

SCOTTISH GOVERNMENT CONSULTATION – OCCASIONAL LICENCE APPLICATIONS

1. Purpose

- 1.1 To advise the Board of a consultation being carried out by the Scottish Government on occasional licences.
- 1.2 To agree arrangements for providing a response to the consultation.

2. Main Report

- 2.1. The Scottish Government is conducting a consultation on the licensing regime for occasional licences. In particular the Scottish Government is inviting comments on the current arrangements for application fees, and seeking views on whether there should be a limit in place for the number and duration of occasional licences. The consultation period opened on 23rd April 2019 and closes on 16th July 2019.
- 2.2 Details of the consultation are attached to this report. The list of specific consultation questions is reproduced below for ease of reference.
- 2.3 In order to allow sufficient time for consideration of the new draft guidance, it is suggested that the Board agrees to instruct the depute clerks to prepare a further report taking account of Board comments, with a view to a response being considered and then submitted on the Board's behalf at its next meeting, on 24th June 2019.

3. Recommendation

- 3.1 The Board is asked to note the terms of the consultation, and agree to a further report being prepared to include a response on the Board's behalf, taking account of Board members' comments on the draft guidance.

4. Background Papers

<https://consult.gov.scot/criminal-law/occasional-licences/>

Depute Clerk of the Licensing Board

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Fees

1. Do you agree that the fee for an occasional licence should be increased from the current level of £10?

Yes / No

2. Why?

3. Do you agree that £50 is an appropriate new fee level?

Yes / No

4. Why?

5. Do you agree that £75 is an appropriate new fee level?

Yes / No

6. Why?

7. Do you agree that £100 is an appropriate new fee level?

Yes / No

8. Why?

9. If you do not think that any of the proposed fee levels are appropriate, what do you believe would be a suitable fee level?

10. What evidence, based on cost recovery, can you supply for an appropriate fee level for occasional licences?

Limits

11. Do you agree that limits should be placed on the number and duration of occasional licences for holders of a premises licence and holders of a personal licence?

Yes / No

12. Why?

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13. What do you think would be an appropriate limit on the **number** of occasional licences that could be issued to the same **applicant** in a 12 month period, and why?

14. What do you think would be an appropriate limit on the **number** of occasional licences that could be issued to the **same premises** in a 12 month period, and why?

15. What do you think would be an appropriate limit on the **number of days** that occasional licences issued to the **same applicant** in a 12 month period could have effect, and why?

16. What do you think would be an appropriate limit on the **number of days** that the occasional licences issued in relation to the **same premises** in a 12 month period could have effect?

17. What do you think would be an appropriate limit on the **number of continuous days** that a series of occasional licences can have effect in relation to the **same premises**?

18. Are there any other comments you wish to make that relate to the occasional licence?