

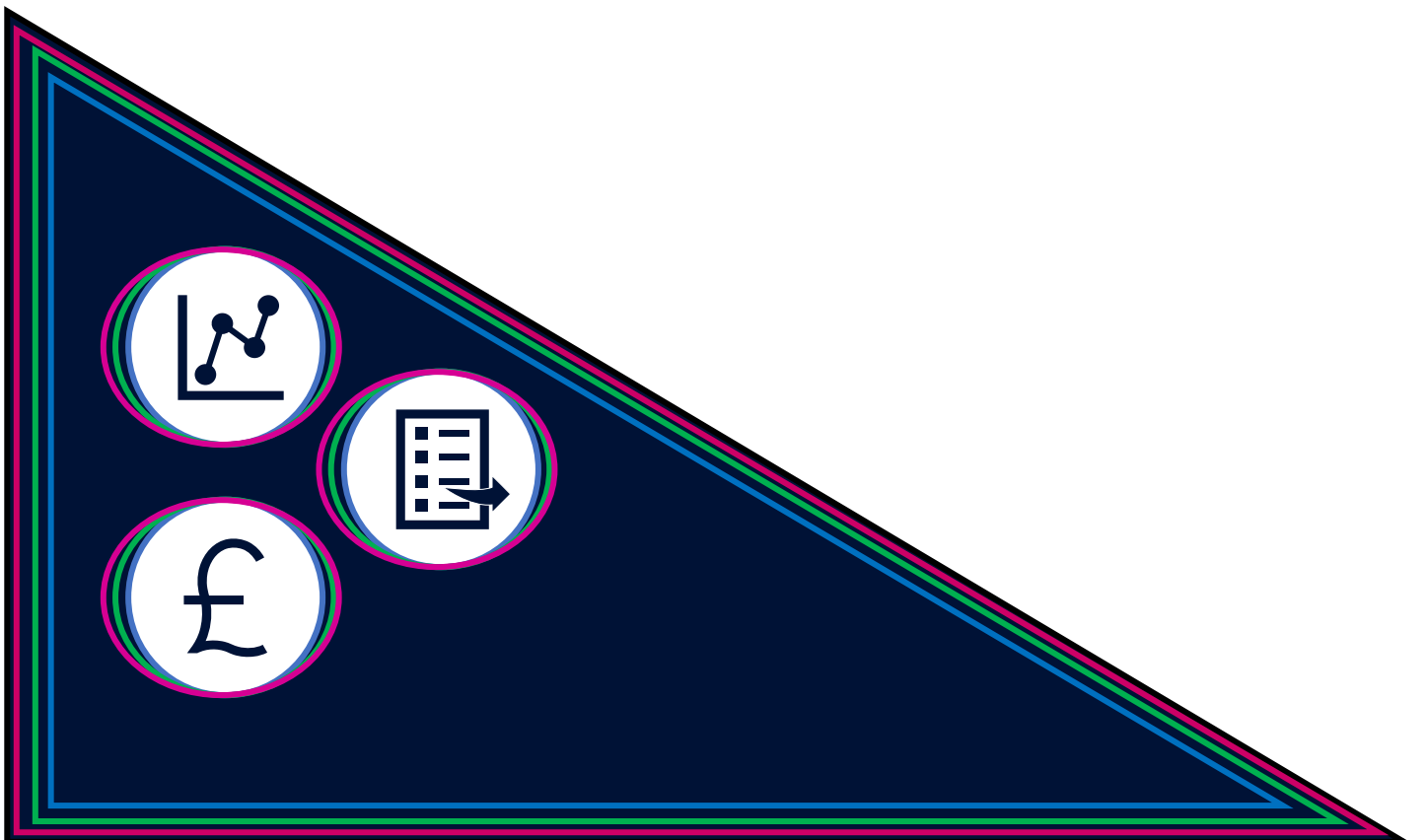
# THE ABERDEENSHIRE LICENSING BOARD

**Licensing (Scotland) Act 2005**

**Section 9A: Annual Functions Report**

**Section 9B: Annual Finance Report**

**(1<sup>st</sup> of April 2021 to 31<sup>st</sup> of March 2022)**



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This report also takes into account the following:

### LOCAL OUTCOME IMPROVEMENT PLAN PRIORITIES

Reducing Child Poverty In Aberdeenshire	
Connected and Cohesive Communities	
Changing Aberdeenshire's Relationship with Alcohol	
Health & Wellbeing	

### EQUALITIES - PROTECTED CHARACTERISTICS

Age	
Disability	
Gender Reassignment	
Pregnancy and Maternity	
Race <i>(Includes: ethnic origin, national origin, colour and nationality)</i>	
Religion or Belief <i>(Includes: a lack of any belief)</i>	
Sex <i>(Gender)</i>	
Sexual Orientation	
Marriage and Civil Partnerships <i>(But only in respect of the duty to consciously consider the need to eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act).</i>	

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## INTRODUCTION

The last year has been challenging for the licensing trade, with the slow easing of restrictions on the hospitality industry and the return to the new normal in a post Covid-19 pandemic world. This report reflects on the work of the Aberdeenshire Licensing Board, and our Licensing Standards Officers, in supporting the trade and our communities wherever practicable. The report builds on the good work completed in previous years, as well as the actions taken during 2021 in response to the Covid-19 global pandemic.

As reported previously, the three Divisional Licensing Boards (North, Central and South) were amalgamated to form a single Aberdeenshire Licensing Board on 5<sup>th</sup> March 2020. The new Aberdeenshire Licensing Board took effect from 29<sup>th</sup> April 2020.

Over the past year, we have welcomed a new Licensing Standards Officer as well as a new Police Sergeant within the Licensing Team at Police Scotland.

The Convenor of the Licensing Board was Cllr Brian Topping until 6<sup>th</sup> May 2022, when the result of the Local Government Election 2022 was declared. A new Convenor will be appointed to this post in the coming weeks as well as the appointment of a new Licensing Board.

We have taken steps to ensure that the content of this report is both informative and easy to follow with the use of Plain English, diagrams and useful links throughout.

This document was approved by the Aberdeenshire Licensing Board on 22<sup>nd</sup> June 2022.

We hope that you find this report informative and easy to follow.

**Marion Ewenson**  
**Convenor of the Aberdeenshire Licensing Board**

# SECTION 1

## PART A – Annual Functions Report

### Statutory Duty

The Air Weapons and Licensing (Scotland) Act 2015<sup>1</sup> amended the Licensing (Scotland) Act 2005<sup>2</sup> to place a statutory duty on Licensing Boards to publish an “Annual Functions Report” within 3 months of the end of each financial year.

Section 9A is in the following terms:

#### **9A Annual Functions Report**

- (1) Each Licensing Board must prepare and publish a report not later than 3 months after the end of each financial year.
- (2) A report under this section must include –
  - a. A statement explaining how the Board has had regard to –
    - i. The licensing objectives, and
    - ii. The licensing policy statement and any supplementary licensing policy statement (including the Board’s statement under Section 7(1) (duty to assess overprovision)) in the exercise of their function under this Act during the financial year,
  - b. A summary of the decisions made by (or on behalf of) the Board during the financial year, and
  - c. Information about the number of licences held under the Act in the Board’s area (including information about the number of occasional licences issued during the year).
- (3) A report under this section may include such other information about the exercise of the Licensing Board’s functions under this Act as the Board considers appropriate.
- (4) At the request of a Licensing Board the relevant council must provide the Board with such information as the Board may reasonably require for the purpose of preparing a report under this section.
- (5) In discharging their duties under subsection (1) and section 9B(1) (annual finance report) a Licensing Board may, if they consider appropriate, prepare and publish a combined report containing the information required under this section and under section 9B (which combined report must be published not later than 3 months after the end of the financial year in question).

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<sup>1</sup> See: <http://www.legislation.gov.uk/asp/2015/10/contents/enacted>

<sup>2</sup> See: <https://www.legislation.gov.uk/asp/2005/16/contents>

- (6) The Scottish Ministers may by regulations make further provision about reports under this section including, in particular, provisions about –
- a. The form and required content of reports
  - b. The publication of reports
- (7) In this section “financial year” means a yearly period ending on 31st March.”

