Alcohol Focus
SCOTLAND

Review of Licensing Board Annual Functions Reports 2017-2018

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Executive summary

The Air Weapons and Licensing (Scotland) Act 2015 created a new duty on licensing boards to produce an annual functions report, introduced in response to concerns about the lack of transparency and accountability in the licensing system. The legislation specifies a number of matters on which boards should report, principally relating to the application of their policies and publication of local data.

The first reports were required to be published by licensing boards for the 2017-18 financial year. Alcohol Focus Scotland (AFS) has conducted a review of the published reports in order to assess the extent to which they met statutory requirements, and also served to fulfil their intended purpose of increasing transparency in the licensing process and supporting local communities to see how licensing boards conduct their business. The reports were reviewed against criteria developed from both statutory requirements and recommended good practice, and this exercise has enabled AFS to identify whether any learning can be fed back to relevant stakeholders and good practice shared.

The review found that:

Compliance with statutory requirements

- By the end of November 2018 (five months after the deadline for publishing the reports) AFS was only able to locate 24 reports for the purposes of review, covering 32 out of the 40 licensing boards in Scotland.
- All 24 of the reports include a statement explaining how the board paid regard to the licensing objectives. Of these, 6 clearly outline steps taken to promote the objectives, while a further 10 provide some information in this regard, but the information given is minimal or had to be teased out of the report.
- All 24 of the reports include a statement explaining how the board paid regard to their licensing policy statement. While the majority provide some information to demonstrate how policies had been operationalised in practice, or relevant information could be drawn out of the report even if it had not been made explicit, only five reports provide meaningful examples in this regard.
- All 24 of the reports include a summary of the decisions made by (or on behalf of) the board during the financial year; 20 of them provide full details of decisions made while 4 provide partial information.
- The majority of the reports (20) contain information about the number of licences held in the board area, including information about the number of occasional licences issued during the year. However, four reports do not provide sufficient enough information in this regard to meet the minimum statutory requirements. There is also variation between the reports in the level of detail provided, and the way in which data is presented.

Adopting recommended good practice

- Eight of the reports include information about the evidence used by the board in following their policy and informing decisions, also explaining how evidence is kept up-to-date. A further nine reports include some information about evidence sources. Seven contain no information about the evidence used to inform decisions or follow policy.

- Eleven of the reports make clear that the board recognises the value in continuous professional development, and endeavours to remain up-to-date with relevant developments. Four reference mandatory training but do not evidence a conscientious approach to ongoing development, while nine make no mention at all of training or development.

- Nineteen of the reports include additional information about the exercise of the board's functions, relating to matters such as the role of licensing standards officers, and premises/personal licence reviews. In addition, some identify matters that are of concern to the board, and recommend actions that should be taken by the Scottish Government.

- The reports vary considerably in structure and length. The shortest reports were just 4 pages long, while the longest was 358 pages (including appendices). While a number of the reports are concise and fairly easy to read and navigate, a significant number contain legalistic language and appear to repeat in large sections what is already laid out in law, regulations, or guidance.

Although the legislation contains only high-level detail about what should be contained within the annual functions reports, this review found that the majority of the reports for 2017-18 (published by November 2018) do meet the minimum statutory requirements. However, in the absence of further guidance about how licensing boards should operationalise their new obligations, there is a wide variation between the reports in the depth and breadth of detail provided and the way in which information is presented. Nevertheless, the majority allow for some scrutiny and analysis of the board's decision making, to varying degrees and with differing levels of ease, and outline the evidence that has been used to develop policy and inform decision making.

However, while there are many examples of good practice, a number of the reports contain only minimal information and are unlikely to enable communities/stakeholders to assess and understand the operation of the licensing system in their local area. It is of note that four of the reports do not provide sufficient information to meet the statutory data reporting requirements. Furthermore, it is evident that several of the reports – containing highly legalistic language – have not been written with the public in mind. It seems likely that boards will refine the content and approach to these reports with each publication. However, the wide variation between the reports suggests that the boards have differing interpretations of their legal reporting obligations, particularly in relation to explaining how they have paid regard to the licensing objectives and their policies; in a number of cases, the reports appear to focus on the procedural approach to applying their policies rather than the practical application of these. This indicates that licensing boards require further guidance from the Scottish Government, especially regarding how they should approach the production of reports and what types of information they should contain.

In addition, the level of detail provided in the reports, and the way in which this information is presented, is likely to affect the extent to which they are meaningful and useful to local stakeholders. Some approaches may be more appropriate to the needs of certain types of stakeholders than others, depending on their role, their reasons for accessing the reports, and their existing levels of knowledge. As such, it will be essential that local stakeholders are consulted about the form and content of the reports, in order to ensure that future reports are developed relevant to their needs.

Recommendations

The Scottish Government should:

- Consult widely on the form and content of the annual functions reports, particularly engaging those stakeholders with a role in scrutinising the activities of licensing boards, including: local licensing forums, police, licensing standards officers, health representatives, the licensed trade, and the wider public.
- Issue guidance to licensing boards – informed and shaped through consultation – regarding the form and content of the annual functions reports. This activity could potentially be undertaken as part of Action 5 of the Scottish Government's Alcohol Prevention Framework 2018:[1] "We will update the statutory guidance on the Licensing (Scotland) Act 2005 to provide clarity for Licensing Boards… a full public consultation will be held in 2019."
- Make further provision regarding the form and content of the annual functions reports using secondary legislation, as appropriate.
- Conduct annual reviews of the functions reports in order to help monitor the ongoing effectiveness of licensing system. This activity would support Action 6 of the Scottish Government's Alcohol Prevention Framework 2018: "We will keep the licensing system under review."
- Hold licensing boards to account where they fail to fulfil their statutory obligations; including to publish annual functions reports on time, and include all the required information.
- Consider ways to share learning and good practice, regarding the development and publication of the annual functions reports, between different board areas.

1 Scottish Government (2018). *Alcohol Framework 2018: Preventing Harm – next steps on changing our relationship with alcohol.* Edinburgh: Scottish Government

Licensing Boards should:

- Ensure that the annual functions reports are made widely available and publicised, giving consideration to which methods of communication may be the most effective to reach different types of local stakeholder.
- Consult with local stakeholders regarding the board's approach to annual functions reports in order to ensure that they are meaningful and useful to their audience, contain an appropriate breadth and depth of information, and to help inform the development of future reports. In particular, feedback should be sought from local licensing forums, and the functions reports should be included as an ongoing topic for discussion at joint meetings of the board and forum.
- Use the ongoing production of the annual functions reports as a mechanism to help monitor the implementation of local licensing policies; utilising them to identify and consistently measure outcomes, progress, and assess and report on performance.
- Identify whether there are any gaps in the licensing data being collected and reported upon in their board area, and what actions may be required at local or national level to address these gaps.

Local Licensing Forums should:

- Use the annual functions reports as a tool to help fulfil their statutory purpose of keeping under review the liquor licensing system and the functioning of the licensing board(s) in their area.
- Give advice and make recommendations to licensing boards regarding the functions reports themselves, and any matters arising from them.

