

WEST LOTHIAN LICENSING BOARD

POLICY STATEMENT

LICENSING (SCOTLAND) ACT 2005

1. **INTRODUCTION**

In terms of Section 6 of the Licensing (Scotland) Act 2005 the Licensing Board is required to publish a Statement of Licensing Policy and in preparing that Licensing Policy Statement, the Board must ensure that it seeks to promote the five licensing objectives as contained in Section 4 of the Licensing (Scotland) Act 2005 which are:-

- (a) Preventing crime and disorder;
- (b) Securing public safety;
- (c) Preventing public nuisance;
- (d) Protecting and improving public health;
- (e) Protecting children from harm.

In exercising its functions under the Act, the Board is required to have regard to its Licensing Policy Statement. The Licensing Board will consider all applications on their merits within the context of the Licensing Policy Statement. In particular, the Board will give due consideration to an application whether or not it conforms to any requirements set out in the Licensing Policy Statement.

In preparing and presenting the operating plan, the applicant should be aware that the Board require premises to be run in a way which is both compliant with and promotes the licensing objectives and it may assist the Board if additional information were presented to it as to how the applicant will conform to the licensing objectives.

The Board are required to have regard to the guidance issued by the Scottish Executive and to consult with:-

- (a) The Local Licensing Forum;
- (b) Such other person or persons who appear to the Board to be the representative of holders of licences;
- (c) The Chief Constable of Lothian and Borders Police;
- (d) Persons having functions relating to health, education, social work and young people;
- (e) Persons resident within the licensing forum's area and such other persons as the Board thinks appropriate.

This Policy has been prepared in accordance with the provisions of the Act. It will take effect on 30th November 2007 and will remain in force for a period of not more than three years. It will be subject to review and further consultation if necessary.

The Board will prepare and publish supplementary statements of licensing policy where appropriate.

It should be recognised that this Policy covers a wide variety of activities and premises including public houses, cinemas, restaurants, nightclubs, private member clubs, sports clubs and community centres as well as off-licences. It cannot provide for every eventuality but seeks to detail those factors and the Board's policies, which will influence the achievement of the licensing objectives.

2. **THE LICENSING OBJECTIVES**

In general terms the Board will seek to promote the licensing objectives as follows:-

(a) **Preventing Crime and Disorder**

The Board supports a strategy aimed at making the area a safe place to live in and to visit. The Board is committed to improving the quality of life for the people in the area by ensuring that licensed premises are run in such a way as not to contribute to crime and disorder . It may assist the Board if applicants explain the way in which they will address the following:-

- under age drinking
- drunkenness on licensed premises
- illegal possession and/or use of drugs
- violent behaviour
- anti social behaviour
- litter

(b) **Securing Public Safety**

The Board is committed to ensuring that the safety of any person visiting or working on or in the vicinity of licensed premises is not compromised.

(c) **Preventing Public Nuisance**

The Board wishes to protect and maintain the amenity of residents and occupiers of other businesses from any adverse consequences of the operation of licensed premises, whilst at the same time recognising the valuable, cultural, social and business importance that such premises provide.

(d) **Protecting and Improving Public Health**

The Board is concerned about the link between the consumption of alcohol and public health. The Board wishes to see premises thriving in the area, but this cannot be at the expense of patrons' health and wellbeing. The Board will

have regard to the views of the relevant bodies responsible for, and interested in, the protection and improvement of public health in the area. It will take advice from those relevant bodies.

(e) Protecting Children from Harm

The Board wishes to see family friendly premises thriving in their area. Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time recognising that parents and other adults accompanying children also have responsibility. The Board also takes very seriously the issue of under age drinking and wishes to remind licensees that they and their staff must comply with all other legislation in relation to children and young persons including not serving or allowing the sale of alcohol to children and young persons.

3. **BOARD BUSINESS**

(a) Openness and Accessibility

The Board will deal with all of its business in an open and transparent way. Information will be made available to those who wish to apply for a licence, to make representations or to object to an application. The Board is also aware of the need to ensure that the licensing process is accessible to all. Assistance will be available on request for those who require special arrangements to access any part of the process.

(b) Decision Making

It is the Board's aim to provide an efficient and cost effective service to all those who are involved in the licensing process. The Board will adopt a scheme of delegation to ensure that decisions can be made in such a way that is consistent with this aim. The scheme will in particular set out the decisions, which may be made by the Clerk to the Board or her staff.

