

Public Document Pack



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

Town House, Aberdeen, 7 April 2025

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 15 APRIL 2025 at 10.00 am**. This is a hybrid meeting and Members 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>

ALAN THOMSON
CLERK TO THE BOARD

BUSINESS

- 1 Minutes of Meeting of 29 January 2025 (Pages 3 - 10)
- 2 Minutes of Meeting of 31 March 2025 (Pages 11 - 14)
- 3 Statement of Licensing Policy (Pages 15 - 16)
- 4 Gambling Act 2005 - Gambling Policy Statement - Phil Mackie, Consultant in Public Health, NHS Grampian
- 5 Application for Provisional Premises Licence - Wingstop, Unit FS16, Union Square Shopping Centre, Aberdeen (Pages 17 - 34)
- 6 Application for Major Variation - Ibis Hotel, Shiprow, Aberdeen (Pages 35 - 58)
- 7 Application for Major Variation - Royal Thai, 29 Crown Terrace, Aberdeen (Pages 59 - 72)

- 8 Application for Major Variation - Sainsbury's, Unit W1, St Nicholas Shopping Centre, Aberdeen (Pages 73 - 96)
- 9 Extended Hours Application
 - 9.1 Application for Extended Hours - Prohibition - 14 May (Pages 97 - 108)
- 10 Equalities Outcome Progress Report 2025 - 2029 (Pages 109 - 116)
- 11 Licensing Forum Update (Pages 117 - 120)
- 12 LSO Update

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Alexa Last,
alast@aberdeencity.gov.uk

LICENSING BOARD

ABERDEEN, 28 January 2025. Minute of Meeting of the LICENSING BOARD.
Present:- Councillor , Convener; Councillor , Vice-Convener; and Councillors
Al-Samarai, Boulton, Cameron, Crockett, Fairfull, Greig and McLeod.

MINUTES OF MEETING OF 10 DECEMBER 2024

1. Minutes of Meeting of 10 DECEMBER 2024

The Board had before it for its consideration the minutes of the meeting of 10 December 2024.

The Board resolved:

To approve the minute.

STATEMENT OF LICENSING POLICY

2. N/A

APPLICATION FOR PREMISES LICENCE - THISTLE CONVENIENCE STORE, 36A THISTLE STREET

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

The Board thereafter heard from Alan Watt on behalf of the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR PREMISES LICENCE - ESKER SPIRITS, 5 CAIRN GARDENS

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

The Board heard from the applicant, Steven Duthie in support of the application.

The Board unanimously resolved:

To grant the application.

LICENSING BOARD

28 January 2025

APPLICATION FOR PROVISIONAL LICENCE - 4 CLUNIE PLACE, ABERDEEN

5. The Board heard from Sandy Munro, Depute Clerk to the Board that the application had attracted eight objections and one representation of support.

The Board heard from two objectors to the licence who were present at the meeting.

The Board thereafter heard from Selvaruban Selvarajah, the applicant, in support of his application.

The Board heard from the LSO's who confirmed they had no objections to the licence.

The Board heard from the Police who confirmed they had no comments on the application.

The Board unanimously resolved:

To refuse the application on the grounds it was contrary to the following licensing objectives: Preventing Crime and Disorder; Securing Public Safety; Preventing Public Nuisance; Protecting and Improving Public Health; and Protecting Children and Young Persons from Harm.

APPLICATION FOR PROVISIONAL LICENCE - MAKI & RAMEN, UNIT FS14A, UNION SQUARE SHOPPING CENTRE

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

The Board heard from Jacqui Birrell who was representing the applicant.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - MARKS & SPENCER, UNION SQUARE, ABERDEEN

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

The Board thereafter heard from Patrick Robson on behalf of the applicant. Luke Smith was also in attendance and is the General Manager of the store.

