
ARGYLL AND BUTE LICENSING BOARD

REPORT BY DEPUTE CLERK

27TH FEBRUARY 2024

OBAN MOD 2024

1.0 EXECUTIVE SUMMARY

The purpose of this report is to advise members of the results of a consultation exercise that has been undertaken in relation to licensing hours for Oban Mod 2024 and for members thereafter to determine the extent of later hours to be granted.

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2.0 BACKGROUND

- 2.1 Oban are hosting the Royal National MOD in October, 2024. At their meeting on 7th September, 2023 members were advised of a request that had been received from Andrew Spence, Chief Executive of BID4Oban Ltd seeking some guidance on what extended licensing hours the Licensing Board might consider granting during the period of the MOD.
- 2.2 Members agreed that a consultation exercise be undertaken with a range of interested parties/ agencies to seek their views on later opening hours for licensed premises during the MOD and the outcome of that consultation exercise to be reported back to the Board.
- 2.3 The following interested parties were consulted:-
- BID4Oban Ltd
 - NHS Highland
 - Secretary of Oban Licensed Trade Association
 - Environmental Health
 - Oban Community Council
 - Licensing Standards Officers
 - Police Scotland
- 2.4 The consultees were advised that the MOD was last held in Oban in 2015 at which time the Board agreed to granting extended hours to generally no later than 3a.m. with 4a.m. on the final evening for licensed premises provided they were holding an event/ entertainment in connection with the MOD. In 2018, when the MOD was held in Dunoon, the terminal hour was generally no later than 4a.m. The period over which the later hours applied was generally 9 days. Any premises granted extended hours would also have to comply with the late opening conditions which includes the provision of stewarding.
- 2.5 The responses from the various consultees are set out in the Appendix to this report.
- 2.6 As can be seen from the responses, the consensus was that there was no objection to later hours being granted during the period of the MOD.
- 2.7 If members are minded to agree to later licensing hours during the MOD then it should be noted that there would not be a blanket application of later hours

across licensed premises and each individual licensed premises would have to submit the necessary application which would then be considered on its merits and subject to the usual consultation with the Police and LSO.

3.0 RECOMMENDATIONS

The Board are asked to-

- 3.1 Note the terms of the consultation exercise, and
- 3.2 Agree on the extent of later licensing hours to be granted during the period of the Oban MOD.

Susan Mair
Depute Clerk
Argyll and Bute Licensing Board

26th February 2024

APPENDIX

The following are the responses received from the consultees:-

BID4Oban Ltd

I have spoken with various licensees across town and they are all in favour of extended licences for the duration of both these events. The general consensus is until 3am however there may be a couple of hotels that want longer and that will be up to them to apply. As per usual, it will be up to the licencing board to decide. As I asked previously, is there anything that can be done to make this a simpler process for both the council and licensees?

NHS HIGHLAND

From a health perspective as this is a one off we would have no objections to this going ahead. It is good the community and I don't see this causing any issues.

SECRETARY OF OBAN LICENSED TRADE ASSOCIATION

I have not had a great deal of response to my e-mail to members, but the consensus from those that did respond is that we should go for the same as last time. ie 3am for normal nights and 4 am on the final Friday.

ENVIRONMENTAL HEALTH

"EH would be also happy to support this, given no significant issues were noted as occurring at the previous MOD event when it is understood similar additional hours applications were permitted and approved."

OBAN COMMUNITY COUNCIL

In anticipation of this possibility, OCC discussed this at its recent meeting, and it was unanimously agreed that it would support any application for extension of licensing hours at the Mod. Further, I have circulated your email among the members asking if there might just possibly be any dissenting voices. There were none. Therefore, I can happily confirm that the proposal that you have outlined will be both supported and encouraged by OCC.

LICENSING STANDARDS OFFICERS

Hi Susan all agreed, this all worked without incident during Dunoon Mod 2015 and Oban Mod 2018.

I have attached an information sheet that Eric developed on your behalf and which I have updated to suit the forthcoming event. Perhaps you could utilise this to seek the Board's permission as an addendum to their policy for this special event. The information sheet outlines national and local conditions which can be amended to suit.

Ready for you and the Board's approval, and upload to the web and our newsletter if agreed.

POLICE SCOTLAND

I had liaised with the Local Area Commander and had reviewed the previous one held within our area – Dunoon 2018.

No foreseen concerns from ourselves in respect of the extended hours policy, also taking account of the general demographic of attendees and benefits it will bring to the local area.

As you have outlined, any licensed premises applying for same will have to show they can support enhanced control measures to support these hours i.e. stewarding etc., which will further support ourselves Policing the night time economy during this period.