4. **PREMISES LICENCES**

(a) Premises that wish to sell alcohol for consumption on or off the premises will require to have a premises licence. This will govern, amongst others, what activities are allowed on the premises and what hours the premises can be opened for business. Each licence will be tailored to the type of premises in question. There must be a description of the premises, an operating plan and a layout plan of the premises. The size of the layout plan shall be no bigger than A3.

(b) Applicants should pay particular attention to the operating plan and the layout plan. If a particular activity is not mentioned in the operating plan, that activity

cannot take place on those premises until further authorisation is sought from the Board by way of a variation of the premises licence.

(c) Notification of Applications, Objections and Representations

The Licensing Board must give notice of a premises licence application to:-

- Each person having a notifiable interest in neighbouring land.
- Any community council within whose area the premises are situated.
- West Lothian Council.
- The Chief Constable of Lothian and Borders Police.
- Lothian and Borders Fire and Rescue Service.

Any person may submit an objection or representation to the Board. Any objection must relate to one of the five licensing objectives and relate to specific premises.

(d) Consideration of Premises Licence Applications

The Licensing Board will assess each premises licence application on its own merits. For the assistance of applicants, the Board will have particular regard to :-

- The nature of the premises, the style and type of use, the potential number and profile of the customers likely to attend the premises.
- The proposed hours of operation.
- The means of access to the premises including the location of customer entrances and exits, and provision for the disabled
- The provision of suitable toilet facilities and provision for the disabled
- The provision of adequate ventilation to the premises.
- Whether children and/or young persons are to have access to the premises or parts of the premises and upon what terms.
- The need for door supervisors.
- Areas or activities which may have potential for crime or disorder or public nuisance and any measures to mitigate those issues

When considering any application for premises, which have previously been licensed, or in any review of an existing licence, the Board will take into account any relevant evidence, especially of the impact on local residents and business and will also look at the measures proposed by the applicant to mitigate any adverse impact.

(e) Conditions

Mandatory conditions are set out both in the Act and in Regulations. The Board will consider on an individual basis whether it is necessary or expedient to impose additional conditions, to promote one or more of the licensing objectives or otherwise to the provisions of this Policy Statement or to give effect to the provisions of the Act. The decision whether to impose a condition will be made on an objective basis, having regard to the operating plan and any representations made and any other relevant information available to the Board when considering the application. The Board will only seek to impose conditions, which are proportionate.

5. **MANAGEMENT OF PREMISES**

The Board considers that licensees and their staff should operate their business or operation in a manner, which is consistent with the five licensing objectives. There are various aspects of running licensed premises, which are a particular concern to the Board. The Board has therefore determined to implement policies in these areas as follows:-

(a) Noise

No noise from any form of entertainment provided in the premises shall be audible in any adjoining or neighbouring premises.

Licensees are expected to be aware of the impact on neighbours of noise from their premises and are expected to take reasonable steps to prevent noise nuisance. Steps to be taken may include a sound test; installation of a sound limiter; sound proofing; keeping doors and windows closed; door staff to ensure patrons leave quickly and quietly and notices at exits asking patrons to leave quietly.

(b) Premises with Restricted Sale of Alcohol

Some businesses only supply restricted types of alcohol, restricted volumes and restricted containers, for example, florists only supplying champagne or high street stores only supplying alcohol in gift sets.

The Licensing Board may consider, where necessary, on a case-by-case basis imposing conditions to ensure these restrictions are adhered to.

(c) Children and Young Persons on Licensed Premises

The Board has a longstanding interest in encouraging family friendly premises within West Lothian and this is to continue to ensure that premises, which seek to accommodate children, are run in such a way that they are suitable for children.

In determining any application where the operating plan indicates that children are to be allowed on the premises, the Board will consider the need to protect children from harm, as it's paramount to concern. Physically, applicants will be expected to demonstrate that suitable and sufficient measures are in place to protect the children from harm. Parts of premises to which children and young persons are to be allowed entry will require to have a suitable character and atmosphere.

The Licensing Board may impose conditions on a premises licence or in granting an occasional licence where children are to be allowed entry such as, but not limited to the following:-

(i) Area to be covered

The area for children must not include that immediately by the kitchen food service doors or the main routes used by waiting staff, unless sufficient physical barriers exist.