LICENSING BOARD

28 January 2025

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION TO PREMISES LICENCE - NINJA SUSHI, 28 ALBYN GROVE, ABERDEEN

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

The Board thereafter heard from Martin Calder, representative of the applicant.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION TO PREMISES LICENCE - TRIPLE KIRKS (GROUND FLOOR), SCHOOLHILL, ABERDEEN

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

The Board thereafter heard from Audrey Junner, representative of the applicant.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY'S, 313 GEORGE STREET, ABERDEEN

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

The Board thereafter heard from Stephen McGowan, representative of the applicant.

The Board unanimously resolved:

To grant the application.

LICENSING BOARD

28 January 2025

APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY'S, 54 GUILD STREET, ABERDEEN

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

The Board thereafter heard from Stephen McGowan, representative of the applicant.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY'S, 124 HOLBURN STREET, ABERDEEN

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

The Board thereafter heard from Stephen McGowan, representative of the applicant.

The Board unanimously resolved:

To grant the application.

EXTENDED HOURS APPLICATIONS

13. The Board heard from Sandy Munro, Depute Clerk to the Board that there were a number of extended hours applications before the Board. All of which were requesting hours out with policy for the Superbowl event on 10 February 2025.

13.1 Application for Extended Hours – Brewdog – 10 February 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and conditions had been agreed by the applicant.

The Board thereafter heard from Audrey Junner, representative of the applicant.

The Board unanimously resolved:

To grant the application.

LICENSING BOARD

28 January 2025

13.2 Application for Extended Hours – Bridge Street Social Club – 10 February 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and conditions had been agreed by the applicant.

The Board thereafter heard from Eric McMillan, representative of the applicant.

The Board unanimously resolved:

To grant the application.

13.3 Application for Extended Hours – The Bobbin – 10 February 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and conditions had been agreed by the applicant.

The Board thereafter heard from Audrey Junner, representative of the applicant.

The Board unanimously resolved:

To grant the application.

13.4 Application for Extended Hours – Triple Kirks (Ground Floor) – 10 February 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and conditions had been agreed by the applicant.

The Board thereafter heard from Audrey Junner, representative of the applicant.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR EXTENDED HOURS - MA CAMERON'S - 10 FEBRUARY 2025

13.5. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and conditions had been agreed by the applicant.

The Board thereafter heard from Paul McDonald, DPM at the Premises.

LICENSING BOARD

28 January 2025

The Board heard from Councillor Boulton who recommended the application be granted to 4am, rather than 3am in line with the other applications before the Board and to avoid patrons being requested to leave before the end of the show.

The Board heard from the Police who had no objections to this proposal.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR PERSONAL LICENCE GRANT

14.1. The Board had before it a letter from Police Scotland.

The Board heard from Tony Dawson on behalf of the applicant. The applicant was also present at the meeting.

The Board heard from Sargeant Grant.

The Board unanimously resolved:

To grant the licence.

15.1 Premises Licence Review - AC0068 – Dizzys/Valentinos, 70 Carden Place, Aberdeen

The Board heard from Sandy Munro, Depute Clerk to the Board, that the LSO had prepared their report for this premises.

The LSO had nothing further to add.

The licence holder was not present.

The Board unanimously resolved:

To revoke the licence.

15.2 Premises Licence Review - AC981 – Faffless, 47 Netherkirkgate, Aberdeen

The Board heard from Sandy Munro, Depute Clerk to the Board, that the LSO had prepared their report for this premises.

LICENSING BOARD

28 January 2025

The LSO added they had contacted the Premises Licence Holder on 27 January 2025 who had also been unable to contact the premises owner.

The licence holder was not present.

The Board unanimously resolved:

To revoke the licence.

15.3 Premises Licence Review - AC0401 – The Brentwood Hotel, 99 Crown Street, Aberdeen

The Board heard from Sandy Munro, Depute Clerk to the Board, that the LSO had prepared their report for this premises.

The LSO added that they had attempted to make contact numerous times but had been unable to contact the licence holder.

The licence holder was not present.

The Board unanimously resolved:

To revoke the licence.

