

ABERDEEN CITY COUNCIL

LICENSING BOARD

DATE: 25th June 2018

CLERK TO THE LICENSING BOARD Fraser Bell

TITLE OF REPORT: Aberdeen Licensing Board Annual Functions Report 2017/18

REPORT AUTHOR: Jennifer Wilson, 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. This means that the Board’s report for the financial year 2017-18 must be published no later than end of June 2018.
- (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 2013 – 2016 which is based on the objectives.
- (4) The Board has determined all applications in line with the Statement of Licensing Policy. 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 of Licensing Policy.
- (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 recognised the need to establish a revised Overprovision Policy in respect of off-sales premises. Accordingly, this area has been prioritised as part of the review of the Statement of Licensing Policy.
- (7) The Board has also devoted considerable time and resources to obtain as much information as possible in connection with the review of the Statement of Licensing Policy as it is aware that is the primary method by which the Board adheres to and promotes the licensing objectives when dealing with licensing applications.

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.aberdeencity.gov.uk/ieListMeetings.aspx?Committeed=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