

ANGUS LICENSING BOARD – 9 AUGUST 2018

REVIEW OF STATEMENT OF LICENSING BOARD POLICY

REPORT BY THE CLERK TO THE BOARD

ABSTRACT

The purpose of this report is for Board Members to note and approve the draft amendments made to the current Statement of Licensing Policy at the Special Meeting of the Board on 11 June 2018 in respect of the review of the current Statement of Licensing Policies following the consultation process.

1. RECOMMENDATION

It is recommended that the Board:-

- (i) note and approve the proposed additional amendment to extended hours Application processing to the current Statement of Licensing Policy found at para 6.8 of **Appendix 1** to this Report;
- (ii) note and approve the amendments made by the Board to the current Statement of Licensing Policy at the Special Meeting of the Board on 11 June 2018, as detailed in **Appendix 1** to this Report; and
- (iii) authorise the Clerk to update the current Statement of Licensing Policy with the draft Statement of Licensing Policy as detailed in **Appendix 2** to this Report

2. BACKGROUND

- 2.1 Section 6 of the Licensing (Scotland) Act 2005 (“the Act”) obliges every Licensing Board, before the beginning of each licensing policy period, to publish a statement of their policy with respect to the exercise of their functions under the Act during that period. In exercising their functions under the Act during the licensing policy period, the Board must have regard to the Statement of Licensing Policy. In preparing its new licensing policy statement or supplementary licensing policy statement the Board must ensure that the policy stated in the statement seeks to promote the licensing objectives. In addition, the Board must consult with the Angus Local Licensing Forum. The Board is also required to consult with other such persons as the Board thinks appropriate.
- 2.2 At the meeting of the Board on 2 November 2017, the Board determined to commence and approve the process of carrying out the review of the Statement of Licensing Policy and Supplementary Statement of Licensing Policy. [Report LB53/17](#) refers.
- 2.3 At the meeting of the Board on 4 January 2018 members noted the responses received during the consultation held between 15 November and 13 December 2017 in respect of the review of their Statement of Licensing Policies and determined to identify and examine the localities of Arbroath, Brechin, Carnoustie, Forfar, Kirriemuir, Monifieth and Montrose in respect of the Review. [Report LB7/18](#) refers.
- 2.4 At the meeting of the Board on 17 May 2018 the Board determined to defer [Report LB37/18](#) to allow a fuller discussion to take place on the consultation responses received between 17 January 2018 and 16 March 2018 in connection with the review of the Statement of Licensing Policies.
- 2.5 At the Special Meeting of the Board on 11 June 2018, Board members noted and considered the written and oral representations received in response to the public consultation on the review of the Statement of Licensing Policies and agreed:-
 - (i) to determine that there was no overprovision of any type of licensed premises, or licensed premises of a particular description, and alcohol related harm within Angus, as no robust and dependable causal link had been established between the evidence provided in [Report LB42/18](#) and the operation of licensed premises within Angus; and

- (ii) to direct the Clerk to revise the current Statement of Licensing Policy and Supplementary Statement of Licensing Policy by:-
 - (a) merging the two documents into one Policy Statement;
 - (b) updating the Policy in terms of the process adopted during the recent consultations;
 - (c) updating the Policy with any legislative changes since 2013;
 - (d) updating the Scheme of Delegation as necessary;
 - (e) making any necessary minor amendments; and
 - (f) implementing the changes agreed by Members, in light of the consultation responses received and as a result of discussions held and submit the revised document for approval to the Board meeting on 9 August 2018.

A draft Statement of Licensing Policy has now been produced reflecting the amendments agreed by Board members. The Board is asked to approve and adopt the draft Statement of Licensing Policy. The new Statement of Licensing Board Policy will be publicised as required by legislation and must be published before 4 November 2018.

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report.

4. HUMAN RIGHTS IMPLICATIONS

4.1 There are no human rights implications arising from this report.

5. EQUALITIES IMPLICATIONS

5.1 An equalities impact assessment is required.

NOTE: The background papers (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

The Licensing (Scotland) Act 2005

The Scottish Government Guidance issued to Licensing Authorities in respect of Review of Statement of Licensing Policy and Overprovision

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