

**East Dunbartonshire Licensing Board**

**Licensing (Scotland) Act 2005,  
Section 9A**

**Annual Functions Report 2019 - 2020**

Further copies of this Report may be obtained from the  
undernoted address or East Dunbartonshire Council's website:-

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## PART 1

### INTRODUCTION

#### **1.0 The Licensing (Scotland) Act 2005**

1.1 This Report has been prepared in accordance with the provisions of Section 9A of the Licensing (Scotland) Act 2005 as amended (the “Act”). The Act makes provision for regulating the sale of alcohol and for regulating licensed premises and other premises on which alcohol is sold.

1.2 Under the Act, licensing boards will be responsible for considering applications for:

- Premises licences;
- Occasional licences;
- Provisional licences;
- Temporary licences;
- Personal licences;
- Transfer of premises licences;
- Variation of premises licences; and
- Extensions of licensing hours.

#### **2.0 East Dunbartonshire Licensing Board**

2.1 East Dunbartonshire Licensing Board (the “Board”) is the licensing authority for the local government area of East Dunbartonshire for the purposes of the Act. The Board comprises ten members, all of whom are elected members of East Dunbartonshire Council. The Board is responsible for the functions set out in paragraph 1.2 above within East Dunbartonshire.

2.2 East Dunbartonshire is situated just north of Glasgow and covers an area of some 77 square miles. Around 105,000 people live within the area which is bounded to the north by the Campsie Hills. Local communities include Bearsden, Bishopbriggs, Kirkintilloch, Lennoxton, Lenzie, Milngavie, Milton of Campsie, Torrance and Twechar. A map of East Dunbartonshire is provided in Appendix 1 to this Report.

#### **3.0 The Licensing Objectives**

3.1 Section 4 of the Act sets out the following five licensing objectives:-

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

The 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 the policy the Board seeks to ensure that both the licence holders and the residents of East Dunbartonshire are fully informed of the Board's approach and expectations with regard to the operation of licences premises in its area.

## PART 2

### **ANNUAL FUNCTIONS REPORT**

#### **4.0 Annual Functions Report**

4.1 The purpose of this Annual Functions Report (the “**Report**”) is to detail the operation of the Board during the period from 1 April 2019 until 31 March 2020.

4.2 In terms of Section 9A of the Act, the Report must include:-

- (a) a statement explaining how the Board has had regard to –
  - i. the licensing objectives; and
  - ii. its Licensing policy statement and any supplementary licensing policy statement, in exercise of its functions under the Act during the financial year;
- (b) a summary of decisions made by the Board during the financial year; and
- (c) information about the number of licences held in the Board’s area, including occasional licences.

#### **5.0 Decisions of the Board**

5.1 During the period specified in paragraph 4.1 above, the Board met 8 times and the following licences were granted and refused:-

• Premises licences	3
• Occasional licences	238
• Provisional licences	4
• Temporary licences	0
• Personal licences	252
• Transfer of premises licences	6
• Variation of premises licences	103
• Extensions of licensing hours	65
• Refused Licences	0

5.2 Applications to the Board are processed in a speedy, efficient and cost effective manner. Each application is considered on its individual merits and in accordance with the Act and the Statement of Licensing Policy.

5.3 The Board recognises that licensing hours are important to individual licensed premises operators. The Board also recognises that when licensed premises are open they can have a wider impact on persons who work and live in the area.

5.4 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.

## **6.0 Licensing Board Training**

6.1 The Act requires that all Board members undergo training qualifications. All Board members have received training from Alcohol Focus Scotland.

6.2 In addition to the statutory training, Board members are updated with any other relevant legislative changes.

## **7.0 The Local Licensing Forum**

7.1 The membership of the Local Licensing Forum ("**Licensing Forum**") includes Licensing Standards Officers, representatives of the licensed trade, licence holders and a representative of Police Scotland. The Licensing Forum was reconstituted in December 2018 following the public consultation and publication of the Licensing Policy Statement which is effective for the period until 5 November 2023.

## **8.0 Licensing Board Financial Statement**

8.1 The Board's Annual Financial Report for 2019 - 2020 can be accessed on the Licensing Board's website.

## **9.0 Review of Licensing Policy Statement**

9.1 The Board reviewed its Statement of Licensing Policy in 2018. In doing so, the Board undertook a consultation exercise from 2 November 2018 to 30 November 2018. The Board consulted with the public and partners such as NHS, Police Scotland, the Scottish Fire and Rescue Service, the local Licensing Forum and all premises licence holders in the East Dunbartonshire area. The Board completed the review and approved a statement of licensing policy for the next licensing policy period. The licensing policy is effective for the period until 5 November 2023, unless the next planned date for the ordinary election of councillors is moved for any reason.

## **10.0 Conclusion**

10.1 The Board is clear in its responsibilities in relation to the licensing objectives and endeavours to ensure that the licensing function in East Dunbartonshire operates well and in an open and transparent manner.

