



Item: 7

Orkney Islands Area Licensing Board: 5 March 2026.

Licensing (Scotland) Act 2005.

General Extension – On-sale Licensed Premises – World Cup 2026.

Report by Clerk to the Licensing Board.

1. Overview

- 1.1. The Licensing (Scotland) Act 2005 (the Act) allows a Licensing Board, if the Board considers it appropriate to do so in connection with a special event of local or national significance, to make a determination extending licensed hours by such period as the Board may specify in the determination, without any requirement for an application to be presented by the relevant licence holder.
- 1.2. The Act, alternatively, allows a Licensing Board, on application by the premises licence holder of specific licensed premises, and if the Board considers it appropriate in connection with a special event or occasion to be catered for on the premises, or a special event of local or national significance, to extend the licensed hours of those premises by such period as is specified in the application or such other period as the Board considers appropriate.

2. Recommendations

- 2.1. It is recommended that Members of the Board:
 - i. Determine whether to grant a general extension of licensed hours for on-sale premises under section 67 of the Act to facilitate the 2026 World Cup.
 - ii. Determine whether the general extension of licensed hours should apply only to matches which involve Scotland; matches which include all Home Nations; or to all matches, for the duration of the 2026 World Cup between 11 June 2026 and 19 July 2026 inclusive.
 - iii. Determine the duration of the extended on-sale hours for which any general extension be granted.
 - iv. Determine whether the general extension of licensed hours for on-sale premises should apply to all on-sale premises or only to those on-sale premises which provide the activity of televised sport within their operating plans.

- 2.2. Should the Board resolve not to grant a general extension of licensed hours, it is recommended that Members of the Board:
- i. Note that, in accordance with the Board's Scheme of Delegation, the Clerk to the Board, subject to the exception set out in paragraph (ii) below, may, after consulting with at least five Members of the Board, determine any application for extended hours on specific premises for the 2026 World Cup competition, including where the proposed hours are outwith the normal licensing hours as set out in the Board's Statement of Alcohol Licensing Policy.
 - ii. Note that the exception referred to above is in respect of any application for extended hours where objections have been received, or recommendations for refusal have been received, from the Police or the Licensing Standards Officer, in which case, the application shall be remitted to the Board for determination.
- 2.3. It is recommended that Members of the Board:
- i. Delegate powers to the Clerk to the Board to grant applications for on-sale occasional licences under Part 4 of the Act for terminal hours in line with those granted by any general extension of licensed hours and in respect of which no objections have been received.
 - ii. Note that, in the event that the Board does not grant a general extension of licensed hours, the Clerk may, in accordance with the Board's Scheme of Delegation, subject to the exception set out in paragraph (iii) below, determine any application for an occasional licence for the purpose of the 2026 World Cup competition, providing always that, where the requested licensed hours are outwith the normal licensing hours as set out in the Board's Statement of Alcohol Licensing Policy, the Clerk shall consult with at least five Members of the Board before determining the application.
 - iii. Note that the exception referred to above is in respect of any application for an occasional licence where objections have been received, or recommendations for refusal have been received, from the Police or the Licensing Standards Officer, in which case, the application shall be remitted to the Board for determination.

3. Premises Licence Operating Plans

- 3.1. Mandatory operating plans associated with premises licences require licensees to provide specific information regarding the activities permitted on the premises. One of the activities provided for in mandatory operating plans is televised sport.

- 3.2. Within the Orkney Islands area there are 37 premises licensed for on-sales which have televised sport included in their operating plans and 34 on-sale premises which do not include televised sport.

4. General Extensions of Hours

- 4.1. The Board has previously granted general extensions of hours under section 67 of the Act for national events in connection with HM The Queen's Diamond and Platinum Jubilee Celebration weekends and for HM The King's Coronation weekend, during June 2012, June 2022 and May 2023 respectively.
- 4.2. The general extensions of hours granted for the national events referred to in section 4.1 above were modest extensions of one hour or one half hour, for example from 24:00 to 00:30 or 01:00 and from 01:00 to 01:30 over weekends or extended weekends with additional Bank Holidays.
- 4.3. The Scotland Team's participation in the World Cup 2026 competition has instilled heightened interest across the country.
- 4.4. The First Minister has proposed that Monday, 15 June 2026 be designated a national bank holiday to celebrate Scotland's participation in the World Cup finals for the first time since 1998. The bank holiday has since been formally approved by HM The King.
- 4.5. The 2026 World Cup matches are due to be played across three countries, being Mexico, Canada and USA. Due to the differing time zones across the three countries, some of the matches will begin in the early hours of the morning, for example the match to be played between Scotland and Haiti on Sunday, 14 June 2026 is due to kick off at 02:00 UK time. Scotland's remaining group games are against Morocco (Friday, 19 June 2026, kick off at 23:00 UK time) and Brazil (Wednesday, 24 June 2026, kick off at 23:00 UK time).
- 4.6. Both the City of Glasgow Licensing Board and the City of Edinburgh Licensing Board have granted a general extension of licensed hours until 30 minutes after the final whistle/end of play of any live World Cup 2026 football match where it is being shown within the licensed premises. The general extensions apply only to premises that show televised sport.
- 4.7. Aberdeen City Licensing Board has granted a general extension of licensed hours until 03:00 for all matches scheduled to be played, with extra time for Scotland games that go beyond that, and in those cases, the general extension of hours will endure for 30 minutes after the final whistle.

