

# Public Document Pack



To: Councillor Boulton, Convener; and Councillors Cameron, Donnelly, Lesley Dunbar, Grant, Greig, John, McLellan and Townson.

Town House,  
ABERDEEN 30 August 2019

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 10 SEPTEMBER 2019 at 10.30 am.**

JENNI WILSON  
CLERK TO THE BOARD

### BUSINESS

- 1 Minute of Meeting of 3 July 2019 (Pages 5 - 10)
- 2 List of Applications (Pages 11 - 18)
  - 2.1 Application for Variation of Premises Licence - Balmoral Stadium, Altens, Nigg, Aberdeen (Pages 19 - 36)
  - 2.2 Application for Variation of Premises Licence - Black Dog, 27 North Donside Road, Aberdeen (Pages 37 - 52)
  - 2.3 Application for Variation of Premises Licence - Butchers Arms - 443 George Street, Aberdeen (Pages 53 - 76)
  - 2.4 Application for Variation of Premises Licence - Carlton Bar, 32 Castle Street, Aberdeen (Pages 77 - 78)
  - 2.5 Application for Variation of Premises Licence - Central Bar, 419 Great Northern Road, Aberdeen (Pages 79 - 96)

- 2.6 Application for Variation of Premises Licence - Cinnamon Club, 476 Union Street, Aberdeen (Pages 97 - 114)
- 2.7 Application for Variation of Premises Licence - Jamie's Italian, Ground and First Floor, 38 Union Street, Aberdeen (Pages 115 - 136)
- 2.8 Application for Variation of Premises Licence - Marks & Spencer Simply Food, Unit 2, Bridge of Don Retail Park, Aberdeen (Pages 137 - 138)
- 2.9 Application for Variation of Premises Licence - Melt, 11/13 Belmont Street, Aberdeen (Pages 139 - 158)
- 2.10 Application for Variation of Premises Licence - Noose and Monkey, 31 - 36 Rosemount Viaduct, Aberdeen (Pages 159 - 184)
- 2.11 Application for Variation of Premises Licence - Prohibition, 31 Langstane Place, Aberdeen (Pages 185 - 186)
- 2.12 Application for Variation of Premises Licence - Sainsbury, 54 Guild Street, Aberdeen (Pages 187 - 188)
- 2.13 Application for Variation of Premises Licence - St Machar Bar, 97 High Street, Aberdeen (Pages 189 - 192)
- 2.14 Application for Variation of Premises Licence - The Archibald Simpson, 5 Castle Street, Aberdeen (Pages 193 - 194)
- 2.15 Application for Variation of Premises Licence - The Foundry, 43 Holburn Street, Aberdeen (Pages 195 - 196)
- 2.16 Application for Variation of Premises Licence - The Justice Mill, 425 Union Street, Aberdeen (Pages 197 - 198)
- 2.17 Application for Variation of Premises Licence - Two Ten Bistro, 210 Market Street, Aberdeen (Pages 199 - 220)
- 2.18 Application for Variation of Premises Licence - Victoria Bar, 1 Menzes Road (Pages 221 - 240)
- 3 Application for Personal Licence - Application A (Pages 241 - 244)
- 4 Application for Personal Licence - Application B (Pages 245 - 248)

- 5 Application for Personal Licence - Application C (Pages 249 - 254)
- 6 Application for Personal Licence - Application D (Pages 255 - 258)
- 7 REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES - Personal Licence Holder A (Pages 259 - 262)
- 8 Annual Report - Chief Constable (Pages 263 - 270)
- 9 Licensing Forum
- 10 LSO Update

Should you require any further information about this agenda, please contact Arlene Dunbar [ardunbar@aberdeencity.gov.uk](mailto:ardunbar@aberdeencity.gov.uk) 523411

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## LICENSING BOARD

ABERDEEN, 3 July 2019. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Boulton, Convener; and Councillors Cameron, Donnelly, Greig, John, McLellan and Townson.

### MINUTE OF MEETING OF 14 MAY 2019

1. The Board had before it for its consideration the minutes of meeting of 14 May 2019.

The Board resolved:-

To approve the minute.

### LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the applications as listed in 3-6

### APPLICATION FOR VARIATION OF A PREMISES LICENCE - BREWDOG, 5 UNION STREET, ABERDEEN

3. Councillor McLellan declared an interest, left the meeting and took no part in the determination of the application.

The Board heard from Alexander Munro, Depute Clerk to the Board, that there were no representations or objections received in connection with the application. The applicant however was seeking a variation to a local condition attached to the licence and therefore would require to address the Board.

The Board heard from Ms Junner, Solicitor in support of the application.

Ms Junner advised that the applicant requested that the Board applied an amended door supervisor condition in the following terms:

‘It is a condition that the licence holder will ensure that where the premises will be open after 01:00 they shall employ or use suitably licensed door supervisors from 23:00 onwards’

**The Board resolved: -**

to grant the application subject to the Door steward condition as amended.

**LICENSING BOARD**

3 July 2019

**APPLICATION FOR VARIATION OF PREMISES LICENCE - COGNITO, 1 MIDSTOCKET ROAD, ABERDEEN**

4. The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - MECCA BINGO CUB, BERRYDEN ROAD**

5. The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that he understood that the applicant had agreed to a recommendation from Police Scotland that Televised sports would not be permitted beyond the terminal hour. Mr McDougall, Solicitor, confirmed that this had been accepted.

Thereafter the Board heard from Mr McDougall in support of the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - VICTORIA BAR - 1 MENZIES ROAD, ABERDEEN**

6. The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that there a letter of objection had been received from a member of the public, that the letter had been received within the statutory timescales for objections but there was insufficient time to invite the objector to the meeting. In the circumstances the application required to be deferred to the next meeting of the Board.

**The Board Resolved:**

To defer the application to its next meeting in September 2019.

**LICENSING BOARD**  
3 July 2019

**APPLICATION FOR PERSONAL LICENCE - APPLICATION A**

7. The Board had before them a letters dated 11 March and 16 May 2019, in the absence of the applicant;

**The Board resolved: -**

To refuse the application.

**APPLICATION FOR PERSONAL LICENCE - APPLICATION B**

8. The Board had before them a letter dated 2 April 2019 from Police Scotland.

The applicant was not present at the meeting.

Councillor Cameron moved to hear the application in the absence of the applicant.

Councillor Donnelly moved as an amendment to defer consideration of the application to a further meeting so that the applicant could make a personal appearance.

On a division there voted: - for the motion (5) The Convener and Councillors; Cameron, Greig, McLellan and Townson; and for the amendment (2) Councillors Donnelly and John.

The Board adopted the motion.

Thereafter the Board heard from Sgt Flett, Police Scotland who spoke in support of the Police letter.

**The Board resolved: -**

To refuse the application.

**ANNUAL ACCOUNTS 2019**

9. The Board had before them their Annual Financial Report.

The Report recommended that the Board: -

(1) approve the annual financial report set out in Appendix One of the report and;

(2) authorise the Clerk to the Board to proceed with the publication of the annual

## LICENSING BOARD

3 July 2019

financial report.

### **The Board resolved: -**

to approve the recommendations.

### **ANNUAL FUNCTIONS REPORT**

10. The Board had before them their Annual Function report.

The report recommended that the Board:

(2) approve the Annual Functions Report and;

(2) authorise the Clerk to the Board to proceed with the publication of this Annual Functions Report.

### **The Board resolved: -**

1 .to approve the recommendations and

2 .to thank the licensing team for the work in the last year.

### **LICENSING FORUM**

11. The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that the Board may wish to consider tasking the Licensing Forum with carrying out a review of the effectiveness of their Licensing Policy Statement.

