Falkirk Council Licensing Board Functions Report

2020 / 21

Clerk to the Licensing Board

Municipal Buildings West Bridge Street

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# Introduction – Falkirk Council Licensing Board

* 1. Falkirk Council Licensing Board ("the Board") is the licensing authority for the local government area of Falkirk for the purposes of the Act.
  2. The Board during this period was made up of 10 members, all of whom are elected members of Falkirk Council. The Convener of the Board is Councillor Niall Coleman and the Depute Convener is Councillor Robert Bissett. While the Board is made up of members elected to Falkirk Council, it is independent of the Council, being a separate legal entity with its own constitution and statutoryprocedures.
  3. A list of members currently sitting on the Board is available on the Council’s website at:

[http://www.falkirk.gov.uk/services/council-democracy/councillors-decision-](http://www.falkirk.gov.uk/services/council-democracy/councillors-decision-making/committees/committee.aspx?committee=132) [making/committees/committee.aspx?committee=132](http://www.falkirk.gov.uk/services/council-democracy/councillors-decision-making/committees/committee.aspx?committee=132)

* 1. Falkirk is situated right at the centre of Scotland and has a growing population of over 160,890, with just under 60,000 people working in the area. This is an increase of 0.3% from 2018 and is the highest ever population. The population is expected to grow yet further to over 168,000 by 2035 making it one of the fastest growing areas in Scotland. The principal town of Falkirk is centrally located and provides the main shopping, service and employment. Separated by a narrow green belt are the urban areas of Larbert/Stenhousemuir, Polmont and Grangemouth. The former two are largely residential in character, while Grangemouth is home to the largest petrochemical complex in Scotland, as well as a major port on the River Forth. In the western reaches of the area lie the settlements of Denny/Dunipace, Bonnybridge and Banknock, while to the east, overlooking the Forth, sits the town of Bo’ness. There are 18 smaller villages scattered across the rural parts of the area. The area has seen a growth in tourism in recent years with visitors’ attractions such as the iconic Kelpies, Helix Park and the Falkirk Wheel.
  2. The Licensing (Scotland) Act 2005 as amended ("the Act") makes provision for regulating the sale of alcohol and for regulating licensed premises and other premises on which alcohol is sold.
  3. Under the Act, Licensing Boards are responsible for consideringapplications for:-
     + premises licences
     + occasional licences
     + provisional licences
     + temporary licences
     + personal licences
     + transfer of premises licences
     + variation of premises licences
     + extensions of licensing hours in respect of:
       - the sale of alcohol by retail; and
       - the supply of alcohol in members clubs

# The Licensing Objectives

* 1. The Act sets out the following five licensing objectives (“the licensing objectives”):
* preventing crime and disorder
* securing public safety
* preventing public nuisance
* protecting and improving public health
* protecting children and young persons from harm
  1. The licensing objectives provide a basis for the administration of the 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 licensing objectives may provide grounds for reviewing a premises licence. Conditions attached to a premises licence or an occasional licence may be based on any one or more of the licensing objectives.
  2. In exercising its functions under the Act, the Board are required to have regard to the licensing objectives as well as the statutory Section 142 guidance and their Statement of Licensing Policy.

# Annual Functions Report

* 1. Information and assistance is made available to persons wishing to apply for a licence, make representations or lodge objections or a review. Application forms are available to be downloaded from the Council’s website as well as guidance notes, legislation and statutory reports.
  2. In normal circumstances, the Board meets monthly except January and July. However, like all other council meetings, the Licensing Board had to cancel several meetings due to the covid 19 pandemic. The Board therefore only met on 7 of the scheduled 10 meetings during this period and it had 3 special meetings convened. The dates and minutes of the meetings are available on the Council’s website:

[**http://www.falkirk.gov.uk/coins/calendar.asp**](http://www.falkirk.gov.uk/coins/calendar.asp)

