

CLACKMANNANSHIRE LICENSING BOARD

Report to the Licensing Board

Date of Meeting: 30 August 2016

Subject: General Permitted Extension - Festive Period 2016 - 17

Report by: Depute Clerk of the Licensing Board

1.0 Purpose

1.1 The purpose of this report is to enable the Licensing Board to consider whether and to what extent a general extension of the licensing hours be allowed to cover the Festive Period 2016 - 17.

2.0 Background

2.1 At the meeting of the Licensing Board on 26 May 2015, Board Members considered a report by the Depute Clerk of the Licensing Board on the "General Permitted Extension - Festive Period 2015 - 16" following on from the responses received to the general extension granted by the Board for the Festive Period 2014 - 15.

2.2 At that meeting members agreed the Festive Policy for 2015 -16. The policy was well received by the Trade and no adverse comments have been received from any quarter.

3.0 Recommendation

3.1 That the Board consider the information submitted and if so minded agree to grant a general extension of licensed hours in the following terms:

3.1.1 Each Licensed Premises licensed to sell alcohol on the premises within the local government area of Clackmannanshire shall be entitled to an additional 1 hour extension to the terminal hour as set out on their operating plan during the festive period;

3.1.2 Notwithstanding the above permitted extension no licensed premises shall be permitted to an extra hour of trade where as a result of the extension, licensed hours would be extended beyond 2am on the day in question; and

3.1.3 The general extension set out in paragraph 3.1.1 shall apply for the period 16 December 2016 to 3 January 2017, being the festive period as determined by the Board.

4.0 Consideration

- 4.1 For the past 2 years the Board has granted a General Extension of Licensed hours for the Festive Period. Following on from a recommendation received from the Local Licensing Forum in 2015, an amendment was made to the extension to accommodate the circumstance where Christmas and New Year's Eves did not fall upon a weekend. This was implemented in the policy granted last year. This consideration is not relevant for the coming festive period as both Christmas and New Year's Eves occur at the weekend.
- 4.2 Police Scotland has consistently responded in favour of the principle of a general extension. The Trade likewise have responded favourably to this approach.
- 4.3 The administration of extended hours applications can be time consuming for the licensing team, as the Licensing Standards Officer is required to submit a report on each application, even if there are no concerns regarding the extension in question. As a result of this requirement, applications for extended hours cannot be determined under delegated powers, and require Board Members to approve each application. The fee payable for this is £10 and does not cover the cost of processing the application. Separately, this imposes a regulatory burden on licensed premises.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

5.1. Financial Details

- 5.2. As reported in relation to the 2015-16 Festive Period the consequent reduction in the number of extended hours applications will result in reduced income. The cost of processing an application far exceeds the statutory fee and the loss of income is offset by the overall benefits gained by the Board, Council and applicants as detailed in the next paragraph.

5.3. Staffing

The grant of a general extension would remove the requirement for licence holders to submit an extended hours application. This would reduce the administrative burden on the licensing service, and would not require the Board to hold sub-committees to determine applications subject to a LSO report at short notice and prior to the Festive Break.

6.0 Equalities Impact

- 6.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes No

7.0 Legality

7.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

8.0 Appendices

8.1 None.

9.0 Background Papers

9.1 Report to Licensing Board of 26 May 2015 on Item 7.

Author(s)

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Stuart McQueen	Depute Clerk to the Licensing Board	2085

Approved by

NAME	DESIGNATION	SIGNATURE
Andrew Wyse	Clerk to the Licensing Board	