(ii) Ability to Supervise

In areas to which children will be permitted access, the accompanying adults must be able to see the children with them at all times. However children aged 10 and over would not require supervision when using toilet facilities within the premises.

(iii) Service of drinks of meals

- Plastic or paper containers should be available for the service of drinks to children aged under five and used at the discretion of the supervising adult.
- A menu shall be available at all times with either:
 - a children's section, or
 - indicating that half portions are available.

(iv) Structure

- Any stairs on the premises shall be adequately guarded by a gate or other suitable means where deemed appropriate.
 - All heating appliances (e.g. open fires, calor gas fires, electric bar fires, etc) shall be adequately guarded.
 - All electrical sockets in public areas shall be adequately protected.
 - Furniture and fittings in the area covered by the Children's Certificate shall be of safe design. In determining what constitutes safe design, the following hazards should be considered:
 - (a) sharp-edged tables;
 - (b) glass tables;
 - (c) high bar stools; and
 - (d) the lower head and eye height of children
- All doors to which children have access (including doors to toilet accommodation) must be fitted with sufficient protection against finger entrapment.
 - A minimum of two high chairs must be provided for very young children. The high chairs must:
 - (i) allow stable seating of the child;
 - (ii) have restraints to ensure that the child can be safely retained in the chair;
 - (iii) be capable of being easily cleaned and disinfected; and
 - (iv) be kept clean and where necessary disinfected.

(v) Play equipment -

Any outdoor play equipment must be installed, operated and maintained to BS EN 1176 1997, 1998 & 1999 Playground equipment and BS EN 1177 1998 Impact absorbing playground surfacing.

Any indoor soft play areas must be installed, operated and maintained to BS 8409:2002 "Soft indoor play areas – Code of practice".

Licensees are reminded that they and their staff must comply with all other legislation in relation to children and young persons including not selling or allowing

the sale of alcohol to children and young persons; not delivering alcohol to a child or young person; and the employment of children and young persons.

(d) Disabled Facilities

Appropriate disabled facilities should be provided on the premises to ensure compliance with legislation covering disabled persons and disabled facilities.

(e) Condition of Premises

Licensees and their staff are expected to ensure that the premises, both internally and externally, are maintained in good structural order and additionally in a clean and tidy condition at all times.

(f) Litter and Waste Management

Licensees are expected to have a suitable litter and waste management programme in place to ensure that the area outside the premises is kept a likelihood of nuisance.

(g) Smoking

The Board welcomes the legislation prohibiting smoking in enclosed places. Licensees have been effective in ensuring patrons do not smoke within their premises, however other issues can arise in the area around the premises, such as noise nuisance, litter and disorder. Licensees and their staff are expected to have sufficient measures in place to prevent such problems arising and ensure that they have all necessary permissions from Building Services and Planning for all external areas and shelters.

(h) The Pub Watch

In those areas where it is available, Pub Watch can be of assistance to licensees and their staff in preventing crime and disorder and undue public nuisance. The Board supports the use of such schemes and would encourage licensees to join these in areas where this is available. The Board would also encourage clubs to participate in Pub Watch, where their constitution permits.

(i) Dispersal of Patrons

Many occurrences of crime, disorder and public nuisance occur at or immediately after the terminal hour for the supply of alcohol. Licensees should ensure that they and their staff have sufficient measures in place to ensure patrons exit the premises as quickly as possible, in good order and as

quietly as possible. Measures should include limiting the amount of alcohol sold just before the terminal hour, i.e. only permitting a group to purchase one round, not two; making sure all patrons know well in advance the last time for purchasing alcohol is approaching; covering bar taps when the terminal hour has past, raising the lighting level and inspecting all parts of the premises for patrons.

(j) Door Supervision

The Board, taking into account the licensing objectives of preventing crime and disorder, securing public safety and preventing public nuisance, may consider door supervision appropriate. Whether or not door supervisors are to be required and, if so, the number of door supervisors, the occasions they must be present, the hours they must be present, and possible specification of particular duties and functions will be assessed according to the merits of each individual application. Such door supervisors must be registered with the Security Industry Authority under the Private Security Act 2001.

6. **PREMISES PROVIDING LATE NIGHT ENTERTAINMENT**

Premises which provide late night entertainment, such as nightclubs, are an important contributor to the night time economy and involve a substantial investment in the facilities and entertainment provided on the premises. These premises tend to be places where patrons arrive from other licensed premises and stay until the terminal hour.