## Reporting Obligations

The Board therefore has the following key obligations:

- To PUBLISH an Annual Functions Report within 3 months of the end of the relevant financial year.
- To include within the Annual Functions Report:
  - A STATEMENT explaining how the Boards have had regard to (a) the licensing objectives and (b) their policy statement in the exercise of their functions.
  - A SUMMARY of the decisions taken by each Board over the relevant financial year including decisions by officers under delegated powers.
  - The NUMBER of licences held under the Act in the Board’s area, including the number of occasional licence issued during the financial year.
  - OTHER INFORMATION as determined to be necessary by the Licensing Board.

### Statement by the Board

It is recognised that documents such as the Licensing Policy Statement, are, by their nature, complex legal documents that do not promote transparency beyond key stakeholder groups. The Board welcomes this opportunity as a means to increase accountability and transparency with particular focus on improving engagement with communities in the licensing process.




The Annual Functions Report is compiled with a central focus of explaining the work of the Board to our local communities. The use of plain English shall be promoted and information will be provided in clear and concise terms wherever possible. Web-links will also be used to direct interested parties to more detailed information.

It is anticipated that the development of the reports will involve a process which will refine the content and approach with each publication.

## Meeting the Obligations

The term “function” is used consistently within the Licensing (Scotland) Act 2005 (“The 2005 Act”) to describe the statutory duties to be carried out by relevant bodies. For context, an analytical overview of the current functions carried out by key stakeholders within the licensing system is provided in **APPENDIX 1**.

Key Stakeholders include:

	The Licensing Board
	The Licensing Standards Officers (“LSO’s)
	Statutory Consultees
	The Licensing Forum
	The Public

More detailed information relating to the Key Stakeholders can be found at **APPENDIX 1** to this document.

## COVID-19 Requirements

The Coronavirus (Scotland) Act 2020<sup>3</sup> inserted the following provisions into the Licensing (Scotland) Act 2005 to take account of the circumstances relating to COVID 19. These requirements remain in effect until at least the end of September 2022.

### Section 9A Licensing (Scotland) Act 2005:

- (1A) If, for a reason relating to coronavirus, A licensing Board is unable to comply with subsection (1), the Board must –
- (a) Not later than 3 months after the end of the financial year, publish on its website ( or, if it does not have one, on the website of the council for the Board’s area) –
    - (i) The fact that the Board is unable to comply with subsection (1) and the reason for that, and
    - (ii) The Board’s estimate as to when it will publish the report, and

- (b) Prepare and publish the report not later than 9 months after the end of the financial year.

## PART B – Annual Finance Report

### Statutory Duty

The Air Weapons and Licensing (Scotland) Act 2015 amended the Licensing (Scotland) Act 2005 to place a statutory duty on Licensing Boards to publish an “Annual Finance Report” within 3 months of the end of each financial year.

Section 9B is in the following terms:

#### **9B Annual financial report**

- (1) Each Licensing Board must prepare and publish a report not later than 3 months after the end of each financial year.
- (2) A report under this section 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) For the purposes of subsection (2) –

“relevant income” in relation to a Licensing Board, means income received by the Board in connection with the exercise of the Board’s functions under or by virtue of –

  - a. This Act, or
  - b. Section 14(1) of the Alcohol etc. (Scotland) Act 2010 (social responsibility levy) in so far as relating to holders of premises licences or occasional licences, and

“relevant expenditure” in relation to a Licensing Board, means any expenditure –

  - a. Which is attributable to the exercise of the Board’s functions under or by virtue of –
    - i. This Act, or
    - ii. Section 14(1) of the Alcohol etc. (Scotland) Act 2010 (social responsibility levy) in so far as relating to holders of premises licence or occasional licences, and
  - b. which is incurred by –
    - i. the Board

- ii. the relevant council, or
  - iii. The Licensing Standards Officer (or Officers) for the Board's area.
- (4) At the request of a Licensing Board the relevant Council must provide the Board with such information as the Board may reasonably require for the purpose of preparing a report under this section.
- (5) The Scottish Minister may by regulations make further provision about reports under this section including provision:
  - a. About the form and contents of reports, including, in particular -
    - i. How a statement required under subsection (2) is to be set out, and
    - ii. What constitutes relevant income and relevant expenditure for the purposes of subsection 2, and
  - b. The publication of reports
- (6) Regulations under subsection (5)(a) may modify subsection (3).
- (7) In this section "financial year" means a yearly period ending on 31st March."

## Reporting Obligations

The Board therefore had the following key obligations:

- To PUBLISH an annual financial report within 3 months of the end of the relevant financial year.
- To include within the Annual Financial Report:
  - A STATEMENT outlining (a) relevant income, (b) relevant expenditure and (c) an explanation of how the amounts in the statement were calculated.

## Meeting the Obligations

As outlined under Section 9A (5) of the Licensing (Scotland) Act 2005 a Licensing Board may, if considered appropriate, prepare and publish a combined report containing information relating to the Board's annual Functions Report and their annual Financial report.

The Aberdeenshire Licensing Boards have opted to provide a combined report so that all relevant information to comply with the duties of Section 9A and 9B can be found in one location.

The Financial Report is therefore included at **SECTION 6** of this report.

Copies will be provided to the Scottish Government each year after approval of the report by the Boards.

## COVID-19 Requirements

The Coronavirus (Scotland) Act 2020 inserted the following provisions into the Licensing (Scotland) Act 2005 to take account of the circumstances relating to COVID 19. These provisions will remain in place until at least September 2022.






### **Section 9B Licensing (Scotland) Act 2005**

- (1A) If, for a reason relating to coronavirus, A licensing Board is unable to comply with subsection (1), the Board must –
  - (a) Not later than 3 months after the end of the financial year, publish on its website ( or, if it does not have one, on the website of the council for the Board's area) –
    - (i) The fact that the Board is unable to comply with subsection (1) and the reason for that, and
    - (ii) The Board's estimate as to when it will publish the report, and
  - (b) Prepare and publish the report not later than 9 months after the end of the financial year.

## SECTION 2

### The Licensing Objectives

There are 5 core licensing objectives underpinning the 2005 Act. These are:

	Preventing crime and disorder.
	Securing public safety.
	Preventing public nuisance.
	Protecting and Improving public health.
	Protecting children and young persons from harm.

The Licensing objectives provide a basis for the administration of the licensing regime. They also provide potential reasons for refusal of an application for a premises, personal or occasional licence.

Breach of the objectives can provide grounds for a request for the review of a premises or personal licence.

Conditions attaching to premises, personal and occasional licences must be based on one or more of the licensing objectives.

### Licensing Policy Statement

The Board has a duty under Section 6 of the 2005 Act to publish a Statement of Licensing Policy with respect to the exercise of their functions under the Act.

The Board also has a duty under Section 7 of the 2005 Act to publish to what extent they consider there to be overprovision of licensed premises, or licensed premises of a particular description, in any locality within the area covered by the Board.

The above Policy Statement must seek to promote the licensing objectives and must comply with the Statutory Guidance for Licensing Authorities published by the Scottish Government in 2007.

The Board's current Licensing Policy Statement can be accessed [here](#) <sup>4</sup>.

The Aberdeenshire Licensing Board adopted the previous Licensing Policy Statement approved by the three Divisional Licensing Boards on the 29<sup>th</sup> of April 2020.

The Minute of that decision can be accessed [here](#) <sup>5</sup>.

The Licensing Policy Statement is due for review within 18 months of the local government election and this work will begin after summer 2022.

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<sup>4</sup> See: <https://www.aberdeenshire.gov.uk/licensing/alcohol/policies/policy-statements/>

<sup>5</sup> See: <https://committees.aberdeenshire.gov.uk/committees.aspx?commid=516&meetid=19722>

## SECTION 3

### Statistical Information



#### General

The Aberdeenshire Licensing Board covers the whole of Aberdeenshire.

The Board is made up of 10 Members and their details can be found [here](#)<sup>6</sup>.

The first meeting of the Board was held on the 29<sup>th</sup> of April 2020 by Skype.

At this meeting, the Board decided that future meetings would be held at Woodhill House, Westburn Road, Aberdeen, AB16 5GB. However, since the onset of the pandemic, all Licensing Board meetings have continued throughout using Skype. Public participation has been ensured by either live streaming the meetings or by recording the meetings and making them available on the [Council's YouTube](#)<sup>7</sup> channel afterwards. Hearings have taken place with all participants being given an opportunity to be heard, both applicants, consultees and objectors and public transparency has been maintained throughout.

