

PERTH AND KINROSS LICENSING BOARD

Board Meeting: 19 September 2022

Report by Clerk to the Licensing Board

PURPOSE OF REPORT

This report advises of the Royal National Mòd taking place in Perth on 14 – 22 October 2022 and sets out the options open to Perth and Kinross Licensing Board for extending licensed hours and extending occasional licensed hours for the sale and consumption of alcohol within Perth and Kinross, excepting the licensing of the Royal National Mòd event itself.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Royal National Mòd is due to take place in Perth from Friday 14 October to Saturday 22 October 2022. The last time the Royal National Mòd was held in Perth was in 2004.
- 1.2 Hosted by Perth and Kinross Council and organised in partnership with An Comunn Gàidhealach, Horsecross Arts, Culture PK and the Local Organising Committee, this eight-day festival celebrating Gaelic language and culture is held annually in a different Scottish town or city bringing up to approximately 7,500 visitors to the host area and over £1 million to the local economy.
- 1.3 There are over 200 competitions throughout the event ranging from traditional instruments like accordion, fiddle and piping, to solo Gaelic singing, storytelling, poetry, sport and choir competitions. The first half of the week is dedicated to children's competitions, while the second half is for adults. It draws in fluent and learner Gaelic speakers alike, with a host of other interested attendees. In addition to the competitive events there will be a large fringe programme. The main event venues for physical performances and competitions will be Perth Concert Hall, Perth Theatre and the North Inch Community Campus.
- 1.4 As well as the Mòd competition element itself there is the Mòd Fringe or Fèis with events taking place in the late evening after official competition for music, poetry readings debates etc. Fèis events may continue beyond the Perth and Kinross Licensing Board's social demand or function hours, as set out in the Licensing Board's Policy Statement.

The Licensing Board's Policy Statement sets out the following licensed hours:
Social demand hours (where there is no specific entertainment)

| Period | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------------------------------|--------|---------|-----------|----------|---------|----------|--------|
| Annually except festive period | 12am | 12am | 12am | 12.30am | 12.30am | 12.30am | 12am |
| Festive period | 1am | 1am | 1am | 1am | 1am | 1am | 1am |

Functions (where there is specific entertainment)

| Period | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------------------------------|--------|---------|-----------|----------|--------|----------|--------|
| Annually except festive period | 1am | 1am | 1am | 1.30am | 1.30am | 1.30am | 1am |
| Festive period | 1.30am | 1.30am | 1.30am | 1.30am | 1.30am | 1.30am | 1.30am |

- 1.5 A request has been made that the Licensing Board considers whether to grant a general extension of licensed hours for on sales premises which are providing Mòd Fringe or Fèis related entertainment within Perth City Centre to 2am, from Friday 14 October 2022 to the early morning of Sunday 23 October 2022. Perth City Centre is considered to be within the four ring roads of Caledonian Road, Atholl Street, Tay Street, and Marshall Place.
- 1.6 In terms of the Licensing (Scotland) Act 2005, Section 67 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. It is a matter for the Board whether that determination applies to:
- (a) the whole of the Licensing Board's area or only specified parts,
 - (b) licensed hours generally or only to specific descriptions of licensed hours,
 - (c) all licensed premises or only to specified descriptions of premises, and
 - (d) for such period as the Board may specify.

Perth and Kinross Licensing Board therefore has flexibility in determining whether any extension of licensed hours applies; to what area; for what types of licensed hours; to what types of premises; and for what period.

- 1.7 It is proposed that, given the scale of the event, a general extension to allow extended social demand hours for licensed premises which have Mòd Fèis related entertainment taking place within Perth City Centre (as defined at Appendix 1 of this report) could be granted. Should licensing hours be

extended, the extension could apply from the evening/night of Friday 14 October 2022 until the early morning of Sunday 23 October 2022.

