



**Our vision is a Perth and Kinross where everyone can live life well,  
free from poverty and inequalities**

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**Committee or Board:** Licensing Board

**Date of Meeting:** 13 August 2025

**Report Title:** Annual Functions Report

**Report Number:** [TBA]

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**Organisational Lead:** Lisa Simpson, Legal and Governance Services

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## **1. Purpose**

1.1. This report provides the Board with an Annual Functions Report required under Section 9A of The Licensing (Scotland) Act 2005.

### **1.2. Sections**

1. Purpose
2. Recommendations
3. Background/Main Issues
4. Impact Value Assessment
5. Appendices

## **2. Recommendations**

2.1. This Report summarises the activity of the Licensing Board during the last financial year 2024/2025. It is recommended that the Board:

- 2.1.1. Note the contents within the Annual Functions Report as shown as Appendix 1.
- 2.1.2. Approve the Annual Functions Report as shown as Appendix 1.
- 2.1.3. Instruct the Strategic Lead – Legal and Governance to publish the Report and provide a copy to the Scottish Government.

## **3. Background/Main Issues**

3.1. In terms of The Licensing (Scotland) Act 2005, a Licensing Board must publish an annual functions report within 3 months of the end of the financial year.

3.2. In preparing an annual functions report a Licensing Board must include:

- 3.2.1. a statement explaining how the Board has had regard to:
  - 3.2.1.1. the licensing objectives, and
  - 3.2.1.2. the 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.
- 3.2.2. a summary of the decisions made by the Board during the financial year.
- 3.2.3. 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).
- 3.2.4. any other information about the exercise of the Licensing Board's functions under this Act as the Board consider appropriate.

### **3.3. *Historic Information/Context***

- 3.3.1. On 14 August 2024, the Annual Functions Report for financial year 2023/2024 was discussed and the terms noted.

### **3.4. *Options Available to Elected Members/Board members***

- 3.4.1. As the report is a statutory requirement, the Board is required to agree a report. The Board could make amendments if required, subject to those complying with the requirements in the Act.

### **3.5. *Conclusion/Rationale for Recommendations made in Section 2***

- 3.5.1. The Perth and Kinross Licensing Board is required under Section 9A of the Licensing (Scotland) Act 2005 to publish an annual functions report within three months of the end of the relevant financial year.

**4. Impact Value Assessment**

4.1. As this report is for information to the Board no consultation or Impact Value Assessment is required.

**5. Appendices**

5.1. Appendix 1 – Annual Functions Report

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## **Appendix 1**

### **Annual Functions Report – Financial Year 2024/2025**

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

#### **Perth and Kinross Council Board Annual Functions Report**

#### **Financial Year: 2024/2025**

The Perth and Kinross Licensing Board is required under Section 9A of the Licensing (Scotland) Act 2005 to publish an Annual Financial Report.

The information set out below covers the period 1 April 2024 to 31 March 2025 and is currently unaudited pending completion of the audit of Perth & Kinross Council's annual financial statements.

The Annual Functions Report is as follows:

PERTH AND KINROSS LICENSING BOARD



Perth and Kinross Licensing Board  
Annual Functions Report  
2024-2025



Section Number	Section Title
1.	Introduction
2.	Objectives
3.	Annual Function Report
4.	Decisions of the Board
5.	Reviews
6.	Licensed Hours
7.	Licensing Board Training
8.	Licensing Forum
9.	Perth and Kinross Licencing Board Policy Statement 2018-2023 and 2023-2028
10.	Conclusion

## **1. Introduction – Perth and Kinross Licensing Board**

1.1 Perth and Kinross Licensing Board (“the Board”) is the licensing authority for the local government area of Perth and Kinross for the purposes of the Act. The current Board was formed in July 2022 and comprises 9 members all of whom are elected members of Perth and Kinross Council. The Board is responsible for the functions set out in paragraphs 1.3 and 1.4 below within Perth and Kinross.

1.2 Perth and Kinross shares borders with Dundee, Fife, Clackmannanshire, Highland, Aberdeenshire, Angus, Argyll and Bute and Stirling Councils and covers 5285 square kilometres. The 2022 Census states that 150,800 people live within the area, which stretches from the Spittal of Glenshee in the north to Blairingone in the South; in the East from Alyth and Blairgowrie and to the West, St. Fillans on the banks of Lochearn. The main administrative centre for Perth and Kinross is based in Perth.

1.3 The Licensing (Scotland) Act 2005 (“the Act”) makes provision for regulating the sale of alcohol and for regulating licensed premises and other premises on which alcohol is sold. The Gambling Act 2005 makes provision for regulating betting and gaming. It gives responsibility for licensing some forms of gambling to Licensing Boards.

1.4 Under the Acts, Licensing Boards are responsible for considering applications for:

- All licences related to the sale of alcohol including premises licences, personal licences and occasional licences;
- betting offices, gaming machines, small lotteries, bingo premises,
- Track betting, adult gaming centres, family entertainment centres.

1.5 The vast majority of licences issued by the Licensing Board relate to the regulation of the sale of alcohol. Licensing under the Gambling Act forms only a small part of the work of the Board. For that reason, this report focuses on the work of the Board in relation to alcohol licensing.

## **2. The Licensing Objectives**

2.1 The Licensing (Scotland) Act sets out the following five alcohol licensing objectives (“the licensing objectives”):

- preventing crime and disorder
- securing public safety
- preventing public nuisance
- protecting and improving public health
- protecting children and young people from harm

2.2 The licensing objectives provide the basis for the administration of the alcohol licensing regime. They also provide potential reasons for refusal of an application for the grant or variation of a premises licence or an occasional licence. Breach of the objectives may provide grounds for reviewing a premises licence. Conditions attached to a premises licence or an occasional licence may relate to any one or more of the licensing objectives.