### **LSO UPDATE**

12. Tara Gilchrist invite the Board to consider if they wish to join the LSO's on any night time visits of licensed premises.

### **To Board resolved: -**

to note the offer and to make any arrangements through the licensing team



**LICENSING BOARD**

3 July 2019

**PREMISES LICENCE REVIEW IN TERMS OF SECTION 37 OF LICENSING SCOTLAND ACT 2005**

13. The Board heard from Alexander Munro, Depute Clerk to the Board, that the

Board had considered an application for a closure order in March 2019 which was in place for 4 months until 4 July 2019. The Board during consideration of the closure order agreed it was appropriate to initiate a review of the premises licence on the grounds of the licensing objectives of preventing crime and disorder and securing public safety. Therefore a Licensing Board Review Hearing has been convened. Mr Munro advised that the hearing was deferred from the last Board meeting on the request of the licence holder due to him undergoing medical procedures.

The Board had before them a copy of the closure order and the LSO's report.

The Board heard from Sgt Flett, Police Scotland and Tara Gilchrist, LSO.

Thereafter the Board heard from Mr Scott, Solicitor on behalf of the premises licence holder.

Councillor Boulton being satisfied that the grounds of review were established moved to revoke the premises licence, relevant to the licensing objectives of preventing crime and disorder and securing public safety.

Councillor Donnelly moved as an amendment being satisfied that the grounds of review were established to suspend the premises licence,

**The Board resolved:**

The Licensing Board, being satisfied that the grounds of review were established, resolved to revoke the licence. The grounds for review which the Board found to be established were; grounds relevant to the licensing objectives of preventing crime and disorder and securing public safety.

**Marie Boulton**  
**Convener**

**LICENSING BOARD**  
3 July 2019

## ABERDEEN CITY LICENSING BOARD

Meeting 10 September 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
1	BALMORAL STADIUM ALTENS NIGG ABERDEEN AB12 3JG	COVE RANGERS FOOTBALL CLUB LIMITED C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	26 July 2019	Variation to incorporate the outside areas into licensed area. Increase fanzone capacity from 275 to 345.
	BLACK DOG 27 NORTH DONSDIE ROAD ABERDEEN AB23 8PA	STONEGATE PUB COMPANY LIMITED C/O MILLER SAMUEL HILL BROWN LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	12 June 2019	Variation to on consumption terminal hour on Friday and Saturday to 01:00 Extension of the outside licensed area.
3	BUTCHERS ARMS 443 GEORGE STREET ABERDEEN AB25 3YB	ANGUS INNS LTD C/O STRONACHS SOLICITORS 28 ALBYN PLACE ABERDEEN AB10 1YL	7 June 2019	Variation to on consumption terminal hour on Friday and Saturday to 01:00. Incorporate the external areas into licenced area. Amendment to the times in which children and young persons are permitted access. Include Bar meals during core licensed hours. Include outdoor drinking facilities.

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## ABERDEEN CITY LICENSING BOARD

Meeting 10 September 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
4	CARLTON BAR 32 CASTLE STREET ABERDEEN AB11 5BB	GLORIA MCHATTIE	5 August 2019	Variation to include on consumption on Sunday from 10:00 to 00:00 Off consumption on Sunday from 10:00 to 22:00
5	CENTRAL BAR 415 GREAT NORTHERN ROAD ABERDEEN AB24 2EU	SPIRIT PUB COMPANY (LEASED) LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	25 July 2019	Variation to allow access of children and young persons when accompanied by adult for the purpose of consuming a meal or attending a function. Amendment to include the provision of restaurant facilities during and outwith core licensed hours.
6	CINNAMON CLUB 476 UNION STREET ABERDEEN AB10 1TS	TMT NEPAL PVT LIMITED	5 June 2019	Variation to on consumption opening hour to 11:00 and terminal hour to 01:00 on Sunday. To allow off consumption on Monday to Sunday from 11:00 to 23:00. Include club or other group meetings during and outwith core licensed hours. Include alcohol delivery with takeaway food between 11:00 - 22:00.

## ABERDEEN CITY LICENSING BOARD

Meeting 10 September 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

Premises	Applicant	Date Received	Comments
7 JAMIE'S ITALIAN GROUND AND FIRST FLOOR 38 UNION STREET ABERDEEN	GRANITE CITY HOSPITALITY LIMITED C/O BURNES PAULL LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	30 May 2019	Variation to on consumption terminal hour from Sunday to Thursday to 02:00. On and Off consumption opening hour to 12:00 on Friday and Saturday. On consumption terminal hour on Friday and Saturday to 03:00. Inclusion of live performances and televised sport under 5(c).
8 MARKS & SPENCER SIMPLY FOOD UNIT 2 BRIDGE OF DON RETAIL PARK DENMORE ROAD BRIDGE OF DON ABERDEEN	MARKS & SPENCER SIMPLY FOOD LIMITED C/O JOHN GAUNT & PARTNERS UNITS 39-41 HASLAR MARINE TECHNOLOGY PARK HASLAR ROAD GOSPORT HAMPSHIRE	31 May 2019	Variation to allow off sales capacity of 62.202m2 all year.

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## ABERDEEN CITY LICENSING BOARD

Meeting 10 September 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

#### Premises

#### Applicant

#### Date Received

#### Comments

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9	MELT 11/13 BELMONT STREET ABERDEEN AB10 1JR	MELT GRILLED CHEESE COMPANY LIMITED C/O JANET HOOD TRAINING & CONSULTING LTD KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS	29 July 2019	Variation to on consumption opening time from 11:00 to 12:00 and terminal hour from 22:00 to 01:00 on Monday to Sunday. Add off consumption from 12:00 to 22:00 on Monday to Sunday. Allow seasonal variations. Variation to the terms under which children and young persons are allowed entry into the premises. Proposed amendment to on sales capacity. Include the provision of live performances, dance facilities and theatre during core licensed hours. Include Bar meals, restaurant facilities and social functions during and outwith core licensed hours. Include delivery and takeaway facilities for food during 07:00 to 02:00. Delivery of food with alcohol during 10:00 to 22:00.
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## ABERDEEN CITY LICENSING BOARD

Meeting 10 September 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

Premises	Applicant	Date Received	Comments
10 NOOSE AND MONKEY 31-36 ROSEMOUNT VIADUCT ABERDEEN AB25 1NQ	MONKEY LIFE C/O SHEPHERD & WEDDERBURN LLP SOLICITORS COMMERCIAL HOUSE 2 RUBISLAW TERRACE ABERDEEN AB10 1XE	3 June 2019	Variation to increase the permitted access of children to 21:00 and young persons to 01:00. Incorporate the external areas into licensed areas for on consumption terminal hour daily between 11:00 to 22:00. Include restaurant facilities and films during core licensed hours.
PROHIBITION 31 LANGSTANE PLACE ABERDEEN AB11 6DX	THE EPIC GROUP (SCOTLAND) LTD C/O INN BUSINESS SCOTLAND SPRINGFIELD HOUSE LAUREHILL BUSINESS PARK STIRLING FK7 9JQ	17 July 2019	Variation to on consumption opening time from 17:00 to 12:00 on Monday to Sunday.
12 SAINSBURY 54 GUILD STREET ABERDEEN AB11 6NB	SAINSBURY'S SUPERMARKETS LTD C/O SHEPHERD & WEDDERBURN LLP 1 EXCHANGE CRESCENT CONFERENCE SQUARE EDINBURGH EH3 8UL	2 July 2019	Variation to increase off sales capacity from 14.47sqm to 21.22sqm.

