

## LICENSING (SCOTLAND) ACT 2005

### FESTIVE SEASON ARRANGEMENTS

**Note that arrangements remain the same for each year unless and until further notice.**

#### **All Premises**

Licensing hours as per the operating plan for the individual premises (whether within the core hours or the seasonal hours or both) or as per the general extension whichever is the later i.e.

Where the operating plan (within core hours and/or seasonal hours) allows for later hours than those within the general extension then the operating plan will take precedence.

Where the operating plan (within core hours and/or seasonal hours) does not allow for hours as late as those detailed within the general extension then the premises may continue to (but would not be forced to) trade to the terminal hour(s) detailed in the general extension (rather than the hour(s) in the operating plan) without the need for an extended hours application.

This general extension of hours applies to the sale of alcohol for consumption ON the premises only. Off sales must remain within the hours 10.00am to 10.00pm.

#### **Christmas General Extension**

Applicable to: All Premises

Extension: 24 December 2018 – until 1:30am

25 December 2018– until 1:30am

#### **Festive Period General Extension**

Applicable to: All Premises

Extension: 26 December 2018 - until 1.30am

27 December 2018 - until 1.30am

28 December 2018 - until 1.30am

29 December 2018 - until 1.30am

30 December 2018 - until 1.30am

## **New Year General Extension**

Applicable to: All Premises

Extension: 31 December 2018 - until 3.00am

1 January 2019 - until 3.00am

2 January 2019 - until 3.00am

### **Notes: -**

Applications for beyond the times stated above on these dates will still be considered on their merits.

Extended hours applications in respect of hours that are not covered by either the applicant's operating plan or the general extension period AND occasional licence applications :-

(1) 24 & 25 December 2018 – may be submitted on one application form;

(2) 26 to 30 December 2018 – may be submitted on one application form;

(3) 31 December 2018 and 1 & 2 January 2019 – may be submitted on one application form;

ALL applications by licensed premises for extended hours and applications for occasional licences between 24 and 31 December 2018 and 1 and 2 January 2019 will not require to state a specific event for which the extension is required other than "festive opening".

All applications for occasional licences and extended hours for the festive period require to be lodged with the Clerk to the Licensing Board at least four weeks before the events stipulated in the application. Please note that due to the processing times set by the Licensing (Scotland) Act 2005 applications must be submitted by this date in order to be processed in time for festive events. Applications submitted later may not be processed in time.

### **Contact**

Application forms may be obtained:

From the Moray Council website at [www.moray.gov.uk/licensing](http://www.moray.gov.uk/licensing) OR

From the Moray Council Access Points OR

By contacting:

Address – Council Office, High Street, Elgin, IV30 1BX

Telephone – 01343 563030

DX – 520666E-mail – licensing@moray.gov.uk

### **Conditions for All Late Opening Premises i.e. Open Past 1.00am**

All premises opening past 1am will need a first aider trained to the satisfaction of the Moray Licensing Board from 1am until closure or 5am, whichever is earlier. Guidance has previously been issued to all licence holders on what is an acceptable level of first aid training.

All premises opening past 1.30am will be subject to the Board's curfew. That condition is :

“The premises will be subject to a curfew at any time when the premises will open after 01:30 (1:30am), including seasonal variations. A curfew will apply at 00:30 (12:30am) such that the premises must deny entry to patrons after 00:30, including re-entry to those patrons that leave the licensed area of the premises for any reason after 00:30.” ITEM: 7  
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### **Conditions for Certain Late Opening Premises i.e. Open Past 1.00am**

Additional conditions will apply to certain premises (unless exempt) where the capacity is at least 250 people and which–

(a) will regularly provide at any time in the period between 1:00 am and 5:00 am–

(i) live or recorded music with a decibel level exceeding 85dB;

(ii) facilities for dancing; or

(iii) adult entertainment; or

(b) when fully occupied, are likely to have more customers standing than seated.

Where the above criteria are met then those premises will also be subject to the following conditions past 1.00am :

A designated person who is the holder of a personal licence must be present on the premises from 1:00 am until closure or 5am, whichever is earlier

There must be written policies in existence concerning the evacuation of the premises and the prevention of the misuse of drugs on the premises.

A CCTV system must be installed on the premises to the satisfaction of the appropriate chief constable and must be kept in good working order.

There must be persons responsible for checking on the safety and wellbeing of persons using any toilet facilities on the premises.

A person who holds a licence granted under section 8 of the Private Security Industry Act 2001 must be positioned at every entrance to the premises from 1:00 am until closure or 5am, whichever is earlier.