Licensing Board at a meeting arranged by the Clerk in consultation with the Convenor of the Licensing Board.

## 6. Exercise of Delegated Power

The Clerk, Depute Clerk and any other member of staff appointed to assist them may elect not to use their delegated powers in a particular case, in which case the matter will be referred to the Licensing Board.

## 7. Legislation

These delegations are subject to any necessary alterations arising from amendments to Legislation, Regulations, Codes of Practice or Government Circulars. In the event of a conflict between the terms of this Scheme of Delegation and the relevant legislation, the Scheme of Delegation shall be deemed amended to accord with the provisions of the said relevant legislation.

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## ABERDEEN CITY LICENSING BOARD

**LICENSING BOARD DATE:** 7 July 2023

**CLERK TO THE LICENSING BOARD:** Jenni Wilson

**TITLE OF REPORT:** Aberdeen Licensing Board Financial Report 2022/23

### 1. PURPOSE OF REPORT

To invite the Board to approve the Annual Financial Report set out in Appendix One to this Report.

### 2. RECOMMENDATION(S)

That the Board

(a) approve the annual financial report set out in Appendix One and;

(b) authorise the Clerk to the Board to proceed with the publication of the annual financial report.

### 3. BACKGROUND

3.1 Licensing Boards must produce and publish annual functions reports and annual financial reports. The Boards annual financial report must normally be prepared and published not later than 3 months after the end of each financial year. Amendments made by the Coronavirus (Scotland) Act 2020 extended the 3-month time limit to 9 months.

3.2 The financial report must include-

(a) a statement of-

i. the amount of relevant income received by the Licensing Board during the financial year, and

ii. the amount of relevant expenditure incurred in respect of the Board's area during the year, and

(b) an explanation of how the amounts in the statement were calculated.

3.3 In this context, "relevant income" means income received by the Board in connection with the exercise of the Board's functions under or by virtue

of the 2005 Act. This involves totaling all the fee income generated by 2005 Act licence applications received during the financial year.

3.4 “Relevant expenditure” means any expenditure-

- (a) which is attributable to the exercise of the Board’s functions under or by virtue of the 2005 Act, and;
- (b) which is incurred by the Board, the Council or the Licensing Standards Officers for the Board’s area.

3.5 Calculation of relevant expenditure is more complicated to determine and requires the figures to be calculated upon estimates of the direct time spent by Legal Service staff as well as all costs in connection with the Licensing function to include central support costs and outlays. It is also worth noting that the Licensing Board income is not guaranteed to remain the same in any financial year and can vary significantly depending on the number and type of applications received. Also, in the event of any appeal against a Board decision, the cost of any appeal would require to be met from the Licensing Board income.

3.6 This year’s accounts show a decrease in applications resulting in smaller income than the previous year. Expenses have also decreased overall as a result of the reduction in annual fees charged and staff vacancies over the period.

3.7 The result is a surplus which would allow the Board to give consideration to retaining the reduced figures for the annual fees for all premises.

#### 4. APPENDICES

4.1 Appendix One: Licensing Board Annual Accounts 2022/23

#### 5. REPORT AUTHOR DETAILS

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**Aberdeen City Council  
Licensing Board  
Income and Expenditure for year ending 31 March 2023**

	£
<b>Income from fees</b>	<b>(275,574)</b>
<b>Staff Costs</b>	
Licensing Staff	98,920
LSO's	88,183
Admin and Supplies	6,358
<b>Central Charges</b>	
Accommodation	8,608
Corporate	8,874
<b>Total Expenditure</b>	<b>210,944</b>
<b>Net Expenditure/(Income)</b>	<b>(64,631)</b>

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