Supplementary written submission from the Scottish Government Bill Team

We have studied the responses to your call for evidence and continue to follow the evidence gathering sessions held by the Local Government and Regeneration Committee with considerable interest. While evidence has, of course, been provided in respect of the provisions of the Bill, much has also been said about a wide range of issues that are not included within the Bill. In respect of alcohol licensing, we have been clear that the proposals in the Bill are intended to improve the existing system but that they do not comprise a radical overhaul.

The alcohol licensing regime is particularly complex and the range of stakeholders is wide. It is therefore important that any changes are carefully considered in the round to avoid unintended adverse consequences. We believe that the proposals relating to provisional ‘site only’ applications and surrendered licences have the potential to undermine facets of the existing regime and would not be widely supported by other licensing stakeholders. Licensing Boards need to be in possession of full and accurate information to inform their determination of overprovision and make decisions about individual licences.

However, we continue to consider the concerns raised in relation to the existing law on transfers of alcohol premises licences. We note that in the evidence gathering session on 19th November, Fiona Stewart on behalf of the local authority licensing clerks in the SOLAR Licensing Subcommittee, while sharing many of the concerns about the existing legislation’s approach to transfers, flagged that clerks were likely to have different views on how to resolve them.

It remains our intention that the alcohol licensing regime operates effectively to meet the aspirations of the various stakeholders and legitimate interests.