

ANGUS LICENSING BOARD – 6 NOVEMBER 2014

**PREMISES LICENCES - REQUEST TO EXTEND HOURS
UNDER THE LICENSING (S) ACT 2005**

REPORT BY CLERK TO THE LICENSING BOARD

ABSTRACT

The purpose of this report is to present an application to extend the licensed hours in respect of a premises licence under the Licensing (Scotland) Act 2005 which requires to be determined by the Board.

1. RECOMMENDATION

It is recommended that the Board consider and determine the application to extend the licensed hours in respect of a premises licence as detailed in the attached **Appendix**, in terms of one of the following options:-

- (i) to grant the application;
- (ii) to grant part and refuse part of the application; or
- (iii) to refuse the application.

2. BACKGROUND

The Board has received an application to extend the licensed hours in respect of a premises licence under the Licensing (Scotland) Act 2005 which requires to be determined by the Board because the matters are not subject to delegation and shall only be discharged by the Licensing Board.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. OTHER IMPLICATIONS

Legal

The Board may, on the application of the holder of the premises licence in respect of any licensed premises, and, if the Board considers it appropriate to do so in connection with:-

- (i) a special event or occasion to be catered for on the premises; or
- (ii) a special event of local or national significance;

extend the licensed hours in respect of the premises by such period as is specified in the application or such other period as the Board consider appropriate.

An extension of licensed hours has effect for such period as is specified in the application or such other period as the Board consider appropriate; but in either case the period must not exceed one month.

There is no Police Objection to the application and no comments from the Licensing Standards Officer.

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

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(1) BUSBY'S, 30-36 GEORGE STREET, MONTROSE

An extended hours licence application has been received from Paul Gersok in respect of Busby's, 30-36 George Street, Montrose for an extension to 2am, at the end of normal trading on:-

- Monday 1, 8, 15, 22, 29 December 2014
- Tuesday 2, 9, 16, 23, 30 December 2014
- Wednesday 3, 10, 17, 24, 31 December 2014

The current terminal hours for the premises on these days are:-

- Monday 01.00
- Tuesday 24.00
- Wednesday 01.00

The Licensing Board's Statement of Licensing Policy, at Section 6, permits on-sales premises an extension of one additional hour at the end of trading on Christmas Eve, Christmas Day, Hogmanay and New Year's Day.

The request for an extension of one hour on Wednesday 24 and 31 December 2014 to 2am is therefore within Licensing Board policy.

The request for extensions for all other dates is outwith Licensing Board policy.

The policy in respect of seasonal extensions was re-affirmed by the Board meeting held on 25 September 2014.

Last year the Board did grant the licensee extended hours to 2am on Christmas Eve, Christmas Day, Hogmanay and New Year's Day.