* 1. Due to the pandemic, the council offices were closed and staff worked from home where possible. The Licensing Section had to adapt from being a front- line service with much of its business being carried out face to face to a remote service.
  2. During this period, the Licensing Facebook page proved invaluable and was used frequently to post updates on the changes to how the service operated and changes to the legislation introduced by the Coronavirus (Scotland) Act 2020, policy changes, etc. Advice and guidance on the licensing pages of the Falkirk Council website was also continually updated during this period in relation to the disruption to services, cancellation of meetings etc.
  3. The Board cancelled their meetings in April, May, June. Remote meetings started in August 2020 and were held on WebEx which allowed meetings to be live steamed on Falkirk Council’s YouTube channel. Technical support was provided from officers in Democratic Services who offered all attendees a dry run at connecting. All paperwork was issued electronically.
  4. Some premises established outdoor drinking areas to allow them to trade when restrictions prevented indoor drinking or reduced capacity due to social distancing. The Board made the decision to have additional meetings scheduled to deal with any applications for occasional licences for outdoor drinking areas where objections and/or representations were submitted. Officers of the Board worked closely with Planning, Town Centre Management, Police Scotland and the Roads Authority to facilitate these applications.
  5. At their meeting on 19 August 2020, the Board set their fees. The Board instructed officers to have a pragmatic approach to the late payment of annual fees and delayed consideration of the annual report detailing late payers from November 2020 to February 2021. All fees were paid over the phone by credit or debit card or by bank transfer.
  6. Applications before the Board continued to be dealt with in an open and transparent manner in accordance with licensing legislation and its statement of licensing policy. Reports to the Board are written, as far as possible, in Plain English. During tis period, officers asked that applications and supporting documentation be submitted electronically as an online application and payment portal is not currently available.
  7. At their meetings, the Board attempted to make the process as informal as possible and consistent with the carrying out of the Board's quasi-judicial function. The Board always attempts to follow best practice in enforcement including adoption of standards, which, will in its actions, be proportionate, accountable, consistent, transparent and targeted.
  8. The policy position of carrying out site visits to premises for all new and provisional premises licence applications and those non-minor variations that are seeking changes to children and young person access or have objections continued in the latter half of the period where permitted by the restrictions. The visits were carried out by the Licensing Standards Officer’s instead of the members of the Board and photographs were taken of the premises and a

PowerPoint presentation was shown at the relevant Board meeting. This worked well and provided consistency to the application process.

# Decisions of the Board 2020/21

* 1. The Board is required to determine applications for new and provisional premises licences and those variations that do not fall within the definition of “minor” variation. In addition, the Board determines applications for occasional licences, transfers, extended hours and personal licences to which objections or representations have been made and reviews of premises and personal licences.
  2. Each application is determined on its own merits and the Board looks to its statement of licensing policy and the five licensing objectives to underpin their decision-making. Most objections and representations are submitted by Police Scotland and neighbouring properties/local residents. As reported in the previous reports, only on one occasion since the commencement of the Act in September 2009 has the local Health Board such a submission. This position remains unchanged.
  3. During the period 1 April 2020 to 31 March 2021, the Board determined applications for **6 new premises licences, 2 provisional premises licence, 14 non-minor variations**, **2 occasional licences**, **2 new personal licences, 1 personal licence notification of conviction, 1 premises licence transfer and 2 premises licence reviews.**

The table below shows the total number of licences in force on 31 March 2021:

|  |  |
| --- | --- |
| **Type Of Licence** | **Number** |
| Premises Licence | 335 |
| Personal Licences | 1333 |

* 1. In relation to the applications for **new premises licences (including provisional applications)** and **non-minor variations**, 2 objections were received, 1 from a local resident and 1 from the local Community Council. These were received in relation to 2 of the applications and were mainly based on concerns in relation to perceived noise nuisance, anti-social behavior, under- age drinking and the location of the premises. Due to the pandemic, the Board were unable to visit the premises, including those that had been objected to. Instead, photographs of the premises and their surroundings were taken by the Licensing Standards officers and presented at the meeting. Both applications were granted. The Board imposed specific conditions and asked for

undertakings in relation to several the applications and details of these are in the relevant paragraph to the application below.

* 1. A Licensing Standards Officer contacts all those who submit an objection or

representation to discuss their concerns. It continues to be the case that in many cases, there is a lack of understanding in relation to what was being applied for and that objections were being made based on an assumption of what might happen.

* 1. Details of the applications are below. All other applications were dealt with under delegated powers.

New Premises Licences

Cineworld *(On Sales) -* this application was to enable alcohol to be sold in the foyer and consumed there and also in the auditoria. No objections or representations were made to the application which was granted by the Board on a division (5 to grant, 2 to refuse). No specific conditions were put on the licence.

*Mieszko (Off Sales) -* this application was for an independent grocery store which specializes in eastern European produce. An objection was made to the application by the local Community Councils. The application was granted by the Board. No specific conditions were put on the licence.

*Rumford Service Station (Off Sales) -* . this application was for a petrol station shop providing grocers to locals and drivers. One objection from a local neighbour was made to the application which was granted by the Board. No specific conditions were put on the licence.

