

NOTICE AND GUIDANCE TO LICENCE HOLDERS OF EXTENSION OF HOURS BY MORAY LICENSING BOARD

Matters of Clarity

On sales – for clarity the extensions detailed only apply to the sale of alcohol for consumption ON the premises.

Off sales are not affected and cannot take place outside of the hours of 10am to 10pm.

Whether it is for on sales or off sales it is an offence to sell, consume or take away alcohol from licensed premises outside of licensing hours. So where any football game extends beyond 22:00 alcohol cannot be taken away from the premises after 22:15.

The extension applies to the whole of the Moray Licensing Board area.

Hours detailed for the sale and consumption of alcohol on the premises (on sales) are designed to INCLUDE drinking up time. So where the terminal hour is stated to be 30 minutes beyond the end of a game that includes last orders and drinking up time.

As an example: a game ends at 12:00 midnight. Licensing hours will be up to 00:30. So last orders will be at 00:15 and time will be at 00:30 for customers to be out of the premises and no alcohol may be taken away. (Last orders will **not** be at 00:30 with customers to drink up and leave by 00:45).

Hours are to be extended **ONLY** for the specific purpose of showing **live matches** from the FIFA World Cup football tournament.

Licensed premises are in no way obliged to trade to extended hours. There is no duty to trade. Licensing premises are free to take advantage of all or as many of the opportunities as they see fit.

Licensing Hours

The Moray Licensing Board has a specific and detailed policy in relation to licensed hours in general. Licence holders are advised to review the policy and take it into account wherever possible. The policy can be accessed here: [Licensing Board Statement of Policy for the Licensing \(Scotland\) Act 2005](#). However please note that the Moray Licensing Board's policy on 16 hours' continuous opening in any 24 hour period will not be enforced as a definite rule in the context of showing live FIFA World Cup matches to customers. It cannot be made clear where one 24 hour period ends and another begins. Licence holders should bear in mind that certain kick-off times may be viewed as a continuation of the night before e.g. kick off at 02:00 on Sunday morning is generally viewed as an extension of Saturday night into Sunday morning. Whereas others may simply be viewed as early morning e.g. 05:00 on Sunday may be more readily viewed as early on Sunday rather than very late on Saturday.

24 hour opening is not acceptable under any circumstances. Staff and customers should be given a reasonable break. Breaks should be detailed in the notice to the Board as referenced below. Whether a break is reasonable in all the circumstances will be judged in the absolute discretion of the Moray Licensing Board. Purely for example a 5 minute break from 11:59 to 00:04 is not going to be acceptable to re-set the time.

Bank Holiday

A Bank Holiday has been declared by the Scottish Government for Monday the 15 June 2026. Licence holders as employers should obtain their own legal advice about possible staffing implications. The Moray Licensing Board cannot offer legal advice.

Matters To Note

If a licensed premises requires ANYTHING outside of the concessions made by the Moray Licensing Board then the individual licence holder is free to make an individual application for what they wish. To extend licensing hours for an existing licensed premises requires an extended hours application which can extend hours for up to a month. The Moray Licensing Board will accept televising live World Cup games as sufficient to justify an extended hours application.

For an unlicensed premises relevant persons may apply for an occasional licence which can last for up to 2 weeks.

In both cases multiple applications will be required to cover the whole of the tournament.

All licence holders should check their licence to confirm that the activity of live televised sport is covered within the operating plan. If not then licence holders are advised to immediately contact licensing staff to discuss their requirements on the contact details below:

Email: LicBoard@moray.gov.uk Contact Centre Telephone: 0300 123 4561

Please note, our Contact Centre is open 8.45am to 5pm

Notice to the Board

The Moray Licensing Board asks any licence holder who wishes to take advantage of the opportunities detailed give notice in writing of their intention to utilise extended hours.

Please complete and return attached form with no less than 1 months' notice of intention to utilise extended hours.

Notice should be sent by email to: LicBoard@moray.gov.uk

Or by post: Depute Clerk Licensing Board, Moray Council, Council Offices, High Street, Elgin IV30 1BX

For shorter notice please follow the same procedure and flag the message as short notice and important.

Please note these notices will be shared with Police Scotland for the purpose of maintaining good order throughout Moray.

Outside Areas

The Moray Licensing Board's policy on outside areas is **NOT** affected by this general extension. It is designed to be for customers solely within the premises. Licence holders should consider the potential impact on neighbours.

