THE HIGHLAND LICENSING BOARD

PREMISES LICENCE CORE HOURS POLICY (ADOPTED ON 4 NOVEMBER 2018)

The following core hours will generally be the maximum hours permitted by the Board. **Applicants seeking earlier opening hours or later terminal hours, or seeking to open for a continuous period which exceeds 14 hours, will be required to satisfy the Board that these hours are justified (see section 2.2 of the Highland Licensing Board Policy Statement) and that they will not conflict with any of the licensing objectives**.

- Off sales

Monday to Sunday: 1000 hours to 2200 hours

- General on sales premises

These are premises such as public houses, hotel bars and members' clubs which offer no significant entertainment facilities and where the consumption of alcohol is the principal activity.

Monday to Sunday: 1100 hours to 0100 hours the following day

- Food-led operations

These are premises at which the sale of alcohol is ancillary to the provision of food and is generally only sold to persons taking table meals. Early opening, from no earlier than **0900 hours,** may be permitted subject to any sale of alcohol before 1100 hours being restricted to sale of alcohol as an accompaniment to food.

Where such early opening is sought, the closing time sought should be such as to restrict the continuous period during which alcohol may be sold to no more than 14 hours, unless a justification for a longer continuous period of sale can be established to the Board's satisfaction.

- Late opening premises

These are premises, or parts of premises, which the Board is satisfied offer, from a certain point on certain evenings, significant entertainment facilities and where the provision of alcohol for consumption on the premises is ancillary to the significant entertainment provided. Nightclubs and discotheques may fall within this category. They may also include "hybrid" premises which operate as a general on sales

premises during the day but then offer significant entertainment from a certain point in the evening (and in all cases from no later than 2200 hours).

For the avoidance of doubt, applicants are advised that outwith the festive period (see section 2.3 of the Highland Licensing Board Policy Statement) the Board will not permit the sale of alcohol in late opening premises for a continuous period in excess of 14 hours except where the Board is satisfied that significant entertainment beyond 0100 hours will be provided. Where the Board is so satisfied, late opening may be permitted as follows:

Sunday, Monday, Tuesday and Wednesday:	**1100 hours to 0100 hours the following day**
Thursday, Friday and Saturday:	**1100 hours to 0300 hours the following day**

On all nights for which the Board grants late opening (i.e. for a continuous period beginning on one day and ending after 0100 hours the following day) the Board will impose a condition requiring that the significant entertainment must be provided continuously from no later than 2200 hours until such time as alcohol ceases to be sold the following day. The sale of alcohol after 0100 hours on those nights will not be permitted unless the significant entertainment is being provided. Accordingly, where a premises does not provide significant entertainment on the nights for which late opening has been granted, it may operate only until 0100 hours on those nights. Other late opening conditions (see section 3 of the Highland Licencing Board Policy Statement) will also apply.

The Board will interpret the phrase "significant entertainment" strictly and will only grant late opening premises hours if the entertainment offered is adequately specified in the operating plan submitted with the application. The Board will require applicants to demonstrate that the entertainment proposed will not be merely ancillary to the consumption of alcohol. In particular, applicants must satisfy the Board that significant facilities within the premises will be dedicated to the provision of the entertainment. Examples would include provision of a significant dance floor area and/or a dedicated stage or performance area. Applicants should also provide evidence that forthcoming entertainment will be pre-advertised.

Where these tests are met, the Board considers that entertainment such as live music, ceilidhs, dances, discos, dinner dances and parties where a disco or band is provided may amount to significant entertainment. Activities such as pool or darts competitions, karaoke evenings, quiz nights or televised sporting events will not be accepted as significant entertainment.

Where significant entertainment is to be provided on only part of the premises, this must be clearly identified in the operating plan submitted with the application. Late

opening (i.e. for a continuous period beginning on one day and ending after 0100 hours the following day) will be permitted only for the part of the premises in which the significant entertainment is to be provided.

- Distilleries and alcohol producers

Where the Board is satisfied that a distillery, or other premises where alcohol is produced, is a visitor attraction, the Board may permit on-sales at the premises **from 0900 hours** on any day, provided that such a sale is made only during a formal or tutored tasting session and only to customers taking part in such a tasting session. A condition to this effect may be imposed.

- Specialist off-sales providers

The Board recognises that retail premises which are exclusively or mainly stocked with specialist alcoholic products for sale for consumption off the premises may wish to offer tutored tasting and sampling of products on the premises for an appropriate charge.

Where the Board is satisfied that such premises offer off-sales of specialist alcoholic products, the Board may permit on-sales **from 1000 hours** on any day provided that such a sale is made only during a formal or tutored tasting session and only to customers taking part in such a tasting session. A condition to this effect may be imposed.

Licence holders are, however, encouraged not to offer free samples of alcoholic products prior to 1000 hours, whether or not as part of a formal tasting or sampling session.

Licence holders should also note that weights and measures regulations relating to the sale of certain spirits and other alcoholic products may apply. Guidance on this should be sought from The Highland Council Trading Standards service.