

(d) LATE HOURS CATERING POLICY NOTE (AN29-2016)

Reference is made to Item IV (b) (1) of the Minute of Meeting of this Committee on 4th February, 2016, wherein the Committee instructed the Head of Democratic and Legal Services to prepare a note on the operation of the Late Hours Catering Policy insofar as affecting premises in Broughty Ferry and to outline possible options for the Committee to consider regarding the policy's future application in that area.

The Committee adopted the current policy at its meeting on 5th September, 2013. The policy is divided into two geographical areas, namely, the City Centre and outwith the City Centre. A note of the policy is attached at (**Appendix 1**).

The general aim of the policy is to reduce noise, antisocial behaviour and other issues associated with late opening premises and, in particular, to reduce the instances in the Council's area where late hours caterers are open beyond the closing time of nearby liquor licensed premises in order that there is less incentive for patrons of the latter type of premises to linger in the vicinity once these premises close for the night. To this end, the Committee decided to operate a policy for non-City Centre premises of a latest terminal hour of midnight during weekdays and 0100 at weekends (with the exceptions as set out in the attached note of the policy). This fits in with the situation whereby the majority of liquor licensed premises outwith the City Centre are not open after midnight weekdays and 1.00 am weekends.

In the context of Broughty Ferry, however, the Committee identified a potential anomaly in this approach since there are some premises with licences to sell alcohol up to 1.00 am during the week and 2.00 am at weekends and, indeed, a search of the Licensing Department records has revealed one late hours caterer in Broughty Ferry who was granted an exception to the policy for that very reason and also having given the Committee certain assurances regarding the operation of the premises in question such that the aims of the policy would not be compromised. That premises has opening hours until 1.00 am on weekdays and 2.30 am weekends. In that respect, the Committee may consider amending its policy for Broughty Ferry to bring it more into alignment with the liquor licence opening hours. Alternatively, the Committee may simply wish to retain the existing policy and deal with applications for hours outwith that policy on a case-by-case basis (as was done in the example cited above), granting exceptions where appropriate.

The Committee's instructions are requested.