Introduction

The sale of alcohol in Scotland is regulated in order to mitigate the risks of harm associated with alcohol consumption. The alcohol licensing system manages and controls the availability of alcohol, underpinned by the promotion of five objectives set out in the Licensing (Scotland) Act 2005: to prevent crime and disorder, secure public safety, prevent public nuisance, protect and improve public health, protect children and young people from harm.

To ensure that the licensing system serves the wider public interest, it needs to be accountable to local communities. It is therefore essential that local communities are informed about how the licensing system is operating in their area. The new requirement for licensing boards to publish annual function reports, summarising how their actions have promoted the licensing objectives and therefore served the interests of the local community, provides a vital means to increase accountability and transparency in the licensing system- which is key to building public trust and supporting stakeholder engagement.

There has historically been scant information available in an accessible format about the work of licensing boards, and the licensing pages of local authority websites mainly focus on the administrative processes of licensing rather than its overall purpose. If the functions reports are truly to explain the work of the boards to local communities, and improve engagement with communities in the licensing process as a result, they will require to be written in a way that the public can easily understand and relate to. It will also be important that they do not simply replicate the limited data currently available from existing sources, but that they instead provide public access to meaningful information about the board's policies and decision-making.

Having actively campaigned for the introduction of the new annual functions reporting duty, Alcohol Focus Scotland (AFS) has undertaken a review of the first annual functions reports, for 2017-18. The purpose of this review was to assess the extent to which these reports meet statutory requirements, and serve to fulfil their intended purpose of ensuring increased transparency in the licensing process and supporting the public to see how boards conduct their business. This report presents the key findings of this review along with examples of good practice. We hope that it will be useful to boards, to those who support them, and also to those with a role in reviewing and scrutinising the licensing system in their area.

Background

History of Annual Functions Reports

The Air Weapons and Licensing (Scotland) Act 2015 amended the Licensing (Scotland) Act 2005 to place a new statutory duty on licensing boards to publish an "annual functions report". The requirement for an annual functions report was not included in the original bill. However, during Stage 1 of the bill process, a number of parties – including AFS – highlighted concerns to the Local Government and Regeneration Committee (the lead committee for the bill) regarding a lack of transparency by licensing boards in relation to the exercise of their functions.

"We have heard in the debates that have taken place in the Committee that the public often feel excluded, that boards' decisions are made in mysterious rooms and that the public are not fully consulted on, or aware of, the changes that are taking place or the decisions that are made."

John Wilson MSP[2]

The Committee also heard suggestions that the accountability of licensing boards should be increased.[3] For example, AFS highlighted that there was no mechanism in statute to define how licensing boards should report on their performance against their policy, and that this represented a significant accountability and transparency deficit. The Committee therefore recommended in its Stage 1 report that in order to become more accountable to the public, licensing boards should prepare annual reports. As a minimum, the Committee expected to see the reports containing information on how boards had delivered in relation to the licensing objectives and their policy statements. It also expected a sufficient amount of data to be contained showing the number and type of each licensed premises within each board area along with details of the number of occasional licences granted during the period.[4]

John Wilson MSP moved a non-Government amendment at Stage 2 to oblige licensing boards to publish annual reports. This was withdrawn after the then Cabinet Secretary for Justice agreed to table a Stage 3 amendment after further engagement with stakeholders. In particular, the Scottish Government wished to consult those responsible for licensing boards about the possible content of the reports, to help ensure that any reporting requirements were not unduly onerous but could still meet the objective of increasing transparency and accountability.

"Including in the bill a provision on an annual report would provide an opportunity to ensure that the public have more confidence in boards' decision-making processes and that licensing boards' data is placed in one document... What is crucial is getting an annual report prepared, produced and placed in the public domain that the public can understand and relate to."

John Wilson MSP[5]

As such, following an informal engagement exercise, the Scottish Government tabled a revised amendment at Stage 3 to introduce annual functions reports. At this time, the Cabinet Secretary for Justice also highlighted that in order to ensure that the reports remain as effective and useful as possible, ministers would have the power to make further provision about the annual reports using secondary legislation. He noted he would expect to consult on the format and content of the reports before laying secondary legislation.

2 Local Government and Regeneration Committee 15th Meeting 2015, Session 4, Official report, Scottish Parliament 2015

3 Local Government and Regeneration Committee 3rd Report, 2015 (Session 4) Stage 1 Report on the Air Weapons and Licensing (Scotland) Bill, Scottish Parliament 2015

4 Local Government and Regeneration Committee 3rd Report, 2015 (Session 4) Stage 1 Report on the Air Weapons and Licensing (Scotland) Bill, Scottish Parliament 2015

5 Local Government and Regeneration Committee 15th Meeting 2015, Session 4, Official report, Scottish Parliament 2015

The amendment was agreed to and the bill received Royal Assent in August 2015 – placing a new statutory duty on licensing boards to publish an annual functions report. However, this provision was not fully commenced until December 2017,[6] meaning that the first annual functions reports required to be published for the financial year 2017-2018.

Content of Annual Functions Reports

Annual functions reports are intended to ensure increased accountability and transparency from licensing boards. However, the legislation contains only high-level detail about what should be contained within the reports. To date, no formal consultation has been undertaken on the format and content of the reports, and no secondary legislation has been laid in this regard. As such, licensing boards have been provided with little practical guidance to assist them with interpreting their new statutory obligations or the preparation of the reports.

In summary, under Section 9A of the Licensing (Scotland) Act 2005, licensing boards are legally obligated to include within the reports:

- A statement explaining how the boards have had regard to the licensing objectives and their policy statements in the exercise of their functions
- A summary of the decisions taken by each board over the relevant financial year including decisions by officers under delegated powers
- The number of licences held under the Act in the board's area, including the number of occasional licences issued during the year

The legislation does not further stipulate what should be detailed within the annual functions reports, and the Scottish Government has not issued licensing stakeholders with subsequent formal guidance about how they should operationalise these obligations. However, based on AFS's experience of supporting the licensing system, and particularly the engagement of stakeholders including health, Police Scotland, local licensing forums and community groups, AFS compiled a suggested list of information that could be included in the annual functions reports as a matter of good practice, which was shared with relevant stakeholders. This information is detailed below, provided under the relevant sections of the Licensing (Scotland) Act 2005 to which it relates.

Section 9A of the Licensing (Scotland) Act 2005:

9A Annual functions report

(1) Each Licensing Board must prepare and publish a report not later than 3 months after the end of each financial year.

(2) A report under this section must include—

a. a statement explaining how the Board has had regard to—

i. the licensing objectives, and
ii. their licensing policy statement and any supplementary licensing policy statement (including the Board's statement under section 7(1) (duty to assess overprovision)),

in the exercise of their functions under this Act during the financial year,

b. a summary of the decisions made by (or on behalf of) the Board during the financial year, and

c. information about the number of licences held under this Act in the Board's area (including information about the number of occasional licences issued during the year)

(3) A report under this section may include such other information about the exercise of the Licensing Board's functions under this Act as the Board consider appropriate.

