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City of Glasgow Licensing Board

Report by Clerk to the Licensing Board

Date: 4 September 2020

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<b>Item</b>	<b>Licensing (Scotland) Act 2005</b> <b>Extension of temporary arrangements for Occasional Licences in respect of outdoor areas</b>
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**FOR MEMBERS AND APPROPRIATE OFFICERS  
OF THE LICENSING BOARD ONLY**

**Purpose of Report:**

To ask Members to consider the extension of the temporary arrangements for the granting of occasional licences in respect of outdoor areas associated with existing licensed premises.

**Recommendations**

Members are asked to:-

- (1) Note the terms of the report and the steps taken to support the city's licensed trade with regard to the operation of outdoor licensed areas.
- (2) Agree that the temporary arrangements put in place for the granting of occasional licences in respect of outdoor areas associated with existing licensed premises should be extended to 31 March 2021; and
- (3) Note the terms under which such occasional licences would continue to operate and the steps that can be taken to resolve any issues of concern.

**1. Background**

Officers from the licensing section have been working alongside colleagues from other Council services as part of the City Services group which was formed to provide a single source of guidance and support for businesses in the city as they navigate their way through the easing of the lockdown restrictions introduced to reduce the transmission of COVID-19.

Members will be aware that a number of measures have been put in place to support the reopening and recovery of the city's licensed trade. One aspect of this support was to introduce a streamlined process to allow existing businesses to

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apply for section 59 roads consent for use of a public space together with an occasional licence for the sale of alcohol for an extended period.

To date, 172 occasional licences have been granted under these temporary arrangements, providing additional outdoor space for licensed premises at a time when capacity figures are reduced due to ongoing social distancing requirements.

The occasional licences granted under these temporary arrangements are due to come to an end on 30 September 2020.

### **2 Proposed Extension of Occasional Licences**

In order to continue to support businesses through this difficult period, Members are asked to agree to extend the occasional licences granted under these temporary arrangements to 31 March 2021.

If agreed, these occasional licences would be automatically extended without the need for licence holders to lodge an application form or pay the £10 fee. However, there may be a very small number of premises where we may need to make adjustments to the existing permissions - affected licence holders would be contacted directly to discuss any proposed changes.

### **3 Conditions for continued operation of occasional licences**

If the extension of the temporary arrangements is approved, occasional licences for outdoor areas will continue to be subject to compliance with licence conditions and any relevant regulations and the Scottish Government Covid-19 Tourism and Hospitality Guidance, particularly in relation to the collection of customer contact details, hygiene arrangements and adherence to social distancing criteria.

Licence holders should continue to keep up to date with the guidance issued by the Scottish Government and continue to review and implement any changes to their operation so as to ensure ongoing compliance.

A layout plan requires to be displayed in the outdoor area and the area must not be extended beyond the area approved as part of the occasional licence. Outdoor areas should also only be set up and used where it is safe to do so, taking account of the weather conditions and forecast.

Licence holders would also be reminded of the need to continue to have regard to the impact that outdoor areas can have on local residents and they should at all times operate as "good neighbours". This is particularly important in relation to issues such as the removal and storage of furniture, noise, waste disposal, litter and the impact of customers smoking where there are residential premises directly above the outdoor area.

While these occasional licences would continue to apply for an extended period of time, they are all granted subject to the condition that if an outdoor area is operated in a manner inconsistent with one or more of the licensing objectives and the issues cannot be adequately resolved, the occasional licence may be revoked.

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Licence holders would also be reminded that if these occasional licences are extended, it does not mean that these will automatically become permanent parts of their premises licence. The need to apply for the appropriate section 59 consent, licence, planning permission and any required building warrant will be reinstated at a future date.

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