The Board is satisfied that by livestreaming virtual Board Meetings and publishing recordings of meeting online following Board Meetings, the public have the same access to meetings as they would have had prior to the start of the pandemic and that all Board Meetings are therefore held “in public” in terms of the provisions of paragraph 12(2) of Schedule 1 to the Licensing (Scotland) Act 2005.

The Board has ensured that, where any application requires a hearing at a virtual Board Meeting, applicants, objectors and those making representations can fully participate in the hearing by way of written submissions, skype invitation (where possible) or by telephone, and has published protocols and guidance for participation in such meetings so that the Board has, wherever possible, provided a fair hearing for all parties.

In some respects, the virtual Board meetings have ensured that there is greater transparency and those wishing to view can now watch at a time that is convenient for them, with no travel time which is an advantage both economically and sustainably.

The Board meets on a bi-monthly basis unless there is a requirement to hold a special meeting such as to review a licence or to assist with the development of policy.

Details of the Board's meetings can be found [here](#)<sup>8</sup>.

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<sup>6</sup> See: <https://committees.aberdeenshire.gov.uk/committees.aspx?commid=516>

<sup>7</sup> See: <https://www.youtube.com/watch?v=hmRmnz0Nnqw>

<sup>8</sup> See: <https://committees.aberdeenshire.gov.uk/committees.aspx?commid=516>

## Licensing Applications & Outcomes – 1<sup>st</sup> of April 2021 to 31<sup>st</sup> of March 2022

This section provides the statistics for the above year as well as providing a comparison against previous years.

New Premises / Provisional Licence		
Applications Received	2021/22	27
	2020/21	11
	2019/20	14
	2018/19	18
	2017/18	12
Broken down as follows:		
On Sales	2021/22	10
	2020/21	0
	2019/20	7
	2018/19	8
	2017/18	4
Off Sales	2021/22	10
	2020/21	8
	2019/20	6
	2018/19	3
	2017/18	4
Both	2021/22	7
	2020/21	3
	2019/20	0
	2018/19	7
	2017/18	5
Decisions made:		
Granted (Board)	2021/22	21
	2020/21	11
	2019/20	14
	2018/19	18
	2017/18	12
Summary of grounds for refusal or application of conditions:		
2021/22	21 Granted, some with additional conditions in support of Protecting Children and Young Persons from Harm, Preventing Public Nuisance and the Preventing Crime and Disorder Licensing Objective.	
2020/21	6 applications granted subject to additional conditions in support of the Protecting Children and Young Persons from Harm Licensing Objective.	
2019/20	Information not included.	
2018/19	2 applications granted subject to additional conditions in support of the following licensing objectives: Preventing Crime and Disorder, Preventing Public Nuisance and Protecting Children and Young Persons from Harm Licensing Objectives.	
2017/18	Information not included.	
Trends / Comments – 2021/22		
There has been a sharp increase in the volume of applications for new premises/provisional premises in the last year, and are a mixture of on and off sales. There has been a definite trend in recent years for the numbers of off sales to increase, although many of these are small distilleries. The figures show a strong start to the recovery from the Covid pandemic though it is early days.		

Temporary Premises Licence		
Applications Received	2021/22	0
	2020/21	0
	2019/20	0
	2018/19	0

	2017/18	0
<b>Summary of grounds for refusal or application of conditions:</b>		
2021/22	<i>Not Applicable.</i>	
2020/21	<i>Not Applicable.</i>	
2019/20	<i>Not Applicable.</i>	
2018/19	<i>Not Applicable.</i>	
2017/18	<i>Not Applicable.</i>	
<b>Trends / Comments – 2021/22</b>		
<b>We have not received any such applications in the last 5 financial years. It may be of interest to note that Aberdeenshire has only ever had one application for this back in 2010. Advice has been sought in relation to a temporary licence and so an application may be forthcoming in the next year.</b>		

Confirmation of Premises Licence		
Applications Received	2021/22	4
	2020/21	5
	2019/20	4
	2018/19	8
	2017/18	8
Decisions made:		
Granted (Officers)	2021/22	2
	2020/21	5
	2019/20	4
	2018/19	8
	2017/18	8
Summary of grounds for refusal or application of conditions:		
2021/22	Not Applicable.	
2020/21	Not Applicable.	
2019/20	Not Applicable.	
2018/19	Not Applicable.	
2017/18	Not Applicable.	
Trends / Comments – 2021/22		
The number of Applications granted is on a par with the 2 previous years.		

<b>Minor Variations</b>		
Applications Received	2021/22	159
	2020/21	92
	2019/20	131
	2018/19	155
	2017/18	157
<b>Trends / Comments – 2021/22</b>		

<b>Major Variations</b>		
Applications Received	2021/22	26
	2020/21	20
	2019/20	38
	2018/19	51
	2017/18	53
<b>Decisions made:</b>		
Granted (Board)	2021/22	21
	2020/21	20 <sup>9</sup>
	2019/20	38
	2018/19	50

<sup>9</sup> Note: 2 Applications were granted in part with their proposed outside areas being refused.

	2017/18	42
Ongoing	2021/22	3
	2020/21	0
	2019/20	0
	2018/19	1
	2017/18	10
Withdrawn	2021/22	2
	2020/21	0
	2019/20	0
	2018/19	0
	2017/18	1
Summary of grounds for refusal or application of conditions:		
2021/22	21 were granted subject to conditions relating to all of the Licensing Objectives during the year.  10 were granted at the April 2022 Board. Some of the applications granted in this time period were lodged before the financial year this report covers	
2020/21	4 Contentious applications were received. 18 Applications were granted in full. 2 Applications were granted in Part (Both applications had their proposed outside areas refused – 1 due to non-compliance with Preventing Public Nuisance Licensing Objective and 1 due to non-compliance with the Preventing Public Nuisance and Protecting Children and Young Persons From Harm Licensing Objectives). The Board deferred 1 Application in Part so that further considerations could be made in terms respect of the Protecting Children and Young Persons From Harm Licensing Objective this was later granted by the Board. The Board applied additional conditions (outwith their local conditions) in respect of 6 applications (3 cases in respect of the Protecting Children and Young Persons from Harm Licensing Objective, 1 case in respect of the Protecting and Improving Public Health Licensing Objective, 1 case in respect of the Preventing Public Nuisance Licensing Objective and 1 case in respect of the Preventing Public Nuisance and Protecting Children and Young Persons From Harm Licensing Objectives).	
2019/20	Information not included.	
2018/19	13 Applications were granted subject to additional conditions in support of the following Licensing Objectives: Securing Public Safety, Preventing Public Nuisance and Protecting Children and Young Persons from Harm and 1 Application was granted subject to additional conditions in support of the following Licensing Objective: Protecting Children and Young Persons from Harm.	
2017/18	Information not included.	
Trends / Comments – 2021/22		
The number of variations has returned to pre pandemic levels, and many of the variations were to include outside areas within premises licences.		

Transfer of Premises Licence		
Applications Received	2021/22	29
	2020/21	11
	2019/20	17
	2018/19	31
	2017/18	30
<b>Broken down as follows:</b>		
S.33 Transfer	2021/22	19
	2020/21	6
	2019/20	1
	2018/19	11
	2017/18	20
S.34 Transfer	2021/22	10
	2020/21	5
	2019/20	16

	2018/19	20
	2017/18	10
Decisions made:		
Granted (Board)	2021/22	1
	2020/21	0
	2019/20	0
	2018/19	0
	2017/18	2
Granted (Officers)	2021/22	27
	2020/21	11
	2019/20	17
	2018/19	31
	2017/18	25
Refused	2021/22	0
	2020/21	0
	2019/20	0
	2018/19	0
	2017/18	1
Ongoing	2021/22	1
	2020/21	0
	2019/20	0
	2018/19	0
	2017/18	1
Withdrawn	2021/22	0
	2020/21	0
	2019/20	0
	2018/19	0
	2017/18	2
Summary of grounds for refusal:		
2021/22	Not applicable	
2020/21	Not Applicable.	
2019/20	Not Applicable.	
2018/19	Not Applicable.	
2017/18	Information not included.	
Trends / Comments – 2021/22		
There was a big jump in transfers, unsurprisingly, from the previous year in that many businesses changed and adapted during the pandemic and some changed hands. The Board will closely monitor this going forward however this does seem to be back to pre-pandemic levels suggesting a healthy recovery.		

