

**ABERDEENSHIRE LICENSING BOARD**

**Minute of the Special Meeting of the ABERDEENSHIRE LICENSING BOARD,  
held by MICROSOFT TEAMS only on 25 OCTOBER 2023 at 2.15 pm**

*Sederunt:*

*Board Members:*

*Mrs M Ewenson(Convenor), Mrs Dawn Black (Vice-Convenor), Mr Geoff Crowson, Mr Jeff Goodhall, Mr Trevor Mason, Mr Richard Menard, Mrs Jenny Nicol and Mr Iain Taylor*

*In Attendance:*

*Karen Wiles, Clerk to the Board; Fiona M Stewart, Martin Ingram, and Lynsey Kimmitt, Depute Clerks to the Board'; PC Ian Duthie, Police Scotland; Lisa Godini and Kevin MacDONald, Licensing Standards Officers; Harriet Tevendale, Paralegal*

*Observing: Jenny Mearns, Senior Administrator (Livestreaming); Beatrice Hay, Administrator; and Kelly Bissett, Trainee Solicitor*

*Forum Members: None*

*Apologies: Mr Stewart Adams and Ms Mel Sullivan*

*The Convenor welcomed everyone to the meeting.*

**1 Sederunt and Declaration of Members' Interests**

The Chair asked Members if they had any interests to declare, in terms of the Councillors' Code of Conduct. No interests were declared.

**2 Public Sector Equality Duty**

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) To have due regard to the need to:-
  - (a) eliminate discrimination, harassment and victimisation;
  - (b) advance equality and opportunity between those who share a protected characteristic and persons who do not share it; and
  - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) To consider, where an Integrated Impact Assessment has been provided, its contents and to take those into consideration when reaching a decision.

### **3 Licensing (Scotland) Act 2005 - Application for Grant of Occasional Extension - The Haughton Arms**

1. The Applicant, Suraj Thapa was present at the meeting by phone.
2. Lisa Godini, Licensing Standards Officer was present at the meeting.
3. Pc Ian Duthie represented the Chief Constable at the meeting.
4. The Depute Clerk highlighted the procedure for the hearing
5. As a preliminary matter, the Board determined whether the application met the requirements of Section 68(1) of the Licensing (Scotland) Act 2005. The Board found that the application did NOT meet the requirements Section 68(1) as the terms of the current premises licence already provided for live entertainment, which would include bands playing, at the premises as a matter of normal operation. For that reason there was no special event or occasional being catered for on the premises.
6. The Board's decision was unanimous.
7. Having found the application not be competent, there was no requirement to proceed with the rest of the hearing.

### **4 Approval of Statement of Licensing Policy and Overprovision Policy**

Having considered the terms of a report by the Clerk to the Board relating to the approval of the Board's Statement of Licensing Policy and Overprovision Policy for the period 2023 – 2028, dated 18<sup>th</sup> October 2023, copies of which had been circulated to Members in advance, the Board:

1. Approved the Statement of Licensing Policy and Overprovision Policy Statement as set out in Appendix 1 to the report.
2. Approved the Action Plan set out at Appendix 2 to the report
3. Authorised Officers to finalise the formatting of the Policy Statement and Publish it on the Board's Website by 1<sup>st</sup> November 2023.
4. Authorised offices to update the Policy Statement to reflect any legislative changes or changes in online links, as required, during the lifetime of the Policy.
5. Agreed to recommend that the Business Services Committee of Aberdeenshire Council consider taking steps necessary to re-instate the Aberdeenshire Licensing Forum based on the information compiled within Appendix 4 to the report.

### **5 Date of Next Board Meeting**

The Board noted the date of the next Board Meeting was 20<sup>th</sup> December 2023.