

SOUTH AYRSHIRE COUNCIL

**REPORT BY THE CLERK
TO THE LICENSING BOARD
OF 9 MARCH 2023**

Subject: Extended Hours for Special Events – King’s Coronation

1. Purpose

To advise members on a forthcoming event for which extended hours may be sought, and to seek instructions on extended hours.

2. Recommendation

It is recommended that the Board:

- 2.1 Notes the terms of this report; and
- 2.2 Instructs the Clerk to deal with applications for extended hours as decided, and grants delegated powers to the Clerk as appropriate.

3. Background

- 3.1 To mark the Coronation of King Charles III on Saturday 6th May 2023, an additional Bank Holiday has been announced for Monday 8th May 2023. It is anticipated that a number of licensed premises may wish to seek an extension to their licensed hours in connection with the Coronation celebrations, and the purpose of this report is to clarify the Board’s view on extended hours for this event.
- 3.2 Section 67 of the Licensing (Scotland) Act 2005 permits the Licensing Board, if it considers it appropriate to do so in connection with a special event of local or national significance, to make a determination extending licensed hours by such period as the Board may specify in that determination, for:
 - (a) the whole of the 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.
- 3.3 Alternatively, the Board are entitled to grant "Extended Hours Applications" under Section 68 of the Licensing (Scotland) Act 2005 on the Application of the holder of the Premises Licence in respect of any Licensed Premises, "if the Board consider it

appropriate to do so in connection with— (i) a special event or occasion to be catered for on the Premises, or (ii) a special event of local or national significance. The use of applications under Section 68 ensures that the Police are consulted on a case-by-case basis, so they and the Board are able to assess the potential effect of the Extended Hours Application on the Licensing Objectives (such as "preventing crime and disorder") in relation to each Applicant.

4. Proposals

- 4.1 No definition of "special" is provided in the 2005 Act. Members should therefore consider, in the first instance, whether the King's Coronation is a special event of local or national significance, in terms of Sections 67 and 68 of the 2005 Act.
- 4.2 Assuming the Board agrees to treat the King's Coronation as such a special event, members are asked to consider whether they wish to allow any general extension of licensed hours under Section 67 of the 2005 Act, or whether to allow licence holders to apply for extended hours applications under Section 68 of the 2005 Act, whereby each application will be considered on its own merits. In addition, members are asked to consider which is the appropriate date for any decision on Extended Hours, ie Saturday 6th May into Sunday 7th May, or Sunday 7th May into Monday 8th May.
- 4.3 Members are asked to grant delegated powers to the Clerk as appropriate.
- 4.4 Members should also note that, in terms of the current Statement of Licensing Policy, any applications for Extended Hours for more than one hour beyond the core hours granted to premises, and all applications beyond 2.30am, will require to be considered at a Board hearing.

Author and Person to Contact.

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