

**Falkirk Council Licensing Board**

**Subject:** Licensing (Scotland) Act 2005  
Statement of Licensing Policy – Festive Trading  
General Extension of Hours Dates  
**Meeting:** Licensing Board  
**Date:** 11 June 2019  
**Author:** Consumer Protection Manager

**1. Purpose of Report**

- 1.1 The purpose of this report is to advise members' of the proposed dates for general extension of hours over the Festive Period 2019/20 and to seek their approval in accordance with the Licensing Board's Statement of Licensing Policy on Festive Trading.

**2. Recommendation**

- 2.1 **It is recommended that the Board approves the proposed dates for general extension of hours over the Festive Period 2019/20 in accordance with the Licensing Board's Statement of Licensing Policy – Festive Policy.**

**3. Background**

- 3.1 At the meeting of the Licensing Board on 26 June 2018, members approved a Supplementary Statement of Licensing Policy – Festive Policy. This was then included in the new Statement of Licensing Policy approved by the Board on 19 December 2018.
- 3.2 The policy states that the Board will set the dates for a general extension of hours during the Festive Period which will run from mid-December to 2 January the following year.
- 3.3 The general extension of hours will apply to all on sales premises irrespective of whether or not they have a seasonal variation in their Operating Plan referring to Festive Trading. Nightclub premises will be permitted to trade until 4am and non-nightclub premises until 2am.
- 3.4 Premises trading after 1am require to comply with the Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007. These will be published on the licensing pages of the Council's web site.

#### **4. Considerations**

##### **4.1 The dates set for the 2018/19 festive period were:**

Friday 14 December 2018

Saturday 15 December 2018

Friday 21 December 2018

Saturday 22 December 2018

Monday 24 December 2018

Tuesday 25 December 2018

Wednesday 26 December 2018

Friday 28 December 2018

Saturday 29 December 2018

Monday 31 December 2018

Tuesday 1 January 2019.

The above are the dates that trading commenced. For example, a premises trading on 14 December was permitted to trade until 2am on Saturday 15 December.

##### **4.2 No complaints were received from the public during the festive period in relation to any premises that operated the extended hours. Feedback was sought from Police Scotland and the Local Licensing Forum and they advised as follows:**

###### **Police Scotland**

There were around 4 incidents in the extended hour's period which can be directly related to licensed premises, none particularly serious. They therefore are of the opinion that there is no obvious issue with the extended hours having been granted. The Chief Inspector advised that the reason the number of incidents was so low was due to the commitment of partner organisations and bodies that support the police such as Safebase, community wardens and CCTV operators in terms of the night time economy. The Chief Inspector has pointed out that the Board should understand there is a cost to these partners, and to the council, for additional CCTV coverage. The peak time monitoring CCTV hours does not cover the early hours on Monday and Tuesday

and as such additional hours at Christmas and New Year require special arrangements with Enigma/public space CCTV support.

#### Local Licensing Forum

The Chair of the Forum has advised that he is unaware of any issues resulting from the general extension of hours granted.

- 4.3 Only three applications were made to the Board for extended hours on dates that were not covered by a general extension. Two were from the Leapark Hotel for seven festive party nights and for Hogmanay until 3am and one from Behind the Wall who applied for extended hours on the 27<sup>th</sup> and 30<sup>th</sup> December 2018. Applications for dates not covered by the general extensions would be outwith policy and, therefore, required to be determined by the Board. The Board granted both the applications for extended hours for the Leapark Hotel and the one for the 27<sup>th</sup> December for Behind the Wall but refused the application from Behind the Wall for 30<sup>th</sup> December as the Board was not satisfied that it was a special event of local or national significance.
- 4.4 Under the old policy, a small number of public house premises applied each year for an extra hour trading on every night of the festive period as was permitted in terms of the old policy. For the festive period 2018/19, none of these premises applied for the dates that were not covered by the general extension.
- 4.5 In accordance with the new policy, officers are recommending that the Board grants a general extension of hours for on sales premises on the following dates during the festive period.

Friday 13 December 2019

Saturday 14 December 2019

Friday 20 December 2019

Saturday 21 December 2019

Tuesday 24 December 2019

Wednesday 25 December 2019

Thursday 26 December 2019

Friday 27 December 2019

Saturday 28 December 2019

Tuesday 31 December 2019

Wednesday 1 January 20120

- 4.5 Dates of the general extension of hours granted by the Board will be published on the Council's web site.

## **5. Implications**

### **Financial and Resources**

- 5.1 There are no financial or resource implications is in relation to setting of dates for general extension of hours during the Festive Period.

### **Legal**

- 5.2 The setting of dates for general extension of hours during the festive Period is in accordance with the Board's Statement of Licensing Policy – Festive Trading.

### **Risk**

- 5.3 There are no anticipated risks associated with setting the dates for general extensions of hours during the Festive Period.

### **Equalities**

- 5.4 The Board's continued commitment to equalities issues is demonstrated in the strategy and reports that have been published since 2013.

### **Sustainability/ Environmental Impact**

- 5.5 None.

## **6. Conclusion**

- 6.1 In setting the dates for the general extensions the Board will be complying with it's Statement of Licensing Policy.

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**pp Clerk to the Licensing Board**

Date: 3 June 2019

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**Appendices:**

Nil

**List of Background Papers**

Nil