

## REPORT – 13<sup>th</sup> AUGUST 2018 FURTHER UPDATE ON INITIAL CONSULTATION – STATEMENT OF LICENSING POLICY

### 1. Purpose

Having completed the initial informal consultation on the Board's current Statement of Licensing Policy ("the policy") and considered an initial draft revised Statement at its meeting on 31<sup>st</sup> July 2018 ("the previous meeting"):-

- 1.1 To consider the terms of a finalised draft revised policy following on from the Board's consideration of the initial draft and the documentation relevant thereto at the previous meeting.
- 1.2 To seek the Board's agreement on both the terms of the finalised draft revised policy (other than the assessment of overprovision which is the subject of a separate report) and a "Supplementary Questions" document which has been prepared at the Board's request for the purposes of formal consultation.
- 1.3 To advise the Board of further procedure which will be required in connection with the review of the policy other than in relation to the Board's assessment of overprovision.

### 2. Preparation of Statement of Licensing Policy

- 2.1. The Board was advised at its previous meeting of the statutory requirements regarding its Statement of Licensing Policy which are set out again below in order to assist Board's further consideration of its review of policy
- 2.2. The Board is required by section 6 of the Licensing (Scotland) Act 2005 ("the Act") to publish a Statement of Licensing Policy ("the policy") setting out how it will exercise its functions. The Board must ensure that its policy promotes the licensing objectives set out in the Act namely:-
  - preventing crime and disorder
  - securing public safety
  - preventing public nuisance
  - protecting and improving public health
  - protecting children and young persons from harm
- 2.3 The Board is entitled to ask for statistical information to be provided by the following:-
  - Chief Constable
  - Health Board
  - The Council

to assist it in its preparation of the new policy. Such information should assist the Board in ensuring that the policy is based on evidence that is connected with the licensing objectives.

2.4 The Board must ensure that when preparing its policy it consults at minimum with the following:-

- The Licensing Forum
- The Health Board
- Such other persons as the Board thinks appropriate

2.5 The content of the policy is a matter for the Board having regard to the terms of statutory guidance. It must not be inconsistent with the terms of the Act and it must promote the licensing objectives.

2.6 The existing policy was agreed in November 2013 and was due to expire on 30<sup>th</sup> November 2016. The Board's current policy can be viewed at the following link [http://www.edinburgh.gov.uk/downloads/file/3083/licensing\\_board\\_policy\\_november\\_2013](http://www.edinburgh.gov.uk/downloads/file/3083/licensing_board_policy_november_2013).

The Air Weapons and Licensing (Scotland) Act 2015 amended the frequency by which policy statements must be published. Boards are now required to ensure publication within 18 months of local authority elections – in this instance, by 4<sup>th</sup> November 2018.

2.7 The new policy must include an overprovision assessment in terms of section 7 of the Act. The assessment requires to be prepared on the basis of evidence gathered from appropriate sources, and consulted upon before final inclusion in the policy. The assessment is the subject of a separate report to Board.

2.8 Under section 142 of the Act, Scottish Ministers may issue guidance to Licensing Boards. The current Guidance which includes reference to preparation of Statements of Licensing Policy was issued in April 2007 and has not been revised since its introduction despite several legislative changes and updated case law. The current Statutory Guidance can be viewed at the following link:- <http://www.gov.scot/Publications/2007/04/13093458/0>

2.9 The Scottish Government are currently reviewing the terms of the statutory guidance and meantime have issued draft revised Chapters in relation to licensing policy statements and overprovision assessments to Licensing Boards in February 2018. It is important to note that these draft revised Chapters of the Guidance have not yet received the Parliamentary approval required for guidance referred to in section 142 and are therefore not provided on a statutory basis. However it is recommended that the draft revised guidance be considered at this time in conjunction with the statutory guidance given it reflects the current legislative position which the statutory guidance does not. Copies of both these chapters were provided to the Board as an appendix to the report by the Clerk on 31<sup>st</sup> July 2018 and can be viewed online at [http://www.edinburgh.gov.uk/download/meetings/id/58005/item\\_3\\_-\\_update\\_on\\_initial\\_consultation\\_-\\_statement\\_of\\_licensing\\_policy\\_pdf](http://www.edinburgh.gov.uk/download/meetings/id/58005/item_3_-_update_on_initial_consultation_-_statement_of_licensing_policy_pdf)

2.10 The Board will note that its policy should seek to promote the five licensing objectives set out in the Act. When determining its policy the Board must have regard to the statutory guidance detailed at paragraph 2.7 above and also give appropriate weight to the views of those consulted. A Statement of Licensing Policy may set out a general approach to a Board's decision making but must not ignore or be inconsistent with, the provisions of the Act.