In the light of this and the five licensing objectives, the Board will impose conditions on the licence of a premises which in its view provides significant entertainment as follows:-

- The provision of alcohol for consumption on the premises only.
- The provision of alcohol is ancillary to the entertainment provided.
- The entertainment provided is to be musical entertainment for public dancing and/or public entertainment, which must be on a continuous basis with breaks of not more than 15 minutes in any one hour.
- A minimum of three CCTV cameras with date and time facility and continuous recording facility will be operative in the premises and the installation and positioning of said cameras shall be to the satisfaction of the Chief Constable. Cameras must be of British standard with one camera covering the exterior of the premises; one camera inside the doorway of the premises and one covering the main entertainment area. All recordings must be kept available for a period of fourteen days after the recording and must be given to Lothian and Borders Police on request.

- There shall be no admittance to the premises by persons under the age of 18 years.
- Where the terminal hour of the premises is 2.00am or later, there shall be no admittance to the premises after 1.00a.m.,
- Where there is a requirement for door stewards to be employed at the premises, such door stewards must be registered with the Security Industry Authority under the Private Security Act 2001.

The conditions mentioned or referred to in this section will be imposed on a premises licence for such a premise unless the circumstances of a particular application indicate otherwise and/or an applicant is able to demonstrate to the Board that the condition is not appropriate in the circumstances.

In considering the issue of significant entertainment, the board will take account of the frequency, duration, scale and nature of the entertainment provided. The Board will also consider whether the primary purpose of the premises is to provide entertainment to which the sale of alcohol is ancillary.

7. **LICENSED HOURS AND EXTENDED HOURS**

While each application is assessed on its own merits, the following sets out the Licensing Board's policy on licensing hours. For applications for licensed hours at times outwith the Board's policy, applicants will be required to demonstrate to the Board that the additional requested hours are appropriate in the circumstances.

(a) **Off-Sales**

For applications relating to premises licences and to occasional licenses, the licensed hours for the sale of alcohol for consumption off the premises (off-sales hours) are 10.00am to 10.00pm each day. The Board has no discretion to permit licensed hours outwith these times. In determining applications and licensed hours within these times, the Board will, in considering the merits, have particular regard to the effect (if any) which the proposed off-sales hours would have on the occurrence of anti-social behaviour, for example, if the antisocial behaviour is linked with unlawful or inappropriate sales of alcohol, whether to someone under 18 years of age, to a drunken person or as part of an irresponsible drinks promotion.

(b) **On-Sales**

For applications relating to premises licences, the licensed hours for the sale of alcohol for consumption on the premises (on-sales hours) the Board considers the commencement of the sale of alcohol shall be no earlier than 11.00am. In the case of premises offering no significant entertainment facilities, the Board considers the commencement of the sale of alcohol on a Sunday shall be no earlier than 12.30pm. In the case of on-sales premises providing food, the Board will permit the sale of alcohol between the hours of 11.00a.m. and 12.30p.m. on a Sunday on condition that the sale of alcohol is ancillary to a table meal.

Licensed hours for on-sales premises in particular can have an impact not only within the individual premises but also within the locality in which the premises are situated. Taking into account the five licensing objectives, the presumption against 24 hour drinking, the guidance for licensing Boards and local authorities issued by the Scottish Executive and the fact that mandatory conditions specified by regulation apply to those premises opening after 1.00am, the Board consider the following to be appropriate for the terminal hour beyond which alcohol must not be sold on the premises:-

(c) Restaurants

Those premises or part of premises where the supply of alcohol for consumption is ancillary to a table meal taken by persons within the premises. Snacks, sandwiches and crisps are not considered to constitute table meals.

Monday to Sunday - 1.00am

(d) Premises offering no significant entertainment facilities

Those premises or parts of premises where the provision of alcohol is the principal activity and significant entertainment facilities are not provided. This includes public houses and members' clubs.

Sunday to Thursday - Midnight
Friday and Saturday - 1am

(e) Premises offering significant entertainment facilities and subject to conditions which the Board may impose

Premises or parts of premises where the provision of alcohol to persons frequenting the premises for consumption on the premises as is ancillary to the significant entertainment provided and subject to conditions the Licensing Board may impose in relation to such premises. These include nightclubs.

