



AN OPEN LETTER TO ALL MEMBERS OF THE SCOTTISH PARLIAMENT ON BEHALF OF SCOTLAND'S LICENSED AND HOSPITALITY INDUSTRIES

Dear Member

Licensing Reform in Scotland

During the last session of the Scottish Parliament, the Licensing (Scotland) Act 2005 was passed. This will lead to the biggest change in Scotland's licensing laws in a generation when it is implemented in 2009, and is one of the key steps which has been supported by the industry in seeking to change the attitudes of Scottish society towards the abuse and misuse of alcohol.

Underpinning this legislation are a series of Regulations laid under the Act, the latest of which is the Statutory Instrument, "The Licensing (Fees) (Scotland) Regulations 2007 (SSI 2007/553)," setting out the proposed fee levels which will be payable by applicants applying for a new premises licence under the legislation. This Instrument has still to be considered by the Parliament and is subject to annulment by 1st February 2008.

On behalf of the 5,000 licensed premises which are represented by the three Associations that are signatories to this letter, and on behalf of the wider hospitality industry, we are asking you as an elected representative to REJECT this Statutory Instrument which will impose a cost of £20 million on the 20,000 licensed premises in Scotland over the next eighteen months, unless full justification is provided that these proposed fee levels are appropriate and required.

Over the summer, the Scottish Government conducted a consultation exercise on the proposed draft fees levels under the Licensing (Scotland) Act. This was based on a piece of research conducted in 2005, which used questionnaires returned by Scotland's Licensing Boards to estimate the total workload and costs of the new licensing regime, to then produce fee levels. However, when the Fees Regulation was actually tabled in the Scottish Parliament on 10th December 2007 these proposed draft fees had DOUBLED with no real explanation, raising the total costs to industry in fees alone to an estimated £20 million over the next eighteen months.

We believe that if the proposed fee levels are agreed by the Scottish Parliament they will risk putting out of business many of Scotland's vulnerable pubs, hotels and restaurants, and other licensed premises, especially those in rural and suburban areas, the vast majority of which are operated as small to medium sized businesses, by significantly and unnecessarily adding to the other costs, which licensed premises will have to bear in order to obtain a new licence.

Scotland's licensed and hospitality industries are more than happy to pay the costs of the licensing system in Scotland where these costs are transparent and evidenced, but we do not believe the current proposed fee levels meet this requirement. Our industry isn't asking for a handout, special treatment, or a government subsidy in offsetting the costs of licensing reform. All we ask is that the licensing fees are not set at excessive levels, which haven't been justified. We hope you will be feel able to consider our representations and seek appropriate assurances before passing this Regulation.

Yours sincerely

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**Signed on behalf of:
The British Hospitality Association (BHA) in Scotland
BII - Scotland**