

# Report

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Report to:	<b>Corporate Resources Committee</b>
Date of Meeting:	<b>4 March 2009</b>
Report by:	<b>Executive Director (Corporate Resources)</b>

Subject:	<b>Byelaws Prohibiting the Consumption of Alcohol in Designated Public Places - Consultation on Revocation of Lanimer Day Waiver</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ provide information on the outcome of the public consultation exercise on the revocation of the relaxation of the byelaws which allow for the consumption of alcohol in public places in the town of Lanark on Lanimer Day

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the outcome of the consultation on the revocation of the relaxation in the byelaws be noted; and
- (2) that no further action be taken to revoke the relaxation of the byelaws for Lanimer Day.

## 3. Background

3.1. Following the decision of the Corporate Resources Committee on 1 October 2008, the Council carried out a consultation between 17 November and 1 December 2008 to gauge the views of the residents of Lanark and other interested parties about the possible change to the byelaws. A variety of consultation methods were used including:-

- ♦ newspaper advert
- ♦ direct mailing
- ♦ opinion meters/online survey  
(the opinion meters were available between 17 and 24 November 2008)

## 4. Consultation Response

4.1 Of all respondents:-

- ♦ 77% were against removal of the byelaw relaxation
- ♦ 20% were in favour of removal
- ♦ 3% were undecided

4.2 Only 1 response from a resident of Lanark was received to the newspaper advert in time, though a second response was received late. Both were against any change to the existing byelaws. The respondents viewed that policing would resolve the issue.

- 4.3 A number of interested parties were consulted by mail and in total 11 responses were received as follows:-

<b>Against Change</b>	<b>Total</b>
Local elected member/Licensing Board	4
Licensing Forum	2
Royal Burgh of Lanark Community Council	1

<b>For Change</b>	<b>Total</b>
Local elected member/Licensing Board	2
Licensing Forum	1
The Lanimer Committee	1

The Police indicated they were no longer actively seeking a change to the byelaws in relation to the Lanimer Day exemption.

- 4.4 The Council also received responses to a consultation process that had been privately organised. Some of the respondents did not provide full details as to identity and the questions posed within the privately organised consultation did not reflect those used by the Council. Without knowing the full background to how the consultation was organised, it may be necessary to approach the responses with care. However, taking account of these issues, the responses showed a large majority in favour of not changing the byelaws as follows:-

	<b>AGAINST CHANGE</b>	<b>FOR CHANGE</b>	<b>TOTAL</b>	<b>AGAINST CHANGE</b>	<b>FOR CHANGE</b>
RESIDENTS	192	22	214	90%	10%
VISITERS	121	1	122	99%	1%
OTHERS	166	5	171	97%	3%
TOTALS	479	28	507	94%	6%

- 4.5 Opinion meters were placed within:-

- ◆ Tesco and Somerfield Supermarkets
- ◆ Lanark Swimming Pool
- ◆ Council Offices in South Vennel

- 4.6. The survey looked at the perceptions of trouble at the Lanimer Day event and sought views on, whether a change in the byelaws would remedy that issue and the effect of any change of the byelaws on enjoyment of the event. The opinion meters registered a total of 313 valid responses and the online version of the survey received 85 submissions. This made a total of 398 responses. 54% of respondents felt that the Council should not amend the byelaws. This rose to 64% against a change from residents of Lanark. 38% of respondents were in favour of changing the byelaws. This dropped to 30% in relation to residents of Lanark. There was a majority view that there was an issue with anti-social behaviour caused by drunkenness on Lanimer Day. 52% of respondents consider that there was either a major problem (25%) or a problem (27%). However, 47% of respondents considered that there is no problem with anti-social behaviour caused by drunkenness on Lanimer Day. 41% of these were unsure and 6% did not know. In relation to enjoyment of the event, 47% of respondents would enjoy the Lanimer Day celebrations less if people were prevented from drinking alcohol in public places, 36% would enjoy the Lanimer Day celebrations more and 17% of respondents had no opinion or felt that there would be no impact on enjoyment.

## **5. Conclusion**

- 5.1 Given that the majority of those who responded to the consultation are in favour of retaining the byelaw relaxation for the Lanimer Day event it is recommended that no further action is taken.
- 5.2 Work is still ongoing in respect of the proposed extension of the byelaws to cover other areas within South Lanarkshire and the introduction of a byelaw which prohibits the possession of an open container of alcohol in a public place. A progress report will be submitted to a future meeting of the Committee.

## **6. Employee Implications**

- 6.1 None.

## **7. Financial Implications**

- 7.1 None.

## **8. Other Implications**

- 8.1 None.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.
- 9.2 Consultations have been carried out in relation to the possible change to the byelaws for the Town of Lanark as detailed in the report.

**Robert McIlwain**

**Executive Director (Corporate Resources)**

28 January 2009

## **Link(s) to Council Objectives**

- ◆ Improve community safety
- ◆ Safe and healthy communities

## **Previous References**

- ◆ Administration and Licensing Committee of 30 October 1996
- ◆ Corporate Resources Committee of 1 October 2008

## **List of Background Papers**

Report on Lanark – Lanimer Day alcohol byelaw consultation - representations from:-

- ◆ Councillors Allison, McNeill, Ross-Taylor, Shearer, Stewart and Sutherland
- ◆ Ian A. Dick, Peter Rae and Brian Straiton
- ◆ William Graham and Marilyn and Richard Jack
- ◆ Individual submissions from a privately organised consultation

## **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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