THE NATIONAL MOD THE ARGYLL AND BUTE LICENSING BOARD POLICY ON EXTENDED LICENSED HOURS FOR ON SALES PREMISES

This notification is relevant to on sales licensed premises in the Oban area.

This is the Licensing Board's policy on extended licensing hours for the National Mod 2024 being held in Oban from 11 to 19 October 2024.

Section 68 of the Licensing (Scotland) Act 2005 requires that licensees must apply for an extended hours licence should they wish to remain open out-with their core licensing hours.

Extended Hours for the Mod

The extended hours will be to a maximum of 3:00am for the full period of the Mod, with the exception of the final evening where 4am is possible on application.

Applying for Extended Hours

If you intend providing music, live performance, and/or dance you must ensure that the relevant boxes on the premises licence operating plan are marked YES or Y. If you have NO or N recorded you cannot provide such entertainment.

Full terms and conditions for applying for extended hours are attached. In summary, each application must be made not less than **35 days** prior to the event to be licensed. However the sooner the better. In addition, each application should fully describe the events taking place on the premises during the period of extended hours. Simple statements such as "The Mod" or "Mod Entertainment" are not sufficient and the application may be refused.

Applications for an extended hours licence can be made online by visiting the Council's website at - <http://www.argyll-bute.gov.uk/licences/extended-hours-licence> - or by the paper application attached. The fee for an extended hours licence is £10.00 (ten pounds) and postal applications should be addressed to – The Clerk to the Board, Argyll and Bute Licensing Board, Kilmory, Lochgilphead, PA31 8RT. If paying by cheque make payable to Argyll and Bute Council.

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Patron Curfew

The licensing board has waived the late night patron curfew for the period of the Mod.

Music Curfew

Live and/or recorded music will cease at least one half hour prior to the terminal hour of the extended hours granted.

Late Night Opening Conditions

In addition to the mandatory premises licence conditions the licensing board may impose late night conditions similar to the attached schedule.

Further information on extended licences and the application process can be obtained from the licensing board. Contact:

E-mail: licensing@argyll-bute.gov.uk

EXTENDED HOURS LICENCE APPLICATIONS

The Licensing (Scotland) Act 2005, Section 68 provides for the grant of an extended hours licence to licensed premises to extend the core hours of the premises in connection with –

- 1. a special event or occasion to be catered for on the premises; or**
- 2. a special event of local or nation significance**

An extended hour's licence has effect for such period granted by the licensing board, however, the period of grant can be no more than one month. It is important to note that an extended hours licence will only be granted for a special event or occasion or an event of national significance. Regular events, by definition, cannot be considered special or significant. Each application will be treated on its own merits, but the following events could be considered special or significant:

- ✓ Weddings
- ✓ Birthdays
- ✓ Charity fundraisers
- ✓ Christmas and New Year Celebrations
- ✓ Local and National celebrations
- ✓

The information supplied in support of the application is crucial. In this respect, the Argyll and Bute Licensing Board Policy Statement 2013 – 2016 advises at paragraph 8.9:

“...the applicant will have to demonstrate the hours requested are appropriate in the circumstances. The applicant should provide to the Board sufficient information to enable a decision to be made.

This will include:-

- ❖ *hours sought;*
- ❖ *the description of the special event or occasion;*
- ❖ *what activities are proposed to take place during the hours sought;*
- ❖ *when each activity will take place;*

- ❖ *why the event or occasion is considered to be special; and*
- ❖ *why the event or occasion cannot take place within the on-sales hours...”*

Please note that applications require to be submitted 35 days prior to the event.

LATE HOURS CONDITIONS FOR OBAN NATIONAL MOD 11th TO 19th OCTOBER 2024

The licensing board will impose conditions similar to the following depending on the event venue.

Late Opening Conditions

1. A person trained to the satisfaction of the Licensing Board in administering first aid must be present on the premises from 1.00am (on any day when the premises are open at that time) until whichever is the earlier of:-
 - (a) The time at which the premises next close, and
 - (b) 5.00am
2. A designated person who is the holder of a personal licence must be present on the premises
From 1:00am (on any day when the premises are open at that time) until whichever is the earlier of:-
 - (a) The time at which the premises next close; and
 - (b) 5:00am or such other time as the Licensing Board may specify.

Specific Conditions

1. Live and/or recorded music will cease at least one half hour prior to the terminal hour of the extended hours granted.
2. The licensee shall ensure that adequate stewarding is provided within the premises and on door duty from 11:00pm to the end of the extended hour's period. The number of stewards on duty will be at the discretion of the licensee who will be mindful of the numbers and safety of patrons attending and the wellbeing of the stewards. Stewards will be dressed so that they are easily identifiable to police and patrons.