*SLOPEmeister Brewing (Off Sales) -* this application was for a microbrewery that traded online. No representations or objections were made to the application. The application was granted by the Board. Whilst no specific conditions were put on the licence the Board asked the applicant to give the following undertakings:

* to operate an EPOS type till;
* that deliveries would only take place between 11am and 8.30pm, and
* to put in place a system of 3rd party checks in relation to Challenge 25.

*The Wooer (On and Off Sales) -* these vegan café premises had previously been licensed under the 2005 Act but the licence had been surrendered by the previous licenceholder. No representations or objections were made to the application. The application was granted by the Board. Whilst no specific conditions were put on the licence the applicant agreed to fit CCTV cameras monitor the outdoor drinking areas.

*Hybrid Brewery (Off Sales) -* this application was for a microbrewery that traded online and had a customer pick up point. No representations or objections were made to the application. The application was granted by the Board after it agreed to a departure from policy in relation to the requirement to have an EPOS till in operation.

Provisional Premises Licences

*Scotmid, Bo’ness (Off Sales)* - these premises were built in the grounds of the existing licensed store which would be subsequently demolished, and the licence surrendered. There were no objections or representations, and the application was

granted at the October 2020 meeting and confirmed in November 2020. There are no specific conditions on the licence.

*Lidl, Falkirk (Off Sales)* - these premises are being built in the grounds of the existing licensed store which would be subsequently demolished, and the licence surrendered. There were no objections or representations, and the application was granted at the December 2020 meeting. It is yet to be confirmed. There are no specific conditions on the licence.

Non-Minor Variations to Premises Licences

This type of application requires to be determined by the Licensing Board. 14 applications for non-minor variations received during 2020/21 were determined by the Board; 12 of which had no objections or representations submitted and were granted with no specific conditions These premises are:

|  |  |  |
| --- | --- | --- |
| Costcutter | Bonnybridge Golf Club | Co-op, Denny |
| Union Inn | Polmont Golf Club | Lodge Zetland No 391 |
| Allandale Bowling Club | SLM News | Croft & Creel |
| Buzz Bingo | Cadzow Mini Market | Keystore |

Johnston’s Bar & Bistro ***(On and Off Sales)*** - this application was to vary the licence including the addition of off sales and a “Click and Collect” service. There were no objections or representations submitted. The Board were concerned that the off-sales alcohol display was in an open display unit close to the entrance to the premises so it asked for an undertaking that this would be changed to an enclosed unit to reduce the possibility of theft.

Camelon Juniors Social Club ***(On and Off Sales)*** - There were no objections or representations submitted. The application was granted by the Board with the following specific condition:

“A CCTV system to a specification approved by the Chief Constable must be fitted and maintained in full working order at all times in accordance with guidance provided by the Information Commissioner. Any system fitted must be operational at all times the premises are open for business and images must be made available to any Licensing Standards Officer or Constable of Police Scotland on request for the purposes of the investigation and detection of crime”.

The Board also asked for an undertaking to be given to improve the disabled access to the premises.

Transfers of Premises Licences

14 applications to transfer premises licences were received during the period 2020/21. 13 were granted under delegated powers however a notification was received from the Chief Constable advising of a conviction in 1 application, so this application was determined by the Board. There was no recommendation for refusal in the notification and, as the Board had previously been notified of the conviction in relation to the transferee’s personal licence and taken no further action, the Board determined to grant the transfer.

Occasional Licences

As detailed in paragraph 4.3, the Board considered 2 applications for an **occasional licence** during this period. These were for the same premises, The Orchard Hotel, Falkirk and 3 objections from local residents had been to the applications for the use of the rear car park for outdoor drinking. Occasional licences for the rear car park area which was unlicensed had previously been granted under delegated powers and the area had been operating however, the residents had concerns over the level of noise nuisance emanating from the area. The Board considered the objections at a special meeting on 5th August 2020 and granted the occasional licence with the follow conditions:

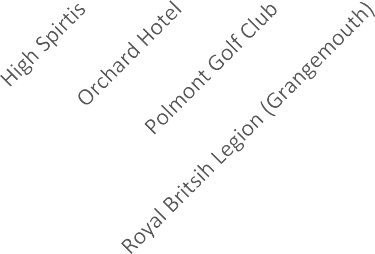
“1. The premises will only be operated where permitted by, and in accordance with, legislation, regulations and directions of the UK and Scottish Governments relative to the COVID-19 pandemic, whether relating to the protection of public health, restrictions of social gatherings, requirement for social distancing or otherwise, along with guidance from Falkirk Council’s Environmental Health Section;

