
**SCOTTISH BORDERS LICENSING BOARD FUNCTIONS AND
FINANCIAL REPORTS 2017/18**

Report by the Clerk to the Licensing Board

SCOTTISH BORDERS LICENSING BOARD

24 August 2018

1 PURPOSE AND SUMMARY

This report seeks approval from the Licensing Board for the Annual Functions Report and Annual Financial Report.

2 RECOMMENDATIONS

2.1 It is recommended that Members:

- (a) approve the annual Functions Report set out in Appendix 1 to this report;
- (b) approve the annual Financial Report set out in Appendix 2 to this report; and
- (c) authorise the Clerk to the Board to proceed with the publication of the Annual Functions Report and Annual Financial Report.

3 BACKGROUND

- 3.1 In terms of Section 9A of the Licensing (Scotland) Act 2005 (“the 2005 Act”) Licensing Boards are required to provide an Annual Functions Report. In addition, in terms of Section 9B of the 2005 Act, Licensing Boards are also required to produce and publish an Annual Financial Report.
- 3.2 The Board’s Annual Functions Report must include a statement explaining how the Board has had regard to the licensing objectives and the Board’s Policy Statement in the exercise of its functions under the Act as well as a summary of decisions made by the Board and information about the number of licences held in the Board’s area, including occasional licences.
- 3.3 The draft report at Appendix 1 hereto therefore provides all the required information as an accurate representation of the Board’s functions for the period 1 April 2017 to 31 March 2018.
- 3.4 The Financial Report must include:
- (a) a statement of:
 - (i) the amount of relevant income received by the Licensing Board during the financial year; and
 - (ii) the amount of relevant expenditure incurred in respect of the Board’s area during the year; and
 - (b) an explanation of how the amounts in the statement were calculated.
- 3.5 The draft report at Appendix 2 hereto therefore provides all required financial information and is an accurate representation of the Board’s financial position for the period 1 April 2017 to 31 March 2018
- 3.6 Members are asked to note that the Licensing Board income cannot be guaranteed in any financial year, this being completely dependent on the number of licensed premises which continue to operate as the vast majority of Board income stems from annual Premises Licence fees.
- 3.7 It is also the case the Board income and expenditure is kept under review on a regular basis.

4 IMPLICATIONS

- 4.1 **Financial**
There are no costs attached to any of the recommendations contained in this report.
- 4.2 **Risk and Mitigations**
The information proved within these reports ensures transparency and helps to mitigate reputational risk to the Council by allowing further scrutiny of its income and expenditure.
- 4.3 **Equalities**

It is anticipated there will be no adverse impact due to race, disability, gender, age, sexual orientation or religious belief arising from the proposals contained in this report.

4.4 Acting Sustainably

There are no economic, social or environmental effects as a result of the proposals contained in this report.

4.5 Carbon Management

There is no impact on the Council's carbon emissions as a result of the proposals contained in this report.

4.6 Rural Proofing

Not applicable, as although this is a legislative requirement it is not a new policy.

4.7 Changes to Scheme of Administration or Scheme of Delegation

No changes to either the Scheme of Administration or the Scheme of Delegation are required as a result of the recommendations in this report

5 CONSULTATION

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer and the Chief Officer – Audit and Risk, the Chief Officer Human Resources and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

Approved by

Name Nuala McKinlay

Title Clerk, Scottish Borders Licensing Board Signature

Author(s)

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Background Papers: None

Previous Minute Reference: None

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