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: Donald Macleod
Organisation: Hold Fast Ents
Address 1: 
Address 2: 
City/Town: 
Postcode: 
Country: 
Email address (if no email leave blank): 
Phone Number: 

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* 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
Name/Organisation:

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?

I think the reintroduction of a fit and proper test on licenses premises and licensees will have a positive effect on the trade, but only if these tests are transparent and can be made public in order that any judgement can be fully scrutinised and assessed by all parties (Board, applicant, Police, Public) concerned, and indeed that they can appealed instantly through the courts by any who may feel wronged by any decisions by a board that would affect trading or granting of a licence.

29. Are there any other measures which should be taken to assist in the reduction of crime and the preservation of public order?
Yes.. a more streamlined structure of licencing .. one where all boards operate by the same rules and instead of varying licence policy documents being put in place by councils across Scotland, some as little as 15 pages long, one indeed 123 pages the government put in stricter guidelines to make sure that they concentrate more on policy rather than detail and admin process. That all publish an over provision statement instead of as I can see 17 councils feeling the need not to publish, even though there is statutory obligation in place that they do. That licensed hours in all city centres, suburban and rural areas are standardised by government not council as it is a shambolic lottery from city to city as to what hours are allowed, especially late opening hours and out door drinking.

For example ... Why is that Edinburgh allows during festival times which is half the year, inside and out, to the detriment of the local 365 day a year publicans opening hours to drink at times when the milk man and paper boy has started their deliveries yet Glasgow 45 miles away thankfully doesn’t... crazy! Boards it seem up and down the land are all over the place when it comes to determining curfews, setting terminal hours, dealing with special events and defining the type of entertainment that should be considered for a late licence. Very few seem up on licensing law or indeed the 2005 act and the 5 licensing objectives set within. The Government it seems are also only too happy to allow this chaos to continue issuing bland guidelines and definitions on operating hours, security and what constitutes a late night club, what is a bar(style or hybrid) and more recently what is a casino? This has led to a scenario where the price of alcohol has been driven down by all in order to be competitive and makes a mockery of their 5 objectives. Licensing law is a pig in poke and not ruled by common sense but more where you are the map and what type of board you have, and indeed the politics they share.

Government should be more robust in their definition of trading hours and remove some of those decisions from the board, their should be level playing field for all to play on and not what we have at present a furrowed field.

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

See above

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

As I stated above the 2005 act needs beefing up … boards are all over the place..since the 2005 act was put in place many publicans and licensees have been forced out of business. There has been a catastrophic effect on trade from implementation of the smoking ban, a banking crisis and world economic recession ..Nothing has been put in place to regenerate licencing only more laws and law makers to abide to..SIA, Personal Licence, Licence Costs, LSO’s and both Government and Boards intransigence to deal effectively and with common sense the negative effects these and more factors have had on the trade . far from being encouraged to go out and safety drink and have a dance they are now in their thousands staying at home pre loading or tanking up unmonitored, unsupervised and unsafe. Which Im sure was not the intention of the act.

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?

Full disclosure of all applicants, however common sense should apply ie if you haven’t paid your tv licence or parking fines then that should not be held against you..Only those crimes which would have the applicant at odds with the 5 objectives should be brought to bear.

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

No