

REPORT TO: EAST LoTHIAN LICENSING BOARD

MEETING DATE: 24th October 2013

BY: Clerk to the Licensing Board

SUBJECT: Approval of Statement of Licensing Policy 2013-2016

1 PURPOSE

- 1.1 To report to East Lothian Licensing Board on the outcome of the public consultation on the Draft Statement of Licensing Policy 2013-2016 and to seek the Board's approval of the attached Draft Statement of Licensing Policy 2013-2016 as the Board's Statement of Licensing Policy for the three year period beginning 1st November 2013.

2 RECOMMENDATIONS

- 2.1 The Board is asked to note the outcome of the public consultation on the Draft Statement of Licensing Policy as set out in Appendix 1 to this report.
- 2.2 The Board is asked to determine which overprovision statement is to be incorporated in the Draft Statement of Licensing Policy; the original contained in Appendix 1, Alternative A or Alternative B each contained in Appendix 3
- 2.3 The Board is asked to approve the Draft Statement of Licensing Policy 2013-2016, attached as Appendix 2 to this report, as the Board's Statement of Licensing Policy for the three year period beginning 1st November 2013.

3 BACKGROUND

- 3.1 At its meeting on 23rd May 2013, East Lothian Licensing Board approved the terms of a Draft Statement of Licensing Policy 2013-2016 and instructed the carrying out of a public consultation on the terms of this draft Policy, all in terms of section 6 of the Licensing (Scotland) Act 2005. The consultation commenced on 19th June 2013 and closed on 6th September 2013. The draft Policy was available for comment on the East

Lothian Council Consultation Hub webpage and copies were sent to East Lothian Local Licensing Forum, Police Scotland, East Lothian Council, the Licensing Standards Officer, all East Lothian Community Councils, Scottish Fire and Rescue Service, Scottish Beer and Pub Association, all East Lothian Parent Councils, NHS Lothian, East Lothian Tenants and Residents Panel, MELDAP and ELVON. A summary of the responses received and the proposed amendments to be made as a result are attached as Appendix 1.

- 3.2 As a result of the consultation exercise and the responses summarised in Appendix 1, the Clerk has prepared a further version of the Draft Statement of Licensing Policy, attached as Appendix 2.
- 3.3 In terms of Section 7 of the Licensing (Scotland) Act 2005, the Board is required to assess whether there is overprovision of licensed premises in its area or in any localities within its area. The draft Policy contained one proposal on Overprovision but, as a result of responses received during the consultation exercise, the Clerk has prepared two further alternative proposals for the Board to consider. These proposals, identified as Alternative A and Alternative B, are attached as Appendix 3 to this report.

4 POLICY IMPLICATIONS

- 4.1 The Statement of Licensing Policy is a statutory requirement and sets out the Board's Policy with regards to the exercise of their functions under the Licensing (Scotland) Act 2005 during the period 1st November 2013 – 31st October 2016. The terms of the Policy will inform the Board's decision making during that period.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 An Equality Impact Assessment has been carried out but no negative impacts have been identified with regards to the wellbeing of the equalities groups.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – the work of reviewing and publishing the new Statement of Licensing Policy will be accommodated within the existing budget for 2013/2014.
- 6.2 HR - there are no personnel implications.
- 6.3 Other - none.

7 BACKGROUND PAPERS

- 7.1 Report to East Lothian Licensing Board of 23rd May 2013
- 7.2 Appendix 1 – Summary of Responses to Consultation and proposed amendments
- 7.3 Appendix 2 - Amended Draft Statement of Licensing Policy 2013-2016
- 7.4 Appendix 3 - Alternative Overprovision Statements (A and B)

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