

**From:** Morag Stevenson  
**Sent:** 23 April 2010 14:45  
**To:** Robert Millar  
**Cc:** 'Rob Orr'  
**Subject:** Licensing (Scotland) Act 2005 - Consultation with local Licensing Forum  
Dear Robert,

At its meeting on 20 April 2010, the Licensing Forum considered the proposal for the Licensing Board to publish a supplementary statement of licensing policy regarding licensed hours on Sundays. Your letter of 18 March 2010 and attached report had been previously circulated to members of the Forum and these were referred to at the meeting. Thank you for attending the meeting and answering questions on this matter. Your input was appreciated by members of the Forum.

In discussion, some members of the Forum were of the view that the current statement should be retained with clarification that the opening hour on Sundays would normally be 12.30pm unless an earlier hour was already in place. This was mainly due to concerns about the risk of noise outside pubs disturbing local residents on a Sunday morning - a time, it was argued, which some residents regarded as their time of rest and respite.

However, during the discussion, a number of Forum members made reference to the importance of enforcement, including the work of the Licensing Standards Officers and the Police, and also the powers of the Licensing Board to suspend or revoke licences. The view was expressed that, where difficulties regarding noise was identified, or other problems arose with a particular premises, there were mechanisms in place for these to be appropriately dealt with. A motion for the status quo to prevail was defeated on a vote of 9 to 4.

There was also a proposal to recommend that the Licensing Board consider allowing premises to open on a Sunday at 11am but this was defeated on a vote of 3 to 2.

The majority view of Forum members was that each application for extension to Sunday opening hours should be looked at on a case by case basis and considered on their own merits with a view to allowing on-sales premises to open at 10am, giving on-sales premises parity with off-sales premises. Most members of the Forum expressed the view that 9am was too early for on-sales premises to open.

**The decision of the Licensing Forum was to express the view that each application should be considered on a case by case basis and considered on its own merits with a view to allowing on-sales premises to open at 10am.** This motion was carried on a vote of 8 to 5.

I think the above reflects the discussion at the meeting and I would be grateful if you could convey this to members of the Licensing Board. However, if you would like clarification on any point, please do not hesitate to contact me.

Regards,

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