## ABERDEEN CITY LICENSING BOARD

Meeting 10 September 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

Premises	Applicant	Date Received	Comments
13 ST MACHAR BAR 97 HIGH STREET OLD ABERDEEN ABERDEEN AB24 3EN	ST MACHAR BAR LIMITED C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	13 June 2019	Variation to on consumption opening hour on Sunday to 11:00. Incorporate beer garden into red lined licensed area. Proposed increase in on sales capacity.
14 THE ARCHIBALD SIMPSON 5 CASTLE STREET ABERDEEN AB11 5BQ	J D WETHERSPOON (SCOT) LIMITED C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW G20 6NB	8 July 2019	Variation to on consumption terminal hour on Sunday to Thursday to 01:00.
15 THE FOUNDRY 43 HOLBURN STREET ABERDEEN AB10 6BR	STONEGATE PUB COMPANY LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	25 July 2019	Variation to increase on sales capacity from 278 to 330.
16 THE JUSTICE MILL 425 UNION STREET ABERDEEN AB11 6DA	J D WETHERSPOON (SCOT) LIMITED C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW G20 6NB	8 July 2019	Variation to on consumption opening hour to 10:00 and terminal hour to 01:00 Monday to Sunday. Off consumption opening hour to 10:00 Monday to Sunday.



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## ABERDEEN CITY LICENSING BOARD

Meeting 10 September 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
17	TWO TEN BISTRO 210 MARKET STREET ABERDEEN AB11 5PQ	TWO TEN BISTRO (ABERDEEN) LIMITED	21 May 2019	Variation to allow off sales consumption. Allow access for children and young persons. To permit live music and televised sport.
18	VICTORIA BAR 1 MENZIES ROAD ABERDEEN AB11 9AY	IP PARTNERSHIP LTD C/O IONA PUB PARTNERSHIP 70 HAMILTON DRIVE GLASGOW G12 8DR	20 May 2019	Amendment to the terminal hour for on consumption on Friday and Saturdays from 00:00 to 01:00 , Addition of dance facilities within and outwith core hours , Amendment to Children's and Young Persons access.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** BALMORAL STADIUM, ALTENS, NIGG, ABERDEEN

### DESCRIPTION

- Variation to incorporate the outside areas into licensed area.
- Increase fanzone capacity from 275 to 345.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Preventing Crime & Disorder**

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

#### **What the Board Will Do:**

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all policies are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

### What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

## **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.

- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.



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19 August 2019

Your Ref:

Our Ref: 443468

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
BALMORAL STADIUM (COVE RANGERS), ABERDEEN, AB12 3BD**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of amending the operating plan and layout of the premises to include an outdoor drinking area that will be utilised during core hours only and delineated by means of a high timber fence. .

In terms of Section 29(5) of the Act this request can be considered a variation.

In support of the Preventing Crime and Disorder and Preventing Public Nuisance licensing objectives, in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I recommend that this external area be subject to a terminal hour of 2200 hours.

This representation is submitted for your attention when considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** BLACK DOG, 27 NORTH DONSDIE ROAD, ABERDEEN

### DESCRIPTION

- Variation to on consumption terminal hour on Friday and Saturday to 01:00
- Extension of the outside licensed area.

### OBJECTIONS/REPRESENTATIONS

- Police
- Member of the Public

### POLICY

#### **Preventing Crime & Disorder**

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

#### **What the Board Will Do:**

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all licences are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.

- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

#### What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

#### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

### **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.

- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

#### What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

#### What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.





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12 August 2019

Your Ref:

Our Ref: 440773

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
BLACK DOG, 27 NORTH DONSID ROAD, BRIDGE OF DON, ABERDEEN,  
AB23 8PA  
THE CHAPTERHOUSE PARTNERSHIP LIMITED, 1A CLUNY SQUARE,  
BUCKIE, AB56 1AH**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation consists of the following requests, namely:

1. Amend the core 'on' sales hours on trading days of Friday and Saturday from 1000 – 0000 hours to 1000 – 0100 hours;
2. Amend the layout plan to extend the outside drinking area to include the area outside the lounge door entrance and to the east side of the building.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of point 1, I have no adverse comment to make.

In respect of point 2 and in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

The premises currently provide an outside drinking area with seven tables, allowing capacity for approximately 42 patrons. As it stands there is no restriction to the terminal hour for this outside area, which at present operates as per the premises core 'on' sales hours. The applicant seeks to extend the outside drinking area to provide an additional 10 tables, allowing capacity for approximately 60 more patrons. Given the increase in capacity and the close

proximity to residential properties, in respect of this additional area I recommend that should the Board be minded to grant this element of the variation, then the area be reduced in size to only include the area to the front of the premise and not the area to the east side of the building as indicated in the layout plan. I further recommend that conditions are attached providing a terminal hour of 2200 for both the existing and additional outside areas; that some form of physical barrier is used as a demarcation for the new area, similar to that already in existence; that no amplified music is played and that appropriate signage is displayed advising patrons that no alcohol is to be taken beyond the licensed area.

The above points were discussed with a representative of the applicant company, David McNair, who advised he would be agreeable to these recommendations.

This representation is submitted for your attention in considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department 01224 306468

## **Benedict Kpohraror**

---

**From:** r.  
**Sent:** 02 August 2019 14:23  
**To:** Licensing  
**Subject:** Application for Variation Black Dog 27 North Donside Road

Dear Fraser Bell,

I would like to object to the proposal for extending outside use of the premises on Friday and Saturday.

I believe this would cause unwanted noise and disturbance to families in the area.

I have spoken with neighbours on North Donside road and they have not been informed about the changes.

Best regards,

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** BUTCHERS ARMS, 443 GEORGE STREET, ABERDEEN

### DESCRIPTION

- Variation to on consumption terminal hour on Friday and Saturday to 01:00.
- Incorporate the external areas into licenced area.
- Amendment to the times in which children and young persons are permitted access
- Include Bar meals during core licensed hours
- Include outdoor drinking facilities.

### OBJECTIONS/REPRESENTATIONS

- Police
- Member of the Public

### POLICY

#### Protecting Children and Young Persons from Harm

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

## **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

### What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.

- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

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12 August 2019

Your Ref:

Our Ref: 440787

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE BUTCHERS ARMS, 443 GEORGE STREET, ABERDEEN, AB25 3YB**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely:

1. Amend the core on-sales hours on Friday and Saturday from 1000-0000 hours to 1000-0100 hours;
2. Amend Q5 to include the provision of Bar meals during core hours;
3. Amend Q5 to include the provision of Outdoor drinking during and outwith core hours;
4. Amend the wording within Q5 to include showing Rugby as a named televised sport outwith core hours, include Outdoor drinking as a descriptive and Bar Meals;
5. Amend the times in which Children and Young Persons are permitted access;
6. Amend the layout plan of the premises to extend the outdoor drinking area.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of points 1 and 2, I have no adverse comment to make.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In respect of points 3, 4 and 6 relating to outdoor drinking, I make recommendation that the operating plan in its current form is amended at Q5 to state that the area will be permitted to be used prior to core hours for the purposes

of serving breakfasts and other non-alcoholic beverages and subject to a terminal hour of 2200 hours.

In respect of point 5, relating to the times in which Children and Young Persons are permitted access to the premises, the current wording contained within the premises licence states 'Children will be admitted up to 2000 hours and until 2200 hours as part of a sports team'.

Having spoken to the applicant regarding the proposed variation, which includes being permitted to remain on the premises until the termination of a performance, it was established this would not in fact represent how the premises are seeking to operate. Following a visit to the premises by a member of the Licensing Team from Police Scotland, it was established that the lounge area specifically is to be food led and family orientated environment.

