

Fife Licensing Board

Annual Functions Report 2025 – 2026

This report has been prepared in accordance with the provisions of Section 9A of the Licensing (Scotland) Act 2005 (the “2005 Act”).

Fife Licensing Board is the licensing authority responsible for regulating the sale of alcohol in the area of Fife for the purposes of the 2005 Act. For the period this report covers, the Board was formed in May 2022 and made up of ten elected members from Fife Council.

Fife is located on the east coast of Scotland, lying between the Firth of Tay on the north and the Firth of Forth on the south, and is bordered to the West by Perth and Kinross and Clackmannanshire Councils. The population of Fife is rising and is currently 373,550. There are five main centres of population, namely, Dunfermline, Kirkcaldy, Glenrothes, Levenmouth and St. Andrews. Fife Licensing Board normally meets at the Town House, Kirkcaldy.

As of 31 March 2026, the Fife Licensing Board area had 2477 personal licence holders and 1034 premises licences comprising 169 on sale, 380 off sale and 485 on and off sale. The corresponding figures for the previous reporting year 2024/25 were 2374 personal licences and 1030 premises licences (175 on sales, 375 off sales and 480 on & off sales).

There has been an increase in the number of personal licenceholders which is believed to be due to an increase in the number of licences being applied for when their previous licence was revoked under the 2005 Act due to not undertaking and submitting evidence of refresher training or their Personal Licence expiring.

There is an increase of 4 premises licences in Fife since the last reporting period.

The Board is responsible for considering applications for premises licences (including provisional and temporary premises, transfer, variation and confirmation of provisional premises), occasional licences, extended hours and personal licences.

Licensing Objectives

The 2005 Act sets out the following five licensing objectives: -

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

The Licensing Board must have regard to the licensing objectives when considering all applications as the licensing objectives provide a basis for the administration of the licensing regime and a potential reason for refusal.

There is a presumption of grant of an application if none of the statutory grounds for refusal apply. Breach of one or more of the licensing objectives may provide grounds for reviewing a premises licence.

The Board recognises decisions to refuse applications must be evidence based and contain reasons as to why one or more of the licensing objectives has been engaged. The Board may attach conditions to a premises licence that it considers necessary or expedient for the purposes of any of the licensing objectives. In exercising its functions under the Act, the Board must consider the licensing objectives.

Board Business

During the reporting year 1 April 2025 to 31 March 2026 there were 6 meetings of the Board which took place. These were physical meetings of the Board, which took place between Council Chamber in Fife House, Glenrothes and Town House, Kirkcaldy.

Applications were dealt with by the Board in an open and transparent manner, in accordance with the licensing legislation, statutory guidance and the Board's statement of licensing policy. Meetings of the Board are conducted in accordance with rules made by the Board at Kirkcaldy on 16th June 2008 (subsequently updated).

A copy of the applications and responses to the applications are issued to the Board members and applicants at least one week in advance of the board meeting unless it involves an urgent matter. This gives fair notice to all parties involved in the process. The Board is aware of the need to ensure access for all to the licensing process and will provide information and assistance where requested. The Board always tries to be transparent, consistent and proportionate when dealing with applications. Each application made to the Licensing Board is decided on its own individual merits within the framework of the 2005 Act.

Decisions of the Board

In the reporting period, the Board received 13 applications for a new premises licence and 15 applications for a provisional premises licence. Objections to some of these applications were received, mainly relating to concerns regarding potential noise nuisance.

All objections were taken into account during consideration of the applications and the concerns of objectors addressed during the applicant's submissions and discussion by the Board. 24 of the premises/provisional premises licence applications were granted, with 4 waiting to be considered at a future Board meeting. 12 confirmation of provisional premises licence were also granted.

The Board received 62 applications for variations (other than a minor variation) to premises licences; 54 were granted with 8 waiting to be considered at a future Board meeting. As with the premises licence and provisional premises licence applications, some objections were received in relation to the applications, mainly relating to concerns regarding potential noise nuisance from live music, persons leaving the premises late in the evening, smokers making noise outside the premises and general anti-social behaviour. After consideration of the objections in each case the Board granted all of the applications.

341 applications for minor variation were received by the Board, 340 were granted by the Clerk under delegated powers and 1 application was withdrawn.

63 applications for transfer of a premises licence were received, 58 were granted, 4 were withdrawn and 1 is awaiting a decision.

The Board processed 1143 occasional licence applications during the reporting year which is an increase on the 1141 applications in the previous year 2024/25. 1128 of the applications were granted, 7 were withdrawn prior to determination and 8 were not considered in time.

38 applications for extended hours were received during the year, 37 applications were granted and 1 application was refused by the Licensing Board

The Board included a general extension determination within their Licensing Policy extending licensed hours during the festive period for the duration of the Policy.

Spreadsheets listing the applications for premises licences, provisional premises licences, confirmation of licences, variations of premises licences, transfers, reviews of premises licences, applications for occasional licences and extended hours including the decisions taken on the applications will be published with this statement.

No Statements of Reasons for decisions made by the Board were requested and no appeals of decisions made by the Board were lodged with the Court during this financial period.

Reviews

In the period 1 April 2025 to 31 March 2026, 8 personal licence review applications and 7 premises licence review applications were considered by the Board.

2 of the personal licence reviews related to notification of convictions, 1 personal licence was surrendered prior to the Board meeting and on the other review, the Board decided that the grounds for review were established, resulting in the personal licence being endorsed. 6 of the personal licence reviews related to inconsistency with the licensing objectives, 1 personal licence was surrendered prior to the Board meeting. The Board decided that on the other 5, the grounds for review were established resulting in 4 personal licence's being revoked and 1 had their personal licence endorsed.

4 of the premises licence reviews related to non-payment of Annual Fees. The grounds for review were established on all 4 reviews and the Board decided to revoke 3 premises licences and 1 had no further action taken. 2 of the premises licence reviews related to failing to uphold one or more of the Licensing Objectives. Both reviews were withdrawn prior to being heard by the Board. 1 review related to failing to comply with a condition on their premises licence, this review was also withdrawn prior to the Board meeting.

Licensing Forum

There is a properly constituted Licensing Forum operating in Fife. Members consist of representatives from the on and off trade, health, police, Licensing Standards Officers and members of the public. The Board invites the Forum to comment on matters of policy and the Forum shows a keen interest in the Board's decision making and processes. The Forum responds well to requests for information and feedback, and comments on policy matters and the like.

Fife Licensing Forum meets on a quarterly basis in central Fife, mainly in the afternoon. Members of the Licensing Board frequently attend the Licensing Forum meetings to keep abreast of any issues or concerns the licensing forum may have. Board members in attendance at meetings then feed back to the Board as a whole and the process is also done in reverse whereby the Board Members feed any relevant information to the Forum at meetings. The joint meeting of the Board and Forum was held as a blended meeting in August 2025.

The Forum has not made any recommendations or given advice to the Board that has not been considered by the Board, during the period being considered by this report.

Conclusion

The volume of applications made to the Board is consistent with previous years as licenceholders continue to amend business practices and diversify to suit consumer demand. Premises Licence Holders continue updating their operating plans to ensure that they are compliant with the Board's Statement of Licensing Policy. The Board and Licensing Team worked to process applications as expeditiously as possible in line with the legislation and resources available to them, working together with the four Licensing Standards Officers employed by Fife Council.

Fife Licensing Board recognises the efforts of those who have an input into the operation of the Licensing Board and will continue to work with partner agencies to ensure the good practice going forward.

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