6 By the Air Weapons and Licensing (Scotland) Act 2015 (Commencement No. 7) Order 2017-424

ANNUAL FUNCTIONS REPORT CONTENT: AFS RECOMMENDED GOOD PRACTICE

Requirement (Section9A(2)(a)):

I. Statement explaining regard to licensing objectives
II. Statement explaining regard to licensing policy statement (including overprovision policy)

Licensing objectives: **The reports should include information about the steps taken to promote each of the five objectives, and how this is being reflected in decisions e.g. refusals of licences on the basis of each licensing objective and licence conditions attached**. The licensing data that has historically been made available, such as statistical information about the numbers and types of licences, is not sufficient to evidence or improve understanding of action to promote the licensing objectives. The value of a functions report is that licensing boards can better link their actions to outcomes, and more meaningfully demonstrate how what they have done has served to promote the licensing objectives and public interest.

Policies: **The reports should include information about boards' delivery against their statement of licensing policy and overprovision policy, including details of instances when they have deviated from their stated policies (for example by granting licences in areas of overprovision) and the associated reasons.** It is envisaged that licensing boards will demonstrate within the reports how their policies are being operationalised in practice, and report on progress implementing their policies and any resulting outcomes.

Use of evidence and information: **The reports should also provide information on the evidence used by the licensing board in following their policy position and informing decisions, including how evidence has been updated during the year and plans for the forthcoming year**. This should demonstrate an evidence-based approach to licensing and make known to everyone the context within which the licensing board is operating. This should not be static and therefore the licensing board should be able to show how they are developing their understanding of the effects of alcohol in their area. For example, the reports could include **reference to training or continuous professional development** of licensing board members and clerks.

Local licensing forums: Forums play a key role in providing information and recommendations to boards; **the annual meeting between the board and forum is a statutory meeting and a particularly important event in the licensing calendar, and information about this meeting (e.g. minutes) should therefore form part of the annual report.**

Requirement (Section 9A(2)(b)): *Summary of the decisions made by (or on behalf of) the Board*
Requirement (Section 9A(2)(c)): *Information about the number of licences held (including occasional licences issued)*

The reports should provide public access to summary data on the licensing board's decisions during the year, and a summary of the overall provision of alcohol in the area, including the number of occasional licences issued. This should not simply be a replication of the limited data currently available from existing sources.

A lack of comprehensive licensing data has impeded participation in the licensing process by key stakeholders such as communities and health boards; it is difficult for these stakeholders to effectively scrutinise and provide input to licensing processes when they cannot easily ascertain how many licences are in force, where these are located, what type of premises they are, and what their capacity is. Functions reports provide an opportunity to improve the transparency and accessibility of licensing data, by bringing the key summary information together in one document, which can be read together with the board's broader statement of how it has undertaken its functions.

To enable proper scrutiny of the licensing system, the reports should contain information not just about numbers of on- and off-sales licences held/decisions made but further high-level summary information, such as:

Data on individual premises licences issued:
(a) Capacity (square or linear meterage for off-sales and person capacity for on-sales).
(b) Any objections lodged with respect to premises and category of objector (police, health, community). Why objections have been rejected.
(c) Types of premises (supermarket – large, supermarket – convenience, off-licence, convenience store, pub, restaurant, night club).

Data on individual premises licenses refused:
(a) Capacity (square or linear meterage for off-sales and person capacity for on-sales).
(b) Any objections lodged with respect to premises and category of objector (police, health, community).
(c) Types of premises (supermarket – large, supermarket – convenience, off-licence, convenience store, pub, restaurant, night club).
(d) Reasons for refusal.

Aggregate data on premises licences issued:
(a) Existing licensed premises: total number, by type, capacity and location.
(b) New licensed premises granted in previous year: total number, by type, capacity and location.
(c) Licensed hours: standard operating hours, number of premises with hours of sale outwith that set out in policy, seasonal variations granted and extended hours granted and for what reason.
(d) Objections lodged: total number, category of objector, and final decision.
(e) Licence reviews: total number, reason for review and final decision.

Aggregate data on occasional licences issued:
(a) Total number granted, capacity, hours and the nature of the event in respect of which the licence was issued.

There may remain some concerns about the potential burden annual reporting could place on licensing boards. However, AFS views the above-recommended content to be both proportionate and targeted. With regards to the data recommendations, licensing boards already gather much of the data that would be required to support the level of reporting indicated – although this information is often not made more widely available. AFS also recognises that some of the types of data suggested – principally relating to types of premises – may not currently be being routinely collected by licensing boards, or they may not have the necessary powers to require that this information be provided to them at the level of detail suggested. Nonetheless, AFS believes that the data outlined is that which would be of the greatest use to licensing stakeholders and where possible efforts should be made to provide this.

Finally, if the reports are truly to support the public to understand how boards conduct their business, it will be critical that they are written/presented in a way that people can understand and relate to. Lengthy reports written in legalistic and bureaucratic language will likely be off-putting for many people, and could potentially act as a barrier to community engagement in licensing. Furthermore, reports that simply repeat what is already laid out in the law and guidance will do little to improve transparency. Conversely, well-presented reports written in plain, accessible language could help to facilitate the understanding and involvement of a wide range of stakeholders. Ultimately, the reports should be easily understood by all relevant stakeholders, including by members of the public without any technical expertise.

Review of Annual Functions Reports

Overview

AFS examined the annual functions reports to assess the extent to which they met statutory requirements, and served to fulfil their intended purpose of ensuring increased transparency in the licensing process, and supporting the public to see how boards conduct their business.

The first reports were required to be published by 30 June 2018.

At the start of October 2018, using standard online search mechanisms, AFS was able to access only 18 of the reports; covering 26 out of the 40 licensing boards. By the end of November 2018, AFS was able to access a further 6 reports by making direct requests to boards, and through subsequent online searches, bringing the total for review to 24 – covering 32 out of the 40 Scottish licensing boards. The published reports were reviewed using criteria developed from both the statutory requirements and recommended good practice, as shown in the table below.

REPORT CONTENTS (24 Reports)				
Promoting the objectives	**Yes**	**Partially**	**No**	**Unclear**
Includes a statement explaining how the board has had regard to the licensing objectives. *(Legal requirement)*	24	0	0	0
Outlines steps taken to promote objectives, and how this is being reflected in decisions (e.g. refusals/conditions attached on the basis of the objectives). *(AFS recommendation)*	6	10	8	0
Implementing policy	**Yes**	**Partially**	**No**	**Unclear**
Includes a statement explaining how the board has had regard to licensing policy statement (including any supplementary statement and overprovision assessment). *(Legal requirement)*	24	0	0	0
Details how the above policies are being operationalised in practice, including details of instances when they have deviated from their stated policies (e.g. granting licences in areas of overprovision) and associated reasons. *(AFS recommendation)*	5	14	5	0
Decision making	**Yes**	**Partially**	**No**	**Unclear**
Includes a summary of the decisions made by (or on behalf of) the board during the financial year. *(Legal requirement).*	20	4	0	0
Evidence-based approaches	**Yes**	**Partially**	**No**	**Unclear**
Includes information on evidence used by the board in following their policy and informing decisions. Explains how evidence has been updated during the year and plans for forthcoming year – this should show how they are developing their understanding of the effects of alcohol in their area. *(AFS recommendation)*	8	9	7	0
Includes minutes of the annual meeting between licensing board and local licensing forum. *(AFS recommendation)*	5	7	11	1