Sunday to Wednesday - 1am
Thursday to Saturday – 2am

(f) Festive Trading

The Board has an existing practice of permitting longer licensed hours over the festive period and that will continue to be the case. The festive period for the purposes of this aspect of the policy will be determined by the Board on an annual basis.

(g) Extended Hours Applications

The Licensing Board may extend the licensed hours in respect of premises by such period, as the Board considers appropriate in connection with a special event or occasion to be catered for on the premises or a special event of local or national significance. The grant of such an extension of licensed hours must not exceed one month.

Where the hours sought fall outwith the on-sales hours specified in this statement, the applicant will have to demonstrate the hours requested are appropriate in the circumstances. The application should provide to the Board sufficient information to enable a decision to be made including:-

- the hours sought;
- the description of the special event or occasion;
- what activities are proposed to take place during those hours;
- when each activity will take place;
- why the event or occasion is considered to be special;
- why the event or occasion cannot take place within the on-sales hours specified above.

(h) Occasional Licences

An application for an occasional licence authorising the sale of alcohol in premises, which are not licensed, may be made by:-

- the holder of a premises licence;
- the holder of a personal licence;
- a representative of any voluntary organisation;

If granted, such an application can cover a period of a maximum of 14 days.

For any one voluntary organisation, the total number of days on which occasional licences issued shall have effect, shall not exceed 56 days in any period of 12 months. Voluntary organisation may apply for not more than 4 occasional licences each having effect for a period of 4 days or more and not more than 12 occasional licences each having effect for a period of less than 4 days subject to an overall limit of 56 days in any period of 12 months.

The Board recognises the right of any person to object to an application for an occasional licence in terms of Section 58 of the Act and the grant of such a licence will be subject to the mandatory conditions laid out in Schedule 4 to the Act.

To allow time to consult with Lothian and Borders Police, the Building Standards Officer and the Environmental Health Officer and for objections to be made, applications should be submitted as far in advance of the event as possible but no later than 28 days before the event is due to take place.

The Licensing Board considers the commencement of the sale of alcohol shall not be earlier than 11.00am. For the terminal hour beyond which alcohol must not be sold on the premises, the Licensing Board considers 1am to be appropriate. The Licensing Board will not grant occasional licences in respect of 18th birthday parties.

(i) For Applications for Licensed Hours at Times outwith the Board's Policy

Applicants will require to demonstrate to the Board that the additional requested hours are appropriate in the circumstances.

8. **OVERPROVISION**

The Licensing Board must include a statement as to the extent to which it considers there to be overprovision of licensed premises or licensed premises of a particular description, in any locality within the Board's area.

This duty will not come into force until 1st September 2009 at the earliest. The Licensing Board will issue and consult upon a draft statement in this regard in due course.

Occupancy Capacity

The occupancy capacity of premises is one factor in the assessment of overprovision for the purposes of this Policy Statement. It is a factor in the ground of refusal for the premises licence on the basis of overprovision and may be a factor for consideration in an occasional licence application.

The Board may consider setting maximum occupancy limits to ensure the safety of persons in the premises and safe escape in the case of emergency. If there are additional concerns about crime and disorder or public nuisance, the Licensing Board may consider setting a lower maximum occupancy limit than that recommended by Building Standards.

The Licensing Board will expect applicants to consider various factors when assessing the appropriate capacity for premises or events. These include:-

- the design and layout of the premises;
- the location, availability and size of exits including emergency exits;
- the nature of the premises or event;

- the nature of the activities being provided, the provision or removal of temporary structures such as a stage or furniture;
- number of staff available to supervise customers both ordinarily and in the event of an emergency;
- the age of the customers;
- the attendance by customers with disabilities;
- the availability of suitable and sufficient sanitary accommodation;
- the nature and provision of facilities for ventilation;
- licenceholders will be expected to have monitoring arrangements in place to verify the number of persons present at any point to ensure that the occupancy capacity is not exceeded.

9. **MEMBERS CLUBS**

Members clubs are currently authorised to supply alcoholic liquor by a certificate of registration granted by the sheriff. Members' clubs will be regulated under the Licensing (Scotland) Act 2005 and to authorise the sale of alcohol on the premises, a premises licence will be necessary.

Members clubs are non-profit making with a constitution and limited access to members of the public. Each club in submitting an application for a premises licence should also submit a copy of its current constitution.

The Board expects clubs to reflect certain operational requirements in their constitution as required by The Licensing (Clubs) (Scotland) Regulations 2007.