## Policy – Initial Consultation

2.11 The Board agreed on 25<sup>th</sup> September 2017 to carry out an initial, informal consultation, encouraging participation from as wide a range of consultees as possible. The Board asked for responses on the terms of its existing policy, and any other relevant matters. The Board highlighted the following as topics it had a particular interest in, but encouraged consultees not to be restricted by those topics in providing their responses:-

- Children and young persons' access to licensed premises
- Use of outdoor drinking areas
- Licensing of “pop-up” bars
- Extended use of occasional licences
- Overprovision
- Extended Hours for events

2.11 The Board agreed to consider the terms of its current policy in light of the representations received, with a view to preparing an updated draft policy for a period of further, formal consultation later in 2018. The initial consultation started on 30<sup>th</sup> October 2017 and closed on 22<sup>nd</sup> December 2017. Details of the consultation were published on the Council's Consultation Hub, were sent out to a wide range of consultees and were set out in all communications sent from the Council's Licensing Service. The Board held its annual joint meeting with the Licensing Forum on 7<sup>th</sup> December 2017. The Board encouraged the Forum to respond to the initial consultation. Whilst individual responses were received from Forum members in an individual or organisational capacity, no response was submitted on behalf of the Forum itself. Copies of all responses received including a late response from Council officers (Place) were provided to the Board at its meeting on 29<sup>th</sup> January 2018 and published online. These can be viewed at [http://www.edinburgh.gov.uk/download/meetings/id/55996/item\\_81\\_%E2%80%93\\_initial\\_consultation\\_-\\_statement\\_of\\_licensing\\_policy\\_-\\_responses\\_and\\_next\\_steps](http://www.edinburgh.gov.uk/download/meetings/id/55996/item_81_%E2%80%93_initial_consultation_-_statement_of_licensing_policy_-_responses_and_next_steps)

2.12 The Board had agreed that there would be merit in holding hearings once the initial consultation period concluded. The Board at its meeting in January 2018 also agreed to hold an informal workshop on Overprovision. A summary of this event was provided to the Board as an appendix to the separate report on the Assessment of Overprovision at its meeting on 31<sup>st</sup> July 2018.

2.13 The Board held hearings over two separate days to allow for further oral evidence to be provided. These took place on 4<sup>th</sup> and 10<sup>th</sup> May 2018 and proceeded on the basis of hearing from those who had responded to the initial consultation. The Board also invited the Convener of the Licensing Forum to attend and speak on behalf of the Forum. A summary providing detail of matters raised by those parties and discussed with the Board during the hearings was attached as an appendix to the report of 31<sup>st</sup> July 2018 and can also be viewed at [http://www.edinburgh.gov.uk/download/meetings/id/58005/item\\_3\\_-\\_update\\_on\\_initial\\_consultation\\_-\\_statement\\_of\\_licensing\\_policy\\_pdf](http://www.edinburgh.gov.uk/download/meetings/id/58005/item_3_-_update_on_initial_consultation_-_statement_of_licensing_policy_pdf)

2.14 Following the hearings, two further responses were received, the first being from the Green Party Group Convener and the second from GRASS (Grassmarket Residents Association). These were also provided to the Board as an appendix to the above mentioned report and can also be viewed online at [http://www.edinburgh.gov.uk/download/meetings/id/58005/item\\_3\\_-\\_update\\_on\\_initial\\_consultation\\_-\\_statement\\_of\\_licensing\\_policy\\_pdf](http://www.edinburgh.gov.uk/download/meetings/id/58005/item_3_-_update_on_initial_consultation_-_statement_of_licensing_policy_pdf) The GRASS response attached a copy of a report prepared in 2010 “Here Comes the Night”. Copies of this document can be made available to Board members if required.

### 3 Consultation – written responses and hearings

3.1 The Board were advised in the report of 31<sup>st</sup> July 2018 that a proposed draft revised policy had been prepared for the Board's consideration having regard to the consultation responses and hearings. The draft revised policy was attached as an appendix to that report and can be viewed online at the last above mentioned link.