REPORT CONTENTS (24 Reports)				
Licensing data	**Yes**	**Partially**	**No**	**Unclear**
Contains information about the number of licences held in the board's area (including information about the number of occasional licences issued during the year). *(Legal requirement)*	20	3	0	1
Includes aggregate data, in relation to 1) the decisions taken by the licensing board within the reporting period, and 2) an overall picture of alcohol availability in the licensing board area (and areas within that). *(AFS recommendation)*	17	5	1	1
Training and development	**Yes**	**Partially**	**No**	**Unclear**
Includes a note on training or continuous professional development of licensing board members and clerks. This should evidence a conscientious approach to keeping up-to-date. *(AFS recommendation).*	11	4	9	0
Additional information	**Yes**	**Partially**	**No**	**Unclear**
Includes other information about the exercise of the licensing board's functions as the board considers appropriate. *(Legal optional)*	19	0	5	0
Presentation and readability	**Yes**	**Partially**	**No**	**Unclear**
Information is provided in an accessible and easy to understand way e.g. written in accessible language, avoids repeating at length what is already laid out in law, is an appropriate length etc.). *(AFS recommendation)*	6	12	6	0

Discussion of key findings

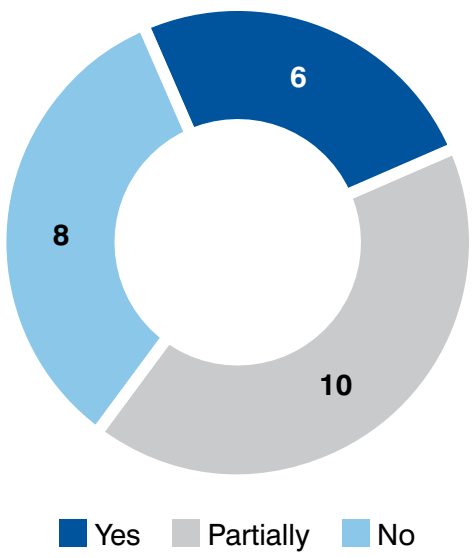
Compliance with statutory requirements

Promoting the licensing objectives

All 24 of the reports include a statement explaining how the board(s) have had regard to the licensing objectives. In the vast majority of reports it is stated that the licensing objectives provide a basis for the administration of the licensing regime and provide potential reasons for the refusal/ grant of an application. Most of the reports also highlight that a breach of the objectives may provide grounds for reviewing a licence, and that conditions attached to a licence may be based on any one or more of the licensing objectives.

While these statements may serve to reiterate the important role that the objectives play in the licensing system, they do not provide any insight into how boards actually actively promote the objectives. Given that the key purpose of the reports is to demonstrate to the public how boards carry out their duties, it is important that they do not just restate what is already laid out in law, regulations, or guidance. The reports should demonstrate, on a more practical level, how the boards adhere to and promote the licensing objectives. As such, the reports were also assessed to determine the extent to which they actually outline steps taken to promote objectives, and how this is being reflected in decisions and applied in practice (e.g. refusals/conditions attached on the basis of the objectives).

Outlines steps to promote objectives



Six of the reports clearly outline steps that have been taken to promote the objectives. A further 10 provide some information in this regard, but the information given is minimal or has to be teased out of the report. For example, several reports include sufficient levels of data for it to be identified that reviews were undertaken relevant to the objectives, or local conditions applied, although this has not been highlighted or discussed anywhere within the report text. In some cases, much of the information given appears to repeat what is contained in the licensing policy statements. Eight of the reports do not provide any information in addition to a brief summary statement outlining the legal requirements of boards with regard to the objectives. The divergence in the way in which boards have interpreted and approached the requirement to explain how they have had regard to the licensing objectives indicates that further guidance is required.

Examples of steps taken to promote the objectives highlighted within the reports include:

- Committing to act with Police Scotland to pursue policies to prevent crime and disorder;
- Working with alcohol and drug partnerships (ADPs) and supporting their initiatives related to alcohol consumption;
- Placing expectations on licence holders; imposing local conditions to promote one or all of the objectives;
- Refusing applications relative to the objectives;
- Conducting reviews;
- Undertaking site visits;
- Developing children and young persons policies; and
- Supporting and endorsing local initiatives e.g. Pubwatch Schemes.

Renfrewshire example: Refusal of applications to prevent crime and disorder

"The Board refused two applications for personal licences. On both occasions the Board received information from the Chief Constable. The Board refused the applications relative to the licensing objective of preventing crime and disorder."

Falkirk example: Site visits to protect children and young people from harm

"Where applications are received to amend the terms, times or parts of the premises children and young persons can access, the Board frequently carries out a site visit to assess whether or not what is sought complies with its policy position and the licensing objective of protecting children and young persons from harm."

Inverclyde example: Conditions applied to protect and improve public health

"The Board has for some time been concerned at the health statistics relative to alcohol related illness within the Inverclyde area and has incorporated a number of conditions into its policy and premises licences to combat this. An example of a policy that has been introduced is the condition that no children should be seated at the bar area in any licensed premises regardless of whether they are taking a meal or not. This is an attempt to combat the "normalisation" of children sitting at a bar within licensed premises."

Implementing policy

All 24 of the reports include a statement explaining how the board had regard to their licensing policy statement. In particular, they indicate that applications are dealt with in accordance with the statement of licensing policy, and several explain that the board is likely to follow the policy unless an applicant can demonstrate good reasons as to why it should not. In addition, several highlight that any relevant policy is included in every board report, and some describe limiting delegated powers to ensure proper scrutiny where an application falls outwith the policy or objections/ representations are received.

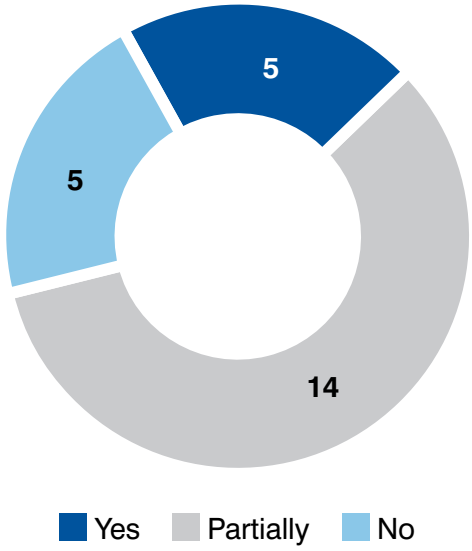
As above, although these statements outline particulars of the procedural approach to applying their policies, they do not provide insight or examples into how policies are actually being applied in practice.

Licensing policy statements set out the licensing boards' long-term and strategic approach to promoting the licensing objectives. The ongoing production of carefully considered functions reports provides a vital means for boards to assess the extent to which their policies have been successfully put into practice and adhered to. They also support boards to monitor any concerns and develop evidence to make changes to their policies moving forward. Local stakeholders should also be able to easily identify from the reports the actions and incremental steps boards are taking towards achieving their longer-term aims.

The reports were therefore also assessed to determine whether they contained details of how policies are being operationalised in practice, including details of instances when boards deviated from their stated policies (e.g. granting licences in areas of overprovision) and the associated reasons.

