

The Highland Licensing Committee

Meeting – 6 August 2013

Agenda Item	7
Report No	HLC/052/13

Late Hours Catering Licensing Policy

Report by the Legal Manager

Summary

This Report invites the Committee to agree an additional condition relating to the provision of stewarding for late hours catering premises which open after 1.00am in settlements which have late opening liquor licences (i.e. after 1.00 am).

1.0 Background

1.1 At the meeting held on 5 February 2013 the Licensing Committee agreed revised policy hours for late hours catering premises in relation to all settlements which have late opening liquor licences i.e. after 1.00am.

1.2 The Committee also agreed a number of additional conditions which would apply to any such licences granted. A note of these conditions are detailed below.

- The trader shall make arrangements to the satisfaction of the licensing authority for the disposal of litter or other refuse arising from his undertaking and will, during operating hours, at the close of business each day and at any other times designated by officers authorised by the Licensing Authority (hereinafter referred to as "Authorised Officers"), collect and remove all litter within a 50m radius of the premise, and sweep the area or pavement outside his/her premises, that is to say sweep and thereafter remove and dispose of all waste and detritus from the area bounded by premises frontage to the kerb or similar structure.
- The trader will regularly wash (and at least once weekly) or otherwise cleanse, the area or pavement outside his/her premises, to remove stains, grease, chewing gum etc. or to a frequency agreed with Authorised Officers.
- Additional Condition for Inverness Premises Only: The trader shall hold membership of the Radio Link scheme throughout the term of the licence.

2.0 Additional Condition

2.1 Members are invited to agree that the following condition also be attached to any licence which is granted for late hours catering premises which open after 1.00am in settlements which have late opening liquor licences (i.e. after 1.00 am).

- 2.2**
- Steward(s) to be provided at the premises from 11.00pm until the premises close.

3.0 **Recommendation**

- 3.1** The Committee is invited to agree the additional condition detailed in Paragraph 2.2 above and approve the revised conditions as detailed in Appendix 1 of the report.

Designation: Legal Manager

Officer Reference: Michael Elsey

Date: 11 July 2013

Background Papers: Civic Government (Scotland) Act 1982

Appendix: LHC conditions

THE HIGHLAND COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

LATE HOURS CATERING LICENCE: SCHEDULE OF CONDITIONS

1. The trader shall not trade in the Highland Council Area as a late hours caterer other than in or from the premises specified in the licence.
2. The trader shall be permitted to trade - [as per current licence conditions]
 - (a) during the hours of to on for the sale of meals or refreshments for consumption on the premises, and /or
 - (b) during the hours of to on for the sale of meals or refreshments for consumption off the premises, from to inclusive.
3. The trader shall comply with any order or instruction given by a constable or an authorised officer of the licensing authority for the prevention of annoyance to the public or to the occupiers of any premises or in connection with any emergency or disturbance or on any occasion when such constable or officer in his direction may consider it necessary in the public interest to give such order or instruction.
4. The trader shall display the licence on the premises to which it relates and shall not in any way alter, erase or deface his licence.
5. The trader shall make arrangements to the satisfaction of the licensing authority for the disposal of litter or other refuse arising from his undertaking.
6. Any trader who holds a licence as a street trader shall also comply with all conditions of such licence, not inconsistent with this licence, as if such conditions were conditions of his late hours catering licence.

Additional Conditions for premises open after 1.00am in settlements which have late opening liquor licences (i.e. after 1.00 am)

7. The trader shall make arrangements to the satisfaction of the licensing authority for the disposal of litter or other refuse arising from his undertaking and will, during operating hours, at the close of business each day and at any other times designated by officers authorised by the Licensing Authority (hereinafter referred to as "Authorised Officers"), collect and remove all litter within a 50m radius of the premise, and sweep the area or pavement outside

his/her premises, that is to say sweep and thereafter remove and dispose of all waste and detritus from the area bounded by premises frontage to the kerb or similar structure.

8. The trader will regularly wash (and at least once weekly) or otherwise cleanse, the area or pavement outside his/her premises, to remove stains, grease, chewing gum etc or to a frequency agreed with Authorised Officers.
9. Steward(s) to be provided at the premises from 11.00pm until the premises close.

Additional Condition for Inverness Premises Only

10. The trader shall hold membership of the Radio Link scheme throughout the term of the licence.