It is my recommendation that the wording contained within the current operating plan is amended to state 'Children and Young Persons are permitted whilst accompanied by a responsible adult aged 18 years or older for the purposes of consuming food, attending an age appropriate, family friendly event until 2200 hours or until the terminal hour when attending a private, pre-booked function', or similar.

This representation is submitted for your attention when considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468

**Benedict Kpohraror**

---

**From:**  
**Sent:** 12 August 2019 10:31  
**To:** Licensing  
**Subject:** Objection to requested extended hours

UPRN:	009051071691
Full Address:	Butchers Arms 443 George Street Aberdeen AB25 3YB
Property Description:	Butchers Arms
Property Number:	443
Street:	George Street
Town:	Aberdeen
Postcode:	AB25 3YB
Ward:	George Street/Harbour
Community Council:	George Street

Dear Sir/Madam

Following numerous attempts in calling this morning to request support in objecting to the requested extended drinking hours for the above dwelling.

Having called and spoke to the new owner about the noise generated within the beer garden to the rear of the property and now they have added additional seating for their patrons to use, the noise in the evening has increased to a an anti social level of shouting, swearing, screaming and cackling.

As this has and still has been going on for sometime and I know from other tenants in the area where they have shouted out their windows for the patrons to shut up, it would appear there is little if any inspection from staff of this inconvenience being made.

As a business in this climate we can appreciate the need for extended hours, but if the noise can not be managed then this would generate more noise and when the bar closes even later than currently the surrounding tenants would/could be awoken from their sleep.

Kind Regards

Aberdeen

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** CARLTON BAR, 32 CASTLE STREET

### DESCRIPTION

- Variation to include on consumption on Sunday from 10:00 to 00:00.
- Variation to include off consumption on Sunday from 10:00 to 22:00.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** CENTRAL BAR, 415 GREAT NORTHERN ROAD, ABERDEEN

### DESCRIPTION

- Variation to allow access of children and young persons when accompanied by adult for the purpose of consuming a meal or attending a function.
- Amendment to include the provision of restaurant facilities during and outwith core licensed hours.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.

- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.



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19 August 2019

Your Ref:

Our Ref: 443203

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
CENTRAL BAR, 415 GREAT NORTHERN ROAD, ABERDEEN, AB24 2EU**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following request, namely:

1. Amending Q5 to include the provision of restaurant facilities during and outwith core hours;
2. Amend Q6 to permit Children and Young Persons access.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of point 1, I have no adverse comment to make.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In respect of point 2, the application seeks to permit Children and Young Persons access to the lounge area whilst accompanied by an adult for the purposes of consuming a meal until 2000 hours or until 2230 hours when attending a function.

I recommend the term 'adult' is amended to 'responsible adult aged 18 years or age or over' and the term 'function' is to refer to a private, pre-booked function.

This representation is submitted for your attention when considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** CINNANMON CLUB, 476 UNION STREET

### DESCRIPTION

- Variation to on consumption opening hour to 11:00 and terminal hour to 01:00 on Sunday.
- Variation to allow off consumption on Monday to Sunday from 11:00 to 22:00.
- Include club or other group meetings during and outwith core licensed hours.
- Include alcohol delivery with takeaway food between 11:00 – 22:00.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

N/A

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13 August 2019

Your Ref:

Our Ref: 440782

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
CINNAMON CLUB, 476 UNION STREET, ABERDEEN, AB10 1TS**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation consists of the following requests, namely:

1. To amend core 'on sales' hours on Sunday from 1230 -1600 and 1700 – 0100 hours to 1100 – 0100 hours;
2. To include core 'off sales' hours of 1100 - 2200 hours Monday to Sunday inclusive;
3. To include club or other group meetings etc., within activities both within and outwith core hours;
4. To remove the wording at Q5, in respect of food being served between 1600 – 1700 on Sunday afternoons;
5. Amend Q5 (f) to include the wording 'Alcohol delivery with takeaway food between 1100 – 2200 hours'.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of points 1- 4 I have no adverse comment to make.

In respect of point 5 and in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

The operating plan that accompanies the application shows that the applicant seeks to include deliveries as shown within other activities. My understanding is that this may also include the sale of alcohol. I request that should the Board be

minded to grant this element of the variation, consideration be given to attaching a condition that the licence holder will ensure that adequate training, particularly in respect of Challenge 25, is in place for persons delivering alcohol. Should such delivery be contracted to a third party, I recommend that the licence holder is satisfied that the contracted company has such measures in place.

This letter is submitted for your attention in considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department 01224 306468

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** JAMIE'S ITALIAN, GROUND AND FIRST FLOOR, 38 UNION STREET

### DESCRIPTION

- Variation to on consumption terminal hour on Sunday to Thursday to 02:00 and Friday and Saturday to 03:00.
- Variation to on and off consumption opening hour on Friday and Saturday to 12:00.
- Inclusion of live performances and televised sport under 5(c).

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

#### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal

hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants



- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

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13 August 2019

Your Ref:

Our Ref: 440792

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE ESSLEMONT, MAC'S PIZZARIA, 38 UNION STREET, ABERDEEN,  
AB10 1BD**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation consists of the following requests, namely:

1. Amend the terminal hour on trading days of Sunday to Thursday from 0100 to 0200 hours;
2. Amend the core 'on sale' hours on trading days of Friday and Saturday from 1100 – 0100 to 1200 – 0300 hours;
3. Amend the core 'off sale' hours on trading days of Friday and Saturday from 1100 – 2200 to 1200 – 2200;
4. Amend Q5 to include bar meals and live performances within core hours and televised sports within and outwith core hours.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of points 3 and 4, I have no adverse comment to make.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In respect of point 1 and 2, I recommend local conditions associated to premises seeking a terminal hour beyond 0100, as provided within the Board's Statement of Licensing Policy, Supplementary Policy 14, be attached.

Furthermore, examination of the operating plan which accompanies the application indicated the following:

- Restaurant facilities, televised sports and recorded music may be available during 'all opening hours';
- Q 5(g) in respect of premises opening after 0100 hours, has been completed with an N/A response;
- Q 6(d) stated that children and young persons will be permitted entry 'during opening hours'.

Contact was made with the applicant's agent seeking clarification in respect of the above points. Police Scotland was advised that the premises will be serving food from 1200 hours each day, with last orders at 2145 hours within both the restaurant and the bar; that the response to Q5 (g) should be 'No' for both parts and, in respect of children and young persons' access, it was indicated that the times of such access will be until 1900 hours whilst in the bar area and partaking in a meal and until 2300 hours in the restaurant, also whilst partaking in a meal. I recommend that the operating plan that accompanies the application should be amended to reflect this.