Five of the reports provide meaningful examples of how polices have been operationalised in practice. The majority provide some information in this regard, or relevant information can be drawn out of the report, even if it has not been made explicit. Several detail instances where the board deviated from policy, although the reasons for this are not always provided. Some also describe challenges encountered when trying to implement policies – for example, one board argues that the overprovision legislation and guidance needs to be completely reviewed as it does not believe it has powers, unless overprovision can be evidenced, to introduce measures to reduce consumption of alcohol. In another report, the board describes experiencing legal challenges to its overprovision policy and outlines the steps it has taken in response. Again, the wide variation in the way boards have interpreted and carried out their requirement to explain how they had regard to their licensing policy, underlines the need for guidance in this area.

Details how policies are operationalised



Examples of how policies are being operationalised in practice include:

- Seeking to ensure that licensed premises take measures to implement the licensing policy;
- Taking a case-by-case approach to overprovision using maps and capacity figures;
- Applying 'standard conditions' that go further than the basic mandatory conditions to better reflect the Board's policy; and
- Requiring applicants requesting something that is outwith policy to provide additional information (taking into account the impact of granting on the area).

Dundee City example: Adopting a case-by-case approach to overprovision

"In the case of applications for new premises licences, in each instance the Board considered whether to grant the application would result in an overprovision of licensed premises… The Board had before it a map showing potential localities and the respective geographical locations and capacity figures of the premises already licensed within the relevant localities… This case-by-case approach was necessary following the decision of the Sheriff… which ruled that the Board's previous provision on overprovision failed to fill the requirements of the 2005 Act and therefore could not be applied. The Board did, however, go on to adopt a new overprovision policy."

South Ayrshire example: providing reasons for deviation from policy

"The Board will not normally grant occasional licences with a terminal hour later than midnight as it recognises the need to protect the amenity of the surrounding neighbourhood but has granted some occasional licences beyond midnight in venues which are isolated and are unlikely to cause disturbance to neighbours."

Decision making

All 24 of the reports include a summary of the decisions made by (or on behalf of) the board during the financial year; 20 of them provide full details of decisions made while 4 provide partial information. The reports including a full summary of decisions provide information about the premises and provisional premises licences granted, and the vast majority also detail the number of occasional licence applications that were received and granted by the board (two only state only the number of occasional applications that were received rather than granted).

There are many examples of good practice in relation to reporting on decision making, with a significant number of the reports including further details about applications, objections and representations received. This includes reports that:

- Set out the reasons for decisions including licence reviews and revocations;
- Provide detailed appendices listing all the applications received (with a detailed breakdown of the type of application, including for occasional licences), and the decision of the board;
- Provide additional information about instances where further investigation and consideration was required, and set out the actions of the board and the reasons for decisions;
- Include the numbers of extended hours, variations, festive occasional extensions, and personal licences granted;
- Highlight steps taken to ensure the board's processes and procedures provide for increased transparency and accountability, such as publishing agendas and minutes and holding meetings in public.

Of the four reports that were considered to contain only partial information, two provide some detail about the applications that were granted but no information about the numbers of applications that had been received or refused by the board. One report does not state the number of premises licences granted (although it does provide details about occasional licences, personal licences granted etc.) or indicate whether any applications had been refused, or conditions applied. A further report includes very limited high-level detail about the board's decision making, such as highlighting that the board determined all applications for licensed hours in line with its policy, and has a section entitled 'summary of decisions of the board' – however, this section simply contains a link to where agendas/minutes can be found on the board's website, placing responsibility on the reader to collate the information themselves. While it can certainly be beneficial to include such links in order to help keep the reports concise, it is nonetheless important that they still contain enough detail to provide the reader with a summary of any key pieces of information.

Given the wide variation in the size/demographics of the different geographical board areas, and the sheer volume of applications that the relevant boards are required process, it is likely that some will have more manageable information relevant to decision making at their disposal than others, and will also find presenting that data a more practicable process. Nonetheless, it will be important that all boards give careful consideration to the data they collect, and engage with local stakeholders to identify how this information can be best collated and presented, in order to support increased transparency and accountability in their decision-making.

East Ayrshire example: Reporting on decision making

"No objections or representations were received... with the exception of one application for a major variation... to allow an outdoor drinking area... Three letters of objection were received from neighbours expressing concern with regards to the conduct of patrons... and to the level of noise from the premises, in particular an outdoor smoking area... The applicant attended the Board meeting and requested that the application be amended to remove the request for an outdooring drinking area. The amended application was granted by the Board."

Licensing data

The vast majority of the reports (20) contain information about the number of licences held in the board area, including information about the number of occasional licences issued during the year. However, there is variation between the reports in the level of detail provided, and the way in which data is presented. Four of the reports do not provide sufficient levels of data to meet the statutory requirements.

Tables containing aggregate level data have been included within the body of the majority of the reports, with many also summarising key information within the report text. For example, the Aberdeenshire report contains tables to outline details of the total licences in force and applications received for each divisional board. This enables for a quick assessment of overall alcohol provision and decision making in the area. Many of the reports also provide information about the numbers of personal licences held in the board area. In some areas a breakdown of occasional licences and extended hours issued is provided, as well as a breakdown of revocations of premises licences.

Several of the reports include detailed appendices with data about the applications received and licences in force at an individual level; including information about the types of premises, locations, capacity and hours. For example, the Highland and Angus reports both include detailed appendices that allow for a more in-depth analysis of alcohol provision (and decision making) in the board areas. In the Angus report, information is given about the capacity of both the on-sales and off-sales in the area, and the report includes a table to show the total numbers of different types of premises (e.g. convenience stores, supermarkets, hotels, retail stores, restaurants etc.). In addition the table includes the total numbers of licensed premises permitted to trade after 1am, and premises where children are permitted.

This level of detail may be particularly useful for stakeholders with a remit to scrutinise and provide input to the licensing process, such as licensing forums. In addition, this information is likely to be particularly welcomed by those stakeholders with a role in monitoring the extent and impact of alcohol availability in their local area, who have historically experienced difficulties when trying to access information about capacity. A number of the reports signpost to where a register of current premises licences can be accessed. Reports for several areas include a combination of aggregate and individual level data, in addition to signposting to where more detailed information can be found.

Four of the reports provide only partial information; one does not state the number of licences held in the board's area, and two only state the number of occasionals applied for as opposed to granted. In addition, one report states that the relevant data is provided in appendices, but the said appendices are missing from the report.

There are potential advantages both to having a concise and accessible report or one that sets out a lot of detail, with each of these approaches addressing different needs of different types of stakeholder. While some people are likely to

appreciate access to a breadth and depth of information, others might feel overwhelmed or dissuaded from engaging with weighty reports containing large amounts of data. Similarly, brevity may make reports more accessible and easy to navigate but prevent more detailed scrutiny. As such, it will be important that boards consult with local stakeholders in order to ensure that future reports strike an appropriate balance in the depth and breadth of information provided. In addition, local stakeholders will be well placed to make recommendations regarding what information to include in the actual report, and what information could helpfully be signposted to. A full summary of the licensing data, at both aggregate and individual level, contained within the reports is included at Appendix 1.

