

# Item 5

## Orkney Local Licensing Forum meeting

05 November 2025

### REPORT OF THE LICENSING STANDARDS OFFICER

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#### 1. Background

This report updates the Orkney Local Licensing Forum (The Forum) on the activities of the Council's Licensing Standards Officer during the period 01 April 2025 to 28 October 2025. Please note that within this report the names of licence holders and licensed premises have been removed to assist complying with data protection provisions.

#### 2. Current staffing arrangements

It is regrettable that the Council once again finds itself in the position of not having a LSO (alcohol) in post; the previous incumbent having taken an exciting opportunity for employment outwith Orkney in August 2025. Recruitment has taken place and pre employment checks are in progress, so it is hoped a new LSO can be in place before the end of the year. The new LSO will require mandatory training and in the meantime the Service Manager - Environmental Health is attempting to cover critical LSO (alcohol) work whilst managing other priorities – this means resources are currently stretched.

#### 3. Review of activities 01 April 2025 to 28 October 2025.

In accordance with LSO functions, the following activities are of note:

##### Response to consultations

The LSO has been requested to provide comments on the following applications:

Type of application	Number
Application for premises licence (including variations)	21
Application for occasional licence	134
Application for extended hours	2

Application for personal licence	28
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The following reports have been made by the LSO to the Licensing Board:

Type of LSO report	Number
Section 38(4)(a) Licensing (Scotland) Act 2005 [LSO response to an application for review of a licence]	0
Section 69(3) Licensing (Scotland) Act 2005 [LSO comments on the determination of an application for extended hours]	0

#### Providing to interested persons information and guidance

The following requests for information/ guidance have been received during the period covered by this report.

- Information to local business regarding role of young persons as waiting staff/ servers

#### Supervising compliance of licence holders with their licence and conditions

Given the current resources available, pro-active inspections of licensed premises are not being undertaken. Reactive inspections may be made in response to a specific application, case or investigation on a risk assessed basis. Topics of compliance dealt with in this period include:

- Complaint regarding space allocated for alcohol display exceeding that provided for in the licence
- Visit to premises at the behest of the Clerk to ascertain if alcohol is actually being sold, mindful there was no licence in place
- Visit to premises at the behest of the Clerk to ascertain applicant's intentions regarding use of contiguous occasional licences and longer-term plans for the premises.

#### Providing information to Licensing Board in response of applicants for personal licences

There have been no instances during the period covered by this report where the LSO has needed to provide information to the Board in this regard.

#### Providing mediation services for the purposes of resolving disputes or disagreements between licence holders and other persons

No requests for mediation services have been received during the period covered by this report.

Refresher training has been completed in connection with statutory nuisance law and application – which is useful in connection with complaints about licensed premises.

#### Issuing, in appropriate circumstances a “compliance notice”

No compliance notices have been issued during the period covered by this report.

#### Making an application for review of a licence

No applications for review of a licence have been made by the LSO during the period covered by this report.

### **4. Work with partners**

By invitation the LSO attended the following partnership meetings:

- with Orkney Food and Drink
- with Orkney Rape and Sexual Assault Service
- with Police Scotland - both local officers and officers from the specialist licensing team
- Orkney Licensing Forum Convenor
- Orkney Community Alcohol Partnership
- Orkney Alcohol and Drugs Partnership

The LSO also met with colleagues in the Licensing Team to start building productive working relationships.

### **5. Other activities/ forward look**

We provided information and guidance in connection with the Island Games 2025.

A training plan was developed for the LSO to help build their skills in the role

Keeping a watching brief on Martyns Law and how it may affect events and licensed premises.

Attempts to meet with UHI management at the behest of the Forum Convenor

An emerging theme is the adequacy of risk assessments being provided as part of the application for occasional licences – many are generic in nature and some are simply a printout of the example that has been provided for a “country dance” by the Board.

### **6. Contact details for the LSO**

Please use the following email address [LSO@orkney.gov.uk](mailto:LSO@orkney.gov.uk)