

## GOVERNANCE AND LAW



### LICENSING (SCOTLAND) ACT 2005: CONSULTATION ON REVIEW OF LICENSING POLICY; SEPTEMBER 2013

The points set out below refer to the relevant numbered sections in the draft revised Policy. The questions relate to key changes to the original Policy Statement. Please complete and return the form either by email to [kate.connelly@argyll-bute.gov.uk](mailto:kate.connelly@argyll-bute.gov.uk) or by post to Kate Connelly, Legal Services, Governance and Law, Argyll and Bute Council. Kilmory, Lochgilphead PA31 8RT. **THE CLOSING DATE FOR SUBMISSIONS IS 31<sup>ST</sup> OCTOBER 2013**

<b>NAME:</b>	
<b>POSITION / ORGANISATION:</b>	
<b>POSTAL OR EMAIL ADDRESS</b>	

<b>1: s 4 - Board Business</b>	Satisfied with policy proposals:	<b>YES / NO</b>
A draft procedure has been drawn up setting out the process which will be followed at any hearing which is held before the Licensing Board. <i>YOUR COMMENTS:</i>		
<b>2: s5.2 - Liaison with Licensing Standards Officers</b>	Satisfied with policy proposals:	<b>YES / NO</b>
The Board expects that applicants for a grant, transfer or variation of a premises licence will liaise with the appropriate Licensing Standards Officer. <i>YOUR COMMENTS:</i>		
<b>3: s5.4 - Other Matters</b>	Satisfied with policy proposals:	<b>YES / NO</b>
In addition to completion of an application for a premises licence, an applicant will also require to submit a statement setting out what arrangements they intend to put in place to address each of the 5 licensing objectives. <i>YOUR COMMENTS:</i>		
<b>4: s6.5 - Overprovision</b>		
The Licensing Board has commenced an exercise to consider the matter of overprovision. This will be subject to a separate consultation exercise at a later date. <i>YOUR COMMENTS:</i>		

<b>5: s7 – Capacity of premises</b>	Satisfied with policy proposals:	<b>YES / NO</b>
The Board will determine capacity in accordance with Building Standards Regulations. <i>YOUR COMMENTS:</i>		
<b>6: s8.12 – Festive hours</b>	Satisfied with policy proposals:	<b>YES / NO</b>
The Board will agree a policy, on an annual basis, of the hours to be granted over the festive period. <i>YOUR COMMENTS:</i>		
<b>7: s9 – Occasional Licences</b>		
<b>(i) s9.2</b>	Satisfied with policy proposals:	<b>YES / NO</b>
The Board will adopt the tests set down by the Scottish Council on Voluntary Organisations to determine whether an organisation is a voluntary organisation. A copy of the organisation's constitution will require to be submitted with an application for an occasional licence. <i>YOUR COMMENTS:</i>		
<b>7: s9 – Occasional Licences (cont.)</b>		
<b>(ii) s9.4</b>	Satisfied with policy proposals:	<b>YES / NO</b>
An application for an occasional licence will require to include a brief statement as to what measures the applicant will have in place to address each of the 5 licensing objectives. <i>YOUR COMMENTS:</i>		
<b>7: s9 – Occasional Licences (cont.)</b>		
<b>(iii) s9.7</b>	Satisfied with policy proposals:	<b>YES / NO</b>
Detailed justification must be provided where an application for an occasional licence is seeking hours outwith the Policy hours. <i>YOUR COMMENTS:</i>		
<b>7: s9 – Occasional Licences (cont.)</b>		
<b>(iv) s9.9</b>	Satisfied with policy proposals:	<b>YES / NO</b>
There will be a number of standard core local conditions, some or all of which may be attached to an occasional licence. <i>YOUR COMMENTS:</i>		

<b>7: s9 – Occasional Licences (cont.)</b>		
<b>(v) s9.10</b>	Satisfied with policy proposals:	<b>YES / NO</b>
<p>The Board would encourage at least one member of the voluntary organisation to have undergone some training.  <i>YOUR COMMENTS:</i></p>		
<b>8: s13 – Access by children and young people to Licensed Premises</b>		
<b>(i) s13.4</b>	Satisfied with policy proposals:	<b>YES / NO</b>
<p>The terminal hour will generally be 9 p.m. on licensed premises.  The default terminal hour in outside seating areas will be 8 p.m.  <i>YOUR COMMENTS:</i></p>		
<b>8: s13 – Access by children and young people to Licensed Premises (cont.)</b>		
<b>(ii) s13.5</b>	Satisfied with policy proposals:	<b>YES / NO</b>
<p>Where premises are principally food-orientated then the terminal hour may generally be determined by the licence holder.  <i>YOUR COMMENTS:</i></p>		
<b>9: s15 – Outside Seating Areas</b>	Satisfied with policy proposals:	<b>YES / NO</b>
<p>The default terminal hour will be 10 p.m.  <i>YOUR COMMENTS:</i></p>		
<b>10: Other Issues</b>		
<p>While focussing on the issues detailed above, the Board would welcome comments on any aspect of the Licensing Policy Statement.  <i>YOUR COMMENTS:</i></p>		