

Moray Licensing Board
Annual Functions Report

1 April 2025 - 31 March 2026

in accordance with the
Licensing (Scotland) Act 2005
(as amended by the Air Weapons and Licensing (Scotland) Act 2015)

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About Moray

With a population of around 95,400, Moray nestles between the rugged and spectacular Highlands and the flat, fertile farmlands of the north-east and although it belongs to neither, it shares the best elements of both – from the snow-capped peaks of the Cairngorms to the unspoiled coastline of the Moray Firth.

Moray is well known for its outstanding natural resources and has been voted as one of the top 5 rural regions in Scotland for quality of life. Moray provides a firm foundation for a high value tourism section. Approximately 877,000¹ visitors explored the wider Moray Speyside including the famous Speyside Way and Moray Coastal Trail in 2023. Moray is home to 18 golf courses, including the highest tee in Scotland, offering a mix of coastal links, clifftop layouts and inland park designs.

Local industry is as diverse as the landscape in which it is located and makes a major contribution to the area's buoyant economy. Moray is the heartland of the Scottish whisky industry and is home to more than 55 distilleries whose brands are savoured in just about every corner of the world. Whatever country you're in, you'll find a bottle of Speyside Malt for sale.

In the spirit of celebration, music plays a vital role in the Moray community. There are major music festivals every year, including, the Keith Traditional Music and Song Association Festival, MacMoray, the traditional Speyfest and the Spirit of Speyside, the latter linked to the whisky industry. Venues for the performing arts thrive in the area, and each town sustains a lively artistic culture. Two thriving arts and performance centres exist in Findhorn alone.

Traditional industries - farming, fishing and forestry - play an important part in the area's culture whilst underpinning the economy. Moray is home to several prominent seafood producers and wholesale suppliers situated primarily along its coastal hub in Buckie, supplying fresh catches from the Moray Firth and North Sea. In addition, two internationally renowned food producers, Baxters of Speyside and Walkers of Aberlour, have put Moray firmly on the international map.

The area's biggest town and administrative capital is Elgin, which is also Moray's principal shopping centre. Many leading national retailers are represented alongside long-established local outlets. Other main towns include Forres, well known for its successes in national floral competitions; Buckie, with its fishing and commercial harbour; and Keith, built on a once-thriving textiles industry.

¹Moray Chamber of Commerce 9 May 2026.

Introduction

Moray Licensing Board ("the Board") is the licensing authority for the purposes of alcohol and gambling in Moray.

The current Board was formed in May 2022 and comprises of seven members who are elected members of Moray Council. Current membership of the Board can be viewed here:

http://www.moray.gov.uk/moray_standard/page_67620.html

These members form part of an independent Board which is responsible for considering applications and objections in relation to regulating the sale of alcohol and for regulating licensed premises and other premises on which alcohol is sold in accordance with the Licensing (Scotland) Act 2005 ("the Act") as amended.

Under the Act, the Board are responsible for considering applications for:-

- 1.1 Provisional premises licences including confirmations.
- 1.2 Premises licences including transfers and variations.
- 1.3 Reviews of licences.
- 1.4 Temporary licences.
- 1.5 Occasional licences and extended hours.
- 1.6 Personal licences including training updates and renewal of personal licences.

The Licensing Objectives

Section 4 of the Act sets out the following five licensing objectives;

- (a) preventing crime and disorder;
- (b) securing public safety;
- (c) preventing public nuisance;
- (d) protecting and improving public health; and
- (e) protecting children and young persons from harm.

The licensing objectives are central to the licensing system and provide a basis for the administration of the licensing regime. The licensing objectives can also provide the basis for refusing an application for the grant of a premises or occasional licence. The breach of the objectives may form a competent ground for the review of a premises licence and the objectives can also provide a basis for the attachment of conditions to a premises or occasional licence.

In exercising its functions under the Act, the Board is required to have regard to the licensing objectives.

Annual Functions Report

From 1 April 2025 to 31 March 2026, the Board met on an approximate eight week cycle on the following dates:

- (a) 30 April 2025
- (b) 18 June 2025
- (c) 3 September 2025
- (d) 12 November 2025
- (e) 4 February 2026

Meetings were held by a mixture of in person and remote connection which worked well and facilitated the easy attendance of all parties, including those from outside Moray. Going forward meetings are being offered on the same hybrid basis and so this facility will remain available to licence applicants. Meetings are webcast so are available for the public to watch either live or after the event.

Applications before the Board were dealt with in an open and transparent manner in accordance with licensing legislation and the Board's policy. A copy of the Board's statement of licensing policy, incorporating hearing procedures, can be found at this link:

[Licensing Board Statement of Policy for the Licensing \(Scotland\) Act 2005](#)

Information and assistance is always available to persons wishing to apply for a licence or respond to an application. The Board has published guidance documents and licensing staff are on hand to answer queries.