<b>Extended Hours</b>		
Applications Received	2021/22	17
	2020/21	6
	2019/20	34
	2018/19	21
	2017/18	64
<b>Decisions made:</b>		
Granted (Officers)	2021/22	14
	2020/21	5
	2019/20	31
	2018/19	21
	2017/18	61
Refused	2021/22	0
	2020/21	0
	2019/20	2
	2018/19	0
	2017/18	1

Withdrawn	2021/22	3
	2020/21	0
	2019/20	1
	2018/19	0
	2017/18	2
Summary of grounds for refusal or application of conditions:		
2021/22	Not Applicable.	
2020/21	Not Applicable.	
2019/20	2 applications were refused as these were contrary to the Board's Policy.	
2018/19	Not Applicable.	
2017/18	Information not included.	
Trends / Comments – 2021/22		
The request for extended hours applications are starting to return however are still half of what they were pre pandemic. Some of the previous year was heavily regulated by national restrictions and so it is unsurprising that the number of requests for extended hours is lower than pre pandemic levels.		

<b>Occasional Licences</b>		
Applications Received	2021/22	1,883
	2020/21	645
	2019/20	1,476
	2018/19	1,316
	2017/18	1,354
<b>Decisions made:</b>		
Granted (Board)	2021/22	2
	2020/21	0
	2019/20	6
	2018/19	3
	2017/18	1
Granted (Officers)	2021/22	1747
	2020/21	645
	2019/20	1,375
	2018/19	1,313
	2017/18	1,315
Refused	2021/22	1
	2020/21	0
	2019/20	12
	2018/19	0
	2017/18	1
Ongoing	2021/22	117
	2020/21	0
	2019/20	0
	2018/19	0
	2017/18	8
Withdrawn / Cancelled	2021/22	18
	2020/21	0
	2019/20	45
	2018/19	0
	2017/18	30
<b>Summary of grounds for refusal or application of conditions:</b>		
2021/22	<p>April – 2 were granted subject to conditions suggested by Police Scotland and the LSO's relating to all of the Licensing Objectives.</p> <p>June 2 were refused as to grant would be inconsistent with the licensing objectives of preventing crime and disorder, securing public safety, preventing public nuisance, protecting and improving public health and that, having regard to the location, character and condition of the</p>	

	marquee and the persons likely to frequent the marquee, the Board considered it to be unsuitable for use for the sale of alcohol. 1 granted subject to condition
2020/21	<i>No occasional licences were refused during the course of the year.</i>
2019/20	<i>11 Applications refused on the basis of that the events in question were aimed at children contrary to the Board's Policy and on the following Licensing Objective: Protecting Children and Young Persons from Harm and 1 Application was refused on the basis of all 5 of the Licensing Objectives. 23 Events were cancelled and 22 Applications were withdrawn.</i>
2018/19	<i>1 Application granted subject to additional conditions in support of the following licensing objective: Prevention of Public Nuisance.</i>
2017/18	<i>Information not included.</i>
<b>Trends / Comments – 2021/22</b>	
<p>There has been a large increase in the number of occasional licences that has been processed by the team.</p> <p>One of the biggest impacts of the Covid pandemic was on socialising including at events that require an occasional licences and so last year, the Board received only 43% of the applications it had the previous year. Many of the applications that were received were for premises with existing premises licences to enable them to open outdoor areas. Each occasional licence can only last 14 days and so premises have applied for consecutive occasional licences which have masked the wider picture. Online occasional licences were launched and this contributed immensely to the licensing team being able to reduce processing time to enable us to move swiftly to respond to changes in levels to support the trade to open as quickly as possible,</p> <p>This year the number of occasional licences granted has exceeded pre-pandemic levels, in part explained by the need for some premises licences utilising occasionals to use outdoor spaces and the enthusiasm of communities across Aberdeenshire to go back to events as well as the return of weddings receptions. Some of those who had utilised occasional licences for outdoor spaces have now applied for major variations to add these areas to their licences on a permanent basis so this number is likely to reduce.</p>	

<b>Personal Licence – Grants</b>		
Applications Received	2021/22	204
	2020/21	124
	2019/20	220
	2018/19	279
	2017/18	262
<b>Decisions made:</b>		
Granted (Board)	2021/22	2
	2020/21	0
	2019/20	3
	2018/19	0
	2017/18	2
Granted (Officers)	2021/22	192
	2020/21	124
	2019/20	209
	2018/19	272
	2017/18	252
Refused	2021/22	0
	2020/21	0
	2019/20	6
	2018/19	6
	2017/18	2
Ongoing	2021/22	8
	2020/21	0
	2019/20	0
	2018/19	0
	2017/18	0

	2017/18	4
Withdrawn	2021/22	4
	2020/21	0
	2019/20	2
	2018/19	1
	2017/18	2
Summary of grounds for refusal or application of conditions:		
2021/22	June Board – 2 hearings for applications and were both granted	
2020/21	No new applications for a personal licence were required to be referred to the Board and were all granted under delegated powers.	
2019/20	4 application refused on the grounds of the applicant not being a fit and proper person to hold a licence based on the Licensing Objective: Prevention of Crime and Disorder. 2 applications refused on the grounds of the applicant not being a fit and proper person to hold a licence based on the following Licensing Objectives: Prevention of Crime and Disorder and Securing Public Safety.	
2018/19	5 Applications refused on the grounds that the Board(s) were unable to satisfy themselves of the identity of the applicant and therefore could not comply with the requirements under S.72 of the 2005 Act in respect of the granting of the licence contrary to the Licensing Objective: Prevention of Crime and Disorder. 1 application refused on the grounds that this was contrary to the following Licensing Objectives: Prevention of Crime and Disorder and Prevention of Public Nuisance.	
2017/18	Information not included.	
Trends / Comments – 2021/22		
The number of personal licences being granted has risen once more to close to pre pandemic levels.		

Personal Licence – Renewals		
Applications Received	2021/22	21
	2020/21	20
	2019/20	331
	2018/19	0
	2017/18	0
<b>Decisions made:</b>		
Granted (Board)	2021/22	0
	2020/21	0
	2019/20	1
	2018/19	0
	2017/18	0
Granted (Officers)	2021/22	18
	2020/21	20
	2019/20	318
	2018/19	0
	2017/18	0
Refused	2021/22	0
	2020/21	0
	2019/20	1
	2018/19	0
	2017/18	0
Ongoing	2021/22	3
	2020/21	0
	2019/20	9
	2018/19	0
	2017/18	0
Withdrawn	2021/22	0
	2020/21	0
	2019/20	2
	2018/19	0

	2017/18	0
Summary of grounds for refusal:		
2021/22	Not applicable	
2020/21	Not applicable	
2019/20	1 application refused as the applicant was deemed to no longer be a fit and proper person to hold a licence.	
2018/19	Not Applicable.	
2017/18	Not Applicable.	
Trends / Comments – 2021/22		
The figures are substantially lower than two years but this is to be expected due to the fact that the ten year licence period for the initial personal licences granted under the 2005 Act for 10 years came to an end in 2019/2020. However the levels this year are similar to last year.		

## Reviews – 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022

Requests for review of Premises Licence		
Applications Received	2021/22	1
	2020/21	2
	2019/20	7
	2018/19	1
	2017/18	0
<b>Broken down as follows:</b>		
From Police Scotland	2021/22	0
	2020/21	2
	2019/20	0
	2018/19	0
	2017/18	0
From LSO	2021/22	1
	2020/21	0
	2019/20	7
	2018/19	1
	2017/18	0
<b>Decisions made:</b>		
Written Warning	2021/22	0
	2020/21	2
	2019/20	0
	2018/19	0
	2017/18	0
Revocation of Licence	2021/22	0
	2020/21	0
	2019/20	7
	2018/19	1
	2017/18	0
<b>Summary of grounds for review:</b>		
2021/22	April - 1 Review was called by the LSO however the licence was deemed to have ceased to have effect and so was not heard.	
2020/21	2 reviews sought due to acting in a manner inconsistent with the Licensing Objectives (Breakdown: 1 for acting in a manner inconsistent with the following Licensing Objectives: Prevention of Crime and Disorder and Protecting and Improving Public Health by failing to close when required to do so under the applicable coronavirus legislation and 1 for acting in a manner inconsistent with following Licensing Objectives: Prevention of Crime and Disorder and Prevention of Public Nuisance).	
2019/20	7 reviews sought as the premises' had failed to trade for a period of 3 months and the licences were treated as ceasing to have effect.	