Adopting recommended good practice

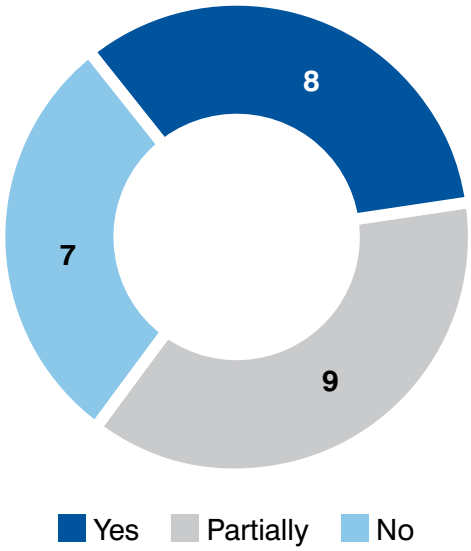
Evidence-based approaches

Licensing boards have a statutory duty to promote the licensing objectives. It is therefore incumbent on them to gather sufficient information on each of the objectives, and the impact of alcohol in their area, to enable them to ensure that the measures they adopt and decisions they make serve to promote the licensing objectives.

As such, it is important that the annual functions reports demonstrate an evidence-based approach to licensing and make known to everyone the context within which the licensing board is operating. This should not be static and therefore the licensing board should be able to show how they are developing their understanding of the effects of alcohol in their area.

Eight of the reports include information about the evidence used by the board in following their policy and informing decisions, also explaining how evidence was updated during the year and demonstrating how they are developing their understanding of the effects of alcohol in their area. A

Includes information about evidence



further nine reports include some information about the sources of evidence used to inform decisions, but do not demonstrate how evidence was kept up-to-date or how the board's understanding of alcohol was being developed. Seven reports contain no information about the evidence used to inform decisions or to follow policy.

Various sources of evidence are cited as being used when considering applications, including reports and information provided by: local licensing forums; licensing standards officers; Police Scotland; NHS ; ADPs; alcohol-related advocacy organisations; objectors and representors'; members of the public; local licence holders; Environmental Health and Building Standards. In addition, other sources of evidence cited in the reports include: material from local and national news on alcohol issues and misuse; Scottish Government guidance; relevant legislation and applicable case law; and guidance and advice obtained from licensing practitioners.

A number of reports also describe the evidence used to help keep policy implementation under review, such as considering annual reports on the performance of policy statements, and gathering views and feedback from local stakeholders.

Renfrewshire example: Participating at local partner events

"Seven members of the Board attended an event hosted by Renfrewshire Alcohol and Drug Partnership in summer 2017. At this event, Board members heard various presentations from Police Scotland and health professionals and took part in interactive exercises and discussions. This gave members an insight into a number of alcohol-related issues: for example, the work of addictions nurses."

Moray example: Drawing on public surveys

"The current system of hours appears to be working. There have not been any complaints in relation to licensing hours in general. In addition feedback from a public licensing survey indicated that between 70% and 80% of respondents felt that on and off sale hours, including terminal hours, were "about right".

West Dunbartonshire example: Seeking partner input

"Each year the Board asks the Chief Constable of Police Scotland to provide to them a report on the Policing of the local licensed trade. The Board are always keen to ensure that they take any relevant information relating to the licensing objectives from this report."

Local licensing forums play a key role in keeping under review the operation of the Licensing (Scotland) Act 2005 in their area, and giving advice and making recommendations to the board. Forums also provide a key mechanism for community members and local stakeholders to have a voice on alcohol licensing issues, and can help keep boards abreast of local issues.

Twelve of the reports include information about the local licensing forum. Some describe challenges such as forums not achieving quorum and difficulties attracting/attaining forum members, as well as the steps taken to address these challenges. Others describe the forum as functioning well and include information about the activities of the forum and the types of issues it has brought to the board's attention. A number of the reports also include minutes of the annual meeting between licensing board and local licensing forum; recognising that this is a statutory meeting and an important event in the licensing calendar.

Perth and Kinross example: Receiving input from the forum

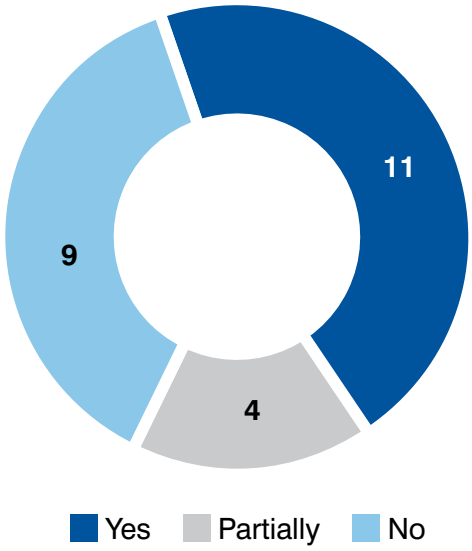
"The Forum has been asked to comment on the Licensing Board Policy Statement for 2018 and provided valuable feedback on areas that are relevant to the current economic climate. For example, the operating hours for pavement cafes, a suggested increase in licensing hours and the close down policy for those premises that operate function hours."

Training and development

Licensing board members are required to undergo a training qualification within three months of being elected to the board (which was required during the period covered by these reports). Fifteen of the reports reference this training with a number also providing the date that the training was completed by members. While 4 of these reports reference only the mandatory training, 11 evidence a more conscientious approach to continuous professional development – for example, by outlining activities undertaken by the board to improve their knowledge/understanding of relevant issues, or to develop their skills and abilities on a more ongoing basis. Nine of the reports reviewed make no mention at all of training or development.

Of the 11 reports that provide detail about ongoing training and development, some highlight that board members participated in multiple training sessions beyond mandatory requirements e.g.

Includes information about training/development



sessions focused on improving understanding of the decision making process, and meetings hosted by the NHS and Police Scotland on various matters relating to the sale and consumption of alcohol. Many describe participation at events/ conferences, meetings, and undertaking visits to licensed premises.

Some of the reports also outline steps taken to ensure that the board's officers are kept up-to-date in all aspects of licensing. This includes giving permission for them to attend events such as the Scottish Licensing Law and Practice Conference, Central Law Training licensing events and also "SOLAR" (Society of Local Authority Lawyers and Administrators in Scotland) licensing events.

East Lothian example: Monthly in-house policy group meetings

"The Board recognises the need for continuous development of understanding and awareness of licensing law and practices, and having up-to-date knowledge of the effect of alcohol on people across East Lothian. This is essential to making informed licensing decisions. With this in mind, Board members are encouraged to attend licensing conferences, seminars and monthly in-house policy group meetings"

West Dunbartonshire example: Officers keeping up-to-date on licensing

"The Licensing Board is also keen to ensure that its officers are kept up-to-date on all aspects of licensing therefore officers are given permission to attend events such as the [Scottish Licensing Law and Practice] conference. Furthermore, the Clerk to the Licensing Board and other Officers are encouraged to seek out opportunities to present to such conferences, and Licensing Staff members regularly take part in events throughout the year. The Depute Clerk to the Board regularly attends Central Law Training Licensing events and also "SOLAR" (Society of Local Authority Lawyers & Administrators in Scotland) Licensing events."

Additional information

Boards may include such other information about the exercise of their functions as they consider appropriate in the annual reports, and 19 of the reports include additional information relating to matters such as: consultation activities relevant to licensing policies; the role and activities of licensing standards officers; premises/personal licence reviews; and customer feedback. In addition, some identify matters that are of concern to the board, and recommend actions that should be taken by the Scottish Government.

