

## Orkney Local Licensing Forum meeting

24 January 2024

### REPORT OF THE LICENSING STANDARDS OFFICER

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#### 1. Background

This report updates the Orkney Local Licensing Forum (The Forum) on the activities of the Council's Licensing Standards Officer(s) during the period 30 September 2023 to 15 January 2024. Please note that within this report the names of licence holders and licensed premises have been removed to assist complying with data protection provisions.

#### 2. Current staffing arrangements

As previously reported the Council does not have a full time LSO or an officer for whom undertaking the role of LSO is the main stated purpose of their job. The function of "licensing standards (alcohol)" continues to be carried out by 2 members of Environmental Health staff (including the Service Manager) who endeavour to deliver LSO functions in addition to their other work. Although the LSO function is managed from within the Council's Environmental Health team, it is independent and separate to other environmental health work.

#### 3. Review of activities 30 September 2023 to 15 January 2024

In accordance with LSO functions, the following activities are of note:

The LSO has been requested to provide comments on the following applications:

Type of application	Number
Application for premises licence (including variations)	4
Application for occasional licence	44
Application for extended hours	0

Application for personal licence	7
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The following reports have been made by the LSO to the Licensing Board:

Type of LSO report	Number
Section 38(4)(a) Licensing (Scotland) Act 2005 [LSO response to an application for review of a licence]	0
Section 69(3) Licensing (Scotland) Act 2005 [LSO comments on the determination of an application for extended hours]	0

#### Providing to interested persons information and guidance

The following requests for guidance have been received during the period covered by this report.

- Provision of “free” alcohol

#### Supervising compliance of licence holders with their licence and conditions

Given the current resources available, pro-active inspections of licensed premises are not being undertaken. Reactive inspections may be made in response to a specific application, case or investigation on a risk assessed basis. Topics of compliance dealt with in this period include:

- A complaint about noise from activities at a licensed premises
- A request for LSO intervention regarding non payment of fees

#### Providing information to Licensing Board in response of applicants for personal licences

There have been no instances during the period covered by this report where the LSO has needed to provide information to the Board in this regard.

#### Providing mediation services for the purposes of resolving disputes or disagreements between licence holders and other persons

No requests for mediation services have been received during the period covered by this report.

#### Issuing, in appropriate circumstances a “compliance notice”

No compliance notices have been issued during the period covered by this report.

### Making an application for review of a licence

No applications for review of a licence have been made by the LSO during the period covered by this report.

### **4. Work with partners**

By invitation the LSO attending the following partnership meetings:

- Alcohol and Drugs Partnership strategy meeting
- Community Alcohol Partnership Meeting

### **5. Other activities/ forward look**

The council's general enforcement policy has been agreed by Council and is now on the Council website.

We continue to keep a watching brief on the new protect duty ("Martyn's law") and how it may impact licensed premises and events.

The concept of a Safety Advisory Group for Orkney has been agreed and we await formation of this group.

We continue to work on planning for the Island Games 2025.

### **6. Contact details for the LSO**

The LSO can be contacted via the following email address [LSO@orkney.gov.uk](mailto:LSO@orkney.gov.uk)