
SCOTTISH BORDERS LICENSING BOARD STATEMENT OF LICENSING POLICY

Report by the Clerk to the Licensing Board

Scottish Borders Licensing Board

26 October 2018

1 PURPOSE AND SUMMARY

- 1.1 **This report requires members of the Scottish Borders Licensing Board to:**
- (i) consider the responses to the consultation on the draft Statement of Licensing Policy carried out as agreed on 20 April 2018;**
 - (ii) approve the Statement; and**
 - (iii) arrange to have it published.**
- 1.2 Following extensive consultation on the draft statement 35 responses were received and these are detailed in Appendix 1.
- 1.3 A revised Draft Final Version Statement has been prepared in light of those representations and appears at Appendix 2. The Board are requested to consider this.

2 RECOMMENDATIONS

- 2.1 **I recommend that the Board:-**
- (a) consider the responses received;
 - (b) review the Draft Final Version Statement;
 - (c) approve that Draft Final Statement and adopt it as the Statement of Licensing Policy for the period from November 2018 to November 2023; and
 - (d) instruct the Clerk to the Licensing Board to take all necessary steps to publish the Statement

3 STATEMENT OF LICENSING POLICY

- 3.1 At the meeting on 20 April 2018 the Board agreed a draft Statement of Licensing Policy for November 2018 to November 2023 for consultation. A twelve week consultation took place from 8 May 2018 until 31 July 2018.
- 3.2 A total of 35 responses were received. 19 from individuals, 9 from Licensees and 7 from organisations, including The Local Licensing Forum and Alcohol Focus Scotland.
- 3.3 For the purposes of this report the responses have been broken down in relation to the specific questions asked in the consultation which covered the 5 Licensing objectives, period of licensed hours, events involving children and other comments or suggestions consultees wished to make. Respondents were asked if they had an opinion in relation to the proposed Draft Policy Statement and if so, whether they agreed or disagreed and wished to make any comments or suggestions for inclusion in the final Policy.

Of the 35 responses detailed in Appendix 1:

- 12 agreed with the proposed draft Policy Statement and made no additional comments or suggestions,
 - 14 agreed and provided additional comments or suggestions for inclusion in the final Policy Statement; and
 - 9 stated they did not agree with some parts of the Draft Policy and made comments or suggestions they wished to be considered for inclusion in the final Policy Statement.
- 3.4 Officers have considered all responses received and propose the revisions to the draft Policy Statement for consideration by the Board. An explanation of the revisions made and those not incorporated in the amended Draft are highlighted in Appendix 1 as they relate to each of the specific questions below asked in the consultation.
- Preventing Crime and Disorder
 - Securing Public Safety
 - Protecting and Improving Public Health
 - Preventing Public Nuisance
 - Protecting Children and Young Persons from Harm
 - Period of Licensed Hours
 - Events Involving Children
 - Other Comments and Suggestions

4 IMPLICATIONS

4.1 Financial

There are no costs attached to any of the recommendations contained in this report.

4.2 Risk and Mitigations

The information provided within these reports ensures transparency and helps to mitigate reputational risk to the Council by allowing further scrutiny of its statement of licensing policy.

4.3 Equalities

It is anticipated that no adverse impact will arise due to disability, gender, age, sexual orientation or religious belief arising from the proposals contained in this report. In addition the Board are required to comply independently of the Council in relation to their duties and the Equalities Act 2010 and the 2012 Regulations.

4.4 Acting Sustainably

There are no economic social or environmental effects as a result of the proposals contained in this report.

4.5 Carbon Management

There is no impact on the Councils carbon emissions as a result of the proposals contained in this report.

4.6 Rural Proofing

Not applicable as although this is a legislative requirement it is updating an existing policy.

4.7 Changes to Scheme of Administration or Scheme of Delegation

No changes to either the Scheme of Administration or the Scheme of Delegation are required as a result of the recommendations in this report.

5 CONSULTATION

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer Human Resources, and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

Approved by

Name Nuala McKinlay

Signature

Title Clerk, Scottish Borders Licensing Board

Author(s)

Name	Designation and Contact Number
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Background Papers:**Previous Minute Reference: Licensing Board, 20 April 2018**

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Ron Kirk can also give information on other language translations as well as providing additional copies.

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