

Item 4

Licensing (Scotland) Act 2005 Statement on Festive Policy for 2025

Purpose of Report:

To allow Members to consider a draft Statement of Festive Policy for 2025.

Recommendations

Members are asked to:-

1. Consider the terms of this report;
2. Determine whether to approve the attached draft Statement of Festive Policy for 2025; and if minded to do so;
3. Instruct the Depute Clerk to publish the Statement and notify relevant licence holders of its terms.

1 Background

- 1.1 In terms of part 8 of the Board's current [Licensing Policy Statement](#), paragraph 8.8 provides that each year the Board will issue a statement of its policy on extensions for the Festive Period ("Statement of Festive Policy").
- 1.2 At the discretion of the Board, this Statement of Festive Policy may be extended to include recognised public holidays and events of national significance. Such extensions will apply automatically to all those premises which make reference to the Board's policy on the festive period within the seasonal variations section within part 4 of their operating plan, without the need for an extended hours application.
- 1.3 In terms of paragraph 8.9 of the [Licensing Policy Statement](#), generally the Board considers that it would not be appropriate to grant licensed premises extended hours on more than 10 days in each calendar year, or on a pro-rata basis in respect of new licensed premises. The maximum of 10 days is in addition to any extended hours for days covered by the policy on extensions for the festive period.

2 Draft Statement of Festive Policy for 2025

- 2.1 A draft Statement of Festive Policy for 2025 is attached for consideration in the appendix to this report.

- 2.2 The draft Statement of Festive Policy sets out specific exclusions to the application of additional licensed hours for the festive period and during public holidays in respect of any licensed premises operating as a casino with a terminal licensed hour of 6am.
- 2.3 The festive period for 2025 shall be defined as Saturday 22 November 2025 to Friday 2 January 2026.
- 2.4 The draft Statement of Festive Policy includes the following extensions in respect of the festive period, subject to the specific exclusions referred to at paragraph 2.2 above:
- 2.4.1 All licensed premises with an on-sales facility having seasonal variations within their operating plan and being located within the city centre shall be granted one additional hour beyond their terminal hour for the sale of alcohol for consumption on the premises Monday to Sunday throughout the festive period.
- 2.4.2 All licensed premises with an on-sales facility having seasonal variations within their operating plan and being located out with the city centre shall be granted one additional hour beyond the terminal hour for the sale of alcohol for consumption on the premises in relation to trading commencing on Fridays and Saturdays during the festive period and on Christmas Eve, Christmas Day, Boxing Day, Hogmanay and New Year's Day.
- 2.4.3 Members Clubs which have confirmed on their application for a premises licence that the Club's Constitution and Rules conform to the requirements of Regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007, will be permitted extended hours up to 3.00am in relation to trading commencing on Christmas Eve and New Year's Eve. The extensions to licensed hours as set out in paragraphs 2.4.1 and 2.4.2 above do not apply to Members Clubs.
- 2.5 The draft Statement of Festive Policy also includes the following extensions in respect of recognised public holidays:
- 2.5.1 All premises licensed with an on-sales facility having seasonal variations in their operating plan shall be granted one additional hour beyond the terminal hour on the Saturday evening into the early hours of the Sunday morning on the weekend of each of the recognised public holidays.
- 2.5.2 Late night entertainment venues with a terminal licensed hour of 3am or 4am in the city centre and 2am or 3am out with the city centre having seasonal variations in their operating plan shall be granted one additional hour beyond the terminal hour on the early hours of the Monday morning on the weekend of each of the recognised public holidays.

3. Premises operating beyond 12 Midnight

- 3.1 Where premises are open after 12 Midnight by virtue of an extension provided for by the Licensing Board's Statement of Festive Policy, they will be expected to comply with the Board's policy relative to the use of toughened glass and other recognised safety products in licensed premises as set out in part 10 of its [Licensing Policy Statement](#).
- 3.2 All licensed premises are required to continue to comply with the conditions of their licence, and in particular those regulating licensed hours after 12 midnight.

4 Recommendations

Members are asked to:-

- 4.1. Consider the terms of this report;
- 4.2. Determine whether to approve the attached draft Statement of Festive Policy for 2025 and if minded to do so;
- 4.3. Instruct the Depute Clerk to publish the Statement and notify relevant licence holders of its terms.