

NORTH LANARKSHIRE LICENSING BOARD

The Licensing (Scotland) Act 2005

**Annual Functions Report
2023-2024**

Clerk to the Licensing Board
North Lanarkshire Council
Civice Centre
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1. Introduction

- 1.1 North Lanarkshire Licensing Board (“the Board”) is the licensing authority for the area of North Lanarkshire, for the purposes of the Licensing (Scotland) Act 2005 (“the Act”). The Board comprises ten members, all of whom are Elected Members of North Lanarkshire Council.
- 1.2 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:-
 - 1.2.1 The Southern Area – Bellshill, Motherwell, Shotts and Wishaw;
 - 1.2.2 The Central Area – Aridrie and and Caotbridge; and
 - 1.2.3 The Northern Area – Cumbernauld and Kilsyth.
- 1.3 The Board is a licensing authority for the purposes of the Act and is responsible for the consideration of applications for:-
 - 1.3.1 premises licences;
 - 1.3.2 occasional licences;
 - 1.3.3 temporary licences;
 - 1.3.4 provisional licences;
 - 1.3.5 personal licences;
 - 1.3.6 variation of licences;
 - 1.3.7 review of licences;
 - 1.3.8 transfers of licences; and
 - 1.3.9 extensions of licensing hours.
- 1.4 The Board is responsible for the consideration of the above applications in the area of North Lanarkshire in respect of:-
 - 1.4.1 the sale of alcohol by retail; and
 - 1.4.2 the supply of alcohol in members’ clubs.
- 1.5 There are currently 703 licensed premises within the North Lanarkshire area.

2. The Licensing Objectives

- 2.1 The Act sets out the following five licensing objectives:-
 - 2.1.1 preventing crime and disorder;
 - 2.1.2 securing public safety;
 - 2.1.3 preventing public nuisance;
 - 2.1.4 protecting children and improving public health; and
 - 2.1.5 protecting children and young persons from harm.
- 2.2 North Lanarkshire Licensing Board is 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, the Board 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.

2.3 The Board's Licensing Policy document includes information about over provision, its policy on licensed hours and its approach in relation to the admission of children and young persons.

3. Annual Functions Report

3.1 The scope of this report is to detail the operation of the Board during the period from 1 April 2023 until 31 March 2024.

3.2 In terms of Section 9A of the of the Act, an Annual Functions Report must include:-

3.2.1 a statement explaining how the Board has had regard to the licensing objectives;

3.2.2 the Board's policy statement in the exercise of their functions under the Act;

3.2.3 a summary of the decisions made by the Board; and

3.2.4 information about the number of licences held in the Board's area including occasional licences.

3.3 During this period, the Board met eight 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 Licence Hearings	Premises Licences Review Hearings
21 April 2023	Ordinary	1	7	0	1	0
16 June 2023	Ordinary	5	15	1	0	0
4 August 2023	Ordinary	3	8	0	0	0
29 September 2023	Ordinary	2	1	0	0	0
27 October 2023	Ordinary	4	6	0	0	0
24 November 2023	Ordinary	1	5	1	0	0
26 January 2024	Ordinary	2	2	1	0	0
1 March 2024	Ordinary	3	1	0	0	0
Totals		21	45	3	1	0

3.4 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, extended hours and personal licences 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 2023 until 31 March 2024, 568 occasional licences and 226 personal licences were granted.

4. Decisions of the Board

- 4.1 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 Act and to the licensing objectives. The Board must also have regard as to whether the application is in line with the Board's policy statement.

5. Licensed Hours

- 5.1 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.
- 5.2 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.

6. Licensing Board Training

- 6.1 The Act requires all Licensing Board members 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.
- 6.2 Further to this qualification, Licensing Board members are updated from a range of different sources of information to ensure they are kept fully apprised of developments (in particular legislative changes).

7. The Local Licensing Forum

- 7.1 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 on a regular basis. The Licensing Board acknowledges the good work the Forum does in the local area.

8. Financial Statement of the Board

- 8.1.1 The Board's Financial Statement can be found on the Council's website.

9. Staff who service the Board

- 9.1 Relevant employees attend appropriate licensing training and network events.

10. Review of Licensing Policy Statement

- 10.1 In the preparation of its 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 which received a limited response. Accordingly, further consultation will be undertaken.

11. Conclusion

- 11.1 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.