This representation is submitted for your attention in considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** MARKS & SPENCER, UNIT 2, BRIDGE OF DON RETAIL PARK

### DESCRIPTION

- Proposed increase in capacity.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** MELT, 11 – 13 BELMONT STREET, ABERDEEN

### DESCRIPTION

- Variation to on consumption opening time from 11:00 to 12:00 and terminal hour from 22:00 to 01:00 on Monday to Sunday.
- Add off consumption from 12:00 to 22:00 on Monday to Sunday.
- Allow seasonal variations.
- Variation to the terms under which children and young persons are allowed entry into the premises.
- Proposed amendment to on sales capacity.
- Include the provision of live performances, dance facilities and theatre during core licensed hours.
- Include Bar meals, restaurant facilities and social functions during and outwith core licensed hours.
- Include delivery and takeaway facilities for food during 07:00 to 02:00. Delivery of food with alcohol during 10:00 to 22:00.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

## **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100
<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

## **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.

- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

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23 August 2019

Your Ref:

Our Ref: 443242

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
MELT, 11-13 BELMONT STREET, ABERDEEN, AB10 1JR**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely:

1. Amend Q1 to include the provision of off-sales, in addition to on-sales;
2. Amend the core on-sales hours from 1100-2200 hours Monday to Sunday to 1200-0100 hours Monday to Sunday;
3. Amend the core off-sales hours to operate 1200-2200 hours Monday to Sunday;
4. Amend Q4 relating to seasonal variations to include the ability to take advantage of any general extensions permitted;
5. Amend Q5 to include the provision of restaurant facilities, bar meals, receptions, club meetings, recorded music outwith core hours in addition to during core hours;
6. Amend Q5 to include the provision of live performances, dance facilities and theatre during core hours
7. Amend the wording with Q5 to include the provision of a takeaway service and deliveries of food and alcohol;
8. Amend the terms, times and parts in which Children and Young Persons are permitted;
9. Amend the layout and capacity of the premises.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of points 1-6 and 9, I have no adverse comment to make.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In respect of point 7, the variation in its current form seeks to offer the provision of takeaway and delivery services for both food and alcohol until 0200 hours.

A member of the Licensing Team contacted the Designated Premises Manager regarding the application and it was established that it would not be their intention to trade beyond 0100 hours. I am of the view that sale and delivery of food after that time would require to be licensed under a different provision.

In addition, the application seeks to offer the provision of the delivery of alcohol. I request that should the Board be minded to grant this element of the variation, consideration be given to attaching a condition that the licence holder will ensure that adequate training, particularly in respect of Challenge 25, is in place for persons delivering alcohol. Should such delivery be contracted to a third party, I recommend that the licence holder is satisfied that the contracted party has such measures in place.

In respect of point 8, the variation seeks to amend the terms, times and parts in which children and young persons are permitted access.

In relation to children's access, I recommend that after the Operating Plan be amended to indicate the terms of access after 2200 hours, i.e. the party (with the exception of infants) are partaking of a meal, or attending a private, pre-booked or for an age-appropriate activity included at Q5 of said Plan.

This representation is submitted for your attention when considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** NOOSE & MONKEY, 31 – 36 ROSEMOUNT VIADUCT

### DESCRIPTION

- Variation to increase the permitted access of children to 21:00 and young persons to 01:00.
- Incorporate the external areas into licensed areas for on consumption terminal hour daily between 11:00 to 22:00.
- Include restaurant facilities and films during core licensed hours.

### OBJECTIONS/REPRESENTATIONS

- Police
- Member of the Public

### POLICY

#### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.

- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

## **Preventing Crime & Disorder**

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

### **What the Board Will Do:**

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all policies are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

#### What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

#### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

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13 August 2019

Your Ref:

Our Ref: 440840

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
NOOSE & MONKEY, 31-36 ROSEMOUNT VIADUCT, ROSEMOUNT,  
ABERDEEN, AB25 1NQ**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely:

1. Amending Q5 to include the provision of restaurant facilities, films and outdoor drinking during core hours but no later than 2200;
2. Amend the terms within Q6 to indicate that Children and Young Persons are permitted access for the purposes of a reception or show, in addition to consuming a meal;
3. Amend the times within Q6 to state Young Persons are permitted until 2100 hours, thereafter until 0100 hours for the purposes of having a meal or attending a show.
4. Amend the layout plan and capacity of the premises.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In relation to the outdoor drinking aspect of the application and in support of the Preventing Crime and Disorder licensing objective, it is my recommendation that the outdoor area is subject to delineation by way of a physical barrier.

In addition, the wording within the operating plan at Q5 be amended to take into account the intended use of the area prior to core hours.

In relation to Q6 on the operating plan, the premises currently allows access to Children and Young Persons until 2100 hours, for the purposes of consuming a meal and children must be accompanied by an adult.

The application in its current form seeks to amend this to allow Children and Young Persons on the premises for the purposes of 'attending a show or reception' in addition to consuming a meal. Young Persons would also have accompanied access from 2100-0100 hours under the same terms.

A member of North East Division Licensing Team spoke with the Designated Premises Manager regarding the requested changes and it was established that what is meant by 'a show or reception' would include a show or reception held elsewhere, i.e. the theatre. This element should be clarified as I am of the view a show taking place elsewhere would not justify such terms of access.

The premises currently comprises two areas under the same licence. It is our understanding that the upper floor area of the premises will be a food led area until 2100 hours, thereafter this would become a bar type environment, which, if the variation in its current form is granted, would allow access by young persons until 0100 hours.

It is also our understanding that the lower ground floor area is to be used for private functions, meals and other performance-related activities.

Having regard for the Protecting Children and Young Persons from Harm licensing objective and how the premises intends to operate, I recommend that the wording within the existing operating plan remains, however additional wording is added to reflect that young persons will be permitted unaccompanied access within the lower ground floor until 2300 hours, for the purpose of attending or participating in an age appropriate performance or show. If the lower ground floor is being used for a private, pre-booked function, children are permitted access until the terminal hour, when accompanied by a responsible adult aged 18 years or over.

This representation is submitted for your attention in considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468

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**ABERDEEN CITY LICENSING BOARD**  
**Licensing (Scotland) Act 2005, section 22**  
**Notice of Objection or Representation**

Please provide your name and postal address

Name	
Address	
Tel. No	
E-mail	

Name and address of premises to which the objection or representation refers

The Noose and Monkey 31-35 Rosemount Viaduct Aberdeen AB25 1NG
---

Please give details of the objection or representation below (please continue on a separate sheet if necessary)

<p>While we understand the importance of the night-time economy to Aberdeen, we object to the application to increase the permitted access of children and young persons to 01.00 (although this is what is stated in the notice, we are advised that the proposal is, in fact, to increase the permitted access of children to 22.00 and young persons to 01.00), even though they will not be in close proximity to the bar and will be accompanied by an adult, on the basis that it is inconsistent with the licensing objective of protecting children from harm.</p> <p>We feel that it is not appropriate for children and young people to be present on licensed premises after 21.00 because there is an increased risk of them being exposed to inappropriate language and behaviour when the inhibitions of adults are lowered as a result of increased amounts of alcohol being consumed.</p> <p>We are also concerned that there is an increased risk of the adult who is responsible for the wellbeing of the child or young person being unable to supervise the child or young person as a result of being under the influence of alcohol.</p> <p>We consider that the existing condition, which allows children and young persons access to the public area to 21.00 for the purpose of consuming a meal, provided that they are accompanied by an adult and are not permitted to be in close proximity to the bar, is appropriate and should, therefore, remain unchanged.</p>
--

Signature \_\_\_\_\_

Date \_\_\_\_\_

RETURN TO:

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College  
Broad Street  
Aberdeen AB10 1AB  
DATA PROTECTION ACT 1988

or e-mail to [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk)

Any person who submits an objection should be aware that it will be disclosed to the applicant and to any other relevant parties. It will be available to members of the Licensing Board, and will form part of the agenda pack which is available on the Council's website. To that extent, however, they are redacted, with e-mail addresses, telephone numbers and signatures removed from this correspondence.

**GUIDANCE NOTE ON MAKING AN OBJECTION OR REPRESENTATION TO A PREMISES LICENCE APPLICATION OR AN APPLICATION TO VARY AN EXISTING PREMISES LICENCE**

In terms of the Licensing (Scotland) Act 2005 any person may object or make representation to an application for a premises licence or a variation of an existing premises licence.

Objections must be in writing and must be received by the date specified in the licence advert and on the notice which the applicant is required to display.

If you make an objection or representation you will be invited to attend the meeting of the Licensing Board where the application will be determined and will be given an opportunity to speak to the terms of your objection or representation should you so wish.

