

The City of Edinburgh Licensing Board

Formal Consultation on Statement of Licensing Policy

Licensing Board “Supplementary Questions” Document to Accompany the Board’s Draft Policy Statement”

August 2018

The City of Edinburgh Licensing Board requires to carry out a detailed consultation exercise in relation to the review of its Statement of Licensing Policy (“the Policy”).

The Licensing Board will have regard to its policy in respect of decisions on how the Board regulate the sale of alcohol in Edinburgh. The Policy will be published in November 2018 and apply until 2022 when it will require to be updated.

The formal consultation is now open and responses are required by 1st October 2018.

Prior to the current consultation, the Licensing Board undertook an initial informal consultation exercise between October and December 2017 to obtain a range of views on issues covered by the Policy. Following that initial informal consultation the Board held a licensing workshop on overprovision and also held two days of hearings for those consultees who had responded to the initial consultation to provide oral evidence to the Licensing Board.

A draft Statement of Licensing Policy has now been prepared for the purposes of consultation. A link to this draft is available at [\[Link\]](#).

In addition, the Board have approved this “Supplementary Questions” document to assist consultees in responding. The Board would welcome comments from those who wish to respond in relation to the questions set out below:-

1. Children and Young Persons’ Access

It has been suggested during the informal consultation that the Board should indicate suitable terminal hours for children and young persons in licensed premises in the Policy. Police Scotland suggest the terminal hour could vary depending on the type of premises.

At the present time the Board does not specify policy hours within the Statement of Licensing Policy, and where children and young persons’ access is sought in applications for licences, then hours are dealt with on a case by case basis.

However as a generality the Board has granted hours in the following terms:-

Restaurants, Hotels (non residents) and similar type premises

Terminal hour for children's access - 11.00 p.m.

Terminal hour for young persons' access - 1.00 p.m.

Children can also generally remain on the premises until 1.00 p.m. when a private function is taking place and accompanied by an adult.

Pubs and similar type premises

Terminal hour for children – 8.00/10.00 p.m.

Young persons – 11.00 p.m.

Question One

Do consultees consider that the Board should continue to look at applications on a case by case basis or should specific terminal hours for children and young persons be included in the Statement of Licensing Policy?

2. Extended Use of Occasional Licences

Concerns have been expressed during the informal consultation in relation to situations where occasional licences are being applied for over a lengthy period of time to allow premises to sell alcohol with no application made for a full premises licence. Council Officers have suggested that an indicative limit on the number of applications which the Board considers appropriate for occasional licences should be given.

If the Board were to provide an indicative limit then any further application for occasional licences may require to be referred to the Licensing Board for consideration automatically rather than the current procedure which involves applications for occasional licences generally being considered under the Licensing Board Scheme of Delegation.

Question Two

The Board would ask consultees to consider whether an indicative number of licences/number of applications should be included in the Statement of Licensing Policy?

3. Extended hours for events in Licensed Premises

It has been suggested during the informal consultation that the Board consider developing guidelines as to what would constitute an event of national or local significance where premises are applying for extended hours to sell alcohol. The Board give examples of events in the draft Policy such as Halloween, St Patrick's Day and the Super Bowl.

Question Three

The Board would ask consultees to provide views on the type of events which are considered to be events of national or local significance?

4. Amplified music in Licensed premises

The Board is aware that an amended policy in relation to amplified music in licensed premises has been in place since September 2016.

Question Four

The Board is seeking the views of consultees as to whether the Board should commence the ingathering of information on the effectiveness of its policy since the change in 2016 and whether an evaluation and specific review of this aspect of the Board's policy should be undertaken?

5. Licensed hours

It has been suggested during the informal consultation that the Board's current policy as regards trading hours for different types of premises in the city should be reviewed, in particular as regards where 3am is a suitable terminal hour for some premises outwith the city centre.

Question Five

The Board is aware that there may no longer may be public satisfaction with the general approach to the same opening hours for similar licensed premises across the city depending on location and seeks the views of consultees as to whether the current policy should be reviewed and in particular if the terminal hours should vary across the city?

The Board specifically welcomes consultees' views in response to the above questions. The Board also welcomes comments from consultees on any other matters contained in the draft Licensing Policy Statement. All responses should be submitted to the undernoted address prior to 1st October 2018.

Thank you.

Nick Smith
Clerk
The Licensing Board

August 2018