

## LSO Report for Highland Licensing Forum 23<sup>rd</sup> August, 2018.

With the calendar ticking down towards the end of August, we have witnessed a bumper year for Highlands in the leisure industry . Our main outside events such as Belladrum, Black Isle Show and Moy Games Fair have been discharged successfully, whilst all have had licensed facilities Police reports are very much in a positive vein in terms of behaviour.

The Scottish Governments initiative in introducing a Minimum Unit Price of 50p per unit of alcohol has been easily absorbed into every day Scottish licensing practice by retailers and there is widespread compliance as evidenced through pro-active LSO checks. Locally it seems to be having a positive effect with sales of high alcohol volume ciders selling far less than previously now they are effected by minimum pricing. The story seems replicated in all area's of Scotland. The success of this initiative owes much to good communication between the Government and the retail sector with timely and appropriate advice being produced.

On the other hand however a distinct lack of communication over the process of renewing Scottish Personal Licences has created an awkward situation for many hundreds of Personal Licence Holders who obtained their licences when the new Act commenced on 1<sup>st</sup> September, 2009.

The Licensing(Scotland) Act requires that renewal applications are lodged no earlier than twelve months prior to expiry and no later than three months before expiry. The first personal licences issued under the Act have an expiry date of 1 September 2019. Therefore, the window for first renewal applications opens 31 August 2018 and closes 31 May 2019, this will be by far and away the biggest tranche of applications.

In terms of section 87 of the Act the holder of a personal licence must complete a refresher training course prior to the expiry of each five year period of their licence. The licence holder must provide evidence of that training to the licensing board that issued their personal licence, no later than three months after the expiry of the five year period. Most Licence holders will leave the completion of Refresher Training until the last year of their Licence, which means in terms of dates they require to complete Refresher Training by 31st August 2019, and at the very latest provide evidence of a successful pass by 1st December 2019.

As you will see these two processes outlined above run almost co-terminously but not quite, and are likely to cause confusion and non-compliance.

Therefore it is suggested in the very strongest terms that Personal Licence Holders with Licences expiring on 1st September, 2019, take the following action.

☐ Do your Refresher Training asap so they are in possession of a pass certificate. When the process for Personal Licence Renewal is briefed to Personal Licence Holders those wishing to renew should submit their renewal form enclosing their refresher training certificate so that the new Licence will be fully up to date and complete.

☐ It is very likely Refresher Courses are going to be heavily subscribed due to the high demand so Training providers such as our own Ramsay McGhee and Gordon Clelland will be under some pressure.

One further added complication is a proposal UK wide that applicants for licences (personal and premises) must supply evidence of right to work in the UK and that Boards will be required to consult on applications with Immigration. No commencement date has yet been set however it was anticipated to be around autumn this year and after the personal licence renewal process had started. It is understood that the Scottish Government have asked that the commencement be delayed so as to not have to “change horses” midway through the renewal process but, as yet, there has been no confirmation that Westminster will agree. If the requirements are introduced at a late stage there will be significant extra work for Boards.