

To: Renfrewshire Licensing Board

On: 20 September 2021

Report by Clerk to the Licensing Board

Extended Hours for the Festive Period 2021/2022 under the Licensing (Scotland) Act 2005

INTRODUCTION

1. Policy

It has been the normal practice of the Renfrewshire Licensing Board to make a policy for extended hours for the festive period each year. In previous years, this policy was considered at the Board's October quarterly meeting under the Licensing (Scotland) Act 1976 regime and a similar practice has continued under the Licensing (Scotland) Act 2005, except in 2020/2021 due to public health measures being in place.

The Board has in terms of its current Statement of Licensing Policy at Paragraph 15.4 set out the following:-

"The Board has an existing practice permitting longer licensed hours over the festive period and that will continue to be the case. The festive period for the purposes of this aspect of the policy will be determined by the Board on an annual basis." Accordingly, the Board now require to determine the festive period for such longer licensed hours to apply for the festive period 2021/2022.

It should be noted that many premises licence holders when making an application for a premises licence to the Board included within the Seasonal Variations section of their applications a reference to the hours to be determined by the Board in respect of their festive policy to be applied to their licences as a seasonal variation. Accordingly, such licence holders will not require to make further application to the Board for "extended hours" to cover the festive period determined by the Board. Other licence holders who have not included a seasonal variation in their operating plans are required to submit separate applications for extended hours.

2. Consultation on Festive Policy

The views of individual members of Renfrewshire Licensing Forum, including Police Scotland and the Renfrewshire Health & Social Care Partnership, and the Council's Community Safety Resilience and Deployment Manager have been sought as to what should be agreed by way of a festive hours policy for 2021/2022. Responses Page 53 have been received from a resident member of the Forum, Police Scotland and the Council's Community Safety Resilience and Deployment Manager. These responses were supportive of festive hours similar to those agreed for 2019/2020. No further responses have been received from members of the Licensing Forum.

Having regard to Paragraph 15.4 of the Board's Statement of Licensing Policy as set out at Paragraph 1, previous festive policy hours and the views of the membership of Renfrewshire Licensing Forum, the Board will require to determine if they wish a similar festive policy to 2019/2020. The proposed festive hours set out below reflect the hours allowed by the Board for the festive period 2019/2020.

3. Proposed Festive Policy Hours

If the Board so determine, it is proposed that the extended hours for the festive period 2021/2022 are as follows:-

"Festive Period" to be defined as the period (i) from Friday 3rd December 2021 to Saturday 4th December 2021, inclusive and (ii) Friday 10th December 2021 to Sunday 2nd January 2022 inclusive and the proposed policy hours are set out below.

References to the terminal hour below are to the last hour's trading on any day affected by the proposed policy and shall be construed so that the terminal hour stated will be on the morning immediately after the trading date shown, so that the terminal hour stated for Sunday 12th December 2021 in respect of on sale premises (including registered clubs) other than those with the primary purpose of offering entertainment in the form of dancing is 1am on Monday 13th December 2021.

All Licensed on sale premises (including registered clubs), except premises the primary purpose of which is to offer entertainment in the form of dancing

Terminal Hour – 1.00am Sunday 12, Monday 13, Tuesday 14, Wednesday 15, Thursday 16, Sunday 19, Monday 20, Tuesday 21, Wednesday 22, Thursday 23, Sunday 26, Monday 27, Tuesday 28, Wednesday 29 and Thursday 30th all December 2021 and Sunday 2 January 2022.

Terminal Hour – 2.00 am Friday 3, Saturday 4, Friday 10, Saturday 11, Friday 17, Saturday 18, Saturday 25, all December 2021, and Saturday 1 January 2022.

Terminal Hour – 3.00 am Friday 24 December 2021 and Friday 31 December 2021.

On Sales Premises, the primary purpose of which is to offer entertainment in the form of Dancing

Terminal Hour – 3.00 am Sunday 12, Monday 13, Tuesday 14, Wednesday 15, Thursday 16, Sunday 19, Monday 20, Tuesday 21, Wednesday 22, Thursday 23, Sunday 26, Monday 27, Tuesday 28, Wednesday 29 and Thursday 30 all December 2021 and Sunday 2 January 2022

Terminal Hour 4.00 am

Where premises are members of Paisley Town Centre Radio Link

Friday 3, Saturday 4, Friday 10, Saturday 11, Friday 17, Saturday 18, Saturday 25 all December 2021 and Saturday 1 January 2022.

Terminal Hour – 4.00am Friday 24 December 2021 and Friday 31 December 2021.

The Board will note that no festive hours policy was agreed for the festive period 2020/2021 due to public health measures being in place at that time, as stated at Paragraph 1 above. Should the Board agree a policy for the festive period 2021/2022 as proposed above, this would be subject to any public health legislation which might be in place during the above period. As the Board will be aware, any regulations would take precedence over the terms of any policy agreed by the Board permitting longer hours.

4. Last Date for Applications

As indicated previously at Paragraph 1, a number of licence holders have included the Board's festive policy hours in their operating plans and no further application is required. In relation to those licence holders who will require to submit extended hours applications, it is proposed that such applications be submitted at least 28 days in advance of the first date applied for to allow for the timeous processing of applications.

5. Requirement for Notification

It has been the Board's practice for several years that all premises licence holders who provided in their operating plans for a seasonal variation, in relation to the festive hours, advise both Police Scotland and Renfrewshire Licensing Board of the dates on which they intend to utilise their seasonal hours. It is proposed that similar notification be given by those licence holders by Wednesday 1 December 2021. Intimation can be made via email to the following: -

Police Scotland - RenfrewshireInverclydeLicensing@scotland.pnn.police.uk
Renfrewshire Licensing Board - enforcement.licensing.cs@renfrewshire.gov.uk

6. Recommendations

6.1 It is recommended that:-

6.1.1 The Board agree that there be extended hours for the festive period having regard to its position as set out at Paragraph 15.4 of the Statement of Licensing Policy which indicates that the current policy of allowing longer licensed hours over the festive period will continue;

6.1.2 Thereafter, the Board approve the proposed hours and dates detailed in this Report for the festive period, or such other hours as the Board considers appropriate, and authorise the Clerk to take such steps as required to advise appropriate individuals and organisations of this year's festive policy;

6.1.3 The Board agree, in cases where premises licence holders have the benefit of festive hours included in their Operating Plans, that those licence holders require to advise the Board and Police Scotland no later than 1st December 2021 of the dates they intend to utilise their seasonal hours during the festive period;

6.1.4 The Board agree in cases where licence holders have not included the Board's festive policy in their operating plans that extended hours applications will be required. Such applications should be made at least 28 days in advance of the first date for which extended hours are sought.

Kenneth Graham
Clerk to the Licensing Board