**Objecting to an application**

Where objecting to an application, the objection must be on any grounds relevant to the grounds for refusal.

The grounds for refusal are –

- that the subject premises are excluded premises,
- that the application must be refused under section 25(2), [no repeat application within 1 year of refusal], 64(2), [24 hour trading] or 65(3) [outwith off-sale statutory hours 10.00-22.00]
- that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives, which are
  - (a) preventing crime and disorder
  - (b) securing public safety
  - (c) preventing public nuisance
  - (d) protecting and improving public health
  - (e) protecting children from harm
- that, having regard to—
  - (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises,the Board considers that the premises are unsuitable for use for the sale of alcohol,
- that, having regard to the number and capacity of—
  - (i) licensed premises, or
  - (ii) licensed premises of the same or similar description as the subject premises,in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of that description, in the locality.

When objecting to an application please make clear on which ground(s) you are objecting and provide a clear and concise explanation why.

**Making a representation**

you may make representations to the Board concerning the application, including, in particular, representations—

- (i) in support of the application,
- (ii) as to modifications which the person considers should be made to the operating plan accompanying the application, or
- (iii) as to conditions which the person considers should be imposed.

If making a representation you should be clear and concise as to the nature of your representation.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** PROHIBITION, 10 BON ACCORD STREET / 31 LANGSTANE PLACE

### DESCRIPTION

- Variation to on consumption opening hour on Monday to Sunday from 17:00 to 12:00.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** SAINSBURY, 54 GUILD STREET

### DESCRIPTION

- Proposed increase in off sales capacity.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

- N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** ST MACHAR BAR, 97 HIGH STREET, OLD ABERDEEN, ABERDEEN

### DESCRIPTION

- Variation to on consumption opening hour on Sunday to 11:00.
- Incorporate beer garden into red lined licensed area.
- Proposed increase in on sales capacity.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Preventing Crime & Disorder**

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

#### **What the Board Will Do:**

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all polices are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.

- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

#### What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

#### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

### **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.



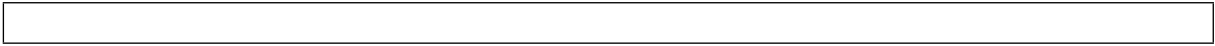
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.



13 August 2019

Your Ref:

Our Ref: 440851

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
ST. MACHAR BAR, 97 HIGH STREET, OLD ABERDEEN, ABERDEEN,  
AB24 3EN**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely:

1. Amend the commencement of core on-sales hours on Sunday from 1230 hours to 1100 hours;
2. Amend Q5 to include the provision of Outdoor Drinking;
3. Amend the Layout and capacity of the premises to include the beer garden at the rear of the premises.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of point 1, I have no adverse comment to make.

In respect of points 2 and 3 and terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

A member of the Licensing Team within Police Scotland attended at the premises to carry out an inspection of the area requested. Following this visit, it was established that there is a pathway named 'Blackburn Lane' that runs along the side of the premises, affording access to the side entrance/exit of the premises and the proposed outdoor drinking area. Within this lane there is a residential property, which is in close proximity to the point at which patrons would exit the premises to access the outdoor area.

It is my recommendation that in support of the Preventing Crime and Disorder and Preventing Public Nuisance licensing objectives that the area is subject to a terminal hour of 2200 hours, as per the Board policy and that the shared lane is delineated (as per the 'red line' on the layout plan) by way of a physical barrier which would deter patrons leaving the licensed area in possession of alcohol and ensures the neighbouring property remains unaffected by the traffic of patrons who are accessing the outdoor area.

This representation is submitted for your attention when considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** THE ARCHIBALD SIMPSON, 5 CASTLE STREET

### DESCRIPTION

- Variation to on consumption terminal hour on Sunday to Thursday to 01:00.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

- N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** THE FOUNDRY, 43 HOLBURN STREET

### DESCRIPTION

- Proposed increase in capacity.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

- N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** THE JUSTICE MILL, 425 UNION STREET

### DESCRIPTION

- Variation to on consumption opening hour to 10:00 and terminal hour to 01:00 Monday to Sunday;
- Variation to off consumption opening hour from 11:00 to 10:00 Monday to Sunday.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

- N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** TWO TEN BISTRO, 210 MARKET STREET, ABERDEEN

### DESCRIPTION

- Variation to allow off sales consumption.
- Allow access for children and young persons.
- To permit live music and televised sport.

### OBJECTIONS/REPRESENTATIONS

- Police
- Member of the Public

### POLICY

#### **Securing Public Safety**

The Board is committed to ensuring the safety of persons within licensed premises as well as those in the surrounding areas.

When considering this licensing objective, a number of factors should be considered including, but not limited to:

- Capacity – this will be assessed by the Council's Building Standards department to establish a maximum safe capacity figure in terms of the regulations. Please note the safe maximum operating figure may be smaller than the technical figure.
- Maintenance of premises.
- Fire safety.
- Suitability of glassware or alternatives to glass including toughened or safety glass.
- Disabled access and facilities.
- Nature of activities to be carried out on the premises.
- Vulnerability of patrons.

Again, the Board will look to operate a partnership approach with all stakeholders in order to ensure that public safety is not compromised by the operation of licensed premises.

Whilst licensing is an important tool in the protection of public health it will not be sufficient in isolation and accordingly the Board will be interested in hearing from and working alongside relevant partners and interested parties where appropriate. Factors to be considered in connection with this particular licensing objective include, but are not limited to:

- Access to alcohol by vulnerable persons
- Excessive consumption
- Irresponsible promotion of alcohol
- Education of unit strength of alcohol

#### What the Board Will Do:

- Utilise local conditions on licences where appropriate.
- Liaise with public health organisation, the local licensing forum and other relevant parties.
- Monitor the number and capacity of premises, public health data and overprovision policies.
- Contribute to raising awareness of the licensing system.

#### What the Board Will Expect of Licence Holders/Applicants

- Proactive layout of off-sales premises to discourage impulse buying.
- Adequate staff training, including refusals policy and incident recording.
- Availability of low/non-alcoholic products and soft drinks.
- Licensed hours reflective of operating hours.
- Awareness of irresponsible promotions.

#### What the Board Will Expect of Partner Agencies:

- Effective communication of relevant trends and information.
- Provision of accurate statistics to assist with Board policy and decision making.
- Participation in efforts to increase public awareness of initiatives to protect and improve public health.

## **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

## **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

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12 August 2019

Your Ref:

Our Ref: 440904

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
TWO TEN BISTRO  
210 MARKET STREET, ABERDEEN, AB11 5PG**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely:

1. Amending Q1 to permit both on and off-sales on the premises;
2. Add core off-sales hours 1100-2200 hours on Monday to Saturday and 1230-2200 hours on Sunday;
3. Amend Q5 to include live performances during core hours,
4. Amend Q5 to include televised sport during and outwith core hours, this will be used to show special sporting events such as The Olympics and World Cup etc;
5. Amend Q5 to include the activity of offering occasional tastings and cocktail making classes;
6. Amend Q6 to permit Children and Young Persons access to the premises.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of points 1-3 and 5, I have no adverse comment to make.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In respect of point 4 and in support of the Preventing Public Nuisance licensing objective, in relation to the inclusion of televised sport during and outwith core hours, I recommend that the wording within the operating plan is amended to state

that 'televised sport is permitted to be shown prior to core hours, but not after the terminal hour'.

In respect of point 6 and in support of the Protecting Children and Young Persons from Harm licensing objective, I recommend that the wording contained within Q6 is amended to reflect that children are permitted access until 2200 hours when accompanied by a responsible adult aged 18 years or over, for the purposes of consuming food or until the terminal hour when attending a private, pre-booked function and young persons are permitted unaccompanied access to the premises for the purposes of consuming food or attending a private, pre-booked function.