15.4 Premises Licence Review - AC0594 – Zabka, 176 – 178 King Street, Aberdeen

The Board heard from Sandy Munro, Depute Clerk to the Board, that the LSO had prepared their report for this premises.

The LSO had nothing further to add.

The licence holder was not present.

The Board unanimously resolved:

To revoke the licence.

16. General Direction 2025

The Board heard from Sandy Munro who explained the Board had before it the responses from the recent consultation regarding a General Direction for 2025.

The Board unanimously resolved:

LICENSING BOARD

28 January 2025

To grant an hour's extension on 19 July, 20 July, 21 July, 22 July, 1 September, 2 September, 3 September, 4 September, 5 September, 31 October; Fridays and Saturdays throughout December; and 24 December; 31 December and 1 January 2026 for all 'on consumption' premises who do not exceed the maximum of 15 hours continuous trading in any 24 hour period as per the Licensing Board's Statement of Licensing Policy.

17. Gambling Act 2005 – Gambling Policy Statement – Report by the Depute Clerk to the Board

The Board heard from Laura McGhee who introduced the Gambling Policy Statement for 2025 – 2028.

The Board unanimously resolved:

To agree to the recommendations.

18. Licensing Forum Update

The Board heard from Elaine Mottram, Chair, Local Licensing Forum that there are no update for the Licensing Forum. The next meeting is in two weeks time so they anticipate an update for the next Licensing Board on 15 April 2025.

19. LSO - Update

The Board heard from John Philip, Licensing Standards Officer who advised that there are no updates.

LICENSING BOARD

31 March 2025

ABERDEEN, 31 March 2025. Minute of meeting of the LICENSING BOARD. Present: Councillor Copland: Convener; and Councillors, Boulton, Crockett, Grant, Greig and McLeod.

1. REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES – PERSONAL LICENCE HOLDER

The Board heard from Sandy Munro, Depute Clerk to the Board that the personal licence holder had notified the Board of a conviction in line with the licence requirements.

The Board heard from the applicant who spoke to his licence.

The Board heard from Sgt Neil Grant who confirmed the convictions but made no recommendations on behalf of Police Scotland.

The Board unanimously resolved:

To take no action.

2. APPLICATION FOR EXTENDED HOURS – CHEERS – 12 APRIL 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that the application had attracted an objection from the LSO.

Police Scotland had suggested conditions to be imposed on the licence which the applicant had accepted.

The Convenor moved to refuse the application.

Councillor Grant moved to grant the application.

The decision went to a vote with three votes for refusal and three votes for grant.

The Convenor had the deciding vote.

The Board resolved:

To refuse the application on the grounds that they did not consider the event warranted an extension to the Core Hours.

3. APPLICATION FOR EXTENDED HOURS – CHEERS – 4 MAY 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that the application had attracted an objection from the LSO.

LICENSING BOARD

31 March 2025

Police Scotland had suggested conditions to be imposed on the licence which the applicant had accepted.

The Convenor moved to refuse the application.

Councillor Grant moved to grant the application.

The decision went to a vote with three votes for refusal and three votes for grant.

The Convenor had the deciding vote.

The Board resolved:

To refuse the application on the grounds that they did not consider the event warranted an extension to the Core Hours.

4. APPLICATION FOR EXTENDED HOURS – CHEERS – 10 MAY 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that the application had attracted an objection from the LSO.

Police Scotland had suggested conditions to be imposed on the licence which the applicant had accepted.

The Convenor moved to refuse the application.

Councillor Grant moved to grant the application.

The decision went to a vote with three votes for refusal and three votes for grant.

The Convenor had the deciding vote.

The Board resolved:

To refuse the application on the grounds that they did not consider the event warranted an extension to the Core Hours.

5. APPLICATION FOR EXTENDED HOURS – CHEERS – 1 OCTOBER 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that the application had attracted an objection from the LSO.

Police Scotland had suggested conditions to be imposed on the licence which the applicant had accepted.

The Convenor moved to refuse the application.

Councillor Grant moved to grant the application.