One report includes specific sections outlining what the divisional boards in the area achieved in 2017-2018, and their goals for 2018-2019. This approach is particularly useful as it enables them to publicly set a benchmark against which they (and others) can assess progress the following year; the ongoing production of functions reports provides them with a mechanism to regularly monitor and report on their progress over time.

West Lothian example: Reporting on concerns about occasional licences

"The Board is concerned about the numbers of occasional licences which are granted each year. The fee for each licence is £10 which is insufficient to cover the costs of administering these. More importantly the Board is concerned that many events take place in premises which would not be suitable for the grant of a premises licence... The Board considers that the Scottish Government should give urgent consideration to increasing the fee and limiting the numbers of applications which can be made by all applicants."

Moray example: Reporting on the licensing standards officer functions

"Moray has been without a full time equivalent (FTE) Licensing Standards Officer (LSO) for some approx. 5 years. During that period LSO functions were shared between a number of council officers and equated to 0.4FTE. LSOs would therefore respond to specific requests and consultations but did not undertake a programme of routine visits to premises. The Board decided a full time LSO was required and set aside funds from licence fees to fund a 1.0FTE post that is now filled. Full functions will therefore resume."

Presentation and readability

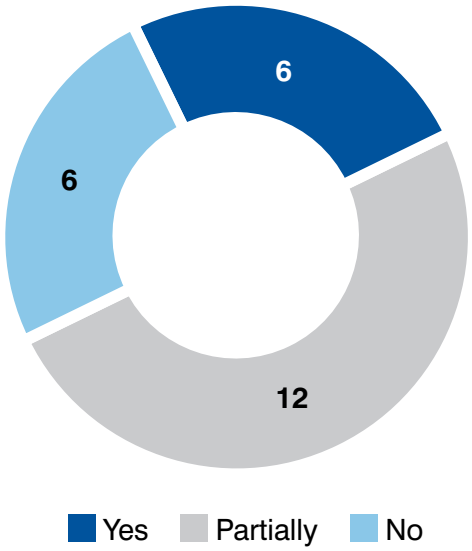
The legislation does not specify how an annual report should be organised and presented, nor has formal guidance been issued to boards in this regard. Subsequently, the published reports vary considerably in structure and length. The shortest three reports are just 4 pages long, while the longest is 358 pages (including appendices). The bulk of the longer reports are made up of information contained in appendices, principally relating to the applications received and licences in force in the board area. Web-links have also been used well in a number of the reports to direct interested parties to more detailed information where required.

The wide disparity in the amount of detail contained in the reports underlines the importance of boards consulting with local stakeholders about their contents, in order to ensure that future reports strike an appropriate balance in the depth and breadth of data provided to meet their needs.

Only one of the reports explicitly states it was compiled with a central focus of explaining the work of the relevant boards to local communities. This report uses plain, accessible language and has provided information in clear and concise terms wherever possible. It also includes appendices to explain the role of key stakeholders and their functions, and the report makes use of symbols and imagery to enable navigation and understanding.

While a number of the reports are concise and fairly easy to read and navigate, a significant number contain legalistic language and appear to repeat in large sections what is already laid out in law, regulations, or guidance. It is apparent that several of the reports have not been written with the public in mind. Some have been published in the format of a scanned report by the Clerk to the board, inviting members to approve the annual report, with the actual report itself being attached as an appendix – this gives the impression that the report has been written solely for the attention of board members, as opposed to being accessible and relevant to local communities. A small number of the reports also have formatting issues, including missing appendices and data in tables that appears to have been cut off by the margins of the page.

Report is well presented and accessible



Aberdeenshire example: A report for local communities

"The Annual Functions Report will be compiled with a central focus of explaining the work of the Boards to our local communities. The use of plain English shall be promoted and information will be provided in clear and concise terms wherever possible. Web-links will be used to direct interested parties to more detailed information where required... It is anticipated that the development of the reports will involve a process which will refine the content and approach with each publication. In addition, the Aberdeenshire Local Licensing Forum will play a key role in shaping future reports through their statutory function of providing advice and guidance to the Aberdeenshire Divisional Licensing Boards"

Aberdeenshire example: Setting measurable goals

"GOALS for 2018-2019

1. Approval and Publication of revised Licensing Policy Statement by 1st November 2018
2. Preparation and Approval of New Action Plan so the Boards can review how well the Licensing Policy Statements are working within Aberdeenshire
3. Commencement of the processing of renewal applications for personal licences
4. Approval of the second Annual Finance Report by all Licensing Boards and publication by 30th June 2018
5. Develop and improve appropriate Performance Indicators for the Board
6. Approval of the first Annual Function Report by All Licensing Boards and publication by 30th June 2018
7. Purchase and implementation of a new Licensing software system
8. First Annual Meeting of the Licensing Boards with the Aberdeenshire Local Licensing Forum
9. Licensing Matters Event for the Licensed Trade to be held in Inverurie in November 2018
10. Continue to build specialist knowledge both at Board and Officer level through appropriate training courses, conferences and attendance at working groups
11. Continue to respond to Scottish Government consultations as required
12. Update and publish revised Publication Scheme for the Licensing Boards to comply with the requirements of the Scottish Information Commissioner"

Conclusion

The purpose of this review was to assess the extent to which annual functions reports have met statutory requirements, and also served to fulfil the purpose behind their introduction of increasing transparency and accountability in the licensing process. This exercise has also enabled AFS to review the ways in which different boards have approached their obligations, and whether any learning can be fed back to relevant stakeholders and good practice shared.

This review indicates that not only do the majority of the reports reviewed meet minimum statutory requirements, but that many boards have applied additional good practice to better enable the public to see how they conduct their business.

It is apparent from the reports that boards in many areas are investing considerable time and effort to promote the licensing objectives and implement their licensing polices. It can also be seen from reading the reports that some boards have encountered challenges when trying to implement their policies, but have taken action to address these challenges and review and update their policies as appropriate. The majority of the reports also allow for some scrutiny and analysis of the board's decision making, to varying degrees and with differing levels of ease, and many outline the evidence that has been used to develop policy and inform decisions. In addition, a significant number demonstrate how boards are developing their understanding of the effects of alcohol in their area, and taking a conscientious approach to keeping up-to-date.

While there are many examples of good practice that can now be shared and built upon, a number of the reports contain only minimal information and are unlikely to enable communities/stakeholders to scrutinise and understand the operation of the licensing system in their local area. Four of the reports do not provide sufficient levels of data to meet the minimum statutory requirements. It is also apparent that several of the reports have not been written with the public in mind. It should also be noted that at the time of writing this report, five months after the deadline for publishing the reports, AFS was unable to locate reports for 8 out of the 40 licensing boards in Scotland.

Well-considered functions reports provide a vital means for boards to set out their ongoing progress towards achieving the licensing objectives, and how they are adhering to and applying their policies in practice. They also provide a way for boards to inform local stakeholders of the actions and activities that have been undertaken locally, any expected outcomes, and how progress is being measured and tracked. However, the wide variation between the reports suggests that the boards have differing interpretations of their legal reporting obligations, particularly in relation to explaining how they have paid regard to the licensing objectives and their policies; in a number of cases, the reports appear to focus on the procedural approach to applying their policies rather than the practical application of these. This indicates that licensing boards require further guidance from the Scottish Government, especially regarding how they should approach the production of reports and what types of information they should contain.

