

East Dunbartonshire Licensing Board
Licensing (Scotland) Act 2005,
Section 9A
Annual Functions Report 2024-2025

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[East Dunbartonshire Council](#)

East Dunbartonshire Licensing Board,
12 Strathkelvin Place
Kirkintilloch
Glasgow G66 1TJ

Tel No: 0300 123 4510

Any questions regarding this report should be sent to the
above address.

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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 in which alcohol is sold.

1.2 Under the Act, Licensing Boards are 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 purpose of the Act. The Board was constituted following local government elections in May 2022. It 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 as 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, adopted by the Board on 11 October 2023 and which took effect from 5 November 2023. 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 licenced 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 2024 until 31 March 2025.

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 five times. One Board meeting required to be cancelled due to the UK General Election on 4 July 2024, and one meeting required to be postponed for technical reasons. No applications were refused by the Board during this period. The following licences were granted at Board and under powers delegated to the Clerk of the Board:-

Licence type	Board	Delegated
Premises licence	1	n/a
Occasional licence	0	114
Provisional premises licence	6	n/a
Temporary premises licence	0	n/a
Confirmation of premises licence	0	6
Personal licence	0	115
Transfer of premises licence	0	10

Variation of premises licences	10 (major)	71 (minor)
Extension of licensing hours	2	27

- 5.2 Applications to the Board are processed in a speedy, efficient and cost effective manner. Each application is considered on its individual merits, in accordance with the Act and with regard to 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. Details 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. Steps are currently being taken to reconstitute the Local Licensing Forum.

8.0 Licensing Board Financial Statement

- 8.1 The Board’s Annual Financial Report for 2024 - 2025 can be accessed on the Licensing Board’s website.

9.0 Statement of Licensing Policy

- 9.1 The Board’s current Statement of Licensing Policy comprises the policy which was adopted on 11 October 2023 (the “Policy”). When reviewing the Policy, the Board consulted widely with key stakeholders, other organisations and members of the public. The Board considered a number of issues, including the description of licensed premises; the approach to festive hours; local

conditions for deliveries; incorporation of the (then) current Supplementary Statement of Licensing Policy (the “Supplementary Statement”) and potential areas of overprovision. The principal changes which were made to the Policy were the introduction of the Board’s local conditions for deliveries and the extension of the designated area of overprovision in Kirkintilloch West, which was increased slightly to the north and south of the existing area of overprovision. In addition, the Policy incorporated the terms of the Supplementary Statement which had been adopted on 17 September 2021 following a consultation exercise. The terms apply to applications for the grant or variation of premises licences which seek a terminal hour of 1am and sets out indicative issues to which the Board will have regard when considering such applications including the extent of CCTV and stewarding provision; first aid provision; customer safety procedures and commitment to ongoing staff training and social responsibility, including late night transport arrangements for staff.

10.0 Developments and Conclusion

- 10.1 Following the introduction of the Policy in November 2023, implementation of the Board’s local conditions on deliveries helped better regulate the delivery of alcohol.
- 10.2 During this period, regular reports to the Board on delegated decisions were introduced and allows the Board to review and ask questions of Officers about delegated decisions. A request for six monthly reports to be submitted by the Licensing Standards Officers was also agreed by the Board during this period, which has subsequently been implemented, to allow the Board to assess compliance with the Policy and any challenges facing the trade.
- 10.3 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.

APPENDIX 1

MAP OF EAST DUNBARTONSHIRE LOCAL AUTHORITY AREA

