Thank you for responding to the Local Government and Regeneration Committee's Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee's scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee's Twitter feed - all Committee tweets on this Bill will have the hashtag #aw&lbill.

*1. Please supply your name and contact details:

Name: Andrew Mitchell
Organisation: City of Edinburgh Council
Address 1: 
Address 2: 
City/Town: 
Postcode: 
Country: 
Email address (if no email leave blank): 
Phone Number: 

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SUBMISSION ID NUMBER 49
2. Please confirm that you have read and understood the Scottish Parliaments “Policy on the treatment of written evidence by subject and mandatory committees”:

☑ Yes

3. Please confirm whether you are content for your name to be published with your submission:

☑ Yes

☐ No

4. Which of the three categories below best describes your interest in the Bill (please tick only one)?

☐ Personal

☑ Professional

☐ Commercial

5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:

☑ Yes

☐ No


6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.

☐ Yes

☐ No

7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).

☐ All of the Bill

☐ Equalities, climate change and other Scottish Government objectives

☐ Air Weapons

☐ General licensing issues

☐ Alcohol licensing

☐ Civic licensing – taxi/private hire car licensing

☐ Civic licensing – scrap metal dealers

☐ Civic licensing – theatre licensing

☐ Civic licensing – sexual entertainment venues
1. **Equalities, Climate Change and other Scottish Government objectives**

You may respond to all the questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

8. **Do you consider that the Bill has any implications for meeting Scotland’s climate change commitments? Please explain.**

   The bill has some impact on climate change commitments with reference to those sections which deal with possible controls on the number of private hire vehicles.

9. **Do you consider that the Bill has any implications for meeting Scotland’s equality and/or human rights commitments? Please explain.**

   No responses

10. **Do you consider that the Bill has any implications for preventative spending and/or public services reform? Please explain.**

    Several aspects of the bill will increase the costs of the licensing systems and therefore the fees recovered from applicants and licence holders.
11. Do you consider that the Bill has any implications in relation to European Union issues? Please explain.

No response

12. Do you have any other comments on the impact of the proposals contained in the Bill relation to Scottish Government objectives?

No response
4. Alcohol Licensing

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

28. In what ways will the Bill’s provisions on alcohol licensing allow for reductions in crime and the preservation of public order?

The Council welcomes and supports the reintroduction of the ‘fit and proper’ test to the liquor licensing system.

Similarly the broadening of the objectives to include ‘protecting young people from harm’ is necessary to remove that apparent gap.

29. Are there any other measures which should be taken to assist in the reduction of crime and the preservation of public order?

The Council would welcome consideration of whether the costs of policing the sale of alcohol could be recovered by means of a levy on relevant license holders. This would include costs for managing the night time economy which disproportionally impacts the City and other similar authorities in Scotland.

30. In what ways will the provisions in the Bill enhance the licensing objectives set out in the Licensing (Scotland) Act 2005?

The Council supports the broaden of the ‘protecting of children’ to include ‘young people’
31. In what ways will the re-introduction of the “fit and proper person” test assist with the implementation of the licensing objectives set out in the 2005 act?

The Council believes this will address public concern that these types of issue should be considered in addition to the licensing objectives when deciding whether or not to grant a relevant licence. It will enhance public confidence in the decision making process.

32. Have there been any unintended consequences arising from the 2005 Act, for example, in rural areas or the economic regeneration of areas?

The Council expresses concern that ‘occasional liquor licences’ are increasingly being used to licence events which would otherwise be licensed under the 1982 Act.

For example large music events operating on a £10 occasional licence. The Council respects that dual licensing is inappropriate but contends that this system is unsustainable for the following reasons:

a) It involves the Licensing Board in regulating issues beyond the sale of alcohol for which the 1982 Act already exists
b) There is a difference in how an event may be licensed depending on the Act used and this inconsistency is confusing
c) Large commercial events are benefitting from absurdly low licensing fees leaving local authorities to pay for managing these events from the general budgets.

33. Which, if any, types of spent relevant offences should be required to be disclosed and what do you think the benefits of disclosure will be?
It is important that public confidence in the system is maintained. If you apply for a Taxi or Private Hire Drivers Licences all convictions must be disclosed spent or otherwise this inconsistency is not helpful.

Generally any conviction disclosing violence or dishonesty should be disclosed.

34. Do you have any other comments to make on the alcohol licensing aspects of the Bill?

The Council agrees with the introduction of determination period and the requirement to certify an application is complete, it notes however that these will increase costs for the Board.

The Council agrees that bringing the timescales for the statement of local licensing policy in line with local government elections is sensible.

The Council has no concerns about the introduction of financial reports as a statutory requirement.