Board meetings are as informal as possible whilst maintaining a fair and transparent process. The majority of applicants before the Board are willing and able to represent themselves.

Decisions of the Board

Each application received by the Board is considered on its individual merits. All licence applications that are received must be weighed-up in accordance with the Act and in particular in cognisance of the licensing objectives. The Board must also consider the licence application in line with the Board's policy statement. Attached to this report at **Appendix 1** are details of application numbers and decisions made by the Board.

The majority of applications are dealt with by way of delegated authority to a sub group of the Board or officers appointed to assist the Board. The sub group or officers can only grant such a licence where the application is not contrary to the Licensing Policy and no objections have been received. A copy of the Board's scheme of delegation can be found here: [file54163.pdf](#).

In considering the applications, the Board considered a number of different sources of information to enable them to reach decisions. These sources include applicants themselves, council services (including planning, building standards and environmental health), reports from Community Councils, local residents, the Local Licensing Forum (LLF*), the Licensing Standards Officer (LSO), Police Scotland, SFRS and the NHS.

Tourism and Industry continue to play an important role in parts of Moray. Moray Council has set out a number of community planning priorities including healthier citizens, a growing and diverse economy and safer communities. Licensing plays an important role in all of these and decisions of the Board also have regard to these community planning priorities.

Licence Applications

During the course of the year, the Board processed applications for 558 occasional licences.

NB. It should be noted that through the SOLAR national group of licensing lawyers, officers are contributing to an ongoing review of occasional licences initiated by the Scottish Government. No recommendations on changes to the occasional licence system have yet resulted from this group.

The Board also considered and granted 70 premises related licence applications. The overall number of premises licences has increased from last year's total to 355.

The Board granted 114 personal licence related applications.

Premises Licence Reviews

During the period there were some premises licence reviews for non payment of fees withdrawn after payment was made. Two licences were suspended or revoked in the period.

Revocation of Licences

During the course of the year, the Board considered a Personal Licence. One Personal Licence was revoked in the period.

Statement of Policy / Policy Matters

A review of the Board's statement of policy took place in a previous period and the policy is published on the Board's pages of the Council website.

The Board recognises that licensing hours are an important part of how licensed premises function and must continually balance the impact on the wider area against the benefits to the local economy. The Board's approach to hours has been generally permissive, although applications tend to remain within the hours set out in the policy.

The Board also has an ongoing policy (published separately) of permitting specific hours over the Christmas / New Year festive period by way of a general extension. This allows all premises to open if they choose to do so.

This kind of regulation allows businesses to promote themselves and benefit from increased trade. The Board has had no complaints in respect of operating hours and, in general, licensed premises appear satisfied with the hours available.

Licensing continues to play a key role for investment, employment and tourism.

**where applicable see separate section on LLF*

Local Licensing Forum

The Moray Local Licensing Forum (LLF) should form an integral part of the licensing regime in Moray. LLF membership should include the LSO, Police Scotland, representatives of the NHS, representatives of the District Licensed Trade Association and representatives of Elgin Community Council. The Forum last met on the 24 May 2019 after which the Moray Alcohol and Drug Partnership was no longer able to Chair and drive the group. It is hoped the LLF can be revived and will be able to soon meet again with the Board once a year to provide valuable feedback to the Board on the community's opinion on alcohol licensing issues. The LSO is persisting in efforts to gain support for an involvement with the LLF. A meeting will be arranged if and when possible and in the meantime consultations are more public and wide in nature to reflect the notional membership requirements.

Gambling

The requirement for a functions report relates to the alcohol licensing legislation. For completeness in terms of the Board's remit, the report also covers gambling although there is little activity in terms of gambling. The number of gambling premises are generally reducing owing to the prevalence of online gambling. One application has been granted in the period for a gambling betting shop licence on the High Street in Elgin. However most activity is in relation to monitoring of gaming machines in alcohol licensed premises.

Licensing Standards

There are two full time LSOs within the licensing service that follow the division between the Board and Licensing Committee. One LSO is primarily responsible for liquor licensing and gambling and one is primarily responsible for all civic type licences. Given the number of short term let (STL) licences, which is a civic type, the LSOs share responsibilities for STLs. The LSOs offer guidance and advice to licence holders and communities to supervise the compliance of the requirements of legislation by the licence holders. The LSOs also act as an intermediary between licence holders and the general public helping to avoid and resolve any disputes or disagreements. LSOs build a rapport with the local trade and members of the public as a consistent point of contact. This ensures there is a cohesive working partnership between all persons interested in the operation of the legislation. There is a separate report from the LSO for liquor and gambling included below regarding activities that have taken place during the period in question.

