

South Lanarkshire Licensing Division No. 3 - (Hamilton area)

Committee Room 1, Council Offices, Almada Street, Hamilton

Addendum to minute of meeting held on Monday 1 October 2018 at 10am

Present: Councillor Jim McGuigan (Convener)  
Councillor Mary Donnelly (Vice Convener)  
Councillor Jackie Burns  
Councillor Maureen Devlin  
Councillor Bert Thomson

Apologies: Councillor Peter Craig  
Councillor Martin Hose  
Councillor Davie McLachlan  
Councillor Richard Nelson  
Councillor Josh Wilson

Also in attendance: Teresa Stone – Depute Clerk to the Licensing Board  
Moirra Cooper – Standards and Development Officer

#### 4. Review of Statement of Licensing Policy including overprovision statement

The Depute Clerk advised the members that two late responses had been received to the consultation including the response from Police Scotland. Following discussion the Board agreed not to take into account the late responses.

In relation to the responses received timeously, the Board noted the following issues raised –

- a) Fees for major variations
- b) Terminal hour on Friday and Saturday nights
- c) To find that Bothwell as a locality is already overprovided with licensed premises of all types and that no further licences should be granted.

The Depute Clerk advised the members that the fees for major variations had been discussed previously. It had been felt at that time that as the process for a major variation was similar to a new premises licence the fee should be two thirds of the premises licence fee. If the major variation was to change the licensing hours due to a change in policy then a reduced fee of £150 would apply.

In relation to the hours on Friday and Saturday nights, the Board noted that at present applicants could apply for 1am on either a Friday or Saturday night. Following discussion the Board agreed to amend the policy to allow applicants to apply for both a Friday and Saturday night to 1am.

The Board noted that two responses asked the Board to find that Bothwell was overprovided.

The Depute Clerk went through the matters raised in the response from Alcohol Focus Scotland which included the CRESH report –

- a) Overprovision – the Depute Clerk confirmed that no response had been received from the Health Board.
- b) Transparency – the Depute Clerk advised that minutes/papers were published on time and a record of names voting for/against was included in the minutes.
- c) Meetings less formal – To assist applicants coming before the board it was agreed that the Depute Clerk would prepare a guidance booklet similar to the hearings booklet for Licensing Committee.
- d) Signposting and accessible language – it was felt that the policy was plain English.
- e) Licensing objectives – the Board noted that the licensing objectives were referred to throughout the policy.
- f) Conditions to be specified – it was felt that local conditions may not suit all premises.
- g) Children – Board agreed to keep policy as it has been for children.
- h) Overprovision – the Board having carefully considered this matter agreed that Bothwell and Hillhouse/Earnock would be overprovided as per draft policy.
- i) Licensed hours for off sales – 10am to 10pm. Board agreed to leave as is.
- j) Occasional licences – the Board agreed to the following being included in the policy –

“repeated applications for occasional licence for the same unlicensed premises and which are not for detailed specific events and/or for activities that have been occurring (either in identical or largely similar terms) on the premises regularly over a period of at least 3 months will not generally be considered to be suitable for the grant of an occasional licence and will not be granted by the Board under delegated authority but will require a hearing before the Board. The Board expects such premises to be operating under a premises licence.”

k) Internet sales – the Board noted that this was covered in existing policy.

The Board approved the draft Statement of Licensing Policy including overprovision statement.

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