**NORTH LANARKSHIRE LICENSING BOARD –**

**ANNUAL FUNCTIONS REPORT 2022-2023**

# **Introduction**

North Lanarkshire Licensing Board (NLLB) is the licensing authority for the area of North Lanarkshire, for the purposes of the Licensing (Scotland) Act 2005 (LSA 2005). The NLLB comprises of ten members, all of whom are Elected Members of North Lanarkshire Council.

North Lanarkshire is located in the West of Scotland and has a population of around 341,000 people and covers one of the largest unitary authority areas in the country. The principal centres of population are:-

## The Southern Area – Motherwell, Wishaw and Bellshill;

## The Central Area – Coatbridge and Airdrie; and

## The Northern Area – Cumbernauld and Kilsyth.

NLLB is a licensing authority for the purposes of the LSA 2005 and is responsible for the consideration of applications for:-

## premises licences;

# occasional licences;

# temporary licences;

# provisional licences;

# personal licences;

# variation of licences;

# review of licences;

# transfers of licences; and

* extensions of licensing hours.

in the area of North Lanarkshire in respect of:-

* the sale of alcohol by retail and
* the supply of alcohol in members’ clubs.

There are currently 707 licensed premises within the North Lanarkshire area.

# **The Licensing Objectives**

The LSA sets out the following five licensing objectives:-

* preventing crime and disorder;
* securing public safety;
* preventing public nuisance;
* protecting children and improving public health and
* protecting children and young persons from harm.

North Lanarkshire Licensing Board is acutely aware of its responsibilities to uphold the licensing objectives equally and the Board details its approach to the objectives in its Statement of Licensing Policy. Within this policy NLLB strives to ensure that both licence holders and the residents of North Lanarkshire are fully informed of the Licensing Board’s approach and expectations of the operation of licensed premises in its area.

In the Board’s Licensing Policy document there is inter alia information about over provision, the Board’s policy on licensed hours and the Boards approach in relation to the admission of children and young persons.

# **Annual Functions Report**

# The scope of this report is to detail the operation of the Board during the period from 1 April 2022 until 31 March 2023.

In terms of Section 9A of the LSA 2005 an Annual Functions Report must include:-

## a statement explaining how the Board has had regard to the licensing objectives, and

## the Board’s Policy Statement in the exercise of their functions under the Act;

## a summary of decisions made by the Board;

## information about the number of licences held in the Board’s area including occasional licences.

During this period, the Board met 9 times. A summary of the matters considered at these meetings is included in the table below:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Date** | **Meeting**  **type** | **Premises/**  **Provisional Licence**  **Applications** | **Variation**  **Of Premises Licence**  **Applications** | **Personal**  **Licence**  **Applications** | **Personal**  **Licences**  **Hearings** | **Premises**  **Licences**  **Review**  **Hearings** |
| 7.7.2022 | Ordinary | 0 | 0 | 0 | 0 | 0 |
| 19.8.2022 | Ordinary | 1 | 6 | 0 | 0 | 0 |
| 25.11.2022 | Ordinary | 6 | 0 | 0 | 1 | 1 |
| 2.9.2022 | Ordinary | 2 | 0 | 0 | 0 | 0 |
| 30.9.2022 | Ordinary | 3 | 1 | 0 | 1 | 1 |
| 19.12.2022 | Ordinary | 4 | 0 | 0 | 0 | 0 |
| 20.1.2023 | Ordinary | 2 | 1 | 0 | 0 | 0 |
| 24.2.2023 | Ordinary | 2 | 5 | 0 | 0 | 0 |
| 17.3.2023 | Ordinary | 0 | 6 | 0 | 0 | 0 |
|  |  |  |  |  |  |  |
| **Totals** |  | **20** | **19** | **0** | **2** | **2** |

Only applications which require to be heard at a full meeting of the Board are included in the table. Other licence applications such as occasional licences and extended hours can be granted by the Clerk to the Licensing Board without the need for a hearing. The Clerk can only grant such a licence where an application is not contrary to the licensing policy and no objections are received. In the period from 1 April 2022 until 31 March 2023, 451 occasional licences were granted. Within the same period 242personal licences were granted.

# **Decisions of the Board**

Each application which a Licensing Board has to consider is decided on its individual merits. When considering applications the Board must have regard to the LSA 2005 and the licensing objectives. The Board must also have regard to whether the application is in line with the Board’s policy statement.

# **Licensed Hours**

The Board recognises the importance of licensed hours to the operators of licensed premises. The Board is also aware that when licensed premises are open they can have an impact on persons who live and work near to premises.

The Board’s policy on licensed hours is dependent on the type of operation that is being conducted and details of the Board’s policy are contained in the Board’s Statement of Licensing Policy.

# **Licensing Board Training**

The LSA 2005 states that all Licensing Board members are required to undergo a training qualification within three months of being elected as a member of the Licensing Board. The qualification is accredited by the Scottish Qualifications Authority. The North Lanarkshire Board members have all received their training which was carried out by Alcohol Focus.

Further to this qualification Licensing Board members are updated on a range of different sources of information to ensure they are kept fully addressed of developments (in particular legislative changes).

# **The Local Licensing Forum**

The Licensing Forum membership includes Licensing Standards Officers, representatives of the licensed trade, licence holders and a representative of the chief constable. The Forum has worked well in partnership with the Licensing Board and the Licensing Board provides statistical information for the Forum regularly. The Licensing Board acknowledge the work the Forum does in the local area.

# **Financial Statement of the Board**

The Board’s current Financial Statement can be found on the Council’s website

# **Staff who service the Board**

The Licensing Board endeavour to ensure that it’s officers are kept up to date in all aspects of licensing therefore officers are given permission to attend conferences.

The Depute Clerks to the Board regularly attend Central Law Training licensing events and also “SOLAR” (Society of Local Authority Lawyers and Administrators in Scotland) licensing events.

# **Review of Licensing Policy Statement**

In preparation of its most recent Statement of Licensing Policy the Board consulted with partners such as the NHS, Police Scotland, Scottish Fire & Rescue Service, Council services and all premises licence holders in the area of North Lanarkshire. The Board undertook a public Consultation on the review of the Licensing Policy Statement and published a new statement in November 2018 which relates to the period from then until 18 months after the next ordinary local government elections. The new Licensing Policy Statement will be published in November 2023.

# **Conclusion**

The Board endeavours to ensure that the licensing function in North Lanarkshire operates in a fair and balanced manner. The Board is clearly aware of its responsibilities in relation to the licensing objectives.