The decision went to a vote with three votes for refusal and three votes for grant.

The Convenor had the deciding vote.

LICENSING BOARD

31 March 2025

The Board resolved:

To refuse the application on the grounds that they did not consider the event warranted an extension to the Core Hours.

6. APPLICATION FOR EXTENDED HOURS – CHEERS – 1 TO 31 DECEMBER 2025

The Board heard from Sandy Munro, Depute Clerk to the Board that the application had attracted an objections from the LSO and Police Scotland.

The Board unanimously resolved:

To refuse the application on the grounds that they did not consider the event warranted an extension to the Core Hours.

This page is intentionally left blank

Agenda Item 3

All alcohol licensing applications will be determined in line with the Statement of Licensing Policy which can be found in the link below https://www.aberdeencity.gov.uk/sites/default/files/2023-12/Statement%20of%20Licensing%20Policy%20Nov%202023%20update_0.pdf

This page is intentionally left blank

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: APPLICATION FOR A PROVISIONAL PREMISES
LICENCE

PREMISES: WINGSTOP, UNIT FS16, UNION SQUARE SHOPPING CENTRE,
ABERDEEN

DESCRIPTION

- Restaurant over one floor in Union Square Shopping Centre.
- On and off sales of alcohol.
- Restaurant facilities and bar meals.
- To include Club meetings, recorded music and live performances.
- Take away facility
- On sale capacity 90
- Off sale capacity 0.9sqm

OBJECTIONS/REPRESENTATIONS

The applicant has agreed to the imposition of CCTV and Duty of Care conditions.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: IBIS HOTEL, SHIPROW, ABERDEEN, AB11 5BY

DESCRIPTION

- Application for variation to the Operating Plan to increase hours for non-residents to midnight.
- To include wording to allow seasonal variations.
- To amend activities to include: conference, dance, indoor and outdoor sports and receptions.
- To include outdoor drinking facilities.
- To include wording in relation to activities outwith core hours in section 5.
- To change wording in section 6 to include reference to the external area.
- To change capacity to allow 100 in the external area.
- To amend the layout plan to include an external area.
- To change the layout plan to create a small meeting room near the entrance.
- To amend the name from Meeting Room to Office.
- To change the description of the premises to – “The premises is a hotel consisting of a ground floor with café bar in the foyer area, six floors of accommodation, plant room and external area.”

OBJECTIONS/REPRESENTATIONS

None

Note: the applicant accepts the Outdoor Drinking Condition regarding ceasing use of the area by 22:00; the applicant does not accept the demarcation and Live Entertainment conditions.

POLICY

N/A

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: ROYAL THAI RESTAURANT, 29 CROWN TERRACE, ABERDEEN,
AB11 6HD

DESCRIPTION

- Application for variation to the Operating Plan to add music at question 5(c).

OBJECTIONS/REPRESENTATIONS

- None

POLICY

N/A

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: SAINSBURY'S, UNIT W1, ST NICHOLAS CENTRE, ABERDEEN,
AB10 1HW

DESCRIPTION

- Application for variation to the layout plan following a reconfiguration of shelving within the alcohol display area.
- Increase to the off sales alcohol capacity from 15.525m2 to 16.78m2.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

N/A

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: EXTENDED HOURS

PREMISES: PROHIBITION, 31 LANGSTANE PLACE, ABERDEEN, AB11 6EN

DESCRIPTION

Premises seeking extension of licensed hours on Wednesday 14 May 2am to 3am.

OBJECTIONS/REPRESENTATIONS

LSO objection

Police objection

CONDITIONS

POLICY

7. SUPPLEMENTARY POLICY – LICENSED HOURS

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

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

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.

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

4. 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.