Outside areas should still close by 22:00 and customers should be brought inside. Customers may be allowed outside to smoke/vape but not to remain outside. It would be helpful to notify customers that they should only smoke/vape between drinks and not take alcohol outside or cause any disturbance outside. It is for smoking/vaping only and customers should be notified to return inside as soon as possible. Premises should ensure there is sufficient space inside to accommodate customers coming in from outside at 22:00.

Fan Zones

As at the date of publication there has been no stated interest in a fan zone within the Moray area. As detailed in this guidance anyone considering opening a fan zone should contact licensing staff as they will be required to make an individual application. In such circumstances there is likely to be further licensing requirements / permissions beyond merely a licence to sell alcohol.

Capacity

Whether inside or outside the licence states a maximum capacity. Licence holders should not exceed that capacity. See also matters for consideration below. After 22:00 the capacity for any outside area will be zero.

Children and Young Persons

The provisions for children and young persons are **NOT** changed or enhanced by the extended hours. The admission of children and young persons is governed by and should comply with the existing provisions in the relevant operating plan. Where children and young people may be admitted to the end of a specific function the showing of a live World Cup football match is **NOT** deemed to be a relevant specific function. Any such provision in an operating plan is purely designed to cover specific low risk events such as weddings. Therefore if any licence holder wishes to see any other provision for children and/or young people then that must be the subject of an extended hours application(s) with detailed provisions and risk assessment.

Late Opening Conditions

Late opening licence conditions have been imposed on certain premises that met certain criteria when their licences were granted. Licence holders are reminded that there is likely to be a significant amount of opening beyond 01:00 when such conditions may kick in. Anyone with specific questions on late opening conditions should contact licensing staff.

Matters for Consideration by Licence Holders

Social responsibility – licence holders are reminded of their social responsibility and should consider and risk assess the impact of their proposed activities on:

- The public particularly neighbours - noise will almost certainly be beyond the hours accepted for general noise by the council's Environmental Health Service which is generally 23:00; and
- Customers – customers may all be arriving and leaving at concentrated times to coincide with the start and end of matches. Licence holders should assess the likely impact of both arrival and leaving. Matters may include whether there is sufficient space or should ticketing be considered to give customers certainty? Can customers reasonably view the match without crowding into one area? Staffing arrangements. Customers getting home and signposting the availability of public transport and/or taxis; and
- Responsibility to staff – staff may be working at unusual and unsocial hours and licence holders should take responsibility for ensuring staff are looked after and can get home safely. This is particularly important in relation to the suitability of using young staff members; and

The control of order inside and outwith premises is an important issue. Beyond the statutory requirements of late opening conditions referenced above the Moray Licensing Board does not specify stewarding requirements. However individual licence holders should assess and address and maintain control of order. Bear in mind there is likely to be high demand for stewards. Police Scotland use the term “sufficient stewarding” which will change according to the circumstances.

Individual applications will require risk assessments to be submitted in support of any application. In other cases the Moray Licensing Board does not need to see risk assessments but licence holders are reminded that the best evidence for licence holders to keep are written records and the Licensing Standards Officer may require evidence of compliance at any time. General risk assessments already held by licence holders will need to be reviewed and supplemented given the highly unusual nature of the proposed trading. One size does not fit all. The same is true of any fire risk assessment which may be reviewed at any time by the Scottish Fire and Rescue Service.

Caveat

This proposal is correct as the time of publication. Should the Scottish Government choose to issue guidance in relation to the opening hours for the FIFA World Cup 2026 then the Moray Licensing Board reserves the right to change this proposal prior to final determination as the Board is legally obliged to take account of such guidance.

General Extension of Licensing On Sale Hours

Under section 67(1) of the Licensing (S) Act 2005:

(1) A Licensing Board may, if they consider it appropriate to do so in connection with a special event of local or national significance, make a determination extending licensed hours by such period as the Board may specify in the determination.

(2) A determination under subsection (1) may apply to—

(a) the whole of the Licensing Board's area or only to specified parts of the area, (b) licensed hours generally or only to specified descriptions of licensed hours, and (c) all licensed premises in the Board's area or only to specified descriptions of such premises.

Pursuant to the above power – and with specific regard to and on the basis of ALL the matters referenced above the Moray Licensing Board proposes to extend the on sales hours for all on sale alcohol licensed premises within the whole Moray area for the duration of the FIFA World Cup 2026 tournament as follows:

1. When showing live FIFA World Cup 2026 football matches within the premises to customers on sale hours will be extended to 30 minutes beyond the end of the relevant match such 30 minutes to include last orders and drinking up time.
2. In any event and irrespective of whether the final whistle has gone and the match is over or not there should be a cut off time – again to include last orders and drinking up time of 05:00 when licensing hours continue from prior to 00:00 the night before the match.