It seems likely that boards will refine the content and approach to these reports with each publication, as some boards have already committed to doing in consultation with stakeholders. Different stakeholders are also likely to have differing needs and expectations relevant to the reports. Therefore, it will be critically important that all boards undertake such consultation with local partners about how useful and meaningful the published reports are for them. Stakeholders who will be making use of the reports are particularly well placed to make recommendations about what amount of detail should be included in the reports. Such consultation and feedback will be necessary to help inform the development of future reports, and ensure that the approach to the form and content of the reports meets the needs of their audience.

In some instances, AFS was only able to access the reports by making direct requests to licensing boards. It is essential that the reports are made widely available for public scrutiny and proactively provided to and discussed with key stakeholders. The reports will be of particular relevance to local licensing forums, which have a role in reviewing the operation of the licensing system in their local area. Forums are also one of the principal mechanisms through which communities can contribute to discussions on licensing. The publication of good quality annual functions reports is likely to assist forums to provide informed comment and advice to licensing boards on current and future licensing strategy. However, the reports will also be relevant to a broad range of other stakeholders such as Community Councils, health boards, police, and Alcohol and Drug Partnerships amongst others, and should be circulated to them accordingly.

The findings from this review point to a number of recommendations to ensure that annual functions reports fulfil their intended purpose and are of use to all stakeholders, including boards themselves.

Recommendations

The Scottish Government should:

- **Consult widely on the form and content of the annual functions reports, particularly engaging those stakeholders with a role in scrutinising the activities of licensing boards, including: local licensing forums, police, licensing standards officers, health representatives, the licensed trade, and the wider public.**

- **Issue guidance to licensing boards – informed and shaped through consultation – regarding the form and content of the annual functions reports.** This activity could potentially be undertaken as part of Action 5 of the Scottish Government's Alcohol Framework 2018: *"We will update the statutory guidance on the Licensing (Scotland) Act 2005 to provide clarity for Licensing Boards… a full public consultation will be held in 2019."*

- **Make further provision regarding the form and content of the annual functions reports using secondary legislation, as appropriate.**

- **Conduct annual reviews of the functions reports in order to help monitor the ongoing effectiveness of licensing system.** This activity would support Action 6 of the Scottish Government's Alcohol Framework 2018: *"We will keep the licensing system under review."*

- **Hold licensing boards to account where they fail to fulfil their statutory obligations; including to publish annual functions reports on time, and include all the required information.**

- **Consider ways to share learning and good practice, regarding the development and publication of the annual functions reports, between different board areas.**

Licensing boards should:

- **Ensure that the annual functions reports are made widely available and publicised, giving consideration to which methods of communication may be the most effective to reach different types of local stakeholder.**

- **Consult with local stakeholders regarding the board's approach to annual functions reports in order to ensure that they are meaningful and useful to their audience, contain an appropriate breadth and depth of information, and to help inform the development of future reports.** In particular, feedback should be sought from local licensing forums, and the functions reports should be included as an ongoing topic for discussion at joint meetings of the board and forum.

- **Use the ongoing production of the annual functions reports as a mechanism to help monitor the implementation of local licensing policies; utilising them to identify and consistently measure outcomes, progress, and assess and report on performance.**

- **Identify whether there are any gaps in the licensing data being collected and reported upon in their board area, and what actions may be required at local or national level to address gaps that are identified.**

Local licensing forums should:

- **Use the annual functions reports as a tool to help fulfil their statutory purpose of keeping under review the liquor licensing system and the functioning of licensing boards in their area.**

- **Give advice and make recommendations to licensing boards regarding the functions reports themselves, and any matters arising from them.**

Appendix 1:

Examples of licensing data found in Annual Functions Reports 2017-18

Aggregate level data
Applications/decisions • Total premises/provisional premises licences received (for on-sale, off-sale, and both) • Total minor/major variations of premises licences received (including breakdown for substitution of employee and other) • Total applications for transfer of premises licences received (including breakdown for Section 33/ Section 34) • Total applications for extended hours received • Total applications for occasional licences received • Total applications for temporary premises licences received • Total applications for personal licences received • Application outcomes (total: granted (delegated/board)/refused/still being processed/withdrawn)
Reviews • Total requests for review of premises licences received (broken down by Police, LSO, Board and other) – Notice of Further Conviction – Conduct Inconsistent with the Licensing Objectives – Conduct Inconsistent with the Licensing Objectives – Fit and Proper Person – Multiple endorsements • Results of review requests (total: written warnings/variation of licence/suspension of licence/revocation of licence/no action)
Licences in force • Total premises licences (on/off/both) – Number providing entertainment – Number where children are permitted – Number of convenience stores/ express stores/off licence – Number of supermarkets – Number of retail stores – Number of restaurants/cafes/tearooms – Number of public houses (including serving food) – Number of hotels – Number of clubs (social, sports etc.) – Number of holiday parks/resorts – Number of cinemas, theatres, art centres, events venues – Number of nightclubs – Number of premises providing entertainment – Number of premises with capacity to trade after (X)am – Number of premises with the capacity to permit children • Total number of extended hours applications granted • Total number of occasional licences granted (and a description of the type of event) • Total number of personal licences

Individual level data

Applications/decisions

- List of applications determined at the Board (Provisional/variation/personal/extended hours/occasional/surrendered)
  - Date of licensing board meeting
  - Name of premises/licence holder
  - On/off Sales
  - Type of application (e.g. minor/major variation)
  - Type of premises (e.g. convenience store, farm shop, supermarket)
  - Details of request (e.g. to add sale of alcohol as part of an online shopping feature, hours applied for etc)
  - Objectors and comments received (e.g. "*Communities, Environmental & Consumer Protection advised that the standard condition should be applied in respect of external drinking areas.*")
  - Decision (grant/refuse including reason e.g. *"the Board agreed to grant the application, subject to the following additional conditions…")*

- List of decisions granted under delegated authority
  - Date
  - Type of application (e.g. minor variation/transfer/personal licence/extended hours/occasional licences)
  - Name of premises/licence holder
  - Venue, date and times
  - Description (e.g. changing premises manager)
  - Type of event (e.g. family BBQ with games for children)
  - Granted date

Reviews

- List of premises licence revocations
  - Application Date
  - Application Address
  - Application Review Outcome (e.g. revoke licence)

Licensed Premises

- List of licensed premises (on sales / off-sales / both)
  - Premises name / address
  - Capacity off-sales (e.g. Display area – 2m x 3.5m, Retail Area – 2m x 4.5m)
  - Capacity on-sales (e.g. 180 people)
  - Capacity to provide entertainment (yes/no)
  - Licensing Hours of Premises
  - Capacity to trade after 1am (yes/no)
  - Capacity to permit children (yes/no)

Alcohol Focus Scotland is the national charity working to prevent and reduce alcohol harm.

We want to see fewer people have their health damaged or lives cut short due to alcohol, fewer children and families suffering as a result of other people's drinking, and communities free from alcohol-related crime and violence.

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