What the Board Will Expect of Partners:

- Enforcement of other statutory powers where appropriate.
- Sharing of relevant information.
- Participation in dialogue to resolve potential issues.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Aberdeen City Council Licensing Board
DATE	15 th April 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Licensing Board Equality Outcomes and Mainstreaming Report
REPORT AUTHOR	Laura McGhee, Solicitor

1. PURPOSE OF REPORT

- 1.1 This report provides the Board with an update on progress achieved at the end of the Licensing Board's Equality Outcomes for 2021-2025 and sets out new draft Equality Outcomes for 2025-2029.

2. RECOMMENDATION(S)

That the Board: -

- 2.1 approves the Equality Outcomes and Mainstreaming Report 2021-2025, Section 6 – Equality Outcomes as a Licensing Board (Appendix 1);
- 2.2 approves the Licensing Board's new draft equality outcomes for 2025-2029 (Appendix 2);
- 2.3 instructs the Clerk to undertake and publish the Board's new equality outcomes for 2025-2029;
- 2.4 notes the progress since publication of the Boards equality outcomes and mainstreaming report of 2021.

3. BACKGROUND

- 3.1 Section 149 of the Equality Act 2010 (the Act) introduced a new Public Sector Equality Duty that applies to all public authorities across Scotland, such as Licensing Boards. The Act brings together the nine protected characteristics into one Act. The Licensing Board therefore must, in the exercise of its functions, have due regard to the need to:-

- Eliminate discrimination, harassment, victimization and any other conduct that is prohibited by or under the 2010 Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 3.2 The protected characteristics as defined by the Act include:-

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex (gender)
- Sexual orientation
- Marriage and Civil Partnership (but only in respect of the duty to consciously consider the need to eliminate discrimination, harassment, victimization and other conduct prohibited by the Act.)

3.3 Aberdeen City Licensing Board is a relevant public body under the Act. Therefore, the Board is required to prepare and monitor the progress towards achieving Equality Outcomes in terms of Regulation 4 of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. The Board published a report, in accordance with its legal duties, on the progress towards achieving the outcomes set for 2021-2025 in 2023.

In terms of the required reporting cycle the Board requires to publish a further report in 2025. This proposed report is attached at Appendix 1, and forms part of Aberdeen City Council's latest Equality Outcomes and Mainstreaming Report 2021-2025.

3.4 Duty to report progress on mainstreaming the equality duty

The Aberdeen City Licensing Board must report on the progress in making equalities integral to their activities. The Licensing Board does this in conjunction with Aberdeen City Council. Aberdeen City Council approved their latest Equality Outcomes and Mainstreaming Report 2021-2025 in March 2025 (subject to approval of the Licensing Board, where appropriate). It is intended that Aberdeen City Licensing Board will continue to work jointly with Aberdeen City Council in progressing equalities over the next four years.

3.5 Licensing Board Equality Outcomes 2025 - 2029

The Aberdeen City Licensing Board must set new Equality Outcomes for the next four-year period. The new Equality Outcomes proposed for the next four years are set out at Appendix 2.

3.6 Next Steps

Following approval, Aberdeen City Council's latest Equality Outcomes and Mainstreaming Report 2021-2025 will be published by 30th April 2025.

A further report on how the Board is progressing towards achieving the new Equality Outcomes set for 2025-2029 will be presented to the Board by April 2027 in terms of the next reporting cycle.

4. APPENDICES

- 4.1 Appendix 1 - Equality Outcomes and Mainstreaming Report 2021-2025, Section 6 – Equality Outcomes as a Licensing Board;
- 4.2 Appendix 2 – Equality Outcomes and Mainstreaming Report 2021-2025, Section 8.4 - Proposed draft outcomes as a Licensing Board (2025 – 2029)

5. REPORT AUTHOR CONTACT DETAILS

Name	Laura McGhee
Title	Solicitor
Email Address	lmcghee@aberdeencity.gov.uk

This page is intentionally left blank

6. Equality Outcomes as a Licensing Board

Aberdeen City Licensing Board is a relevant public body under the 2010 Act hence the Board is required to prepare and monitor the progress towards achieving Equality Outcomes in terms of Regulation 4 of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. The Board published their Equality outcomes in April 2021. In April 2023 the Board published a report, in accordance with its legal duties, on the progress towards achieving those outcomes.

