

CLACKMANNANSHIRE COUNCIL

Report to Clackmannanshire Licensing Board

Date of Meeting: 22 September 2026

Subject: General Permitted Extension – Festive Policy 2026-2027

Report by: Depute Clerk to the Licensing Board

1.0 Purpose

- 1.1. The purpose of this report is to enable the Licensing Board to consider its approach to the festive period 2026-2027.

2.0 Recommendations

- 2.1. It is recommended that the Board:
- 2.1.1 Note that the Statement of Licensing Policy has incorporated the Festive Policy
 - 2.1.2 Agree that any general extension incorporated into the Statement of Licensing Policy 2023 shall be in place during the periods from 18 December 2026 to 3 January 2027 inclusive.
 - 2.1.3 That the final general extension incorporated into the Statement of Licensing Policy shall end 3 January 2027, as this is the last non-working day of the festive period.

3.0 Considerations

- 3.1 For several years the Board has granted a General Extension of licensed hours for the Festive Period. This approach has also been incorporated into the Statement of Licensing Policy.
- 3.2 The Statement of Licensing Policy “Festive Policy” considers it appropriate to grant a general extension of one additional hour to the terminal hour on all On Sales premises, unless that would extend trading beyond 2 am. An additional special provision to allow a 2am terminal hour where Christmas Eve and New Years Eve fall on a day other than a Friday and Saturday. This has been the same approach taken by the Board in previous years. As indicated above, to date this policy has been well supported, by the Police and the trade in particular. The Statement does indicate that the dates that the festive policy will apply will continue to be set at this meeting in the cycle by the Board. Therefore, it has been considered appropriate at this point to make a recommendation on when any agreed festive policy would apply. This will give the trade the opportunity to begin to plan for the festive period
- 3.3 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

5.1.1 Financial Details

The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☐

5.1.2 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

5.2. 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 determine applications subject to a LSO report at short notice and prior to the Festive Break.

6 Exempt Reports

6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) Our Priorities

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) Council Policies

Complies with relevant Council Policies ☒

8.0 Impact Assessments

- 8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Yes ☒

- 8.2 If an impact assessment has not been undertaken you should explain why:

9.0 Legality

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

Yes ☒

10.0 Appendices

- 10.1 None.

11.0 Background Papers

- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered) Yes ☐ (please list the documents below) No ☒

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lezli-Anne Sharp	Licensing Paralegal	2088

Approved by

NAME	DESIGNATION	SIGNATURE
Dale Bell	Depute Clerk to the Board	



Equality and Fairer Scotland Impact Assessment (EFSIA) Summary of Assessment

Title:

General Permitted Extension – Festive Policy 2026-2027

Key findings from this assessment (or reason why an EFSIA is not required):

The available evidence indicates that the proposal will not have a differential impact on individuals or groups who share a protected characteristic. The proposal is limited to the Licensing Board's annual consideration of festive licensing hours and does not affect access to services, rights, opportunities or decision-making on the basis of age, disability, race, sex, gender reassignment, sexual orientation, religion or belief, pregnancy and maternity, or marriage and civil partnership. No adverse equality impacts have been identified and no mitigation measures are required.

Summary of actions taken because of this assessment:

The proposal was assessed using available evidence, including Scottish Census 2022 data, the Licensing (Scotland) Act 2005 and the Clackmannanshire Licensing Board Statement of Licensing Policy 2023. No actual or potential adverse impacts on people with protected characteristics were identified. As a result, no changes to the proposal or additional mitigation measures are required.

Ongoing actions beyond implementation of the proposal include:

The Licensing Board will continue to monitor feedback received from Premises Licence Holders, Police Scotland, the Licensing Standards Officer and other relevant stakeholders during and following the festive period. Any evidence of unforeseen impacts on protected characteristic groups will be considered as part of future reviews of festive licensing arrangements. Where required, additional communications or stakeholder engagement activity will be undertaken.

Lead person(s) for this assessment:

Dale Bell

Senior officer approval of assessment:

Lee Robertson

Date: 20 August 2026

Equality and Fairer Scotland Impact Assessment (EFSIA)

An Equality and Fairer Scotland Impact Assessment (EFSIA) must be completed in relation to any decisions, activities, policies, strategies or proposals of the Council (referred to as 'proposal' in this document). The first stage of the assessment process will determine the level of impact assessment required.

This form should be completed using the guidance contained in the document: ['NAME']. Please read the guidance before completing this form.

The aim of this assessment is to allow you to critically assess:

- the impact of the proposal on those with protected characteristics and, where relevant, affected by socio-economic disadvantage (referred to as 'equality groups' in this document);
- whether the Council is meeting its legal requirements in terms of Public Sector Equality Duty and the Fairer Scotland Duty;
- whether any measures need to be put in place to ensure any negative impacts are eliminated or minimised.

The Fairer Scotland Duty requires public authorities to pay 'due regard' to how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making **strategic decisions**. Strategic decisions are key, high-level decisions such as decisions about setting priorities, allocating resources, delivery or implementation and commissioning services and all decisions that go to Council or committee for approval.

