

## **Draft Supplementary Policy**

The Licensing Board approved the East Dunbartonshire Statement of Licensing Policy on 18 December 2018, which included an increased terminal licensed hour on a Friday and Saturday night to 1am for on sale premises. This Supplementary Policy sets out the criteria which will be considered when an application seeking later terminal hours is considered.

The Board will consider granting a terminal licensed hour of 1am where the licence holder is able to demonstrate that the premises make a positive contribution to the late night economy and are able to evidence a commitment to and investment in safety and security measures for both staff and customers, designed to promote the licensing objectives. The Licensing Board considers this to be an opportunity to reward and continue to encourage good practice in the licensed trade.

The Licensing Board has no direct remit in relation to employment issues, or health and safety issues involving staff working within licensed premises. It does however recognise that there will be occasions where the safety of staff may be compromised by customers who are intoxicated, particularly where they have been refused service or access to the premises. The Board therefore believes that licence holders have an added responsibility towards their staff flowing from issues directly relating to the sale of alcohol and the specific provisions of their licence. This is in furtherance of the licensing objectives contained in Section 4 of the Licensing (Scotland) Act 2005; in particular securing public safety and preventing public nuisance.

The Board believes that all licence holders, and particularly those operating or applying for later licensed hours, should consider what arrangements they have in place or intend to introduce for staff returning home safely after the premises have closed when transportation options may be more limited. The Licensing Board is greatly encouraged by the “Safe Home” initiatives adopted by some licence holders for their staff and would strongly encourage others to take a similarly responsible approach to the safety of staff working within their premises later at night.

### **Criteria to be Considered**

In considering major variation applications from on sale premises to extend their terminal licensed hour to 1am or for new applications seeking the later terminal hour, the Licensing Board will have regard to issues such as:-

- the normal operating hours of the premises;
- the extent of CCTV and stewarding provision throughout the premises;
- first aid provision and facilities;
- the availability of written policies and procedures for customer safety, including search policies and the approach taken to customers who have become unwell on the premises or who are vulnerable;
- the nature and extent of entertainment provided in the hour after 12 midnight;
- history of established complaints regarding the operation of the premises;
- membership and accreditation of industry recognised awards schemes such as Best Bar None;
- evidence of a commitment to ongoing staff training and social responsibility, including late night transport arrangements for staff;
- arrangements for the late night dispersal of customers from the premises; and
- the terms of any reports provided by the Council’s Licensing Standards Officers and Police Scotland and any objections or representations in respect of the application.

This list is for indicative purposes only and each case will be considered on its own individual merits.