- 4.8. At a recent meeting of the Local Licensing Forum, the Convener referred to the decision of Aberdeen City Licensing Board and expressed a desire that Orkney Islands Area Licensing Board should do similar. Decisions of other Scottish Licensing Boards were not known at that time.
- 4.9. Currently, only one premises licence holder has enquired whether Orkney Islands Area Licensing Board will grant a “blanket extension for the duration of the World Cup”.

5. Options

- 5.1. There are three options to be taken into account when considering what action to take with regard to a general extension of licensed hours for on-sale premises under section 67 of the Act or applications for extended hours on specific on-sale premises under section 68 of the Act and on-sale occasional licences under Part 4 of the Act in respect of the 2026 World Cup during the period from 11 June 2026 to 19 July 2026 inclusive.
- 5.2. **Option 1:** Do not grant a general extension of licensed hours for on-sale premises under section 67 of the Act or applications for extended hours on specific on-sale premises under section 68 of the Act or on-sale occasional licences under Part 4 of the Act in respect of the 2026 World Cup to be held from 11 June 2026 to 19 July 2026 inclusive.
- 5.3. **Option 2:** Do not grant a general extension of licensed hours for on-sale premises under section 67 of the Act, but note the existing delegation of powers to the Clerk which would enable the Clerk to grant applications for extended hours on specific on-sale premises under section 68 of the Act and on-sale occasional licences under Part 4 of the Act in respect of the 2026 World Cup to be held from 11 June 2026 to 19 July 2026, in consultation with at least five Members of the Board where the hours applied for are outwith Board Policy, but in respect of which no objections have been received.
- 5.4. Option 2 would increase workload for applicants as well as for the Licensing Service and would incur a statutory application fee of £10 per application. In addition, as matches beyond the Group Stages are unknown, there could be no guarantee that applications for extended hours or occasional licences for specific matches could be processed because applicants would be unable to submit their applications in time to comply with statutory processing requirements.

5.5. **Option 3:** In respect of the 2026 World Cup to be held from 11 June to 19 July 2026:

- Grant a general extension of licensed hours for all on-sale premises under section 67 of the Act for all World Cup matches or a selection of World Cup matches, for example, the Scotland games only or Home Nations matches and determine the terminal hour to be applied to the extended hours.
- Grant a general extension of licensed hours for on-sale premises, which have televised sport included within their operating plans, under section 67 of the Act for all World Cup matches or a selection of World Cup matches, for example, the Scotland games only or Home Nations matches and determine the terminal hour to be applied to the extended hours.
- Note the existing delegation of powers to the Clerk to grant applications for on-sale occasional licences under Part 4 of the Act, where the hours applied for are outwith Board Policy, but in respect of which no objections have been received.

5.6. Option 3 would minimise workload for licence holders as well as for the Licensing Service and would not incur any application fees for licence holders. Applicants for on-sale occasional licences would still require to submit applications in accordance with the Act and would incur a statutory application fee of £10 per application. It should, however, be noted that as matches beyond the Group Stages are unknown, there could be no guarantee that applications for occasional licences for specific matches could be processed because applicants would be unable to submit their applications in time to comply with statutory processing requirements.

5.7. The preferred option is Option 3.

6. Legislative Position

6.1. Section 67 of the Act permits Licensing Boards to grant general extensions of licensed hours. It is for individual Licensing Boards to determine whether they wish to grant general extensions.

6.2. The Act provides that a Licensing Board may, if they consider it appropriate to do so in connection with a special event of local or national significance, make a determination extending licensed hours by such period as the Board may specify in the determination.

- 6.3. Such a determination may apply to:
- The whole of the Licensing Board’s area or only to specified parts of the area.
 - Licensed hours generally or only to specified descriptions of licensed hours.
 - All licensed premises in the Board’s area or only to specified descriptions of such premises.
- 6.4. Where a Licensing Board makes such a determination, the Board must give notice of it to the chief constable and the holders of premises licences and occasional licences in respect of premises to which the determination applies and publicise it in such manner as the Board sees fit.
- 6.5. Should the Board make a determination, there is no requirement on any licensed premises to be open for the sale of alcohol during the period of the extension of licensed hours.
- 6.6. Occasional licences can be issued under Part 4 of the Act to authorise the temporary sale of alcohol on premises other than licensed premises.
- 6.7. Section 68 of the Act provides that the Board may, on application by the holder of the premises licence for any licensed premises, and if the Board considers it appropriate to do so in connection with a special event or occasion to be catered for on the premises, or a special event of local or national significance, extend the licensed hours of those premises by such period as is specified in the application or such other period as the Board considers appropriate, but, in either case, the period must not exceed one month. Accordingly, it is open to individual licence holders to apply for extended hours for the 2026 World Cup matches.

For Further Information please contact:

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Implications of Report

- 1. Financial:** None.
- 2. Legal:** As above.
- 3. Corporate Governance:** In terms of Section 67 of the Licensing (Scotland) Act 2005, a Licensing Board is permitted to grant a general extension of hours in connection with a special event of local or national significance.
- 4. Human Resources:** None.
- 5. Equalities:** None.
- 6. Island Communities Impact:** None.
- 7. Environmental and Climate Risk:** None.

8. **Risk:** None.
9. **Procurement:** None.
10. **Health and Safety:** None.

List of Background Papers

None.