

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: WINE RAKS, 8 ST SWITHIN STREET

DESCRIPTION

- Change in layout resulting in an increase in capacity from 54 to 76.14m²

OBJECTIONS/REPRESENTATIONS

- None

LICENSING POLICY STATEMENT

Paragraph 9- Overprovision

9.8 OFF SALES:

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The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises. The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.