2018/19	<i>Review sought as the premises had failed to trade for a period of 3 months and the licence holder had indicated that there were no plans to continue trading and the licence was treated as ceasing to have effect.</i>
2017/18	<i>Not Applicable.</i>

#### **Trends / Comments – 2021/22**

The low number of reviews continues to reflect the continuing success of the intervention approach adopted by Police Scotland and our LSOs in addressing issues as early as possible to find a workable solution enabling the business to continue in compliance with the licensing objectives. This supports the partnership approach approved of by the Board Only where a matter is not capable of being resolved by intervention is it then escalated to the Board by means of review. The low number in the last year is also not surprising due to the fact many premises were closed and restricted over the last year. Only 1 review was brought but was not required as the licence had ceased to have effect.

#### **Requests for review of Personal Licence**

##### **Notice of further conviction**

Applications Received	2021/22	2
	2020/21	2
	2019/20	0
	2018/19	3
	2017/18	3

##### **Broken down as follows:**

From Police Scotland	2021/22	2
	2020/21	2
	2019/20	0
	2018/19	3
	2017/18	3

##### **Decisions made:**

Endorsement	2021/22	
	2020/21	2
	2019/20	0
	2018/19	2
	2017/18	1

##### **Summary of grounds for review:**

2021/22	One licence was revoked - the licensing objectives of preventing crime and disorder and securing public safety by reason of his convictions and the pattern of offending set out by the Chief Constable, he was no longer a fit and proper person to be the holder of a licence. The second licence was endorsed as he had acted in a manner inconsistent with the licensing objectives of the prevention of crime and disorder and security public safety.
2020/21	<i>Information not included.</i>
2019/20	<i>Not Applicable.</i>
2018/19	<i>A licence holder's licence was endorsed in relation to the following Licensing Objective: Preventing Crime and Disorder.</i>
2017/18	<i>Information not included.</i>

##### **Conduct inconsistent with the licensing objectives**

Applications Received	2021/22	2
	2020/21	4
	2019/20	9
	2018/19	3
	2017/18	0

##### **Broken down as follows:**

From Police Scotland	2021/22	2
	2020/21	4
	2019/20	9
	2018/19	
	2017/18	0

##### **Decision Made:**

Endorsement	2021/22	1
	2020/21	3
	2019/20	2
	2018/19	2
	2017/18	0
Suspension of Licence	2021/22	0
	2020/21	0
	2019/20	2
	2018/19	0
	2017/18	0
Revocation of Licence	2021/22	1
	2020/21	1
	2019/20	4
	2018/19	0
	2018/17	0
No Action Taken	2021/22	0
	2020/21	0
	2019/20	1
	2018/19	0
	2017/18	0
Case Continued	2021/22	0
	2020/21	0
	2019/20	0
	2018/19	1
	2017/18	0
Summary of grounds for review:		
2021/22		
2020/21	<i>A licence holder's licence was endorsed for acting in a manner inconsistent with the licensing objectives of Preventing Crime and Disorder and Protecting and Improving Public Health. Two other review was based on conduct inconsistent with the preventing crime and disorder and preventing public nuisance objectives, with one also touching on securing public safety. Another was revoked due to no longer being deemed to be a fit and proper person when taking into account his behaviour in connection with the licensing objective of preventing crime and disorder and securing public safety.</i>	
2019/20	<i>4 revoked as licence holder was deemed not to be a fit and proper person to hold a licence following their conduct which was inconsistent with the Licensing Objectives (Breakdown: 1 for conduct inconsistent with the following Licensing Objectives: Prevention of Crime and Disorder, Prevention of Public Nuisance and Securing Public Safety; 2 for conduct inconsistent with the following Licensing Objective: Prevention and Crime and Disorder and 1 for conduct inconsistent with the Licensing Objectives: Prevention of Crime and Disorder and Securing Public Safety). 2 suspended for a period of 3 months (Breakdown: 1 for conduct inconsistent with the Licensing Objectives: Prevention of Crime and Disorder and Securing Public Safety and 1 for conduct inconsistent with the following Licensing Objective: Prevention of Crime and Disorder). 2 endorsements (Breakdown: Both for conduct inconsistent with the following Licensing Objective: Prevention of Crime and Disorder).</i>	
2018/19	Not applicable	
2017/18	Not Applicable.	
Trends /Comments – 2020/21		
The low number of reviews continues to reflect the continuing success of the intervention approach adopted by Police Scotland and our LSOs in addressing issues as early as possible to find a workable solution enabling the business to continue in compliance with the licensing objectives. This supports the partnership approach approved of by the Board Only where a matter is not capable of being resolved by intervention is it then escalated to the Board by means of review.		

Revocation of Personal Licence for failure to provide evidence of having undertaken the required refresher training.		
Revocations Made:	2021/22	10
	2020/21	169
	2019/20	706
	2018/19	149
	2017/18	141
Trends / Comments – 2020/21		
This may increase as the focus has not been on revocations in the last year due to the sheer volume of occasionals and new licences being required to be processed. This will be a focus of the team in the year ahead.		

## Licences in force at the end of the financial year – 31<sup>st</sup> March 2022

Premises Licences		
Licences In Force	2021/22	647
	2020/21	614
	2019/20	643
	2018/19	636
	2017/18	633
<b>Broken down as follows:</b>		
On Sales	2021/22	131
	2020/21	158
	2019/20	171
	2018/19	198
	2017/18	198
Off Sales	2021/22	161
	2020/21	194
	2019/20	196
	2018/19	212
	2017/18	213
Both	2021/22	239
	2020/21	262
	2019/20	276
	2018/19	226
	2017/18	222
<b>Trends / Comments – 2021/22</b>		
The number of licensed premises has increased although there are a larger number of smaller speciality distilleries and small online distribution premises than traditional on sales premises in recent years.		

Personal Licences		
Licences In Force	2021/22	2,167
	2020/21	2,583
	2019/20	2,112
	2018/19	2,416
	2017/18	2,411
<b>Trends / Comments – 2021/22</b>		
The numbers are down on where they were 5 years ago however are broadly stable.		

For further information in respect of the decisions taken by the Licensing Board please feel free to use the link below:

The Aberdeenshire Licensing Board

[Link](#)<sup>10</sup>

<sup>10</sup> <https://committees.aberdeenshire.gov.uk/committees.aspx?commid=516>

## SECTION 4



### What the Licensing Board achieved in 2021-2022

#### Work in terms of the Licensing (Scotland) Act 2005

- i. Continued regular liaison with Scottish Government on COVID-19 impacts
- ii. Continued to adapt to the impact of COVID-19 restrictions, developing and improving the continuity of business during the pandemic while staff continued to work from home.
- iii. Updating of website and guidance to ensure information provided to the trade was up to date
- iv. Officers kept up to date with regularly changing regulations in respect of COVID 19 and communicated these changes to the trade where required
- v. Despite the challenges facing the trade, the Annual Licence Fees were collected without the need for review of premises licences for all cases save one, which was deemed to have ceased to have effect in terms of S28 of the 2005 Act, which meant the review did not proceed.
- vi. Ongoing agenda setting meetings for officers via Teams to enable proper preparation of Board Agendas and to allow the preparation of guidance notes for the Convenor and Vice Convenors to ensure the smooth operation of online meetings
- vii. Partnership working to ensure that premises were informed and remained closed during restrictions in support of the licensing objectives.
- viii. Frequent amendments to the website to ensure information provided to the trade was as up to date as possible.
- ix. Officers ensured the licensing objectives were promoted throughout whilst paying cognisance to the statutory guidance published by the Scottish Government to ensure Licensing Boards were pragmatic
- x. Fortnightly meetings via Teams with the Depute Clerks and administrative assistants to work through all outstanding licensing applications to ensure all applications are being processed efficiently.
- xi. The Licensing Team have continued to expand the types of licences that can be applied for online
- xii. All staff continue to work from home
- xiii. All Board Meeting continued to take place online via skype and latterly MS Teams meetings.
- xiv. Took part in consultations from the Scottish Government on continuation of remote hearings post Covid
- xv. Commencement of work on the new Civica Case Management System
- xvi. Establishment of a Teams chat page between licensing solicitors, the licensing team and LSOS to engage quickly to address queries and issues arising relating to licence application or licensed premises
- xvii. Creation of an excel spreadsheet covering all live applications for liquor licences, problematic civic government licences, events licences and reviews of licences so that progress can be monitored and an audit trail provided