1. No amplified entertainment or acoustic musical entertainment shall be played in or onto (from inside the premises) outdoor drinking areas. In addition, management must monitor noise from customers in terms of rowdy behaviour in order to ensure the amenity of neighbouring properties is not adversely impacted. Signage should be displayed advising patrons to be mindful of neighbours. If justifiable complaints are received about noise, then restrictions may be imposed on the occasional licence for the outside drinking areas.
2. No vertical drinking will be permitted in the area to which the licence relates; and
3. That the area to which the licence relates will not open prior to 10.00 a.m. and will close at 10.00 p.m”.

The residents submitted objections to a further application for an occasional licence and the Board considered these at the meeting on 28th October 2020. In addition to the issues with noise, the residents also raised issues about the fire pit that had been in use in use in the area. The Board granted the occasional licence application with the above conditions plus a further condition specific to the use of the fire pit, namely:

“5. The fire pit will not be operated until authorised by Environmental Health”.

During 2020/21, the Board saw a dramatic reduction in the number of applications for occasional licences due to the covid pandemic. A total of 156 were submitted with 119 of those being for newly created outdoor drinking areas. Licenceholders utilised pavements, roads, car parks and created beer gardens. Some applicants developed their outdoor areas and submitted non-minor variations to incorporate it into their licence. The following graph shows the premises that were granted occasional licence for outdoor areas:



20

18

16

14

12

10

8

6

4

2

0

Occassional licences supporting Outdoor Drinking

19

17

18

15

~~14~~

10

8

5

6

3

2

2

37 applications were made for occasional licences by applicants for new or provisional premises licences to allow then to trade whilst their application was being processed. These applications were made by The Champany Inn, The Wooer, Hybrid Brewery, Tryst Brewery, Scotmid (Bo’ness) and John Pye Auction House. The premises licence application for John Pye Auction House was subsequently withdrawn.

Extended Hours Applications

The Board determined no applications for extended hours during this period. New Personal Licences

On the 31 March 2020, 1333 personal licence were in force. A total of 58 applications for new personal licences were received, 56 of which were granted under delegated powers.

In the course of Board business, applications for **Personal Licences** are also heard where a notice of conviction(s) and a recommendation for refusal has been submitted by the Chief Constable. During this period, there were

2 such applications. The Chief Constable submitted objections on the grounds that the applicants had been convicted of relevant offence(s). The Board granted 1 of the applications following a hearing in which the circumstances of the convictions were explored within the context of the licensing objectives. The other application was refused by the Board on the grounds that the applicant was not a fit and proper person to be the holder of such a licence having regard to the licensing objectives.

Renewal of Personal Licences

The Board was not required to determine any applications for the renewal of a personal licence where the Chief Constable had submitted a notice of

conviction(s).

Personal Licence Revocations

Section 87 of the Licensing (Scotland) 2005 Act provides that if a personal licenceholder fails to comply with the duty to undertake training and notify the appropriate Licensing Board within the statutory timescale, then the issuing Board *must* revoke the licence. The original provision was that the applicant cannot apply for another personal licence for a period of five years; however this has now been amended by the Air Weapons & Licensing Act 2015 which allows an application to be lodged for a new personal licence by a person whose licence has been revoked. It is important to note that this relaxation only applies where the licence has been revoked for failure to comply with Section 87.

3 personal licences were revoked during 2020/21, the revocations all being as a result of licenceholders failing to comply with the requirements of mandatory refresher training.

# Licensing Board Training

* 1. As stated at the beginning of this report, during this period the Licensing Board comprises 10 members who were elected in the local elections in May 2017. 5 members have served previously on the Licensing Board, although 1 subsequently resigned and was replaced by a new member. As required by the Act, all members received training, provided by from Alcohol Focus Scotland, and passed the exam.
  2. The Board recognises the need for continuous development of understanding and awareness of licensing law and practices, as well as wider issues. This is essential to making informed licensing decisions. With this in mind, Board members are asked to undertake on-line training in relation to equality legislation and data protection and information security and are regularly updated by officers and partners in relation to changes in legislation and other relevant matters.
  3. Over the last couple of years, the Board has seen a slight increase in the number of new/provisional premises licence applications seeking to include home delivery in the Operating Plan. The covid 19 pandemic has forced businesses to reevaluate their business plans to make them more resilient to this situation. The use of third- party delivery companies, in house deliveries and use of apps have all been seen in applications considered by the Board. Several applicants use the Snappy Shopper app and a representative from the company gave a presentation to the Board at the meeting on 16 March 2021.

