

To: Renfrewshire Licensing Forum

On: 9 September 2020

Report by: Clerk to the Licensing Board

Heading: Licensing of Additional Outdoor Drinking Areas

1. Summary

- 1.1 The purpose of this report is to provide information to the Licensing Forum in relation to licensing applications for new external drinking areas at licensed premises.
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2. Recommendations

- 2.1 The Forum is asked to note the contents of the report.
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3. Background

- 3.1 In the months leading up to 6th July 2020, licensed premises were unable to operate as a result of restrictions set out in the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020. These restrictions were eased to allow outdoor drinking areas to operate with effect from that date, with the rules being further eased to allow the operation of indoor areas from 15th July 2020. Both outdoor and indoor areas continue to be subject to strict social distancing and other health

protection requirements. These restrictions are enforced by the Council's Environmental Health and Trading Standards teams, working with officers in Licensing and Police Scotland as required.

3.2 In anticipation of the above relaxations to the rules, the Council's licensing officers engaged extensively with licence holders enquiring about obtaining occasional licences for external drinking areas (or additional areas). A standard response was developed advising of the regulatory processes licence holders should follow and a procedure was agreed with officers in the Roads team to simplify the process for applicants and avoid them having to submit separate applications for licences and road occupation permits. The Council's licensing team also widened the consultation on these applications and arrangements were made to refer contentious licence applications to Members of the Licensing Board. These arrangements were made to ensure a balance between the interests of the licensed trade and the interests of the local community, particularly neighbouring residents.

3.3 Applications for occasional licences for outside areas begun to be made in anticipation of the initial relaxation of restrictions on 6th July 2020 and have continued to be received since. Each individual occasional licence may be granted for no more than 14 days, but successive applications can be made without limit (for most licensed premises). There is no mechanism in the Licensing (Scotland) Act 2005 for review of an occasional licence and therefore these applications for occasional licences are being determined once the next period of 14 days sought for an outside area is imminent.

3.4 To date, a total of 24 licensed premises have obtained occasional licences for outdoor drinking areas, or additional such areas. These premises are located throughout Renfrewshire as follows:

• Paisley	11
• Johnstone	1
• Bishopton	3
• Erskine	3
• Houston	3
• Linwood	0
• Inchinnan	1
• Bridge of Weir	1
• Renfrew	1
• Total	24

3.5 A further three premises have applications for occasional licences for new outdoor areas pending. These premises are in Paisley, Renfrew and Bishopton.

3.6 A further 13 premises have made enquiry with the Licensing team in the period from July to date, but these enquiries have not yet resulted in a licence application. Recent trends, as monitored by teams across the Council, are that levels of interest and activity in establishing outdoor trading arrangements have now peaked. This interest may have levelled as a result of indoor areas having been allowed to operate and since a number of licensed premises were already able to utilise their existing drinking areas under their established licensing arrangements.