3.2 The Board were also advised in detail regarding consultation responses ingathered during the Board's informal consultation. These could generally be divided into three categories:-

- 1) Licence holders and trade representatives including licensing solicitors
- 2) Community representatives and individual citizens
- 3) Police/ NHS Lothian , Edinburgh Alcohol and Drug Partnership (EADP) , Council officers, and other organisations including Alcohol Focus

A number of consultee responses focused primarily on overprovision, which were referred to in a separate report to the Board, however the majority also included views on the other areas highlighted by the Board namely:-

- Children and young persons' access to licensed premises
- Use of outdoor drinking areas
- Licensing of "pop-up" bars
- Extended use of occasional licences
- Extended Hours for events

3.3. Responses to these other issues included the following views:-

#### 3.3.1 Children and Young persons' access to licensed premises

Generally trade responses encourage the Board to maintain a flexible approach to access to premises for children and young people and highlights the growing trend within Edinburgh away from " public house " type premises towards premises with a food led offering which provides a more informal and relaxed atmosphere for family dining. Edinburgh as a tourist destination is also highlighted in these responses.

NHS Lothian also supports the Board's current scrutiny of application relating to children's access and the policy of site visits to such premises which NHS Lothian also suggest allows the Board to focus on the current trend of preemies to move away from alcohol sales towards where alcohol is ancillary to food based offerings.

Police Scotland, along with others, have suggested a more rigid approach be adopted by the Board in the Policy to include where no access should be granted to children, areas of premises where access will be restricted to and also that the Board should indicate suitable terminal hours for children and young persons in premises which could vary depending on the type of premises. Council offers suggest examples of appropriate areas could be included by the Board in its section of the policy relating to licensing objectives.

Following consideration at its previous meeting, the Board agreed that it would be helpful to provide examples of indicative hours for children and young persons' access to encourage engagement on this issue from consultees. It was further agreed that a separate "Supplementary Questions" document be produced by the Clerk setting out example hours and this document would accompany the draft revised policy for formal consultation.

A draft "supplementary Questions" document has been prepared and is attached at Appendix One.

### 3.3.2 Use of outdoor drinking areas

As with above, trade responses generally request that the board maintain the current approach to outside areas and suggest that some flexibility should be considered for longer areas where such areas are not located proximate to residential properties. Community response refer to particular issues relating to noise nuisance and the number of smokers in outside areas.

Police Scotland firmly support the current 22.00 terminal hour. Police Scotland would also like the Board to consider a suitable terminal hour for outdoor drinking areas in respect of occasional licences and pop up bars as this can vary significantly. They also suggest that licence holders be reminded of their responsibilities to minimise nuisance and the addition of control measures for outside areas such as CCTV, stewards/ dedicated staff and plastic/polycarbonate containers.

The Board agreed at its previous meeting that the draft policy should not be updated prior to formal consultation as it may be that further responses received during formal consultation including the Licensing Forum's position would assist the Board's consideration in this regard.

### 3.3.3 Licensing of "Pop up" bars

Some trade responses, particularly from licence holders suggested that the proliferation of licences for pop up bars was to the detriment of those premises licence holders who paid for full licences and their annual fees. It is also suggested that if such licences are to be provided then the Board should explore ways to make the offering of these priorities for existing licence holders.

Responses received from Council officers highlight that a number of applications for pop up bars have been received where such premises are operating on a semi-permanent basis and often relate to premises which would not meet the requirements of a full premises licence. It is suggested that where repeat applications are being received for such premises then these should be referred to the Board for scrutiny.

Police Scotland support the position of greater scrutiny of such applications.

The Board is also asked to acknowledge and have regard in its Policy to the Protocol which the Council is developing for the use of public spaces. The report to Council's Transport and Environment Committee attaching a copy of the Protocol can be viewed at the following link:

[http://www.edinburgh.gov.uk/meetings/meeting/4342/transport\\_and\\_environment\\_committee](http://www.edinburgh.gov.uk/meetings/meeting/4342/transport_and_environment_committee)

The Board noted that reference to the Protocol had been included in the draft revised policy.

The Board also noted that the draft had been amended to reflect a more robust approach to the licensing of “pop up bars” by updating the delegation to the Convener to consider such applications where appropriate and refer to the Board as the Convener considers necessary and agreed this amendment.

### 3.3.4 Extended use of occasional licences

Concerns raised by Police Scotland and Council officers where occasional licences are being applied for over a lengthy period of time with no application made for a premises licences and suggest that such applications be the subject of increased scrutiny by the Board. Council Officers suggest an indicative limit on the number of applications which the Board consider appropriate for occasional licences should be given. Alcohol Focus suggest that this is an issue which is being faced by licensing boards across the country.