- xviii. Creation of a flow chart to explain how new premises licences and major variations are processed and the timescales involved for members of the public.
- xix. The Board acknowledged the appointment of a new LSO, Kevin MacDonald
- xx. The Board acknowledged the retiral of Sergeant Gill Flett from Police Scotland and the appointment of Sergeant Neil Grant who was welcomed by the Board
- xxi. The Board acknowledged the appointment of a new Licensing Solicitor, Lynsey Kimmitt
- xxii. Three trainee solicitors have worked on licensing applications, reports and attended the Licensing Board during the last year.
- xxiii. Commencement of work on post election training for the Aberdeenshire Licensing Board post elections in May 2022
- xxiv. Regular attendance by Licensing Team Members to virtual Licensing Conferences and the SOLAR Licensing Working Group which ensured best practices were implemented and the Boards were kept up to date with legislative changes which were frequent.
- xxv. Fortnightly Licensing Question Time (LQT) meeting via Teams to ensure that Depute Clerks, the Licensing Team and Licensing Standard Officers engaged on common licensing issues that arise across Aberdeenshire to ensure consistent advice was provided to the trade and also potential objectors.
- xxvi. Development of specific conditions for street cafes in conjunction with Aberdeenshire Council's Roads Service to ensure consistency of approach and consistency with conditions of street café consents issued by the Council

### Other work completed during the year

- i. **Received and considered the Police Scotland Annual Report**
- ii. **Work with the Resilience Group to ensure consistency of approach between Services and between the Board and Aberdeenshire Council**
- iii. **Establishment of Events Oversight Group with attendance by Depute Clerks and LSOS to ensure appropriate Public Entertainment Licences and Occasional Licences are in place for events throughout Aberdeenshire**
- iv. **Considered Scottish Government proposals for Short Term Let Licensing and fairground licensing**
- v. **Completion of the Equalities Mainstreaming Report and Approval of new Equality Outcomes for the Board**

Reviewed the Gambling Statement of Licensing Principles in terms of additional duties under the Gambling Act 2005 and published this on the Council's website

- ii. As part of the review of the Gambling Statement of Licensing Principles, created and published Local Area Profiles

## Work of the Licensing Administration Team

Over the last 12 months the Licensing Team have maintained our quality of service through changing times, while adapting to new regulations and a working from home setup as a team who previously worked in offices full-time.

Prior to March 2020 most of our applications were received by post with cheque payments, however, with offices closed to the majority of staff and the Council no longer accepting cheque or cash payments, we quickly swapped to encourage application by email and taking telephone payments for them. These changes allow us to continue processing and producing licences which have enabled the licensed trade to operate as best they could, most notably during the continuation of outdoor only drinking when regulations required, where many licensed premises opted to apply for occasional licences to continue operating. Many premises are now submitted major variation applications so they can continue to operate outdoors without continuously applying for two week occasionals.

During this time, we have encouraged applicants to make their applications online where possible, meaning applicants can complete a digital form and pay for their licence through our online portal, which speeds up the process for not only the applicant but for us too. So far Occasional, Personal, Lottery, Taxi/Private Hire Driver and Vehicle grant and renewal applications can now all be made online. We plan to continue moving our applications online over the coming years, so that all licence types will be available to apply for online.

## Work of the Licensing Standards Officers

The role of the LSO throughout 2020/21 has been dominated by the pandemic. It was recognised that the relationship between the LSOs and the licensed/hospitality sector would be key to guiding the trade through the complexities of the Coronavirus regulations. To that end the LSOs were co-opted into the COVID 19 team within Environmental Health to assist with the delivery of key messaging, assisting with advice and ultimately ensuring compliance with the regulations. Throughout the period the LSOs have regularly updated licence holders when changes to guidance and regulations have occurred through email and webinars.

In addition the LSOs have dealt with complaints of non-compliance using the 4 'E's approach method, with engagement and education being the first steps with enforcement being the last resort. Over the period there has been over 1,242 queries dealt by the LSOs out of a total of 2699 by the wider COVID 19 team. Only 2 prohibition notices and 4 'Directions' have been issued for non-compliance. All the above has been delivered whilst maintaining their normal licensing functions in relation to consultations etc. It has been a challenging year for the team, especially given the speed of change that has been required. The LSOs have embraced this work and have been key players in delivery of the Public Health message.

## SECTION 5

### Goals for 2022-2023

[Needs drafted]



### Statement by the Aberdeenshire Licensing Board

- Appointment of new Licensing Board
- Appointment of Convenor and Vice Convenor of the new Licensing Board
- Completion of Mandatory Training by new Board Members and Depute Clerks
- Completion of Induction Training for New Board Members
- Adoption of Existing Policies and Procedures by the new Board to allow the continuation of business for application during the bedding in of the new Board and review of Policy.
- Review of Licensing Policy Statement
- Implementation of new Civica Case Management System
- Potential reestablishment of Licensing Forum
- Annual Meeting of the Board and Licensing Forum if Re-established
- Visits to Licensed Premises in conjunction with Police Scotland and Licensing Standards Officers when it is considered safe to do so.
- Continuation of Virtual Meetings and exploration of the feasibility and resource requirements of Hybrid Meetings moving forward
- Enhancing the Public Register.
- Enhancing the Application Process e.g. Online Payments and applications.
- Creation of a new map for the Aberdeenshire Licensing Board for all policy documents and Guidance documents.

## SECTION 6

### Financial Information



#### Licensing Board – Income and Expenditure



INCOME	2017/18	2018/19	2019/20	2020/21	2021/22
Fees Received	£286,098.75	£312,955.86	£326,419.94	£288,870.19	£310,168.62

<b>TOTAL INCOME</b>	<b>£286,098.75</b>	<b>£312,955.86</b>	<b>£326,419.94</b>	<b>£288,870.19</b>	<b>£310,168.62</b>
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EXPENDITURE	2017/18	2018/19	2019/20	2020/21	2021/22
<i>Staffing Costs</i>					
Licensing Standards Officers	£95,842.43	£90,277.02	£96,341.11	£100,102.49	£93,045.01
Legal and Administrative Staff	£125,858.47	£150,360.13	£154,765.19	£157,314.45	£138,037.98
<i>Direct Overheads</i>					
Postage and Stationary	£2,208.75	£3,756.78	£2,699.36	£178.22	£151.73
Travel and Subsistence	£3,027.68	£4,356.93	£1,702.47	£132.51	£488.98
General Legal Expenses	£1,694.46	£2,758.66	£5,186.17	£51.15	£0.00
Hospitality	£0.00	£0.00	£0.00	£0.00	£0.00
Miscellaneous (Insurance, Banking Charges)	£41.00	£0.00	£0.00	£0.00	£2,297.05
<i>Indirect Overheads</i>					
Central Charge – Accommodation	£16,698.04	£12,879.64	£13,161.86	£11,164.15	£15,288.73
Central Charge - Administration	£175,139.98	£189,297.34	£158,088.21	£180,388.45	£25,781.92

<b>TOTAL EXPENDITURE</b>	<b>£420,912.24</b>	<b>£454,120.27</b>	<b>£432,339.97</b>	<b>£448,969.54</b>	<b>£275,091.40</b>
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BALANCE	2017/18	2018/19	2019/20	2020/21	2021/22
Prior to deduction of Indirect Overheads	£57,024.53	£61,012.57	£65,330.04	(£29,705.73)	£75,455.51
After deduction of Total Expenditure	(£134,813.49)	(£141,164.41)	(£105,920.03)	(£161,846.87)	£34,384.86



FINAL BALANCE	(£134,813.49)	(£141,164.41)	(£105,920.03)	(£161,846.87)	£34,484.86
	DEFICIT	DEFICIT	DECIFIT	DEFICIT	SURPLUS

