



The Scottish Parliament
Pàrlamaid na h-Alba

Gillian Mawdsley
Secretary
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via email

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**Local Government and Communities
Committee**

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Dear Ms Mawdsley

The Local Government and Communities Committee took evidence on 27 March 2019 on alcohol licensing and local communities from the Minister for Community Safety, Ash Denham MSP, who is the member of the Scottish Government with lead responsibility for licensing policy. This followed on from a roundtable evidence session on the same theme with a number of stakeholders, which took place on 23 May 2018.

The Official Report of the Ministerial evidence session is available at:

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12026&mode=pdf>

The Official Report of the earlier session with stakeholders is available at:

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11557&mode=pdf>

In its discussion of the evidence after the meeting, noted the key themes arising from the evidence and agreed to write to the Law Society of Scotland requesting further information on the following:

Legal obstacles (if any) to delivering public health objectives via the licensing system. The Committee was interested in the question of whether Licensing Boards felt confident to pursue public health objectives, and to mitigate public health risks, via the licensing system. In particular, the Committee noted contrasting views in evidence, from the Scottish Government and from some stakeholders, as to whether current laws and policies empower boards, in appropriate cases, to refuse applications on grounds of overprovision (and the negative public health consequences associated with that), or whether they feel constrained in doing so

because the law is insufficiently robust or clear on this point. The Committee would welcome the informed views of the Licensing Law Sub-Committee on this matter.

Community planning and licensing: The Committee notes paragraph 58 of the Scottish Government's recently published *Alcohol Framework 2018: Preventing Harm*, which states that "Local communities have an important voice in local licensing decisions. However, the regime itself is not easily understood, formal in many instances and can be seen as bureaucratic." This statement very much reflects the balance of views heard during our two evidence sessions. The Framework goes on to discuss the potential role for Community Planning Partnerships to help local communities "consider the impacts of alcohol and work towards the changes that they wish to see." The Committee would welcome views from the Sub-Committee as to whether current law and practice enables local communities to play a full role in helping set local licensing priorities and advance the licensing objectives. If not, the Committee would welcome views on how the system could be improved. An area of interest is whether Boards could participate in Community Planning Partnerships as a mechanism for better understanding community priorities.

For information, letters on related matters arising from the evidence sessions are also being sent to Licensing Boards and the Scottish Government. The intention is to publish all exchanges of correspondence as public evidence in relation to the Committee's work

It would be very helpful to have a response by Monday 13 May 2019.

Yours sincerely

James Dornan MSP
Convener of the Local Government and Communities Committee