

Licensing Standards Officer and Enforcement

Licensing Standard Officers (LSOs)

LSOs are employed by Aberdeenshire Council and have the functions set out in S14 of the Act. Their role is threefold - guidance, mediation and compliance. LSOs work with licence holders, the public, the Police and the business community in seeking to promote the licensing objectives and ensuring compliance with the law.

The Boards

The Boards will follow best practice in enforcement and strive to be - proportional; Accountable; Consistent; Transparent and Targeted.

When a matter is submitted to the Boards by the LSO it will be anticipated, except in the most serious cases, that attempts have been made through advice and negotiation to address these issues.

It is envisaged that very few such cases would need to be submitted to the Boards. However, it should be appreciated that in appropriate cases the Boards will not hesitate to use their powers to suspend or revoke a licence notwithstanding that this may have a detrimental impact on the business.

The Boards will take particular matters seriously when it comes to active promotion of the licensing objectives. A list of particularly serious matters is detailed below:-

- Use of the premises for the use or supply of drugs;
- Use of the premises for laundering the proceeds of crime including drug crimes;
- Use of the premises for the sale or distribution of illegal firearms;
- Use of the premises for the sale or supply of stolen or counterfeit goods;
- Underage purchase and/or consumption of alcohol;
- Use of the premises for prostitution or sale/distribution of unlawful pornography;
- Use of the premises for unlawful gaming;
- Use of the premises for the organisation of racist, homophobic or sexual abuse or attacks;
- Failure to promptly respond to a warning properly given by the Fire Authority or other competent authority on a matter of public safety at premises;
- Failure to avoid easily avoidable but critical risks, including any obstruction of an escape route to, and if necessary beyond a fire exit, and the locking or fastening of fire exit doors during times that premises are open for trade, will be considered an extremely serious failure owing to the dangers to the public;

- Nuisance from noise or smell caused by a failure to install any or inadequate equipment and/or failure to maintain such equipment;
- Failure to implement an effective policy to prevent fly posting and to contain or collect litter from flyers or other advertising materials discarded in the vicinity of the premises;
- Failure to implement an effective policy to contain or collect litter discarded in the vicinity of the premises;
- Previous convictions for licensing offences;
- Failure to comply with licence conditions;
- Any other matter that the Board considers to be serious in the particular circumstances of the application or licence being considered by them.

The above list is not exhaustive.