# Licensing Forum

* 1. The role of Licensing Forum is to keep under review the operation of the Licensing Act in the Falkirk area and to give advice and make recommendations to the Board in relation to those matters as the Forum considers appropriate. The Forum is the community's voice on alcohol licensing issues and the Board welcomes the views

that all the members bring.

* 1. The composition of the Forum is statutory and whilst it has always attracted nominations from members of the trade and the public, there has been little interest shown by young persons and there has previously been no young person on the Forum. As reported previously, the Board was pleased to see that a member of the Scottish Youth Parliament is a member of the current Forum. Unfortunately, during 2020/21, the representative has not attended any of the meetings.
  2. Information on the role of the Forum is available to the public on the Falkirk website:

[http://www.falkirk.gov.uk/services/law-licensing/licensing/alcohol/licensing-](http://www.falkirk.gov.uk/services/law-licensing/licensing/alcohol/licensing-board/licensing-forum.aspx) [board/licensing-forum.aspx](http://www.falkirk.gov.uk/services/law-licensing/licensing/alcohol/licensing-board/licensing-forum.aspx)

Information on the dates, times and venue of their meetings can be accessed via the above link.

* 1. When the new Forum was set up in 2017, there were 18 members which is an increase of 3 from the previous Forum however, as detailed in previous reports the attendance at Forum meetings has been very inconsistent with many meetings being inquorate. With the mixture of resignations and non-attendance, it has become increasingly difficult for meeting of the Forum to be quorate. The quorum is one half of the membership. During this period, the Forum met remotely on 3 occasions.

The meeting in February 2021 was not quorate.

* 1. In September 2020, Falkirk Council, considered a report outlining these issues. It agreed to reduce the size of the Licensing Forum from 18 to 14, and to recruit a member with interest and experience in education to the Licensing Forum.
  2. The manager of the Licensing Team no longer attends every meeting of the Forum but is available to provide any information to the Forum on any emerging issues in the area, changes in legislation, consultations etc. should that be requested. Board members are also invited to attend.
  3. The Act states that the Licensing Board and Licensing Forum must meet annually, although there is nothing stopping them from meeting more often. A joint meeting was held remotely on 29 October 2020 and the minute is attached as Appendix 1.

# Reviews

Premises Licence Reviews

* 1. Any person may apply to the Licensing Board for a review of a premises licence. Grounds for review are that one or more of the conditions on the licence have been breached or for any other ground relevant to the licensing objectives. Where an application for a review is submitted, a hearing must be held. The majority of such applications have previously been submitted by Police Scotland with other applications received from the Licensing Standards Officer, the Border Agency and local residents.
  2. During the period 1st April 2020 to 31st March 2021 there were 2 premises

licence reviews brought before the Board. The first was submitted by the Chief Constable for **The Ellwyn** public house in Grangemouth and related to breaches of covid regulations impacting of the health of customers and breaches of specific licence conditions. The Board was satisfied, having heard submissions from all parties, that grounds for review were established relevant to the licensing objectives of preventing crime and disorder and protecting and improving public health. The Board agreed to tighten up some of the existing specific conditions on the licence which has been placed on it following previous reviews as well as adding a further 3 conditions (conditions 15, 16 and 17 below). The specific conditions are now as follows:

# CCTV

1. A CCTV system to a specification approved by the Chief Constable must be fitted and maintained in full working order at all times in accordance with guidance provided by the Information Commissioner. Any system fitted must be operational at all times the premises are open for business and images must be made available to any Licensing Standards Officer or Constable of Police Scotland on request for the purposes of the investigation and detection of crime.
2. Both the Licence Holder and the Designated Premises Manager must be able to operate the system and provide images if requested by the Licensing Standards Officer or Constable of Police Scotland.

# Noise

1. The Licence Holder and Designated Premises Manager shall ensure staff working on the premises ensure that the outdoor area used by patrons to smoke is routinely monitored by staff working on the premises to ensure noise is kept to a minimum.
2. A written log showing date and time of when the area is checked and signature of staff is to be available for inspection to any Licensing Standards Officer of Constable of Police Scotland upon request.

