

To: General Purposes Committee		Subject: RATIONALISATION OF FORMER LICENSING SYSTEMS - LATE HOURS CATERING LICENCES
From: Head of Legal Services		
Date: 12 JULY 1996	Ref: WBK/MRP	

### 1. Introduction

Reference is made to the Minute of the General Purposes Meeting of 6 March 1996 when members were advised that further reports would be submitted for the purpose of rationalising the licensing systems of the four merged authorities. The purpose of this report is to outline the major areas of divergence in respect of Late Hours Catering Licences and to suggest possible areas of rationalisation.

### 2. Policy Hours

- 2.1 Each of the merged authorities resolved that a Late Hours Catering Licence would be required for the use of premises between the hours of 11pm and 5am for the sale to, or consumption by the public of meals or refreshments. Each authority after consultation with relevant parties such as the police and Environmental Services adopted policies effectively limiting the hours (except in exceptional cases) granted in terms of a Late Hours Catering Licence. The closing hours for the former authorities were as follows: -

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Motherwell	12.30am	12.30am	12.30am	12.30am	1.30am	12.30am	12.00am
Monklands	12.30am	12.30am	12.30am	12.30am	1.00am	1.00am	12.30am
Cumbernauld & Kilsyth	12.00am	12.00am	12.00am	12.30am	12.30am	12.30am	12.00am
Strathkelvin	1.00am	1.00am	1.00am	1.00am	2.00am	1.00am	1.00am

- 2.2 Members will note that the above hours all fall after the closing hours for Liquor Licensed Public Houses and Restaurants but before entertainment premises (discos etc) which hold a liquor licence. The Committee is asked to address the principle of whether catering outlets should close earlier, at the same time or later than the terminal Liquor Licensing hours and if so by how much. The Licensing Board will be fixing new policy hours for Liquor Licences but for discussion purposes it is suggested that it be assumed that for public houses closing hours will be 12.00 midnight and for discos 2.00am.

### 3. Licence Fees and Durations

The Licensing Authority is obliged to charge such fees for a licence as it considers necessary to recover the costs of discharging the licensing function. Also the Licensing Authority can grant a licence for any period up to a maximum of 3 years and generally licences are granted for either 1, 2, or 3 years. The following table indicates the actual licence fee charged by the former authorities, the licence duration and also what the fee would be in each area based on a 3 year licence.

	Actual Fee	Duration	Fee Based on 3 year licence.
Motherwell	£130.00	2 years	£195.00
Monklands	£300.00	3 years	£300.00
Cumbernauld & Kilsyth	£132.00	3 years	£132.00
Strathkelvin	£100.00	3 years	£100.00

3.2 It is desirable that future applications and renewals for Late Hours Catering Licences should be subject to only one fee throughout the North Lanarkshire Area and any future grants and renewals should also be of the same duration. Members are therefore asked to decide upon a fee and duration for future grants and renewals. The fee based on a 3 year licence which would maintain the existing level of income is £225.

### 3.3 Application Advertisements

In terms of the legislation the Licensing Authority is not obliged to advertise applications in a local newspaper. It is recommended that in all future applications for new grants, a notice be placed in a local newspaper inviting the general public to make objections or representations.

## 4. Recommendations

- 4.1 To reach a decision on hours for late hours catering Licences. It is suggested that as a general policy a terminal hour of 12.30am, 7 days a week would be appropriate. This would be the policy presumption against which applications would be considered on their merits.
- 4.2 To fix a fee for future grants and renewals of Late Hours Catering Licences. It is recommended that the fee of £225 which would maintain present income be adopted.
- 4.3 To fix a duration of either 2 or 3 years for future grants. It is recommended that 3 years be adopted.
- 4.4 That all future applications for new grants be advertised in a local newspaper.

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