

SHETLAND ISLANDS AREA LICENSING BOARD

Clerk: Jan-Robert Riise
Depute Clerk: Susan Brunton

Governance and Law
Corporate Services Department
Montfield Offices
Burgh Road
Lerwick
Shetland
ZE1 0LA

Telephone: (01595) 744551
Fax : (01595) 744585
administrative.services@ sic.shetland.gov.uk
www.shetland.gov.uk

If calling please ask for
Leisel Malcolmson
Direct Dial: 01595 744599

Dear Sir/Madam

Date: 25 October 2017

You are invited to attend the following meeting:

**Shetland Islands Area Licensing Board
Council Chamber, Town Hall, Lerwick
Tuesday 31 October 2017 at 10.30am**

Apologies for absence should be notified to Leisel Malcolmson at the above number.

Please note the time of this meeting above.

Yours faithfully

Depute Clerk to the Board

Clerk to the Board: Jan R Riise

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies for absence, if any.
- (c) Declarations of Interest.

Item

1. Christmas and New Year Licensing Hours 2017/18. Enclosed.

**Shetland Islands Area Licensing Board
31 October 2017
Christmas and New Year Licensing Hours 2017/18**

1. Introduction

1.1 Section 67 of the Licensing (Scotland) Act 2005 allows Shetland Islands Area Licensing Board, if it consider it appropriate to do so, to grant a general extension to licensed hours for a special event of local or national significance.

1.2 In terms of the Board's current Statement of Licensing Policy the Board has indicated that it will consider annually whether to grant a general extension covering the Christmas and New Year period. It further provides that during the period of such a general extension the Board will consider permitting –

(a) all licensed premises to remain open until 02:00, and

(b) nightclub premises already permitted to remain open until 03:00 at weekends to remain open until 03:00

for every day during the period of the general extension, provided such premises meet conditions required to ensure the promotion of the licensing objectives.

2. Discussion

2.1 The benefit of a general extension to licensed hours is, *inter alia*, the avoidance of potential inconsistency resulting from the Board's being asked to consider individual applications for extensions. It also addresses the tendency that developed under the previous licensing regime for licence holders to seek increasingly longer extensions to licensed hours during the festive period. The majority of on-sales premises licences formerly included a reference to the festive period in their seasonal variations in their operating plan but these tended not to be specific in the dates and times.

2.2 In light of the above, in 2009/10 the Board granted a general extension to licensed hours. In 2010/11, 2011/12 and 2012/13 the Board decided against any general extensions.

2.3 In 2013 the Board again granted a general extension for the period on that occasion from 21 December 2013 to 6 January 2014. During this general extension all licensed on-sales premises were permitted to remain open until 02:00 and nightclubs that were already permitted to stay open at weekends until 03:00 were additionally permitted to remain open until 03:00 on any night during the extension period. This general permission was repeated for the period from Saturday 20 December 2014 to Sunday 4 January 2015 inclusive and for the period from Saturday 19 December 2015 to Sunday 3 January 2016 inclusive, covering the weekends before Christmas until the weekends after the New Year. Last year a general extension on the same basis was

granted for the period from Saturday 17 December 2016 to Sunday 1 January 2017, both dates inclusive.

2.4 There have been no approaches made by the Licensed Trade Association for a general extension for the Christmas and New Year period of 2017/18.

2.5 The Board is therefore invited to consider whether it wishes to issue a general extension for the Christmas and New Year period in 2017/18, to permit –

(a) all licensed on-sales premises to remain open daily until 02:00;

and

(b) all licensed nightclub premises that are already permitted to remain open for any part of the week until 03:00, to remain open daily until 03:00.

Some premises already specify as normal licensing hours in their operating plans that they will be able to open to 02:00 on Saturdays and Sundays during the festive period.

2.6 Alternatively the Board may apply the same approach as 2010, 2011 and 2012, where no general extension was granted.

2.7 If the Board grants such an extension, the Board will, at its own expense, require to intimate such extension to holders of premises licences.

3. Recommendation

3.1 I recommend that the Board considers whether it wishes to grant a general extension to licensing hours covering the Christmas and New Year period in 2017/18.

3.2 If the Board determines in terms of 3.1 to grant a general extension, to resolve to permit –

(a) all licensed on-sales premises to remain open daily until 02:00 during the period from Saturday 23 December 2017 until Sunday 7 January 2018, both dates inclusive, and

(b) all licensed nightclub premises that are already permitted to remain open on a specified day or days of the week until 03:00, to remain open daily until 03:00 during the same period,

or to permit such extensions during such other period and to such other hours as to the Board seems appropriate.

Depute Clerk to the Board