2.3 In exercising its alcohol licensing functions under the Act, the Board is required to have regard to the licensing objectives.

### 3. Annual Functions Report

3.1 In the year from 1 April 2024 to 31 March 2025 the Board met nine times.

3.2 All applications before the Board were dealt with in accordance with licensing legislation and the Board's Statements of Licensing Policy 2023-2028.

3.3 Information and assistance was made available to those wishing to apply for a licence, make representations or lodge objections.

3.4 The Board is aware of the need to ensure that the licensing process is accessible to all. Assistance is therefore always available on request for those who require special arrangements to access any part of the process.

3.5 At the meetings, the Board adopts as informal a process as possible but consistent with the carrying out of the Board's quasi-judicial functions.

3.6 The Board has continued to take advantage of legislative changes following the pandemic to conduct business efficiently and ensure access to meetings via remote link for those who cannot travel to the meeting.

### 4. Decisions of the Board

4.1 The Board experienced a busy year with new premises licence applications and occasional licence applications. The following table sets out the information relating to the number of applications approved by the Board:

Licence	Number
Premises Licences	20
Major Variation(s) to Existing Premises Licence	18
Personal Licence	204
Minor Variation(s)	158
Transfer/Transfer and Variation	45
Occasional Licence	1167
Extended Hours	13

4.2 Applications for new premises licences and applications for major variation are all dealt with at Licensing Board meetings. The vast majority of other applications are all dealt with by officers under delegated powers.

4.3 The Board considered **two** objections in relation to a provisional premises licence application, **one** representation in support of a premises licence application, and **three** objections in relation to an application to vary an existing licence.

4.4 Where the Board received objections to a new provisional premises, the Board granted the application subject to mandatory conditions.

4.5 Where the Board received objections to vary an existing premises licence the Board granted the application subject to adding a local condition. The local condition imposed dealt with policies to manage

- Dispersal of patrons, and

- The taking of orders and subsequent delivery of alcohol outwith the premises.

4.6 The Board considered **one** new personal licence which could not be processed under delegated powers as the applicant had a relevant offence. The Board granted the application with the relevant offence to be marked on the personal licence.

4.7 The Board also considered and granted a Betting (Other) Premises Licence.

4.8 In assessing applications, the Board used a considerable number of different sources of information to enable them to reach determinations. These sources included reports from Police Scotland, Scottish Fire and Rescue Service, Licensing Standards Officer, Building Standards, Planning and Environment Services.

**5. Reviews**

5.1 The following table sets out the information relating to the number of licence reviews considered by the Board:

Licence	Number
Premises Licences	2
Personal Licences	1
Any other licence type	0

5.2 In the period 1 April 2024 to 31 March 2025 the Board considered **two** premises licence reviews in respect of non-payment of annual fees which led to one premises licence being suspended with immediate effect until such time as the annual fee due is paid and the other premises licence being revoked.

5.3 **One** personal licence review was considered by the Board, which led to the personal licence being revoked as the licence holder was not a fit and proper person to be the holder of a personal licence.

**6. Licensed Hours**

6.1 In granting licences the Board recognised that licensing hours are important to individual licensed premises but can have a wider impact for an area. Balanced against this, the Board does not wish to unnecessarily inhibit the development of thriving and safe evening and night-time local economies which are important for investment, employment, and tourism.

6.2 In terms of the Act, the sale of alcohol for consumption off the premises is not permitted before 10.00 am or after 10.00 pm.

6.3 Each premises licence application as well as extended hours applications are individually assessed on their own merits against policy hours appropriate to the type of activity and venue for which it is sought. No applications for extended hours were referred to the Board for consideration.

**7. Licensing Board Training**

7.1 As stated at the beginning of this report, the Board comprises of 9 members who are elected Councillors for Perth and Kinross Council. They are appointed by the Council as Board Members.

7.2 All members of the Board have sat and passed the mandatory training from Alcohol Focus Scotland to enable them to sit as members of the Licensing Board.

7.3 All members also undertook 2 hours of internal training provided by the Depute Clerk to the Licensing Board.

## **8. Licensing Forum**

8.1 The role of the Licensing Forum is to keep under review the operation of the Licensing (Scotland) Act in the Perth and Kinross area and to give advice and make recommendations to the Board in relation to those matters as the Forum deems appropriate. The Forum is the community's voice on alcohol issues.

8.2 In January 2018 the group re-formed. Members include representatives from the Drugs and Alcohol Partnership, Police Scotland, Licensing Standards Officer, on and off sales representatives and an officer from the local University. However, due to members' time constraints, the last meeting of the group took place in November 2022. The LSO did attempt to reform the group to discuss the 2023-2028 Licensing Board Policy Statement, however could not gain sufficient interest. Officers continue to consider steps which can be taken to encourage and support the Licensing Forum to meet.

## **9. Perth and Kinross Licensing Board Policy Statement – 2023-2028**

9.1 Consultation on the revised Statement took place between May and July 2023 and is due to be reviewed in 2028.

## **10. Conclusion**

10.1 The efforts of officers and partners are recognised in ensuring that licensed premises in Perth and Kinross are compliant and kept well informed of the requirements of licensing legislation and regulations. Licence holders' efforts are acknowledged regarding compliance with legal requirements and the management of well-run businesses.

10.2 The Board will continue to ensure that good practice continues, and the licensing objectives are complied with during the period 2025-2026.