1. **Purpose**

To summarise Board discussions on this matter following consideration of consultations responses and recommend that the Board finalise its overprovision assessment by making the following decisions: -

* 1. Firstly to decide whether to retain overprovision in any form in any locality.
  2. If that question is decided in the affirmative then to decide for each locality which has been identified as potentially subject to overprovision whether and to what extent there is overprovision
  3. To agree what, if any, qualifications or exceptions should be specified in the policy, if adopted.

1. **Background**
   1. The Licensing Board has a legal duty to carry out an assessment of whether there is overprovision of licensed premises within its area in terms of Section 7 of the Licensing (Scotland) Act 2005. The Board when it approved its Statement of Licensing Policy on 27 November 2023, decided to undertake a separate consultation on its current overprovision assessment.

2.2 Reference is made to the report to the May 2025 meeting of the Board setting out the detailed considerations which must be taken into account and setting out the outcomes of the consultations which have taken place.

2.3 The Board having consulted in accordance with statutory requirements is now requested to finalise its assessment of overprovision.

1. **Summary of discussions**

3.1 Board members met on 13 June to discuss and evaluate consultation responses.

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3.3 A range of views were expressed. Some members questioned whether the evidence gathered demonstrated a causal link between premises density and alcohol harms in the specified locality, taking into consideration the effectiveness of locality based overprovision policy, and the view was expressed that a robust consideration of the licensing objectives for individual applications may be more effective, noting that overprovision may be relevant when considering individual applications. Others considered that there remained an important role for a locality based approach and were satisfied that the evidence was sufficient to justify the control on density growth that would be provided by an overprovision policy.

3.4 There was further discussion on the merits of categorising differing types of premises in relation to the extent to which their mode of operation was found to be a significant cause of alcohol harm in the locality, and whether this should be reflected in either the parameters and/or any exceptions which may be considered and reflected in the overprovisions assessment..

1. **Next steps**

4.1 A draft assessment has been circulated for comment, at the Board’s request.

4.2 The Board requires to decide whether to adopt this assessment, with or without changes

1. **List of Appendices**

5.1 Report to the Board of 26 May with appendices

5.2 Draft Overprovision Assessment

5.3 Premises/Capacity by IDZ

**Depute Clerk of the Licensing Board**