**FESTIVE EXTENSION FAQ’s**

* **What is the festive extension**

*Moray Licensing Board has granted an extension to trading hours over the festive period under section 67 of the Licensing (Scotland) Act 2005, the festive extension applies to all on sales premises.*

*OFF SALES ARE NOT COVERED AND REMAIN AS PER INDIVDUAL LICENCE.*

* **What are general extensions to licensed hours?**

*Christmas General Extension*

*24 and 25 December – until 1:30am*

*Festive Period General Extension*

*26, 27, 28, 29 and 30 December - until 1.30am*

*New Year General Extension*

*31 December, 1 and 2 January - until 3.00am*

* **Do I need to apply for a festive extension?**

*No, the festive hours above do not require any application, an application would only be required if you wanted to trade later than the festive hours detailed above.*

*Licence holders should note that there is no duty to trade during the extended hours.*

*Licence holders who are in any doubt as to their position should take legal advice before advertising or trading during any additional hours on the above festive dates.*

* **What if I want longer hours than the festive extension?**

*You would need to submit an application for extended hours, this needs to be submitted 28 days before the required dates, applications submitted later may not be processed in time.*

*Please note that when submitting extended hours application or occasional licence application*

*(1) 24 & 25 December – may be submitted on one application form;*

*(2) 26 to 30 December – may be submitted on one application form;*

*(3) 31 December and 1 & 2 January – may be submitted on one application form;*

*ALL applications by licensed premises for extended hours and applications for occasional*

*licences between 24 and 31 December and 1 and 2 January will not require to state a specific*

*event for which the extension is required other than “festive opening”.*

*Application forms can be found:*

[*http://www.moray.gov.uk/moray\_standard/page\_88465.html*](http://www.moray.gov.uk/moray_standard/page_88465.html)

* **Do I need to do anything for the festive extension**

*All premises opening past 1am will need a first aider trained to the satisfaction of the Moray*

*Licensing Board from 1am until closure or 5am, whichever is earlier. Guidance has previously*

*been issued to all licence holders on what is an acceptable level of first aid training.*

*Additional conditions will apply to certain premises (unless exempt) where the capacity is at least 250 people and which–*

*(a) will regularly provide at any time in the period between 1:00 am and 5:00 am–*

*(i) live or recorded music with a decibel level exceeding 85dB;*

*(ii) facilities for dancing; or*

*(iii) adult entertainment; or*

*(b) when fully occupied, are likely to have more customers standing than seated.*

*Where the above criteria are met then those premises will also be subject to the following*

*conditions past 1.00am :*

*A personal licence holder must be present on the premises from 1:00 am until closure or 5am, whichever is earlier.*

*There must be written policies in place concerning the evacuation of the premises and the prevention of the misuse of drugs on the premises.*

*A CCTV system must be installed on the premises to the satisfaction of the appropriate chief*

*constable and must be kept in good working order.*

*There must be persons responsible for checking on the safety and wellbeing of persons using*

*any toilet facilities on the premises.*

*A person who holds a licence granted under section 8 of the Private Security Industry Act 2001 must be positioned at every entrance to the premises from 1:00 am until closure or 5am, whichever is earlier.*

* **Where can I read the whole festive extension policy**

<http://www.moray.gov.uk/downloads/file101296.pdf>