

Item: 7

Orkney Local Licensing Forum meeting

17 April 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 (LSO) during the period 15 January 2024 to 31 March 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

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 the Service Manager for Environmental Health who endeavours 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 15 January 2024 to 31 March 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)	6
Application for occasional licence	44
Application for extended hours	0
Application for personal licence	4

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 information/ guidance have been received during the period covered by this report.

- Expansion and diversification at a local manufacturing premises.
- Need for section 50 certificate and what that entails.
- Sale of tour tickets for local distillery.
- Questions regarding anti drink spiking measures and funding.
- Assisted a PhD student with their research into alcohol policy/ CAPs.
- Assistance to a local Councillor with information regarding several premises on the outer isles.
- Assistance to a local Councillor with information regarding event management.

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:

- Visits to local premises in response to application for variation of licence.
- Visits to local premises in response to an application for an occasional licence.

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:

- Community Alcohol Partnership Meeting.
- Meeting with Licensing Forum Convenor.
- Attended a briefing seminar on the new protect duty
- Apologies were sent to a meeting of Alcohol and Drugs Partnership as there was a diary clash.

5. Other activities/ forward look

Information was provided to the Licensing Clerks to enable details of UK Home Office seminars on the new protect duty (“Martyn’s law”) to be shared with relevant licenced premises.

Attended a meeting of the Safety Advisory Group to consider matters related to the Island Games.

Participated in a meeting with local food and drink manufacturers at their request.

Participated in a meeting to discuss issues and potential enforcement approaches relating to litter and empty alcohol bottles/glass left on the streets.

6. Contact details for the LSO

The LSO can be contacted via the following email address LSO@orkney.gov.uk