

THE CITY OF GLASGOW LICENSING BOARD

AMENDED

POLICY RELATIVE TO THE USE OF TOUGHENED GLASS AND / OR PLASTIC IN PUBLIC HOUSE AND ENTERTAINMENT LICENSED PREMISES

Background and Purpose of Policy

It is widely acknowledged that violent crime, particularly that involving glasses and bottles in licensed premises, tends to be spontaneous and invariably involves a link with the consumption of alcohol. Similarly, it is generally accepted that individuals using glasses and bottles as weapons have caused a significant number of serious injuries sustained in or around licensed premises over the past few years.

In view of this the Licensing Board has, since the quarterly meeting held in January 2005, been actively encouraging the voluntary use of toughened glass and / or plastic receptacles by the holders of entertainment licences within the city centre area.

The Board has been greatly encouraged and impressed by the number of entertainment licensed premises that have voluntarily embraced this initiative and changed over to the use of toughened glass and / or plastic receptacles. However the Board is concerned that the initiative stalled some way short of a 100% uptake. In addition the Board is concerned over the continued use of glass ready-to drink bottles (RTDs), even in those premises that have otherwise voluntarily changed over to toughened glassware / plastic.

In light of the current trend followed by patrons in many licensed premises of drinking directly from RTDs together with the failure of *all* entertainment licensed premises in the city centre area to 'sign up' to the voluntary approach already taken by a number of responsible licensees, the Licensing Board considers that a formal policy to discourage the use of conventional glassware is now required.

From statistical information made available to the Board, it is clear that the incidence of 'glassing attacks' is considerably greater in 'late opening premises', such as nightclubs which attract an almost exclusively younger clientele, as opposed to other licensed premises which do not operate into the early hours of the morning. Indeed, from the statistical information available, the likelihood of a glassing attack in late opening premises is twice that of other licensed premises.

In adopting a policy in this regard it is the Board's view that the use of toughened glass or plastic products can play a vital part in reducing, significantly, the number of glass inflicted injuries, whether such injuries are inflicted accidentally or as a result of violence.

Whilst/...

Whilst the exclusive use of plastic receptacles in late opening premises would be the preferred option in the interests of public safety, it has been recognised that some such premises will wish to continue to serve beverages in a glassware product. In such circumstances the use of toughened glass would be acceptable. Due to the methods employed during the manufacture of toughened glass, the possibility of it being used as a weapon is significantly reduced. By contrast, conventional glass when it breaks can leave large, very sharp, pieces, which can easily be used as weapons in order to inflict horrific and lasting injuries. Although it is recognised that toughened glass can be more expensive than conventional glassware products, toughened glass by its very nature is more durable and should last considerably longer and therefore any initial increase in outlays is likely to be recouped in the longer term.

The Board considers that in terms of public safety the benefits of using non-conventional glass products in late opening premises far outweighs any cosmetic or cost considerations.

Effect of Policy

Against this background, the Board considers it desirable to have in place a policy in order to reduce, as far as possible, bottles and other receptacles being used as weapons during any incidents of disorder.

The Board would therefore wish that, as from the implementation dates noted below and in the interests of public safety, the policy should be adhered to in all late opening premises in Glasgow.

“Late opening premises”, for the purposes of this policy, shall be defined as premises operated in terms of public house licences or entertainment licences beyond midnight in terms of a regular extension of permitted hours. For the avoidance of doubt the requirements of this policy only apply to late opening premises during the hours of operation after midnight. It is for licensees to determine what practices should be put in place with regard to the safe operation of their licensed premises during the permitted hours prior to midnight. Also for the avoidance of doubt ‘toughened glass’ shall include ‘tempered glass’.

The Policy will operate as follows: -

- (a) In late opening premises all drinks should be served in toughened glass or plastic receptacles.**
- (b) In late opening premises no conventional glass bottles, whether open or sealed, should be given to patrons, whether at the bar or by staff service to any area away from the bar.**

Where/...

