

# THE CITY OF GLASGOW LICENSING BOARD

## POLICY RELATIVE TO THE USE OF PLASTIC AND / OR TOUGHENED GLASS 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 public places, 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 plastic and / or toughened glass 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 plastic and / or toughened glass receptacles. However the Board is concerned that the initiative seems to have 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 changed over to plastic / toughened glassware.

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 restricting the use of conventional glassware **of any description** is now required.

The Board recognises that in order to effectively reduce the risk of glass inflicted injuries occurring in licensed premises in Glasgow, the restriction on the use of conventional glassware should apply not only to entertainment licensed premises but also to public houses throughout the city. In view of the fact that the voluntary initiative was primarily targeted at entertainment licensed premises within the city centre area, the implementation of this policy shall be staggered in order to allow those premises which were not involved in the voluntary initiative a sufficient period of time to make the transfer away from conventional glassware receptacles.

In adopting a policy in this regard it is the Board's view that the use of plastic or toughened glass products/...

products within public house and entertainment licensed premises will 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 the exclusive use of plastic receptacles would be the preferred option, it is recognised that some public house and entertainment licensed 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 glass, if broken, tends to shatter into many very small pieces, thereby reducing significantly the possibility of it being used as a weapon. 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 far outweigh 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 prevent receptacles and bottles being used as weapons during any incidents of disorder.

**As from the implementation dates noted below, the policy will apply to all premises in Glasgow operating with public house and / or entertainment licences in terms of the Licensing (Scotland) Act 1976.**

The Policy will operate as follows: -

- (a) Licensees shall serve all beverages in plastic or toughened glass receptacles.**
- (b) No conventional glass bottles, whether open or sealed, shall be given to patrons whether at the bar or by staff service to any area away from the bar. Where licensees are unable to source and use non-conventional glass bottles, such as plastic RTDs, any beverages sold in bottles must be decanted into a plastic or toughened glass receptacle before being served to the patron.**

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/...

- 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 (a) and (b) above.

### **Exemptions**

In appropriate circumstances, an exemption from the two policy requirements (a) and (b) above may be given in relation to any affected premises or any part thereof. 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 licensed premises operated exclusively as a restaurant, or any part of licensed premises which is set aside permanently and exclusively for use as a restaurant, in which the sale or supply of alcohol 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 licensed premises, the licensee shall ensure that no alcohol is taken from the restaurant area to other parts of the premises unless the alcohol is contained in plastic or toughened glassware.'**

### **Enforcement of Policy**

With regard to possible enforcement action by the Board for breach of the policy requirements:-

1. In the case of any existing public house and/or entertainment licensed premises, if the licensee does not accept and implement the policy requirements, *as from the date the policy takes effect in respect of those premises as noted hereunder*, the Board may consider suspending the licence under Section 31 or Section 32 of the said Act.
2. In the case of any application for renewal of licence or for the regular extension of permitted hours relative to any public house and/or entertainment licensed premises, if the applicant has not accepted and implemented the policy requirements *as from the date the policy takes effect in respect of those premises as noted hereunder*, the Board may refuse the application.

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It should be noted that whilst this policy is designed to improve public safety in licensed premises it remains the responsibility of 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.

### **Implementation Dates**

This Policy shall come into force on the following dates:-

STAGE 1      Entertainment Licensed premises within the city centre area as from 30 January 2006.

STAGE 2      Entertainment Licensed premises out with the city centre area as from 30 June 2006.

STAGE 3      All Public House Licensed premises as from 30 January 2007.

**As from these dates all licensees operating premises under the Licensing (Scotland) Act 1976 which are affected by this Policy will be expected to comply with its requirements, failing which enforcement action as above may be taken.**

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.

**This policy was adopted by the City of Glasgow Licensing Board on Monday 12 December 2005.**

Stewart Ferguson  
Clerk to the Board