The Licensing Board must publish progress on mainstreaming and a new set of outcomes by April 2025.

6.1 Aberdeen City Council Licensing Board (2021-2025)

Licensing Equality Outcome 1

Developing the Licensing process to ensure fair access for all, including the development of electronic applications and payments and the implementation of hybrid Licensing Board meetings.

Key Achievements

1. All meetings of the Licensing Board are now hybrid. Meetings are now held in either the Council Chamber or Committee Room 2 which allows access to the relevant equipment to allow participation in hybrid meetings since 2022.
2. The hybrid model of meetings has offered applicants, representatives and Board Members the choice and flexibility to attend meetings in-person or remotely online.
3. The Council Chamber and Committee Room 2 are accessible to wheelchair users and persons with restricted mobility as there is a lift located close to the entrance to the building, which itself has wheelchair accessibility outside.
4. Meeting rooms have hearing loop facilities for persons with hearing impairment who use hearing aid devices.
5. Electronic Applications and Payments. In addition to accepting applications by post, applications can be sent by email. Payments in respect of applications can also be made electronically on the Council's Civic payment portal offering more choices on how payments can be made.

Licensing Equality Outcome 2

Licensing Board works in partnership with a range of stakeholders to ensure the most effective decisions are made to meet the aims of the Board and also works with license holders and other Council services to support positive behaviour on and around license premises.

Key Achievements

1. The Licensing Board published a new [Statement of Licensing Policy](#) in November 2023. The Policy gives the Board a solid framework to make the right decisions at the right time, always with the five licensing objectives at the forefront of their thinking. The Policy also sets out what the Board expects of licence holders. The Board carried out a consultation on the Policy and a range of stakeholders contributed to its development.
2. The Local Licensing Forum keeps the operation of the Licensing (Scotland) Act 2005 under review and gives advice and makes recommendations to the Licensing Board. The Board

must have regard to any advice given, or recommendations made by the Forum, and where the Board decides not to follow the advice or recommendation, it must give the Forum reasons for the decision.

3. The Board and Forum hold a joint meeting on an annual basis.
4. The Board works with a range of stakeholders on an ongoing basis. The stakeholders include Police Scotland, Grampian Health Board, Scottish Fire and Rescue Service, Community Councils, and licence holders.
5. Licensing Standard Officers (LSOs) work with licence holders to ensure compliance with licence conditions and to promote good practices in and around licenced premises. The LSOs work with a range of partners including but not limited to Police Scotland, Environmental Health and Trading Standards. LSOs will carry out inspection visits to licensed premises and where necessary can issue compliance notices and report to the Licensing Board any concerns they may have about a particular premises.

Next Steps

The next steps will be determined by the Licensing Board and will be reported on as part of the progress report in 2027.

7. Setting our outcomes for Mainstreaming Equality – looking ahead 2025-2029

Specific duty regulation (Regulation 4) as set in the Equality Act stipulates that listed authorities should take reasonable steps to involve persons who share a relevant protected characteristic and any person who appears to the authority to represent the interests of those persons; and should consider relevant evidence relating to persons who share a relevant protected characteristic.

7.1 Methodology

To develop our next set of outcomes, we have reviewed our progress against our current outcomes to understand what has gone well and what can be done better. We have also looked at what will be achievable within our resources.

1. We have also considered available local and national equalities evidence,
2. We reflected on our previous equalities work to establish if it is still fit for purpose,
3. We have undertaken extensive community engagement, through surveys, in person and online meetings with groups within our communities.
4. We have used feedback from our employee equality working groups and responses from our recent employee survey to address trends and needs.

7.2 Proportionality and relevance

The outcomes have been set based on proportionality and relevance to focus on areas where there has been persistent inequality and will support us in advancing the needs as stated in the General Duty within the restraints of public spending.