Licensing Standard Officer's Report

The Liquor LSO has held the role since February 2019. The role of the LSO is to provide guidance and information regarding the Licensing (Scotland) Act 2005, to ensure compliance with the Act in terms of the licence and to provide mediation to resolve disputes.

The role of the LSO is as diverse as the licensed premises in Moray.

Over the last financial year the LSO has been involved in resolving complaints regarding premises running irresponsible drinks promotions, as well as conducting joint enquiries with Police Scotland for premises who have been subject of repeated incidents of note which have then caused them to be monitored premises.

The LSO has been involved in the preparatory work and notifications for the World Cup extension which was granted by the Board. The LSO liaised with all premises licence holders, gathering local opinion and feedback from the trade and collated this information to help support the Clerk in preparing findings to the Board. The LSO was instrumental in communicating the Board's decision to all licence holders.

The LSO has continued to provide guidance to licensed premises who are looking to vary their licence as well as to potential licence holders to ensure their understanding of the process and requirements under the Licensing (Scotland) Act 2005.

The LSO has continued to provide guidance to already licensed premises which are undergoing major renovation works and operating under temporary licences.

The LSO has also continued to mediate between parties in contentious transfer applications and those making objections/ representations to applications for both variations to premises licences and applications for new premises licences.

The LSO continues to be actively involved in providing advice to event organisers regarding occasional licences for both large public events such as Seafest, SpeyFest, Gordon Castle Highland Games, Keith Show, MacMoray, Friendly fest etc as well as for private events such as weddings and birthday parties.

The LSO has also mediated between current and prospective licence holders on a number of occasions this year where there have been disputes between premises owners and licence holders resulting in contentious transfer applications. We are still continuing to see the effects of the pandemic within hospitality with continuing high numbers of people who are new to hospitality opening licensed premises and taking on already licensed premises and the LSO is providing support ensuring that they understand the requirements of their licence and are compliant with the Licensing (Scotland) Act 2005.

This year the LSO has undertaken proactive work in relation to members clubs to ensure consistency around understanding of the requirements specific to club licences – this has included both occasional licences and requirements for office bearers details.

A significant amount of time has been spent on premises annual fees and ensuring that all payments have been received reducing the original number of outstanding payments from 88 to 2 which the Board reviewed.

The LSO continues to work to streamline our admin processes to provide the best and most consistent service to licence holders and this year this has included template letters and work to streamline the occasional licence application process (which continues into the next financial year). The LSO has significantly contributed to the ongoing work involved in the automation of licensing processes. The LSO has collaborated and worked closely with the Council's ICT Service to promote online applications.

With an increasing number of short-term let licence premises within the Moray, the LSO has answered general queries from the public, as well as carried out mediation between licence

holders and objectors, investigating complaints made to the Council about unlicensed operators. The LSO after carrying out an initial investigation and making contact with the owner of the premises which is the subject to the report of unlicensed trading to encourage compliance with the law, will liaise with Police Scotland as the enforcing body.

Conclusion

It is the view of the Board that the licensing function in Moray operates very well. The Board has come to this view based on the very low number of incidents which are linked to Licensed Premises in the area, the timely interventions of the LSO and the very low number of times the Board is required to act.

Liquor Licensing Statistics for Year 2025 - 2026

Local Authority - MORAY COUNCIL	
Premises Licence Statistics	
Licences in Force on 31 March 2026	355
(a) on sales only	94
(b) off license only	111
(c) both	150
Applications received during 2025-2026	
(a) on sale	4
(b) off sale	50
(c) both	40
Applications refused during 2025-2026 under section 23	0
Applications granted during 2025-2026 under section 23	70
Applications for review of premises licence during 2025-2026 under S36 & S37 resulting in:-	
(a) written warning	0
(b) variation	0
(c) suspension	0
(d) revocation	2
(e) no action	0
Occasional Licence Statistics	
Number of Occasional Licences granted during 2025-2026	558
Personal Licence Statistics	
Personal Licences in Force on 31 March 2026	1245
Applications during 2025-2026 under section 72:-	
(a) refused	0
(b) granted	114
Proceedings taken during 2025-2026 under section 83 (notice of conviction) resulting in:-	
(a) endorsement	0
(b) suspension	0
(c) revocation	2
(d) no action	0
Proceedings taken during 2025-2026 under section 84 (conduct inconsistent with licensing objectives) resulting in:-	
(a) endorsement	0
(b) suspension	0
(c) revocation	0
(d) no action	0
Proceedings during 2025-2026 under section 86 (multiple endorsements) resulting in:-	
(a) endorsement	0
(b) suspension	0
(c) revocation	0
(d) no action	0
Revocations of personal licences during 2025 - 2026 under section 87(3) (failure to provide evidence of having undertaken refresher training)	4
Staff employed at 31 March 2026	
Number (full-time equivalent) of licensing standards officers employed	1