It is also suggested that the Board take a more robust approach to late occasional licences regarding when the Board will accept licences applications within 28 days of the date applied for and the policy wording has been updated in the revised draft policy for the Board’s consideration.

Both Police Scotland and Council officers suggest it would also be beneficial if the Board were to agree a number of “pool” conditions to be attached to occasional licences. These conditions reflect those generally asked for by Police and Licensing Standards Officers (LSOs) on a regular basis when replying to consultations on individual applications.

The Depute Clerks have liaised with Police Scotland and the Council’s LSOs in this regard and the draft revised policy has been update to include reference to the “pool” conditions which are attached as an appendix to the draft updated policy. It is suggested that this will allow greater awareness for applicants prior to submitting applications of the likely conditions to be attached to their licences. Police Scotland have also asked that the mandatory conditions for occasional licences be included within the policy and it is proposed that a link be added to the online version of the policy which will direct applicants to these conditions.

It is also suggested that the Board could make its position clearer In relation to occasional licences for events related to schools and youth organisations where children and young people will be present.

The trade has asked the Board to maintain its current approach of allowing premises where a provisional premises licence has been granted by the Board but before confirmation has been obtained to apply for occasional licences as such a facility is viewed as significant in allowing businesses to commence trading as soon as possible.

The Board, following consideration of the above issues at its previous meeting, agreed that it may be appropriate for the policy to indicate the number of consecutive applications for occasional licences which would be accepted by the Board and where thereafter any further applications may be referred to a Board meeting for determination. The Board agreed that views on an indicative number included in the “supplementary questions” document.

### 3.3.5 Extended hours for events

A number of issues were raised during the informal consultation in relation to extended hour’s applications. These included:-

Both the trade and Police Scotland referred to consistency of approach by Board members when considering applications for extended hours. It was proposed in the previous report that the Scheme of Delegations be updated to include a delegation to the Convener to consider applications for Major Events which may be considered contentious or complex and this was agreed.

The Board was also asked by Police Scotland and Council officers to consider developing guidelines as to what would constitute an event of national or local significance. Some examples as previously suggested by the Board have been included in the revised draft policy to take account of this suggestion. The “supplementary questions” document also asks for views as to whether there are any other events which the public would view of as national or local significance.

Police Scotland also suggest that the Board make clear that extended hours applications should be exceptional rather than the norm given Edinburgh’s generous trading hours. Generally trade responses encourage the Board to grant applications for extended hours where it can be determined that such applications are not inconsistent with the Licensing objectives.

The draft policy has been updated to take account of the matters detailed above including examples of major events where extended hours have been granted by the Board and a question included in the “supplementary questions” document to seek public views on the inclusion of types of major national or local events.

### 3.3.6 Additional issues raised during the informal consultation

A number of other issues were raised by consultees during the informal consultation period and detailed in the report of 31<sup>st</sup> July 2018.

These included:-

3.3.7 Amplified music - Generally trade responses welcomed the Board’s revised policy in relation to amplified music in licensed premises. Community responses suggested that the Board may wish to review the policy and its effectiveness and this view was also reflected in the response received from the Council officers.

The previous report advised the Board that the current revised policy was put in place in September 2016 following extensive public consultation throughout most of that year including oral evidence sessions with interested parties. It was suggested that Board members may wish to take into account the relative newness of this policy and given the very detailed consultation which was carried out by the Board less than two years ago proceed to formal consultation with the current policy unchanged in this regard. However, the report also suggested that given the amplified music policy was agreed by the previous Board, it may be that this Board would wish to indicate that a review and evaluation of the current approach would be undertaken during its lifetime.

The Board considered the above issue in some detail at its meeting on July 31<sup>st</sup>. The Board were of the view that a considerable number of applications had been received to vary existing premises licences to the “new” noise condition although it had been anticipated at the time of the initial policy review that the number of applications received by the Board would be limited. The Board also discussed the type of premises for which variation applications were being received which were not primarily live music venues. In order to reflect the views expressed by the Board the “Supplementary Questions” document also includes a specific question on whether consultees would welcome the ingathering of information by the Board on the effectiveness of the amended condition and whether an

evaluation and specific review of this aspect of the policy should be undertaken by the Board.

3.3.8 Licensed hours – Police Scotland suggested a review of licensed hours as regards whether 0300 hours is a suitable terminal hour for premises outside the City Centre and also whether the Board should make some distinction between trading hours in the city centre and residential areas. Some community responses also made reference to the curtailment of trading hours by the Board. Trade responses were generally supportive of the Board’s policy and flexible approach to trading hours.