Step A – Confirm the details of your proposal

1. Describe the aims, objectives and purpose of the proposal.

The purpose of this report is to enable the Licensing Board to consider and determine its approach to festive period licensing arrangements for 2026-2027. The proposal provides a framework for considering applications for extended operating hours during the festive period, while supporting the licensing objectives set out in the Licensing (Scotland) Act 2005.

2. Why is the proposal required?

The proposal is required to meet the commitment contained within the Clackmannanshire Licensing Board Statement of Licensing Policy 2023 to review and determine festive period licensing arrangements on an annual basis. The review provides clarity and consistency for Premises Licence Holders and other stakeholders regarding licensing expectations during the festive period.

3. Who is affected by the proposal?

The proposal may affect Premises Licence Holders, customers of licensed premises, Police Scotland, the Licensing Standards Officer and members of the public within Clackmannanshire. As licensed premises form part of the wider community, the proposal has the potential to affect all persons within Clackmannanshire.

4. What other Council policies or activities may be related to this proposal? The EFSIAs for related policies might help you understand potential impacts.

Clackmannanshire Licensing Board Statement of Licensing Policy 2023. The proposal is also informed by the licensing objectives contained within the Licensing (Scotland) Act 2005, including preventing crime and disorder, securing public safety, preventing public nuisance and protecting children and young persons from harm

5. Is the proposal a strategic decision? If so, please complete the steps below in relation to socio-economic disadvantage. If not, please state why it is not a strategic decision:

No. The proposal relates to the Licensing Board's annual consideration of festive period licensing arrangements and does not represent a strategic Council decision regarding the allocation of resources,

delivery of services, commissioning arrangements or the setting of strategic priorities. Therefore, the Fairer Scotland Duty is not engaged

Step B – Consider the level of EFSIA required

You should consider the available evidence and data relevant to your proposal. You should gather information in order to:

- help you to understand the importance of your proposal for those from equality groups,
- inform the depth of EFSIA you need to do (this should be proportionate to the potential impact), and
- provide justification for the outcome, including where it is agreed an EFSIA is not required.

6. What information is available about the experience of those with protected characteristics in relation to this proposal? Does the proposal relate to an area where there are already known inequalities? Refer to the guidance for sources of evidence and complete the table below.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Age	Scottish Census 2022	While the proposal may affect access arrangements for persons under 16, any restrictions would be applied in accordance with the Licensing (Scotland) Act 2005 and the licensing objective of protecting children and young persons from harm. The proposal is not intended to disadvantage children but to support statutory child protection objectives.
Disability	Scottish Census 2022	Scottish Census 2022 data indicates that a significant proportion of Clackmannanshire residents have a disability or long-term health condition. The proposal does not affect access to services, facilities or participation opportunities and therefore no differential impact on disabled people has been identified.
Race	Scottish Census 2022	Scottish Census 2022 data demonstrates that Clackmannanshire has a diverse population comprising a range of ethnic groups. The proposal applies equally to all licensed premises and does not create any differential impact based on race or ethnicity
Sex	Scottish Census 2022	Scottish Census 2022 data shows a broadly balanced population profile by sex. The proposal does not distinguish between individuals on the basis of sex and no differential impact has been identified.
Gender Reassignment	Scottish Census 2022	No evidence has been identified to indicate that the proposal would have a different impact on people who have undergone, are undergoing, or intend to undergo gender reassignment
Sexual orientation	Scottish Census 2022	No evidence has been identified to suggest that the proposal would affect people differently on the basis of sexual orientation. The proposal applies consistently across the licensed trade and wider community.
Religion or Belief	No Scottish Census 2022	The proposal does not affect participation, access or treatment on the basis of religion or belief and no differential impact has been identified.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Pregnancy or maternity	Scottish Census 2022	No evidence has been identified to suggest that the proposal would create barriers or disadvantages for people who are pregnant or on maternity leave.
Marriage or civil partnership (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)	Scottish Census 2022	The proposal does not relate to employment practices or confer any differential treatment based on marital or civil partnership status. No impact has been identified.
Socio economic disadvantage (if required)	Not required	Not Required

7. Based on the evidence above, is there relevance to some or all of the equality groups? No

If yes or unclear, proceed to further steps and complete full EFSIA

If no, explain why below and then proceed to Step E:

Evidence for this assessment was drawn from Scottish Census 2022 data, consideration of the nature and scope of the proposal, the Licensing (Scotland) Act 2005, the Licensing Board's Statement of Licensing Policy 2023, and experience of implementing festive licensing arrangements in previous years. The proposal relates to the Licensing Board's annual consideration of festive period licensing hours and does not alter eligibility, access to services, or decision-making criteria based on any protected characteristic. No evidence has been identified to suggest that the proposal would affect any protected characteristic group differently from the general population. Any restrictions relating to children and young persons would be applied in accordance with statutory licensing objectives, particularly the objective of protecting children and young persons from harm. It is therefore considered that the proposal has no actual or potential differential impact on equality groups, and no further assessment is required

Step C – Stakeholder engagement

This step will help you to address any gaps in evidence identified in Step B. Engagement with people who may be affected by a proposal can help clarify the impact it will have on different equality groups. Sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your proposal on equality groups.

