

ANGUS LICENSING BOARD – 25 SEPTEMBER 2014

ARRANGEMENTS FOR CHRISTMAS AND NEW YEAR

REPORT BY THE CLERK

ABSTRACT

The purpose of this Report is to advise members of the Board's Policy in relation to the extension of hours of Licensed Premises and Occasional Licences at Christmas and New Year under the Licensing (Scotland) Act 2005 and approve arrangements for Christmas and New Year 2014/15.

1. RECOMMENDATION

It is recommended that the Board:-

- (i) note that the Board's Policy permits on sale premises, including Occasional Licences, one additional hour at the end of trading on Christmas Eve, Christmas Day, Hogmanay and New Year's Day;
- (ii) note that the Premises Licence of those premises licence holders who included these additional hours in their operating plan will make reference to these additional hours;
- (iii) note that those premises licence holders who did not include these additional hours in their operating plan will require to make an application for Extended Hours;
- (iv) note that the Board has delegated powers to the Clerk to approve applications for Extended Hours or Occasional Licences where no objections or representations have been received, nor a notice recommending refusal from the Chief Constable or any report from the Licensing Standards Officer recommending refusal where the application relates to hours within Section 6 of the Board's policy;
- (v) approve that the processing of applications for Extended Hours/Occasional Licences in respect of Christmas and New Year cannot be guaranteed unless they are received by the Clerk no later than Friday 28 November 2014;
- (vi) that notwithstanding (i) above, no premises will be allowed to open beyond 2am; and
- (vii) that, aside from Christmas Eve, Christmas Day, Hogmanay and New Year's Day, there will be a presumption that no premises will be allowed to open during the month of December 2014 outwith the extended hours specified in Section 6 of the Board's policy.

2. BACKGROUND

- 2.1 The Board's Statement of Licensing Policy permits on sale premises one additional hour at the end of trading on Christmas Eve, Christmas Day, Hogmanay and New Year's Day. The Statement of Licensing Policy advised that if applicants wish to take advantage of this relaxation, they should include provision for it in their operating plan. The Premises Licence of those premises licence holders who included these additional hours in their operating plan will make reference to these additional hours.
- 2.2 Those premises licence holders who did not include these additional hours in their operating plan will require to make an application for Extended Hours.
- 2.3 The Board has delegated powers to the Clerk to approve applications for Extended Hours or Occasional Licences where no objections or representations have been received, nor a notice recommending refusal from the Chief Constable or any report from the Licensing Standards Officer recommending refusal where the application relates to hours within Section 6 of the Board's policy.

- 2.4 The run up to Christmas is always a very busy period for staff engaged in the processing of liquor licensing applications. Accordingly, approval is sought to advise prospective applicants for Extended Hours/Occasional Licences that processing of applications for Extended Hours/Occasional Licences in respect of Christmas and New Year cannot be guaranteed unless they are received by the Clerk no later than Friday 28 November 2014.
- 2.5 The Board's Statement of Licensing Policy states that the Board will not permit the extension of hours if it will result in premises trading beyond 2am and the Board is asked to reaffirm this policy.
- 2.6 If the Board is minded to determine that no premises will be allowed to open beyond 2am on Christmas Eve, Christmas Day, Hogmanay and New Years' Day, then, in order to provide guidance to the trade in respect of the rest of December, it is recommended that the Board determine that there will be a presumption that no premises will be allowed to open during the month of December 2014 outwith the extended hours specified in Section 6 of the Board's policy.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report.

**SHEONA C HUNTER
CLERK TO THE LICENSING BOARD**

NOTE: No background papers were relied on to any material extent in preparing the above report.

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