

INVERCLYDE LICENSING BOARD

MONDAY 18 SEPTEMBER 2023 AT 11.00 AM

Present: Councillors Brooks, Cassidy, McCormick, McVey, Reynolds and Robertson

Chair: Councillor Brooks presided

In attendance: Ms Anne Sinclair, Fiona Denver and Siobhan MacMaster (for Clerk to the Board); Sergeant Ian Robertson, Police Scotland; Roisin Dillon, Public Protection Manager; Crawford Brown and Colin Robertson, Licensing Standards Officers.

Apologies: Councillors Jackson and Law

Declarations of Interest: No declarations of interest were intimated

LICENSING (SCOTLAND) ACT 2005 REVIEW OF LICENSING BOARD POLICY STATEMENT

Ms Sinclair addressed the Board on the terms of the report providing an update following the joint meeting of the Licensing Board and the Local Licensing Forum on 1 August 2023, and requested that the Board now consider what revisions require to be made to the existing Licensing Board Policy Statement in Appendix 7 to the report, prior to the next public consultation. All documentation had been forwarded to Members prior to the meeting giving them the opportunity to consider the information provided and the proposed draft amendments to the existing Policy Statement.

The Chair addressed the Board commenting that this was a comprehensive review and asked what form the further consultation would take. Ms Sinclair explained that the further consultation process would be similar to the initial consultation and that a further report would be brought to the Board for consideration in light of any responses.

The Chair asked Sergeant Robertson if he had any comments he wished to make and also opened the meeting for Members to ask any questions to those in attendance.

Councillor Robertson thanked those persons/organisations who had provided feedback and contributed thus far.

Councillor McVey made reference to the Board's Outdoor Policy, moving that there shall be no consumption of alcohol in any outdoor area after 9pm, albeit every application be considered on its own merits. Councillor McVey moved a terminal hour of 9pm for outdoor drinking, which was unanimously agreed by the Board.

Councillor McVey also asked Mr Brown, Licensing Standards Officer, what checks were carried out to ensure that alcohol deliveries were accompanied by food. Mr Brown, advised that no specific checks were carried out and Ms Dillon, Public Protection Manager, stated that it would be very challenging to police daily deliveries to private residences, however she was not aware of any complaints locally and there is no evidence to suggest a problem with delivery to persons who are underage.

Councillor Cassidy stated that residents have raised concerns about an issue at Inverkip Beach and other areas. He stated that he would like to see a condition that alcohol delivery only be permitted with food, unless an off sales premises. Councillor Cassidy moved that such

a condition be included within the Policy Statement. There was no amendment, and the motion was unanimously agreed.

The Board also considered the proposed revision to the Policy Statement in relation to the “ Safe Home “ initiatives for staff who work late at night and unanimously agreed that the proposed sections be incorporated within the Policy Statement.

Thereafter, the Board considered proposed revisions in relation to the following key areas:

Curfew

Ms Sinclair addressed the Board highlighting a key change to the existing Policy Statement with regard to the proposed withdrawal of the 12 midnight curfew following a consultation which included Police Scotland. Councillor Robertson stated that as discussed at the Joint Licensing Board/Licensing Forum meeting, there is no evidence to support retaining the curfew. Members unanimously agreed that wording should be inserted in the Policy Statement at the relevant section to reflect that this decision was unanimously made by the Board after careful consideration of the evidence from Police Scotland and other consultees.

Children & Young Persons

Ms Sinclair highlighted that a draft revision has been made to the Policy Statement to reflect a key proposed change, as previously requested by the Board, that a young person (a person 16 and 17 years of age) can be within a restaurant until 11pm unaccompanied by an adult, while having a meal.

Councillor Robertson commented that considering young persons separately from children was a positive cultural shift.

Overprovision

Ms Sinclair addressed the Board, advising that the Board requires to determine whether there is overprovision in relation to any of the 17 Localities, previously determined by the Board at its meeting on 28 June 2023.

Councillor Robertson considered it would be helpful to have further information available before determining overprovision. Councillor McVey expressed concern about the Inverclyde alcohol related deaths and hospital admissions. He agreed with Councillor Robertson that it was important to consult as robustly as possible and that a separate consultation should be undertaken, in 6 to 12 months time with a further report to the Board. All Board Members unanimously agreed with this approach.

Decided:

- (1) that the further changes as agreed now be made to the existing Licensing board Policy Statement;
- (2) that the Clerk of the Board be authorised to make the necessary changes to the existing Licensing Board Policy Statement and publicise the amended Policy as part of a further consultation with a further report being brought to the Board prior to 4 November 2023, on the outcome of the consultation;
- (3) that the Clerk of the Board be authorised to undertake a separate consultation six to twelve months from now, in relation to the issue of overprovision.