- 8. Based on the outcome of your assessment of the evidence under Step B, please detail the groups you intend to engage with or any further research that is required in order to allow you to fully assess the impact of the proposal on these groups. If you decide not to engage with stakeholders, please state why not:**

No further engagement was undertaken as the proposal relates solely to the Licensing Board's annual consideration of festive hours and no differential impacts on protected characteristic groups were identified through the available evidence.

- 9. Please detail the outcome of any further engagement, consultation and/or research carried out:**

Step D – Impact on equality groups and steps to address this

10. Consider the impact of the proposal in relation to each protected characteristic under each aim of the general duty:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

If relevant, consider socio-economic impact.

Age	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Disability	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Race	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sex	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Gender Reassignment	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sexual Orientation	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Religion or Belief	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Pregnancy/maternity	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Marriage/civil partnership	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)				

Socio-economic disadvantage	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Yes	No	No impact	
(If required) Will the proposal reduce inequalities of outcome caused by socio-economic disadvantage?				

11. Describe how the assessment might affect the proposal or project timeline?

Examples of the items you should consider here include, but are not limited to:

- **Communication plan:** do you need to communicate with people affected by proposal in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach certain groups?
- **Cost:** do you propose any actions because of this assessment which will incur additional cost?
- **Resources:** do the actions you propose require additional or specialist resource to deliver them?
- **Timing:** will you need to build more time into the project plan to undertake research, consult or to complete any actions identified in this assessment?

12. **Having considered the potential or actual impacts of your proposal, you should now record the outcome of this assessment.** Choose from one of the following:

Please select (X)	Implications for the proposal
	No major change Your assessment demonstrates that the proposal shows no risk of unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.
	Adjust the proposal and/or implement mitigations You have identified ways of modifying the proposal to avoid discrimination or to better advance equality of opportunity or foster good relations. In addition, or alternatively, you will introduce measures to mitigate any negative impacts. Adjustments and mitigations should be recorded in the tables under Step D above and summarised in the summary sheet at the front of the document.
	Continue the proposal with adverse impact The proposal will continue despite the potential for adverse impact. Any proposal which results in direct discrimination is likely to be unlawful and should be stopped and advice taken. Any proposal which results in indirect discrimination should be objectively justified and the basis for this set out in the tables under Step D above and summarised in the summary sheet at the front of the document. If objective justification is not possible, the proposal should be stopped whilst advice is taken.
	Stop the proposal The proposal will not be implemented due to adverse effects that are not justified and cannot be mitigated.

Step E – Discuss and review the assessment with decision-makers

13. **You must discuss the findings of this assessment at each stage with senior decision makers during the lifetime of the proposal and before you finalise the assessment. Record details of these discussions and decisions taken below:**

This proposal forms part of the annual review of festive period licensing arrangements under the Clackmannanshire Licensing Board Statement of Licensing Policy 2023. The available evidence has been considered and discussed with relevant decision-makers. While the proposal may influence the operating hours of licensed premises during the festive period, no actual or potential adverse impacts on any protected characteristic group have been identified. Any consideration relating to children and young persons will continue to be undertaken in accordance with the Licensing (Scotland) Act 2005 and the licensing objective of protecting children and young persons from harm. It is therefore considered that the proposal presents no direct or indirect equality impacts and that no further assessment or mitigation measures are required.

Step F – Post-implementation actions and monitoring impact

It is important to continue to monitor the impact of your proposal on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

14. Record any post-implementation actions required.

The final decision of the Licensing Board will be communicated to Premises Licence Holders and relevant stakeholders through the normal licensing channels. No specific post-implementation actions have been identified as the assessment found no adverse impacts on protected characteristic groups. Any issues raised following implementation will be considered and addressed through established Licensing Board processes.

15. Note here how you intend to monitor the impact of this proposal on equality groups.

The impact of the proposal will be monitored through ongoing engagement with Premises Licence Holders, Police Scotland, the Licensing Standards Officer and other relevant stakeholders. Any complaints, concerns or feedback indicating a disproportionate impact on people with protected characteristics will be recorded and reviewed. Feedback received during and following the festive period will be considered as part of future reviews of festive licensing arrangements.

16. Note here when the EFSIA will be reviewed as part of the post-implementation review of the proposal:

This EFSIA will be reviewed as part of the annual review of festive licensing arrangements prior to consideration of festive hours for the following licensing period. Earlier review will be undertaken if any evidence emerges suggesting an unforeseen impact on a protected characteristic group.

Step G – Assessment sign off and approval

Lead person(s) for this assessment:

Signed: Dale Bell, Depute Clerk

Date: 20 August 2006

Senior officer approval of assessment:

Signed: Lee Robertson, Senior Manager Legal & Governance

Date: 20 August 2026

All full EFSIAs must be published on the Council's website as soon as possible after the decision is made to implement the proposal.