- We will assess the impact of actions taken through equality groups and employee experience surveys – and act on our learning to ensure all employees feel valued and included.
- Employees feel safe and empowered to report any incidences or cultures that are not aligned to equality agendas – through clearly available anonymous reporting and other channels.
- We will improve our internal training and communications for managers and employees to increase awareness and capability on EDI.

8.3 Proposed draft outcomes as an Education Authority (2025 -2029)

Equality Outcome 1: Pupils with disabilities will experience better access to services that meets their needs through more frequent and systematic involvement in the design of service delivery across the council.

Equality Outcome 2: Young people and families will have improved access to the resources needed to support their mental health and wellbeing.

Equality Outcome 3: Staff, children and young people will have a greater awareness of how they can support equality through delivery of curriculum.

8.4 Proposed draft outcomes as a Licensing Board (2025 -2029)

The Licensing Board outcomes have been set and will be considered by the Board in April 2025.

Licensing Outcome 1

Review and maintain the licensing process to ensure fair access for all, including the continuation and development of hybrid Licensing Board meetings.

1. The Board will monitor and review its application forms and standard documentation regularly to ensure that these are as accessible as possible and continue to hold hybrid Licensing Board meetings in so far as is possible.
2. The Board will seek to ensure through its Questionnaire (attached to the Board's application forms) that its services are accessible to everyone who lives in Aberdeen and beyond, including persons with protected characteristics.

Licensing Outcome 2

The community of Aberdeen City are able to engage effectively in the exercise of the Board's licensing functions.

1. The Board will seek to identify any issues arising in connection with persons with protected characteristics which are identified through partnership working with the Licensing Forum in order to monitor and address such concerns, as appropriate.
2. The Board will seek to ensure that the service it provides offers equal opportunity for engagement by persons with protected characteristics.

This page is intentionally left blank

ABERDEEN CITY LOCAL LICENSING FORUM

ANNUAL REPORT JANUARY – DECEMBER 2024

Introduction

Following discussion at the Joint Meeting of the Licensing Board and the Local Licensing Forum in September 2023, it was agreed that the Forum would compile an annual report each year.

This report covers the period from the AGM in February 2024 to year end in December 2024.

Forum meetings and membership

The year began with the AGM in January 2024 at which the following office bearers were agreed

Elaine Mottram – Chair

John Mooney and William Rae – Vice Chairs

The current membership of the Forum is as follows

LSOs – John Philip, Diane Sande, Stephen Stewart

Trade representatives – Final Cran, JP McGivney, Grant Wiseman

Adult Social Work Representative – Barry Stephen

Children and Young People's Social Work Representative – Steve McConnachie

Aberdeen Street Pastors – Pete Turner

Police Scotland – Neil Grant

Aberdeen Inspired – Danuta Dobrzanska

ADP – Lucy Simpson

Off Sales – Artur Ghazaryan

Karen Gatherum

Licensing Solicitor, Sandy Munro, continues to attend meetings.

John Mooney resigned in August 2024 due to a secondment to Scottish Government. The Forum is required to have a representative from its local NHS Board and discussion is taking place with the Director of Public Health to identify a replacement for John Mooney.

After a very positive response from Aberdeen University regarding a representative of young people, discussion continues to identify someone to take on the role.

Six meetings took place in 2024 – February (AGM), May, June (Annual Development Meeting), August, September (Joint Meeting with the Licensing Board) and December.

Attendance continues at approximately 9 members attending each meeting.

Key areas of Local Licensing Forum discussion during 2024

1. Trends in alcohol use

One of the trade representatives on the Forum provided an insight into changing alcohol use in the City and noted that times are very challenging for the trade with footfall remaining lower than pre-Covid levels. Changes in drinking habits for young people, the older population going out earlier in the day and cost of living pressures mean that the trade has needed to develop very creative ways to maintain their business. Transport (lack of taxis and night time buses) is another significant factor influencing trade.

2. LSO presentation and discussion

The LSOs provided a presentation outlining their role and the kind of issues they deal with. The LSOs noted that they make every effort to be proactive in order to manage risk related to on-sales.