This representation is submitted for your attention when considering this application.

Yours faithfully

Campbell Thomson  
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468.

## Benedict Kpohraror

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**From:**  
**Sent:** 15 August 2019 22:03  
**To:** Licensing  
**Subject:**

Dear members of the Licensing Board,

We would hereby like object to the application for variation of a premises license submitted by Two Ten Bistro (Aberdeen) Ltd, as per the reference number above. Specifically, we only object to the last point – to permit live music and televised sport. We believe granting this request would lead to the exacerbation of already existing issues for us as the direct neighbours of the Bistro and residents of the area to an unacceptable level by causing the following:

- Public nuisance – both live music and televised sport would cause intolerable levels of noise at late hours, resulting both from the event itself and from the increased number of inebriated customers, who gather on the pavement directly outside the Bistro and to the side of the building adjacent to the back lane in order to smoke. This would result in increased litter (i.e. cigarette butts) in the area. It would also result in increased amounts of glass waste, which is already causing a problem, as there is often smashed glass on the pavement directly in front of the Bistro's entrance, as well as at the side of the building, where the glass bin is located. Regarding increased levels of noise, the staff already on occasion empty their glass waste into the glass bin late at night (i.e. after 11pm), which causes significant noise. Further noise is caused by the Bistro's freezer fan, which is located on the outside of the building in the back lane (close to our windows). We already cannot open our windows at night due to the amount of noise; we are afraid that permitting live music and televised sport would only increase the noise levels. We have also witnessed that unfortunately sometimes the Bistro's customers use the back lane to urinate.
- Furthermore, there is the matter of public safety. As already mentioned, customers who gather at the Bistro's front door block a narrow pavement, made narrower by the Bistro's advertising boards, and there is a danger of pedestrians being forced into the road.

As someone who has two jobs with irregular hours and working six days a week, it is important to be able to have a good night's sleep and I am concerned that granting the Bistro's live music and televised sport would lead to the exacerbation of all of the issues described above.

Thank you for taking our concerns into consideration.

Sincerely

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** Victoria Bar, 1 Menzies Road, Aberdeen

### DESCRIPTION

- Amendment to the terminal hour for on consumption on Friday and Saturdays from 00:00 to 01:00
- Addition of dance facilities within and outwith core hours
- Amendment to Children's and Young Persons access.

### OBJECTIONS/REPRESENTATIONS

- Member of Public

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

#### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.



What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

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Legal Services  
Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College  
Aberdeen  
AB10 1AB

26 June 2019

**Reference AC0328**

**Application for Variation (Major) Premises – Victoria Bar, 1 Menzies Road, Aberdeen, AB11 9AY**

Dear Fraser Bell,

I would like to express my objection to the above mentioned application for Variation of premises.

As my husband and I regularly work on Saturdays and sometimes Sundays we already have problems getting a decent rest when the bar is open and plays loud music until midnight. Especially since their patrons usually linger in the street after closing hours until much later, engaging in shouting matches. Allowing the bar to leave their door open even longer will mean that we have to listen to their music longer – we can actually hear every song, including karaoke, and feel the bass in our flat, despite there being one floor of flats in between the bar and us during peak hours – which will in the end keep us awake until 2-3am. This would be bad enough if we didn't have to work.

Due to drunken behaviour by the bar's patrons during all hours we already have to keep our doorbell unplugged. Otherwise we do get disturbed a lot by them ringing our bell continuously. Also, they do leave empty bottles and cigarettes in our door way. While the bar was refurbished, this litter had almost stopped completely. Now that it reopened it is back. With longer opening hours and possibly a higher intoxication level of people who frequent the bar, I am afraid this, and the attempts of breaking down the front door, will only increase.

As much as I am all for a lively bar scene in town, I cannot approve of longer opening hours or the addition of dance facilities to Victoria Bar.

Kind regards,

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PERSONAL LICENCE APPLICATION

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### DETERMINATION

- (a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- (b) If not so satisfied, grant the application.

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## LICENSING BOARD INFORMATION SHEET

### NOTICE OF CONVICTION LICENCE HOLDER

#### DESCRIPTION

- Held licence since 23 January 2013

#### OBJECTIONS/REPRESENTATIONS

- Police Scotland

#### DETERMINATION

- After having regard to the conviction and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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**POLICE  
SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE  
ABERDEEN CITY LICENSING BOARD  
FOR THE PERIOD  
1<sup>ST</sup> APRIL 2018 to 31<sup>ST</sup> MARCH 2019

## NOT PROTECTIVELY MARKED

### Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2018/19, in accordance with Section 12(A) Licensing (Scotland) Act 2005. During this year the Minimum Unit Pricing of Alcohol was introduced in Scotland. We will work through the Evaluation Advisory Group to assess the impact of this legislation.

Working in partnership is key to effective regulation in liquor licensing. Police Scotland remains committed to working closely with partners in the 32 Local Authorities across Scotland to ensure a fair and consistent approach. Preventing alcohol fuelled violence, disorder and antisocial behaviour is a priority and I believe that working together to achieve effective early intervention and enforcement is vital to this.

I would like to acknowledge the many active local partnerships that provide continued support, enabling Police Scotland and partners to drive improvement in licensing. I will ensure that all officers and staff continue to recognise the importance of working closely with key partners, including the Licensed Trade, to improve licensing standards nationally utilising the range of options available to them.

I am confident that through strong partnerships and collaborative working, we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Mr Iain Livingstone QPM  
Chief Constable  
Police Service of Scotland

## **Police Scotland Licensing Overview**

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2018/2019, from a licensing perspective, our particular focus will be on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country.
- Working closely with statutory partners within a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management.
- The implementation and ongoing development of the Licensing Admin tool provides divisional licensing officers with a single ICT product negating the need to research police systems independently. Through accurate recording, the licensing admin tool assists Police Scotland in deploying our resources to the right places and the right time to keep people safe.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

## **LICENSING BOARD AREA**

The Aberdeen City Licensing Board area is policed by North East Division.

Chief Superintendent Campbell Thomson is the Local Police Commander who has the responsibility for all day-to-day policing functions.

### **Local Policing Priorities**

Following our public consultation process, the policing priorities for North East Division, as set out in our Local Policing Plans are as follows:

- Anti-social Behaviour, Violence and Disorder;
- Acquisitive Crime;
- Road Safety and Road Crime;
- Protecting People at Risk of Harm;
- Serious Organised Crime;
- Counter Terrorism and Domestic Extremism.

### **OPERATION OF THE LICENSING (SCOTLAND) ACT 2005**

The North East Division Licensing Team is located across the division in Aberdeen, Inverurie, Elgin and Stonehaven. All staff have a division wide remit and a working knowledge of all the areas covered.

The North East Division Licensing Team, supported by Community Policing Officers, has promoted the Police Service of Scotland's force priorities alongside the five licensing objectives, the overarching principles and aims of the Licensing (Scotland) Act 2005.

In the reporting period, as statutory consultees, the team responded to the Board regarding 351 applications for occasional licences or extended hours, 7 premises or provisional premises applications, 391 personal licence applications and 128 premises variations or premises licence transfer applications.

Where any query arises from any such application, a member of the team will seek to discuss the application with the applicant, or the applicant's agent, to ensure that responses to the Board by means of representation or objection are considered, reasonable and proportionate.

The team enjoys a strong working relationship with the Local Authority Licensing Standards Officers. Both teams meet on a regular basis to share information and regularly conduct joint visits to licensed premises, on both a pro-active and reactive basis.

