

Dear Convener,

I am now able to respond on behalf of Nuala McKinlay, Clerk to Scottish Borders Licensing Board as follows:

**What Boards see as the main challenges and opportunities to delivering health objectives via the licensing system?**

Scottish Borders Licensing Board is confident that it is able to pursue public health objectives and to mitigate the public health risk when considering licensing applications. The NHS is a consultee who are invited to make representations with regard to each application which is considered by the Board. Whilst in most cases the NHS have no comments to make, there are occasions when they do make representations and a representative will attend the Board meeting and address the Board accordingly. In addition, the Board is confident that its Statement of Licensing Policy, which was reviewed last year, is sufficiently robust to enable it to make appropriate decisions when the question of overprovision is a consideration. When reviewing its Statement of Licensing Policy, the Board took into account the work carried out by the Scottish Borders Licensing Forum who by way of a multi-agency data gathering public project produced a report "Scottish Borders Alcohol Profile". This profile forms an invaluable evidence base which has been most useful to the Board in the review of its policy and the Board has regard to it when determining applications.

**Community Planning, Licensing and Public Health?**

As alluded to above, the work done by the Scottish Borders Licensing Forum in collating data and producing the Scottish Borders Alcohol Profile has provided an evidence base which has been very useful to the Board when compiling its Statement of Licensing Policy and to which the Board has referred to when determining applications. The Scottish Borders Licensing Forum consists of a cross section of members from the local community including representatives from Public Health, the Police, the licensed trade and the general public. As a consequence, it is difficult to see what additional benefits the Board would gain from working with CPP's to advance public health objectives.

**Licensing Standards Officers?**

Scottish Borders Licensing Board currently employs 2 Licensing Standards Officers and has done so since the creation of the posts under the 2005 Act. The Licensing Standards Officers sit within a wider Licensing team consisting of a Licensing team leader and Licensing Officers. The Licensing team as a unit ensure that the functions of the Scottish Borders Licensing Board are fulfilled as efficiently as possible.

I hope this assists but should you require anything further just let me know.

Kind Regards.

Ron Kirk  
Managing Solicitor  
Property and Licensing  
Legal Services  
Scottish Borders Council