3. Development session

Gavin Wright who is Service Manager for Recovery Services at Alcohol and Drugs Action provided a presentation and led a discussion about alcohol use in Aberdeen. A wide range of issues were touched on – numbers of premises selling alcohol, hospital admissions and deaths related to alcohol use, ADA client profile information (age, gender, postcode) and costs associated with alcohol use for NHS, social care and police.

Key messages included in the Forum update to the Licensing Board were

- A significant proportion of clients seen by ADA are from the following postcodes - AB11 (Ferryhill, Torry), AB16 (Mastrick, Northfield, Middlefield), AB 24 (Woodside, Tillydrone, Seaton)
- It is well known that increased availability of alcohol is linked with increased harm yet there are increasing number of off sales premises, an increase in premises which will deliver alcohol, and increased online sales.
- Online sales present a particular risk because the consequences may be hidden for longer than other types of consumption.
- Low and no alcohol products – there are mixed views about whether or not these are helpful in reducing alcohol consumption.
- There is a slightly higher rate of alcohol consumption in Aberdeen, above the Scottish Chief Medical Officer Guidelines, when compared to the rest of Scotland – 25% in Aberdeen, 23% rest of Scotland

4. Success Criteria

The Forum recognises the importance of being able to assess their impact in a quantifiable way. As a result, a draft paper was prepared outlining measurable components of both the costs of alcohol use and the benefits. Long- and short-term considerations were included and both financial and human factors. This draft paper was the focus of discussion at the Joint Meeting of the Licensing Board and the Forum in September 2024.

In summary,

a) Measurable benefits included

- Income for the City
- Tourism increases
- Night time economy and general vibrancy of the City
- Opportunities for employment

b) Measurable costs included

- Distribution of alcohol harms across City eg postcodes of those seeking support from services – NHS, agencies providing support eg Alcohol and Drugs Action
- Incidents of violence and abuse
- Hospital admissions where alcohol is a factor
- Number of children on the child protection register where parental drinking was identified as a concern

c) Other relevant measures

- Density, distribution and trends across city of venues of operating nightclubs, bars and off-sales premises.
- Map of density of off-sales venues overlaid on postcodes of population experiencing alcohol harm.
- Volume of home deliveries

5. Annual Functions Report

Discussion has continued regarding the Forum recommendations relating to the Annual Functions Report. These recommendations were aimed at making the Annual Functions Report more engaging and informative. However, while the recommendations had been approved by the Licensing Board it was noted that implementation of the recommendations is severely limited by current IT systems

6. ELEPHANT Study

The ELEPHANT study (Evaluating Later or Expanded Premises Hours for Alcohol in the Night Time Economy) has been underway in Glasgow and Aberdeen and the Forum continues to maintain contact with Professor Niamh Fitzgerald who is leading the study. A number of Forum members attended a meeting in Stirling in March 2024 where interim findings were discussed. A final report is still awaited.

7. National Network of Licensing Forums

There have been no meetings of the National Licensing Forum Network during 2024 but the Forum Chair maintains regular contact with the Scottish Government Justice Department. We were asked by the SG Justice Department to feed back our views on how they could support Local Licensing Forums. Our recommendations were

- to support a Scotland wide way of measuring the success of Forums
- to explore economic and tourism impact related to licensing

- to support the development of IT systems which will assist local data gathering.
- to ensure effective communication in relation to on-going and upcoming National Campaigns to allow the Forum to engage

Looking ahead to 2025

Workplan for 2025

At the Forum meeting on 3rd December a programme of work was agreed.

- a) Survey results relating to footfall in the City and trends relating to hospitality.
- b) Exploration of relevant alcohol harm data resulting from discussion with the City Council Data Insights Team.
- c) NHS data relating to alcohol use and harms.
- d) Discussion of ELEPHANT Study conclusions.

Insights and conclusions will be shared with the Licensing Board as part of our updates and at the annual Joint Meeting.

Elaine Mottram, Chair
February 2025