

MINUTE of MEETING of the WEST LOTHIAN LICENSING BOARD held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, EH54 6FF, on 11 AUGUST 2023.

Present – Councillors George Paul (Chair), Alison Adamson, Tony Boyle and Damian Doran-Timson

Apologies – Councillors Tony Pearson (Convener)

In Attendance

Gary McMullan, Depute Clerk, West Lothian Licensing Board
Audrey Watson, Managing Solicitor, West Lothian Council
Douglas Frood, Licensing Standards Officer, West Lothian Council
PC Donna Pearey, Police Scotland

1. ORDER OF BUSINESS

In the absence of Councillor Pearson, the Board unanimously agreed to appoint Councillor Paul as Chair for the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTE

The Board confirmed the draft Minute of its Meeting held on 14 July 2023 as a correct record. The Minute was thereafter signed by the Chair.

4. APPLICATION FOR VARIATION OF A PREMISES LICENCE, URBAN COCKTAIL KITCHEN, 47 HOPETOUN STREET, BATHGATE

The Premises Manager and the applicant's legal agent took part in the meeting. Introductions were made and procedures explained.

The Board considered a report (copies of which had been circulated) by the Clerk with regard to the application for the variation of premises licence.

The report recommended that the Board consider and determine the application having regard to the content of the report and any information or submissions made by or on behalf of the applicant. The Board heard submissions from the applicant's agent in relation to the application.

Decision

To grant the application subject to the application of the Board's standard children and young persons conditions.

5. REVIEW OF STATEMENT OF ALCOHOL POLICY - SUMMARY OF CONSULTATION RESPONSE AND DRAFT POLICY STATEMENT 2023-2028

The Board considered a report (copies of which had been circulated) by the Clerk recalling the requirement on the Board to prepare and publish a statement of licensing policy within 18 months of the local government election. A new statement of policy must be published by 4th November 2023 to cover the subsequent five-year period.

An online public consultation exercise had been conducted to allow stakeholders and the wider community to submit responses with a view to influencing preparation of the new statement of policy. In addition to the online responses received, responses were also received from Alcohol Focus Scotland and West Lothian Council. All of the responses, together with comments from the Licensing Team, were set out in the appendices to the report. Officer recommendations on the responses and a draft policy statement were presented for the Board's consideration. It would be necessary for consultation on the draft policy statement to be carried out.

The report invited the Board to consider the draft policy statement and:-

- (i) Identify any wording which required amendment;
- (ii) Approve the draft statement of licensing policy for 2023/2028 subject to the correction of any remaining typographical errors;
- (iii) Agree that the wording for the new section on personal licences and the new appendix containing definitions of common terms should be drafted by the Licensing Team and circulated to members for approval by email before the final draft was consulted upon; and
- (iv) Notes that a further online consultation would take place regarding the draft policy statement to take place for a period of 3 weeks from a date to be arranged as soon as possible.

It was also noted that if the new section on personal licences or appendix containing common terms could not be agreed by email, a special meeting of the Board would be required in August to agree the wording. The updated policy review timetable appended to the report was presented for approval.

Decision

To approve the terms of the report subject to the amendment of the wording of standard condition 16 for occasional licences in the draft policy to replace the word "at" with "within".