The previous report stated that the Board were aware that each application was considered on its individual merits and there were various premises throughout the city where the Board had granted licences with the terminal hour restricted where the Board has considered it appropriate to do so. The report suggested that the Board may wish to continue with this case by case basis approach.

The Board discussed the issue of licensed hours at the previous meeting and were of the view that the policy statement would require to be reviewed as it was clear from a number of consultation responses that there was no longer general satisfaction with the trading hours for different types of premises set out in the current policy.

A question has been added to the “Supplementary Questions” document asking for consultees to provide views on the current trading hours and if they consider that the policy should be amended in this regard. The document also advises that the draft policy will be updated once consultation responses have been received.

3.3.9 Toughened glass – Police Scotland and NHS Lothian suggested the Board may wish to review its policy on toughened glass. The Board noted that further information could be provided by Police Scotland during the formal policy consultation and in the meantime reference to the use of such glass had been added to the Licensing objectives. (Securing Public Safety)

3.3.10 Theft of alcohol - NHS Scotland made a recommendation regarding stores rearranging their layouts where theft of alcohol had occurred. The Board noted that the deterrence of shoplifting is a matter for individual premises to have regard to rather than Board policy.

3.3.10 Licensing Forum – some references were made by consultees to information on the Licensing Forum. The Board noted as the establishment of a Licensing Forum is the responsibility of the Council this was out with the scope of the Board’s jurisdiction. However a link to relevant information about the Forum on the Council’s website had been added to the draft policy.

3.3.10 Suggested action by the Board in respect of trade waste, flyposting, smoking.etc – The Board noted that whilst the Board encouraged premises to have regard to the effective operation of their premises to address the issues raised by consultees, these issues were all regulated by separate legislation and accordingly the Board was expressly prohibited by the Act from attaching conditions to licences where those activities fell under other statutory regimes.

3.3.11 Board’s administrative procedures – a number of responses from the community suggested that information available during the consultation process on applications could be improved by increased availability of information online and the creation of online public registers. The Board noted at the previous meeting that it had already expressed a desire to improve the quality of information available online and officers were seeking to progress



IT improvements during the formal consultation period with a view to updating the Board prior to the final version of the updated policy being agreed. The Board also noted that the agreement of pool conditions for occasional licence applications may assist with addressing some of the processing times referred to by trade representatives in responses. The Scheme of Delegations had also been updated in the draft revised Board to include a further delegation to the Convener to consider the preliminary stage of an application for review as regards whether an application was to be considered frivolous or vexatious. This would expedite review proceedings. Board members also noted further consideration could be given to the current scheme of delegation during the formal consultation and additional amendments made if appropriate.

3.3.12 Personal licences – the Board noted from the previous report that Scottish Government had indicated that the training requirements for Personal Licence holders were being reviewed to take account of the renewal application process for Personal Licence holders scheduled to commence as from September 2018. In the meantime the Board noted that the suggestion from Council officers that those Personal licence holders who failed to timeously carry out five year refresher training should be encouraged to undertake the refresher training at the same time as submitting applications for new licences has been incorporated within the draft revised policy..

3.3.13 Last lodging dates – Council officers in Place Licensing suggested that these be removed. The Board agreed with the suggestion in the previous report that the Board would also wish to be clear on the views of applicants as any reference to dates in trade responses supported the continued use of last lodging dates as these provided applicants with certainty in relation to the timescales within which applications would generally be processed by the Board

3.3.14 Layout of the Board's current policy statement – some consultees had suggested that the Board's policy be presented in a more "user friendly" and accessible format and the Board had endorsed this approach during the informal consultation process. The Board noted at its previous meeting that the proposed draft of the revised policy had been updated to take account of those comments with Chapters introduced and the contents of the policy regrouped under the most relevant Chapter headings. It was also noted that brief explanatory notes would be provided at the start of each Chapter which the Board considered would be helpful.

The Board noted in the previous report that in relation to all of the above issues the Board, could seek the views of the Licensing Forum during the formal consultation period.