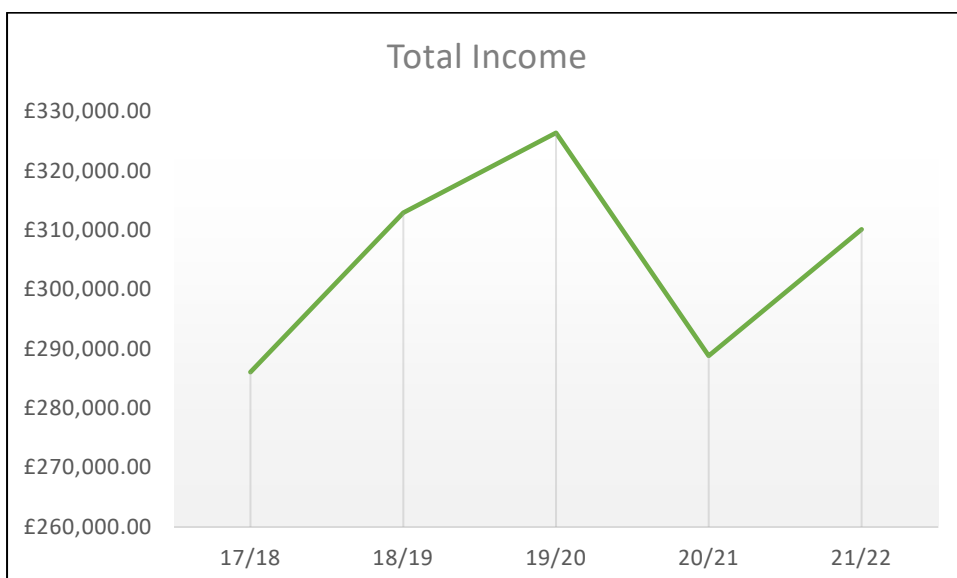
The surplus is being reinvested into the service and being used to pay for temporary staff to assist in dealing with the temporarily high volume of applications.

## Calculation Statement



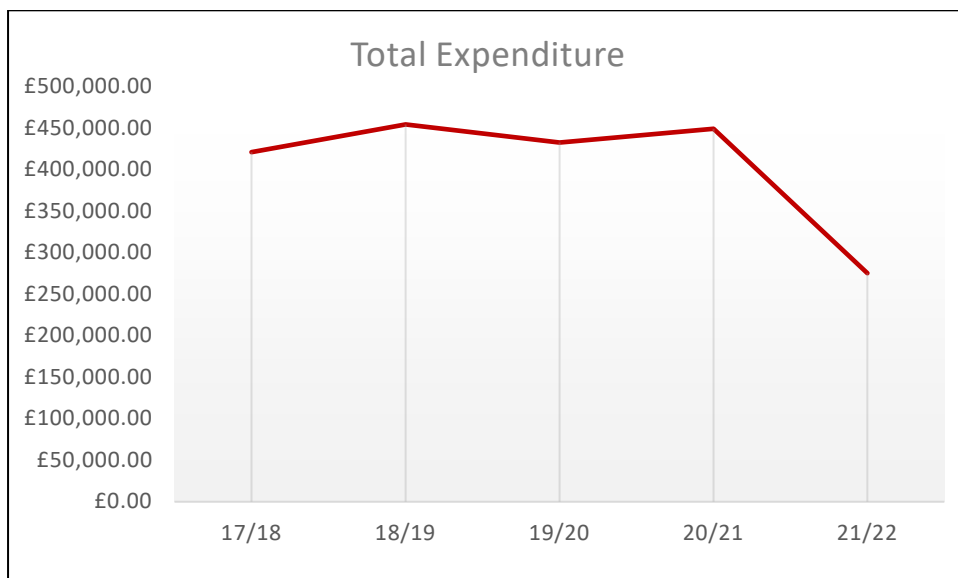
Proportion of overall costs allocated to the Licensing Board					
Description of costs	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Staffing costs</b>					
Licensing Standards Officers	60%	60%	60%	60%	60%
Administrative Supervisor	30%	30%	30%	30%	30%
FTE Administration Staff (x3)	100%	100%	100%	100%	100%
Solicitors	30%	30%	30%	30%	30%
<b>Direct Overheads</b>					
Licensing Standards Officers – Travel and Subsistence	100%	100%	100%	100%	100%
Legal and Administrative Staff – Travel and Subsistence	60%	60%	60%	60%	60%
<b>Indirect Overheads</b>					
Central Charges – Accommodation	30%	30%	30%	30%	30%
Central Charges – Administration	30%	30%	30%	30%	30%

## Charts and Trends



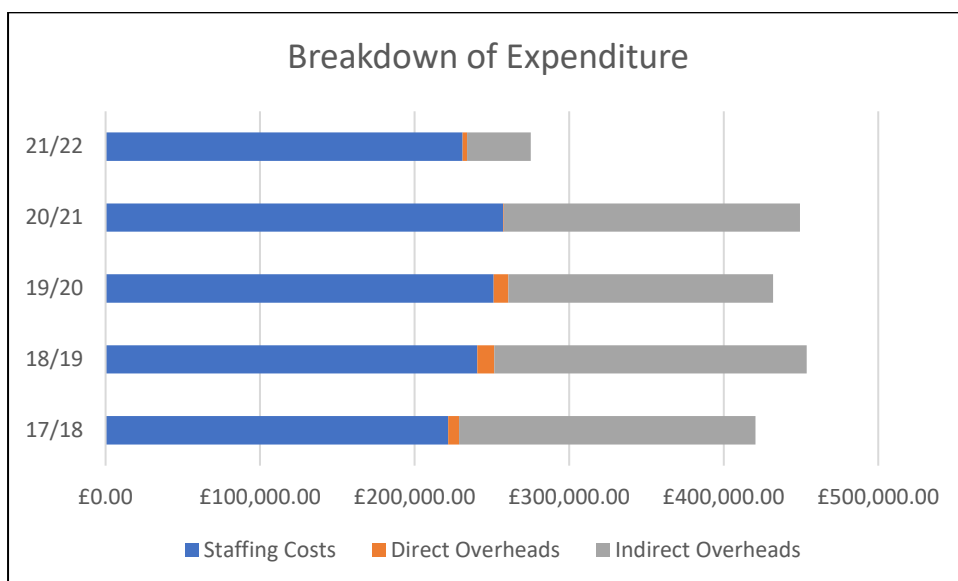
### Comments:

The initial effects of the impact in terms of the closure of premises are evident in terms of the 20/21 financial year but as restrictions lifted and premises looked to diversify their business (e.g. opening of outdoor drinking areas) this increased the volume of applications received and this led to an increase in the Board's income for 21/22 which returned to a normal level.



#### Comments:

The Board's overall expenditure dropped significantly in 21/22 and this is largely down to the measures which were taken during the pandemic to ensure that service continued in a safe and efficient manner (e.g. continuation of electronic applications and meetings) which continued the savings made within the last financial year and further savings were made as a result of staff reorganisation / changes. Central Charges have also been recalculated which has had a positive impact.



#### Comments:

The breakdown of the Board's expenditure shows a reduction in the Board's staffing costs as well as a significant reduction in the indirect costs. There was a small uplift in the direct overheads over the last financial year.

