

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry



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29 September 2010

NOTICE OF MEETING

A joint meeting of **ARGYLL AND BUTE LICENSING BOARD AND LOCAL LICENSING FORUM** will be held in the **THE COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **FRIDAY, 8 OCTOBER 2010** at **10:00 AM**, which you are requested to attend.

Douglas Hendry
Executive Director - Customer Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **OVERPROVISION**
3. **ARGYLL AND BUTE LICENSING BOARD POLICY STATEMENT(Pages 1 - 4)**
4. **AOCB**

Contact: Melissa Stewart Tel. No. 01546 604331

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Argyll and Bute Licensing Board

Consultation on Licensing Policy Statement

Introduction

Argyll and Bute Licensing Board's first Statement of Licensing Policy runs from November 2007 to November 2010. The Board is obliged to review its policy prior to November 2010 and is committed to consulting widely on it.

The Board has identified certain further issues which it would wish to address as part of this review. These are set out below with the Board's preliminary proposals. The Board wishes to take into account the views of all the interested parties and therefore now seeks the representations on the issues set out in this Consultation document.

In responding to this consultation, Consultees are asked to consider the Licensing Objectives and the extent to which these proposed changes promote these objectives.

The Licensing Objectives are:-

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

The issues are:-

1. Overprovision (Paragraph 6.1). The new policy statement will require to include a policy on overprovision. Is there a need to specifically address overprovision in the Board area as a whole or in any particular locality?
2. Licensing hours (paragraph 8). The Board will require to revisit its policy on licensing hours in view of decisions taken since the coming into force of the 2005 Act. Are there any particular issues in relation to licensing hours that should be considered?
3. Occasional licences (Paragraph 9). The 2005 Act does not define a "voluntary organisation". Should the new policy include a definition?
4. Access by children to licensed premises. The Board will require to reconsider the policy in light of decisions that have been taken. Are there any particular matters in relation to access by children that should be considered by the Board?

Other Matters

Responses are required no later than **7th October 2010** in order that they may be considered when reviewing the policy.

Responses to this consultation should be posted to:- Clerk to the Argyll and Bute Licensing Board, Kilmory, Lochgilphead, Argyll, PA31 8RT
Or emailed to:- Licensing@argyll-bute.gov.uk

J:/legal/litigation/alison/mydocsforlitigation/consultationonlicensingpolicy

ARGYLL & BUTE COUNCIL

CUSTOMER SERVICES

JOINT MEETING OF ARGYLL
AND BUTE LICENSING BOARD
AND LOCAL LICENSING FORUM
8 OCTOBER 2010

EXTRACT OF MINUTE OF LOCAL LICENSING FORUM HELD ON 13 JULY 2010

**3. REVIEW OF ARGYLL AND BUTE LICENSING BOARD POLICY STATEMENT:
WORKSHOP DISCUSSION**

The current Policy Statement was circulated to the Forum in advance of the meeting and it was suggested that the Members of the Forum flag up any issues they would like addressed and that these be discussed in sequential order.

Decision

It was agreed to make the following suggestions to the Licensing Board:-

General Points

The LLF discussed statements such as “it would be helpful” and “the Board encourages” and were seeking to firm up the use of such terminology. However, on the basis there were no sanctions available to enforce compliance they discussed the possibility of inserting a provision that these be complied with “in so far as appropriate to their premises”.

Protecting and Improving Public Health

That information as to where to obtain posters with regard to sensible drinking, the effects of consumption of excess alcohol and contact points where assistance can be obtained for drink problems should be provided within the statement (AFS Website and/or ADAT Website).

Overprovision

It was agreed that Charles provide an update to the Chair of the Forum regarding where the Licensing Board are with their consultation (having noted that Strathclyde Police have been approached regarding the Statement of Overprovision).

Licensing Hours

That a provision to allow for seasonality be included.

Duty to Trade (8.3)

The LLF noted that the Board had been taking the view that in the interests of economics of operating, premises may shut before the time specified within their operating plan. They suggested that if it is the intention to do so, it would be recommended that a courtesy notice to this effect be displayed.

Extended Hours Applications

There was a suggestion that special events of local or national significance could be identified upfront. The view of the Forum was that it was the responsibility of the Licensee to come forward and make a case for any application for extended hours.

Occasional Licences

Concern was expressed that voluntary organisations could run a licensed event with no training. The Forum recommends that voluntary organisations undertake training by a recognised provider such as Servewise or Highfield.

The Forum also recognised that there would be benefit in advertising this requirement and suggested that this be flagged up on the Council and AVS Websites.

The Forum accepted there may be instances where it was not possible for members of an organisation to have been trained before an event and therefore also recommended a statement in the policy to the effect that “The Board would not usually grant a second or subsequent application without staff having been trained by a recognised provider”.

Paragraph 9.2

That for ease of reference this paragraph be split into 9.2a (for personal or premises licence holders) and 9.2b (voluntary organisations)

Paragraph 9.4

That the second paragraph of 9.4 should be numbered 9.5 and the subsequent paragraphs re-numbered accordingly.

Paragraph 10.1

That it be checked whether these were the most appropriate examples to give.

Public Awareness Materials – Safe Limits and Drink-Driving

Reference to be made to ADAT website for supply of notices etc.

Access by Children to Licensed Premises

The hours of access for children should be included?

Members Clubs

20.2 – Should reflect that if the event is for non-members beyond the authorised levels then an occasional licence should be applied for.

Licensing Standards Officer

This should be expanded given there is now an LSO in post.