# Security Industry Authority (SIA) Stewards

1. Security Industry Authority (SIA) Stewards are to be on duty during the following:
   * Every Friday and Saturday Evening
   * Grangemouth Gala Day
   * Rangers v Celtic Football matches
2. Stewards will whilst on duty:
   * identify and refuse entry to drunk persons;
   * identify and refuse entry to any persons who have been banned from the premises;
   * actively monitor the premises and perform all activities in line with their role under the Private Security Industry Act 2001;
   * be aware of the fire safety evacuation procedure and all other policies and procedures;
   * ensure no patrons remove glasses or open vessels from the premises when exiting.
3. On every Friday and Saturday evening no fewer than two SIA Stewards will be on duty from 8.30pm until closing time.
4. During the Grangemouth Gala Day there are no fewer than four stewards are on duty and they are located at each door giving entrance or exit from the premises to ensure the safety of the staff and patrons.

Stewards are to be on duty from the start of the event until closing time.

1. During a Rangers v Celtic football match there are no fewer than four stewards are on duty and are located at each door giving entrance or exit from the premises to ensure the safety of the staff and patrons.

Stewards are to be on duty from one hour prior to the start of the match until closing time.

# First Aiders

1. A certified trained first aider is to be present on the premises during the following events:
   * Friday and Saturday evenings
   * Grangemouth Gala Day
   * Rangers v Celtic football matches

in order to ensure persons on the premises receive suitable medical treatment when required.

All evidence of persons who have been certified first aiders must be held on the premises and produced when asked for either by a Licensing Standards Officer or Constable of Police Scotland. The certificate must be current.

# Events

1. Events held on the premises which are in connection with the Grangemouth Gala Day and Rangers v Celtic football matches these events required to ensure they are controlled by way tickets for patrons to gain entry to the premises.

SIA stewards on duty must ensure all tickets are checked when entering and exiting the premises.

# Safe Glass

1. During the full day of trading when a Rangers v Celtic football match is being screened,

or during the full trading day on Grangemouth Gala Day, the licence holder shall utilise ‘non’ or ‘safe’ glass bottles. When this is not possible, the liquid should be decanted into ‘non’ or ‘safe’ glass products.

# Children and Young Persons Access

1. No children or young persons will be allowed access to the premises when Rangers v Celtic football matches are being screened on the premises.

# General

1. A personal licence holder must be on the premises during the following:
   * Friday and Saturday evening from 8.30pm until closing time
   * Grangemouth Gala Day
   * Rangers v Celtic Football matches
2. When the Designated Premises Manager leaves this position, the premises shall remain closed until such times as a new Designated Premises Manager is nominated.
3. All staff must be trained to personal licence standard.
4. A handover book will be kept in the bar and any incidents or issues (eg breach of covid-19 guidance, or details of someone being barred from the premises) that occur during a shift will be noted in it by staff. Entries will include the name and signature of the staff member making the entry, the date, time and nature of the incident and the name and signature of the staff member for the following shift.

The Board also agreed to suspend the premises licence for a period of 5 months. This decision was made on a divide with 4 members voting for 5 months and 3 members voting for 3 months.

* 1. The second request for review was submitted by the Licensing Standards Officer in relation to Taste, Falkirk and related to the breach of a mandatory condition namely the requirement to pay an annual fee. All attempts by officers to contact the licenceholder to discuss the non-payments had failed and the licenceholder was not in attendance at the meeting. The Board found that grounds for review had been established and agreed to revoke the premises licence.

Personal Licence Reviews - Notification of Conviction

* 1. During 2020/21, the Board considered 1 personal licence where it had been made aware of relevant convictions, namely assault to injury, assault, resisting arrest, assaulting a police officer, by the Chief Constable. The Chief Constable had not made a recommendation for refusal. A remote Hearing was held and the decision was to endorse the personal licence. The decision was on a division with 6 members voting to endorse the licence and 3 voting to take no further action.

# Conclusion

* 1. The final sentence of the 2019/20 report was “The end of this period saw the emergence of the covid-19 pandemic which will impact on the work of the Board and the licensed trade in the months to come”. At that time, we could not know the extent of that impact.

This year has been extremely challenging for everyone and the licensed trade has suffered immeasurably. The Licensing Section was forced into a position where it had to radically change the way it operated and the dedication of the licensing staff and their colleagues to achieve this should be noted. The Board members have adapted to the new style of meetings and continue to work well together making all decisions in a transparent and collegiate manner under the guidance of the Clerk to the Board, the Convener and Depute Convener.