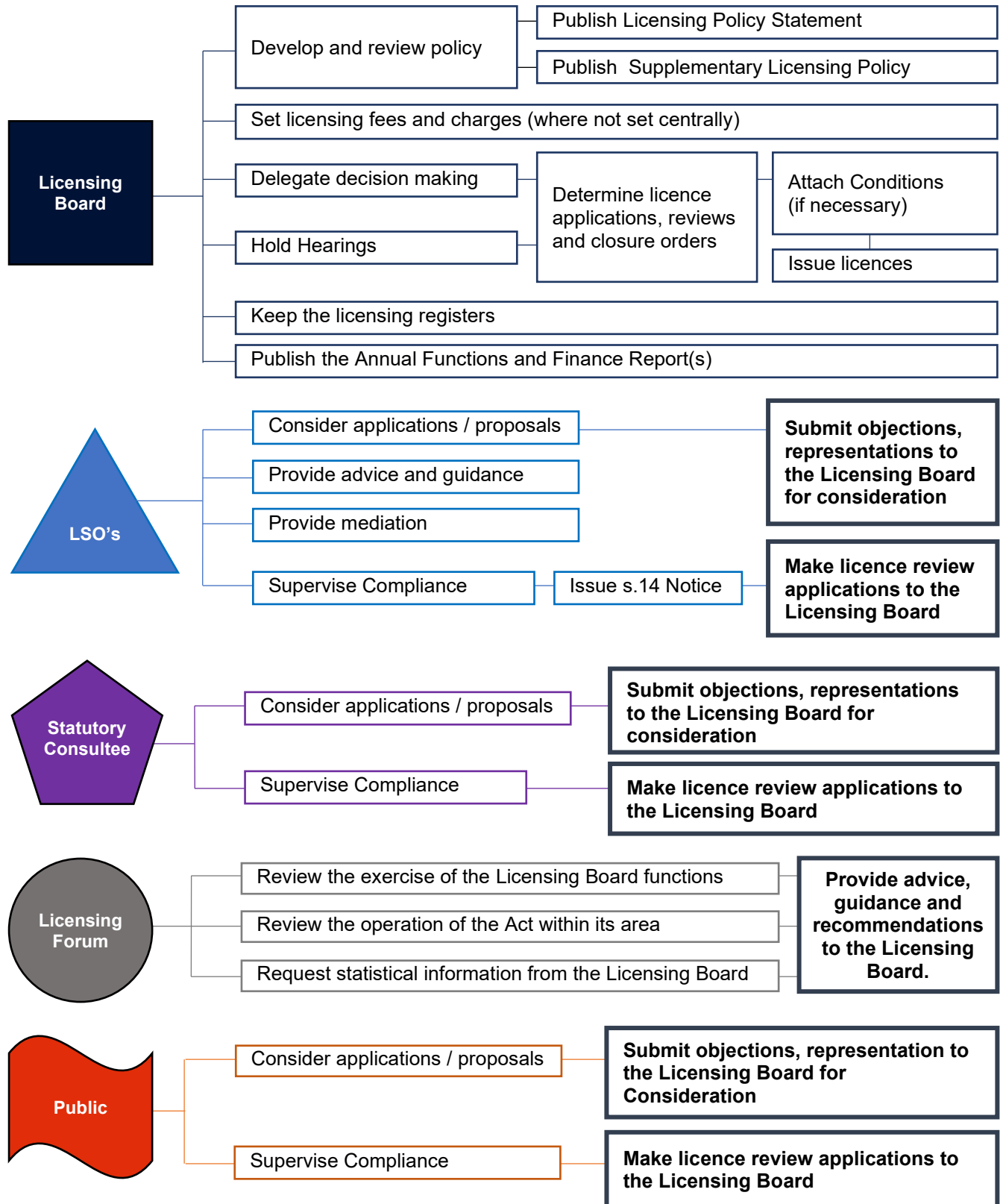


**Comments:**

The Board's financial position at the end of 21/22 is positive with a surplus being made for the first time in 5 years. This is the result of a return to pre-covid levels of income as well as a significant reduction in the Board's expenses.

# APPENDIX 1

## Flowchart - Key stakeholders and their functions



## The Licensing Board

The 2005 Act provides that a Licensing Board or Boards will be appointed for the purpose of administering the system of considering applications for licences in accordance with the provisions of the 2005 Act and its associated regulations and for considering requests for review of premises licences.

The Licensing Board must be made up of no fewer than 5 members and no more than 10 members.

Aberdeenshire Council appoints members to the Licensing Board at their first Full Council meeting after a Local Government Election. A person must have been elected as a Councillor to be able to sit on the Board.

All Members appointed to a Licensing Board must sit and pass a mandatory exam before being able to sit on the Board and make decisions.




The Licensing Board must have a legally qualified Clerk and administrative support is supplied by Aberdeenshire Council. The Board does not employ any staff directly.

The Licensing Board is an independent public body and is separate from the Council.

## Licensing Standards Officers (“LSOs”)

LSOs work with licence holders, the public, the Police and the business community in seeking to promote the licensing objectives.

LSOs have the following duties:

	Guidance
	Mediation
	Enforcement

Aberdeenshire Council employs 4 LSOs who are based within the council's 'Environmental Health Service' and they are employed to work within all parts of Aberdeenshire.

LSOs must sit a mandatory training course and pass an exam within 1 year of being appointed to their post.

Our LSOs can be contacted at [LSO@aberdeenshire.gov.uk](mailto:LSO@aberdeenshire.gov.uk)

Further information in respect of our LSOs can also be found on our website via the following [link](#)<sup>11</sup>.

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<sup>11</sup> See: <https://www.aberdeenshire.gov.uk/licensing/alcohol/contact-us/>

## Statutory Consultees

The Board is obliged to consult with the following persons / groups of persons when processing applications:

Application Type	Consultees
Premises Licences (Incl. Major Variations)	Police Scotland Scottish Fire and Rescue, Planning Service, Building Standards, Environmental Health, LSOs, Public Health, Community Councils and any persons owning or occupying a property within a 4-metre radius of the application premises.
	Additionally, applications are advertised on the Board's website <a href="#">here</a> <sup>12</sup> .
Personal Licences	Police Scotland and LSOs
Transfer of Licences	Police Scotland
Applications for Extended Hours	Police Scotland and LSOs
Applications for Occasional Licences	Police Scotland and LSOs
	The applications are advertised on the Board's website <a href="#">here</a> <sup>13</sup> .

Further information on how the Board processes applications and deals with reviews can be found with the Board's Licensing Policy Statement which can be found [here](#)<sup>14</sup>.

Detailed guidance on individual licence types and application fees can be found [here](#)<sup>15</sup>.

## Licensing Forum

The terms of reference for the Forum are:

- (a) To keep under review –
- I. The operation of the 2005 Act in Aberdeenshire; and
  - II. In particular, the exercise by the Licensing Board of their functions, and

<sup>12</sup> See: <https://upa.aberdeenshire.gov.uk/online-applications/search.do?action=simple&searchType=LicencingApplication>

<sup>13</sup> See: <https://upa.aberdeenshire.gov.uk/online-applications/search.do?action=simple&searchType=LicencingApplication>

<sup>14</sup> See: <https://www.aberdeenshire.gov.uk/licensing/alcohol/policies/licensing-policies/>

<sup>15</sup> See: <https://www.aberdeenshire.gov.uk/licensing/licences-and-permits/?tag=Alcohol#records>

give such advice and make such recommendations to any of those Boards in relation to those matters as the Forum considers appropriate.

- (b) To consider the implications of relevant local data and statistics provided to the Forum by Police Scotland and the local Health Board;
- (c) To meet with the Licensing Board at least once per year; and
- (d) To advise the Licensing Board on any matters of policy and other areas of concern.

Details of Licensing Forum Meetings can be found [here](#)<sup>16</sup>.

Members of the public can also email their views, suggestions or comments on local licensing matters to the Licensing Forum at [licensing.forums@aberdeenshire.gov.uk](mailto:licensing.forums@aberdeenshire.gov.uk).

Unfortunately, the Chair of the Licensing Forum resigned during the course of 2020/2021. It is a goal for 2022/2023 to attempt to reinstate the Licensing Forum.

## The Public

The public may access the online Licensing Register [here](#)<sup>17</sup>, this allows members of the public to view details of the current licence applications that have been lodged as well as licences that have been issued previously.

Any person can object or lodge a representation (including letters of support) in respect of a licence application. More details information on objections / representations can be found [here](#)<sup>18</sup>.

Details of how to appeal a decision to grant a licence where you have previously lodged a relevant objection or representation can be found [here](#)<sup>19</sup>.

## Licence Fees and Funding

In the main, licence fees are set centrally by the Scottish Government by way of Statutory Instrument. The Board's fees for each licence type can currently be found [here](#)<sup>20</sup>.

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<sup>16</sup> See: <https://committees.aberdeenshire.gov.uk/committees.aspx?commid=509>

<sup>17</sup> See: <https://www.aberdeenshire.gov.uk/licensing/licence-register/>

<sup>18</sup> See: <https://www.aberdeenshire.gov.uk/licensing/alcohol-appeal-objection/>

<sup>19</sup> See: <https://www.aberdeenshire.gov.uk/licensing/licensing-appeals/>

<sup>20</sup> See: <https://www.aberdeenshire.gov.uk/licensing/alcohol/policies/licensing-policies/>