- 3.3 A number of other suggestions received during the informal consultation related to issues that were already the subject of specific requirements within the Act such as operating plans, layout plans, activities in licensed premises etc. In these instances applicants required to comply with statutory requirements and the Board were unable to deviate from the legislative position.
- 3.4 The Board noted at it previous meeting that where the draft revised policy had been revised to take account of issues raised during the informal consultation then these had been highlighted in italics for the Board's information. The policy had also been updated to take account of changes in licensing legislation which included the introduction of a new civic licensing regime in respect of sexual entertainment venues previously licensed by the Board in respect of adult entertainment.
- 3.5 The Board considered other specific issues at its previous meeting and noted the statutory requirements in relation to definitions of "notifiable interest" and "Linear metres" and separately, the position on duty to trade. The Board noted that the extensive work

carried out by LSOs in relation to the Board's recovery of annual fees had identified a number of premises in Edinburgh where trading had ceased completely and these premises licences had been revoked by the Board. The Board also noted that only certain fees could be fixed by the Board as the majority of fees were set by Scottish Government and the finalised draft policy has been amended to include reference to this position as requested by the Board.

- 3.6 The finalised draft policy is attached at Appendix Two. The Board is asked to consider the terms of the finalised draft along with the supporting "Supplementary Questions" document attached at Appendix One for the purposes of formal consultation.

## 4 Next Steps

4.1 The draft Statement of Policy has been revised as detailed at Paragraph 3 above and is attached at Appendix Two. It is proposed that the Board seek views from consultees at the formal consultation stage in relation to the terms of the revised draft policy and also the views of consultees on the specific issues raised in the "supplementary questions" document.

4.2 In preparing its policy the Board must consult with the statutory consultees set out at Para 2.4 above. In addition to the statutory consultees it is proposed that the Board consult as widely as possible. It is therefore recommended that the Clerk and his Deputies be instructed to publicise the consultation including on the Board's website pages and the Council's Consultation Hub.

4.3 It is also suggested that in order to allow the Board to have due regard to its Equalities, Diversity and Rights Policy, the Board's questionnaire previously agreed in terms of said policy is made available to consultees for submission along with responses. This will assist with the identification of any adverse equality impacts to be considered prior to the Board agreeing the final terms of the updated policy.

4.4 It is further proposed that the formal consultation commence as soon as possible upon the terms of this report being agreed. Reference is also made to the separate report to be considered by the Board regarding consultation on the Board's assessment of overprovision to be included in the final policy and the proposal in that report that the statutory consultation on overprovision will run in tandem with the timescale agreed for the Board's formal consultation on its policy statement. Accordingly the commencement of the consultation period will also be dependent upon the terms of that report being agreed. Thereafter it is suggested that the consultation period in respect of both policy and assessment of overprovision run from Tuesday August 14<sup>th</sup> until Monday 1<sup>st</sup> October 2018.

4.5 Once the period for formal consultation on both the Statement of Policy and Overprovision are complete, then a further report, or reports if appropriate, will be brought back to the Board advising of responses received which will seek decisions from the Board on its Statement of Policy which will include the Board's assessment of Overprovision .

## 5. Recommendations

5.1 The Board is asked to :-

- (a) consider the terms of the finalised draft revised policy for formal consultation attached at Appendix Two and
- (b) consider the terms of the proposed draft “Supplementary Questions” document attached at Appendix One to be issued along with the draft policy and also consider if there are any other matters relating to the draft policy which the Board may wish to consult on to be included in that document.
- (c) subject to any amendments agreed by the Board, approve the terms of the finalised draft policy and “ Supplementary Questions “ document for formal consultation and authorise officers to consult on its terms all as set out at paragraph 4 .2
- (d) Agree that the consultation should commence as at 14th August 2018 and end on 1<sup>st</sup> October 2018.
- (e) authorise the Clerk and his Deputes to take steps to publicise the consultation including use of the Council’s consultation hub
- (f) authorise the Clerk and his Deputes, following the formal consultation , to report responses received to the Board , along with responses to the Board’s consultation on its assessment of overprovision , to enable the Board to agree the terms of the Board’s revised statement of Licensing Policy including its assessment of overprovision

## 5 Appendices

Appendix One – Draft “Supplementary Questions “document

Appendix Two - Amended draft revised Statement of Licensing Policy

## 6 Background Papers

- 6.1 Report to Licensing Board – 25<sup>th</sup> September 2017
- 6.2 Report to the Licensing Board – 29<sup>th</sup> January 2018
- 6.3 Report to the Licensing Board – 30<sup>th</sup> July 2018
- 6.4 Licensing (Scotland) Act 2005 sections 6 and 7 (as amended)

Morag A. Leck

**Depute Clerk of the Licensing Board**

◆ EDINBURGH ◆

LICENSING BOARD

APPENDIX 1 – CON