- 1.8 Any premises who wish to operate extended hours will require to have a trained first aider on the premises after 1am. This is a requirement of the 2005 Act and is also referenced in Condition 1 of the mandatory conditions for licenced premises for late hours opening. This condition will therefore apply to any premises licence which operates beyond 1am under any general extension granted.
- 1.9 Should any applications for occasional licences or extended hours be received for premises which are not conferred by any general extension of hours, but where Mòd Fèis related entertainment is being held, then they will be considered on their own merits, taking into account any general extension the Licensing Board may grant under this report and will be dealt with under delegated powers.

Other issues

- 1.10 For a general extension of hours, the Board is obliged to give notice of its determination to the Chief Constable and to holders of premises licences and occasional licences to which it applies. It must also be published in such manner as the Board thinks fit.

2. PROPOSALS

- 2.1 The Board has three possible courses of action open to it:

Option 1 – Decline to grant an extension of licensed hours, whether by way of a general extension of hours or by way of extended hours applications and occasional licence applications being submitted.

Option 2 – Agree that the Mòd Fèis is a special event of local and national significance such that during the period of Friday 14 October 2022 to Sunday 23 October 2022 the following extended hours will apply for on sales: 2am.

Option 3 – Agree that the Mòd Fèis is a special event of local and national significance such that during the period of Friday 14 October 2022 to Sunday 23 October 2022 but agree a different terminal hour.


3. CONCLUSION AND RECOMMENDATIONS

- 3.1 This report refers to the Royal National Mòd Fèis element due to take place in Perth on 14-22 October 2022 and sets out the options available to Perth and Kinross Licensing Board for extending licensed hours for existing licensed premises and extending licensed hours for non-licensed premises within Perth City Centre where related entertainment is taking place.

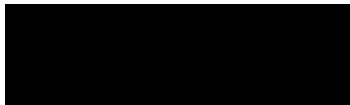
3.2 The Board is requested to:

- (i) Consider the terms of this report; and
- (ii) Make an appropriate determination.

Author(s)

| Name | Designation | Contact Details |
|----------------|--------------------|---|
| Debra Gilkison | Licensing Manager |  |

Approved

| Name | Designation | Signature |
|-------------------------------|--------------------|---|
| Sarah Rodger | Legal Manager |  |
| Date: 6 September 2022 | | |

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Council Text Phone Number 01738 442573

ANNEX

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

| Strategic Implications | Yes / None |
|----------------------------|------------|
| Statement of Policy | None |
| Resource Implications | |
| Financial | Yes |
| Workforce | Yes |
| Assessments | |
| Equality Impact Assessment | None |
| Consultation | |
| Internal | Yes |
| External | Yes |
| Communication | |
| Communications Plan | Yes |

1. Strategic Implications

- 1.1 This Report relates to extending licensed hours beyond the Board's normal or policy hours. Any determination made has to relate to an event of local or national significance. No precedent would be set in respect of existing normal or policy hours any extension relates to that particular event.

2. Resource Implications

Financial

- 2.1 The Board is expected to be self-funding. A general extension of licensed hours without requiring applications means a £10 fee per application will not be received, however, the effect on resources of receiving numerous applications outweighs the receipt of any income.

Workforce

- 2.2 As set out in this Report, there will be an effect on resources should extended hours or occasional licence hours be received, however, if a general extension not requiring applications for social demand hours is granted, that is expected to greatly reduce the number of applications and the effect on workplace resources.

3. Assessments

- 3.1 The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) using the Integrated Appraisal Toolkit and have been assessed as **Yes – completely true** for the purposes of EqIA.

4. Consultation

- 4.1 This report has been circulated to Police Scotland and any comments received will be given to the Board at the meeting on this Report.

5. Communication

- 5.1 Notification of any determination made by the Board must be given to the Chief Constable, premises licence holders and others. Press statements will also be prepared.

2. BACKGROUND PAPERS

Licensing (Scotland) Act 2005;
Perth and Kinross Licensing Board Statement of Policy;

3. APPENDICES

None