Where the licensees of late opening premises are unable to source and use non-conventional glass bottles, such as plastic RTDs, any drinks sold in bottles should be decanted into toughened glass or plastic receptacles before being served to the patron. For the avoidance of doubt, this policy only applies to the sale of alcoholic liquor or other drinks for consumption on the premises. Sales of alcoholic liquor in sealed bottles for off-consumption are not affected.

Also for the avoidance of doubt, existing conditions attached to entertainment licences in terms of section 18A of the Licensing (Scotland) Act 1976 and which relate to: -

- The regular clearance of empty glasses and bottles from areas to which the public have access;
- The requirement to have in place receptacles of a solid construction for the collection, or disposal by patrons, of empty bottles; and
- the provision of sufficient shelves, ledges, tables and counters to accommodate glasses and bottles before collection

shall continue to operate notwithstanding the application of the policy requirements.

Exemptions

In appropriate circumstances, an exemption from the policy requirements may be given in relation to any affected premises or any part thereof. Exemptions may also be given with regard to the use of certain types of receptacle or bottle. Each request for exemption from the policy requirements will be considered by the Board on its own merits.

The Board has agreed that a specific exemption be given in the following terms:-

'The terms of this policy shall not apply to late opening premises operated exclusively as a restaurant, or any part of such premises which is set aside permanently and exclusively for use as a restaurant, in which the sale or supply of alcoholic liquor is solely to persons taking table meals there, or as an ancillary to the table meals. Where this exemption applies to part only of the late opening premises, the licensee shall ensure that no alcoholic liquor or other drink is taken from the restaurant area to any other parts of the premises unless the alcoholic liquor or other drink is contained in toughened glassware or plastic.

Enforcement of Policy

This policy will be taken into account in determining any application for a regular extension of permitted hours from the holder of a public house or entertainment licence for hours beyond midnight. On approval of any such application a condition may be attached to the permit in terms of section 64(6) of the Licensing (Scotland) Act 1976 to require compliance with the policy requirements.

Licensees/...

Licensees of late opening premises will be expected to comply with this amended policy as per any declarations already given or due to be given, with regard to the terms of the original policy document, in accordance with the implementation dates noted hereunder. This is of course subject to the terms of any exemptions granted.

It should be noted that, having regard to the powers presently available to the Board in terms of the Licensing (Scotland) Act 1976, this policy is principally designed to improve public safety in late opening premises. However, it remains the responsibility of all licensees to ensure that a full risk assessment has been carried out with regard to the use of their premises by members of the public. In particular the Board would expect licensees of any premises providing a dance floor for use by members of the public to pay particular regard to the use of glass receptacles and the arrangements in place for glass clearance and stewarding in the premises. The Board will take a serious view of any glassing incidents occurring in any licensed premises at any time and will look to the licensee to explain what steps had been taken in terms of the risk assessment for the premises to address this particular risk.

Implementation Dates

This Policy is applicable to licensed premises as follows:-

- STAGE 1 Late opening premises within the city centre area, operated in terms of an entertainment licence, as from **30 January 2006**.
- STAGE 2 Late opening premises out with the city centre area, operated in terms of an entertainment licence, as from **30 June 2006**.
- STAGE 3 Late opening premises, operated in terms of a public house licence, as from **30 January 2007**.

As from these dates all licensees operating late opening premises should comply with the policy requirements.

The 'city centre area' referred to is that enclosed by the west side of High Street, the west side of Saltmarket, the north side of the River Clyde, the west side of North Street, the north side of Renfrew Street, the west side of Cambridge Street, the south side of Cowcaddens, the west side of North Hanover Street, the north side of Cathedral Street and the west side of Castle Street.

The original version of this policy was adopted by the City of Glasgow Licensing Board on Monday 12 December 2005. This amended version was adopted by the Board on Monday 19 June 2006.

Stewart Ferguson
Clerk to the Board