

ABERDEEN CITY LICENSING BOARD

LICENSING BOARD

DATE: 3 July 2019

CLERK TO THE LICENSING BOARD Jenni Wilson

TITLE OF REPORT: Aberdeen Licensing Board Annual Functions Report 2018/19

REPORT AUTHOR: Sandy Munro, Interim Licensing Team Leader

1. PURPOSE OF REPORT

To invite the Licensing Board (“The Board”) to approve this Annual Functions Report.

2. RECOMMENDATIONS

That the Board:

- (1) approve this Annual Functions Report and;
- (2) authorise the Clerk to the Board to proceed with the publication of this Annual Functions Report.

3. BACKGROUND

- (1) The Air Weapons and Licensing (Scotland) Act 2015 amended the Licensing (Scotland) Act 2005 (the “2005 Act”) to introduce a requirement that Licensing Boards produce and publish annual functions reports and annual financial reports. The Boards annual function report must be prepared and published not later than 3 months after the end of each financial year. The July Board was the first available meeting for the report to be considered.
- (2) This report should contain a statement explaining how the Board has had regard to the licensing objectives, their licensing policy statement, and any supplementary licensing policy statement in the exercise of their functions during the financial year.

4. HOW THE BOARD EXERCISES ITS FUNCTIONS

- (1) The Licensing (Scotland) Act 2005 as amended (“the Act”) sets out regulations for the sale of alcohol and regulations for licensed premises and other premises on which alcohol is sold.
- (2) The Act has five licensing objectives which the Board must have regard to when exercising its functions. These objectives are: -

- (i) Preventing crime and disorder
 - (ii) Securing public safety
 - (iii) Preventing public nuisance
 - (iv) Protecting and improving public health
 - (v) Protecting children and young persons from harm
- (3) The Board deals with all applications in accordance with the legislation, and in particular the five above objections, together with its Statement of Licensing Policy ("the Statement") which is based on the objectives.
- (4) The Board has determined all applications in line with the Statement. The Board has routinely applied additional conditions on the operation of outdoor drinking areas to ensure minimum disruption to the surrounding area and a condition that restaurants offering a delivery service can only supply alcohol alongside a food delivery. It has also determined all applications for licensed hours in line with the Statement.
- (5) The Board has also worked closely with partner agencies including Police Scotland, NHS Grampian, the local licensing forum and Licensing Standards Officers to ensure the satisfactory operation of licensed premises. As a result, problems can be identified and addressed at an early stage and reduces the need for Premises Licence Reviews after the fact.
- (6) The Board has also published a new Statement within the timescale of this report. As part of that process the Board undertook extensive consultation exercises to gauge opinion from all sectors and ensure that the Statement took account of all of the Licensing Objectives. The decision was taken to completely revamp the Statement rather than simply update what had gone before and the result is a succinct document which has attracted praise for its clarity and plain language.
- (7) The Board has taken steps to increase the scope of consultation and dissemination of information to licence holders, the general public and partner agencies. A representative of the Board also attends all Local Licensing Forum meetings.

5. SUMMARY OF DECISIONS OVER THE LAST FINANCIAL YEAR

- (1) A Summary of all decision made by the Licensing Board can be found on the Licensing Board's Website at <https://committees.aberdeency.gov.uk/ieListMeetings.aspx?Committeeld=151>

6. THE NUMBER OF LICENCES IN THE BOARDS AREA

- (1) See Appendix 1 – Premises Licences
(2) See Appendix 2 - Personal Licences

(3) See Appendix 3 – Occasional Licences