The North East Division Licensing Team is represented on the Local Licensing Forum and Aberdeen Alcohol and Drugs Partnership and works alongside the following groups and organisations to jointly improve local licensing issues:

- Unight;



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- Weekend Partnership;
- Community Safety Partnership;
- Local Pubwatch initiatives;
- Local Security Industry companies;
- Best Bar None;
- Street Pastors;
- Alcohol and Drugs Partnership.

Reviewing incidents on, or connected to, licensed premises is a key part of our day-to-day business.

Community based Police Officers are encouraged and expected to routinely visit licensed premises within their area. Aberdeen city centre benefits from a dedicated Weekend Policing Plan to support the night time economy.

Within the reporting period, there were 3077 inspections (visits) to licensed premises within Aberdeen recorded on the InnKeeper system.

Any Police Officer who attends an incident at a licensed premises is expected to submit a concise report via the InnKeeper system, particularly when the incident involves violence, disorder, anti-social behaviour, drunkenness, drug misuse, underage drinking, breaches of licensing legislation or any other matter that might impact on public safety.

Within the reporting period, there were 775 incidents connected to licensed premises within Aberdeen recorded on the InnKeeper system. This is a significant reduction from 1058 the previous reporting year and we view this positively.

The information obtained may show a causal link between the operation of the premises and the incident. An incremental intervention process allows for issues to be addressed quickly and effectively at an early stage. This includes a low level 'interaction' which may involve a discussion between the Police and the premises management and/or licence holder. The level of engagement from within the Aberdeen licensed trade is very good and in many instances, this approach reduces recurrence or escalation.

Premises may become 'monitored' with closer attention being paid to any incidents occurring there. This is often undertaken in conjunction with tasked, supportive visits to the premises by uniformed Police Officers.

However, where necessary, the staged process allows for more formal intervention to support premises where the need for support has been identified. A premises licence holder and the premises management may be asked to meet with the Police, when concerns will be discussed. This will often involve an agreed action plan being put in place, with a reasonable time scale for completion.

The most common example of an agreed 'action' is refresher training of staff covering their responsibilities including the sale of alcohol to underage or intoxicated persons, 'Challenge 25' and the general terms and conditions of the licence held.

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Should the intervention stage not bring about the necessary changes, or be otherwise unsuccessful, the next stage is the submission of a premises licence review application for the consideration of the Licensing Board.

Over the reporting period there have been three licensed premises in Aberdeen subject to a period of monitoring or intervention, a reduction from eight the previous year. Of these, all were late opening venues. The issues that were addressed related either to significantly high incidences of violence on the premises or perceived management shortcomings following serious incidents.

Partnership working between the Police, the Licensing Standards Officers and the premises licence holders and premises' management teams continues to hopefully fully resolve the issues and prevent bringing the matters to the Licensing Board by premises licence review application.

In the reporting period there were no premises licence review applications submitted to the Board and one Closure Order application was submitted.

The North East Division Licensing Team also has a system in place which monitors certain conduct of Personal Licence holders. Should such a licence holder be charged with any offence, this is brought to the attention of the team. Should the circumstances appear to be inconsistent with any of the five licensing objectives, consideration will be given to bringing this to the attention of the Board by way of a personal licence review. In addition, should an individual be convicted of a relevant offence, this will undergo the same scrutiny.

During the reporting period the North East Division Licensing Team was actively engaged in the consultation process for the Boards' new Statement of Licensing Policy.

We are very pleased to see the inclusion into the new Statement of Licensing Policy of a condition relating to vulnerability through intoxication training and a duty of care policy, following a request for this measure by the North East Division Licensing Team. The team will continue to work alongside the LSOs to assist premises complying with this new condition.

The team will be happy to report back to Board at any stage in the future any impact on policing which may relate to any change in the Board's policy.

### **PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE**

Aberdeen City attracts a relatively low number of reports of underage drinking or youth congregation involving alcohol when considering other towns and cities across Scotland.

Where a person under 18 years of age is found to be either under the influence of alcohol, drinking alcohol in a public place or in possession of alcohol, the Police Officer involved will take all appropriate steps to ascertain the source of the alcohol.

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Where information that cannot be fully evidenced is received regarding the sale of alcohol to children and young persons, in accordance with the national guidance contained within the 'Alcohol Toolkit', letters will be sent to licensed premises in the area reminding them of their responsibilities and requesting extra vigilance.

If such concerns were to continue in respect of specific premises, then other operational strategies would be considered.

One way in which North East Division delivers our commitment to the community is through our School Liaison Officers and School Based Officers. These Officers attend schools and other educational establishments seeking to equip our young people with the appropriate information and understanding that will allow them to make better informed decisions in key areas of their lives, both now and in the future. To this end they deliver lessons, linked to the Curriculum for Excellence, on a range of subjects including alcohol, controlled drugs and anti-social behaviour – particularly alcohol fuelled anti-social behaviour and the potential for related safety issues and consequences.

During the reporting period, the team was actively engaged in promoting the national 'You're Asking for It' campaign aimed at deterring proxy sales of alcohol for supply to children and young persons.

In support to the Protection of Children from Harm licensing objective, applications for premises licences and variations to premises licences come under close scrutiny often resulting in the submission of letters of objection, or more commonly, of representation, in which the imposition of conditions in respect of on sales, with regard to the times and terms in which children can be on such premises, will be recommended by the Chief Constable.

### **TACKLING SERIOUS AND ORGANISED CRIME**

Many of the processes and procedures involved in licensing applications are carried out to guard against Serious Organised Crime Groups (SOCG) infiltrating the licensed trade in any way. This scrutiny is further enhanced with the nation-wide InnKeeper system. This database contains details of all liquor and civic licences for every Division in Scotland, and enhances our information sharing in respect of premises and people in the licensed trade as they move about the country and work in multiple venues.

If such an SOCG were able to gain a foothold in licensed premises this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities such as money laundering, tax evasion, drug and people trafficking and other dishonest activities.

Many of the procedures currently carried out by the North East Divisional Licensing Team, particularly in relation to new premises licences and the transfer of premises

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licences are done to ensure complete financial transparency and to ensure there are no business related irregularities which may be indicative of SOCG involvement.

Frequent and directed Police attendance and contact with licensed premises also increases the opportunity for irregularities to be identified or reported.

As part of this, the North East Division Licensing Team regularly liaise with Police Interventions staff who are aware of SOCG activity within the Division to ensure that applicants are not affiliated in any way to such groups, before responding to the Licensing Board.

The consistent high profile approach and interaction with licensed premises in direct correlation with the aforementioned close scrutiny in the application process should reinforce the work carried out to maintain this position.

### **PROPOSED ACTIVITY FOR THE YEAR AHEAD**

Over the forthcoming year, North East Division Licensing Team, in conjunction with Community Policing Teams, will work alongside licensed premises, to ensure that these premises are adhering to the spirit of the legislation and operate in a manner that supports the five licensing objectives. We aspire to maintain our number of supportive visits to licensed premises and hope to see a continued reduction in the number of incidents taking place on licensed premises.

It is intended that our involvement and participation in public safety campaigns will continue, such as the 'Ask for Angela' personal safety campaign and the 'One Punch' campaign which highlights consequences for both victims and perpetrators of spontaneous acts of violence.

Working with established partnerships but particularly with the licensed trade, we hope to continue to see a reduction in alcohol-related crime, particularly violence, whether perpetrated within licensed premises, public places or private spaces.

To conclude we would like to thank you for your continued support and stress the importance of this collaborative problem solving approach. This ensures that police, licence holders and licensed premises staff have a better understanding of their responsibilities. We look forward to furthering this partnership over the coming year.