Clubs must keep their constitution updated and when revised, submit a copy of the revised constitution to the Clerk to the Licensing Board. Clubs must also ensure their constitution, accounts and entry book are available for inspection by the Licensing Standards Officers and Police at all reasonable times.

10. **EXCLUDED PREMISES - GARAGES**

Some premises are excluded from authorising the sale of alcohol including premises or part of premises used as a garage. Such premises are used as a garage if there is (a) sale by retail of petrol or derv (diesel), (b) the sale of motor vehicles or (c) the maintenance of motor vehicles.

However, where those premises or parts of premises are used for sale by retail of petrol or derv, alcohol may be sold in some circumstances. Alcohol may be sold where the Licensing Board determined that in relation to such premises, persons resident in the locality are or are likely to become reliant to a significant extent on the premises as the principal source of (a) petrol or derv or (b) groceries.

In determining an application for such premises, the Licensing Board expects the applicant to provide sufficient information to enable the Board to consider:-

- the locality in which the premises are situated;
- what other sources (a) petrol or derv and/or (b) groceries in that locality;
- the extent to which persons resident in that locality are, or are likely to become, reliant on the premises as the principal source of (a) petrol or derv or (b) groceries.

Factors that the Licensing Board may consider include:-

- the number of premises selling petrol or derv or groceries in the locality;
- the distance to the nearest other premises selling petrol or derv or groceries;
- the opening hours of other premises selling petrol or derv or groceries in the locality;
- the number and/or percentage of persons resident in the locality who are, or are likely to become, reliant on the premises; and
- to what extent, as the principal source of (a) petrol or derv, or (b) groceries,.

11. **PERSONAL LICENCES**

The Board will consider applications for personal licences from individuals in terms of Section 72 of the Licensing (Scotland) Act 2005. When considering an application for a personal licence, the Board will work closely with Lothian and Borders Police to establish whether the applicant has been convicted of any relevant offence.

Where Lothian and Borders Police have advised that the applicant has a conviction for a relevant offence, the Board will consider whether the application should be refused under the Act. In making their decision, the Board will have regard to the seriousness and age of the conviction along with any other circumstances it considers to be relevant.

12. **LICENSING STANDARDS OFFICERS**

Licensing Standards Officers (LSOs) will operate within the role prescribed by the Licensing (Scotland) Act 2005, its subordinate legislation and guidance made under Section 142 of the Act.

LSOs have three main roles outlined in the legislation, namely – Guidance, Mediation and Compliance, in addition they will operate as advisors to the Licensing Board on behalf of the Environmental Health & Trading Standards Manager.

13. Adult Entertainment

“Any form of entertainment which:-

- a) involves a person performing an act of an erotic or sexually explicit nature; and
- b) is provided wholly or mainly for the sexual gratification or titillation of the audience”

The Board has previously had a condition on all regular extensions of permitted hours, which prohibited adult entertainment, and would wish to continue with this policy. The Board will not therefore permit adult entertainment, which falls within the above definition to take place in licensed premises in West Lothian.

In the event that the Scottish Government issues any guidance or regulations following on the Adult Entertainment Working Group, the Board undertakes to review its position.

13. Scheme of Delegation

The Board have delegated the following to the Clerk or to a member of staff appointed to assist the Clerk where there are no observations, objections or adverse reports. Where there are objections or adverse reports the applications would be remitted to a full meeting of the Board.

- a) Applications under Section 29 of the 2005 Act for a minor variation of a premises licence.
- b) Applications under Section 33 or 34 of the 2005 Act in relation to a transfer of a premises licence either by the licenceholder or by a person other than the licenceholder.
- c) Applications for the grant or renewal of a Personal Licence where the applicant had not been convicted of a relevant or foreign offence (Section 74 of the 2005 Act).
- d) Applications for an occasional licence where there was no objection or representation or no notice from the Chief Constable recommending refusal (Section 56 of the 2005 Act)
- e) Applications for an Occasional Extension of Licensed Hours within the Board's normal licensing hours policy and where there is no notice of objection or representation (Section 68 of the 2005 Act).
- f) Applications for confirmation of a Provisional Licence where there were no adverse reports or observations (Section 46 of the 2005 Act)

In the case of occasional extensions and occasional licences where there are adverse reports or objections, these applications would be delegated to the Convener for consideration on behalf of the Board.