

Public Document Pack



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

Town House,
ABERDEEN, 8 May 2019

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Council Chamber - Town House** on **TUESDAY, 14 MAY 2019 at 10.30 am.**

JENNI WILSON
CLERK TO THE BOARD

B U S I N E S S

- 1 Minute of Meeting of 12 March 2019 (Pages 5 - 12)
- 2 List of Applications (Pages 13 - 24)
 - 2.1 Application for Provisional Premises Licence - Hilton, The Event Complex, Aberdeen (Pages 25 - 48)
 - 2.2 Application for Provisional Premises Licence - Shell Propeller, Inverurie Road, Aberdeen (Pages 49 - 88)
 - 2.3 Application for Provisional Premises Licence, Shell Redmoss, Wellington Road, Aberdeen (Pages 89 - 134)
 - 2.4 Application for Provisional Premises Licence - Aloft Hotel, The Event Complex Aberdeen (Pages 135 - 158)
 - 2.5 Application for Premises Licence - 55A Springhill Road, Aberdeen (Pages 159 - 160)

- 2.6 Application for Variation of Premises - Aberdeen Hero/Pumpkin, Aberdeen Railway Station, Guild Street, Aberdeen (Pages 161 - 166)
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- 2.8 Application for Variation of Premises Licence - Brewdog, 17 Gallowgate, Aberdeen (Pages 179 - 190)
- 2.9 Application for Variation of Premises Licence - Revolution, 25 Belmont Street, Aberdeen (Pages 191 - 198)
- 2.10 Application for Variation of a Premises Licence - Buggy Browns, 7 Windmill Brae, Aberdeen (Pages 199 - 202)
- 2.11 Application for Variation of a Premises Licence - Croft Tavern, 5 Stockethill Crescent, Aberdeen (Pages 203 - 206)
- 2.12 Application for Variation of a Premises Licence, Dyce Farm, ABZ Business Park, International Avenue, Dyce. Aberdeen (Pages 207 - 210)
- 2.13 Application for Variation of a Premises Licence - Hush and Hush 2, the Galleria, Bon Accord Street, Aberdeen (Pages 211 - 218)
- 2.14 Application for Variation of a Premises Licence - Unit 1, the Academy, Aberdeen (Pages 219 - 226)
- 2.15 Application for Variation of a Premises Licence - Iceland Foods Ltd, 306 Holburn Street, Aberdeen (Pages 227 - 230)
- 2.16 Application for Variation of a Premises Licence - Iceland Foods Ltd, 461 Great Northern Road, Aberdeen (Pages 231 - 234)
- 2.17 Application for Variation of a Premises Licence - Iceland Foods Ltd - Unit 3, Boulevard Retail Park, Aberdeen (Pages 235 - 238)
- 2.18 Application for Variation of a Premises Licence - Illicit Still, Netherkirkgate, Aberdeen (Pages 239 - 248)
- 2.19 Application for Variation of a Premises Licence - Malone's Irish Sports Bar, 90 Shiprow (Pages 249 - 256)
- 2.20 Application for Variation of a Premises Licence - Malone's Irish Sports Bar, 90 Shiprow

Item will be taken with Agenda Item 2.19

- 2.21 Application for Variation of a Premises Licence - Marquis Dairy, 101 Marquis Road, Aberdeen (Pages 257 - 258)
- 2.22 Application for Variation of a Premises Licence - Murdos, Cairncry Road, Aberdeen (Pages 259 - 260)
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- 2.24 Application for Variation of a Premises Licence - Nirvana, 23 Crown Terrace, Aberdeen (Pages 279 - 286)
- 2.25 Application for Variation of a Premises Licence - Pittodrie Stadium Function Suites, Corporate Hospitality Areas (Pages 287 - 288)
- 2.26 Application for Variation of a Premises Licence - Richmond Arm, 327 North Deeside Road (Pages 289 - 292)
- 2.27 Application for Variation of a Premises Licence - The Ploughman, North Deeside Road, Aberdeen (Pages 293 - 302)
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LICENSING BOARD

ABERDEEN, 12 March 2019. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Donnelly, Greig, McLellan and Townson.

MINUTES OF MEETING OF 15 JANUARY 2019

1. The Board had before it for its consideration the minutes of meeting of 15 January 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 3-14.

APPLICATION FOR PREMISES LICENCE - WOODSIDE POST OFFICE, 429 GREAT NORTHERN ROAD

3. The Board heard from Mr Alexander Munro, Legal advisor, that the letter of representation dated 26 February 2019 from NHS Scotland had been withdrawn.

The Board resolved:

To grant the application subject to the local condition in respect of CCTV

APPLICATION FOR PROVISIONAL PREMISES LICENCE - THE EVENT COMPLEX ABERDEEN (TECA), BUCKSBURN

4. The Board had before them a letter dated 26 February 2019 from NHS Grampian and a memo dated 28 February 2018 from Environmental Health.

The Board heard from Kevin Clancy, Solicitor in support of the application and thereafter from Andrew Gilchrist, Environmental Health in support of their Memo.

There was no representative from NHS Grampian present at the meeting.

The Board resolved:

To grant the application subject to the following local conditions: Drugs policy, duty of care and outdoor drinking facilities.

LICENSING BOARD
12 March 2019

APPLICATION FOR VARIATION OF A PREMISES LICENCE - BALMORAL STADIUM, ALTENS NIGG, ABERDEEN

5. The Board heard from Mr Alexander Munro, Legal advisor, 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 - CASC, 7 STIRLING STREET, ABERDEEN

6. The Board heard from Alexander Munro, Legal advisor that it was his understanding that all representations received in connection with the application had been withdrawn as the applicant had amended the application to removed the variation in term of the local condition in respect of the outdoor area. This left the variation in terms of the hours only.

Andrew Gilchrist, Environmental Health confirmed that he was seeking clarification from the applicant that a Noise Management Plan would be provided to his service.

Mr Tony Dawson, Solicitor, on behalf of the applicant confirmed that such a plan would be provided.

The Board resolved:

To grant the application as amended.

APPLICATION FOR VARIATION OF PREMISES LICENCE - KRAKATOA, 2 TRINITY QUAY, ABERDEEN

7. The Board had before them a letter of representation dated 28 February 2019 from Police Scotland, a memo dated 28 February 2019 from Environmental Health and a memo dated 28 February 2018 from the LSO.

The Board heard from Tony Dawson, Solicitor that the applicant had agreed to the recommendations as contained in the Police and LSO representations and had accepted the amendments to the terms and times during which Children and Young persons are permitted. Mr Dawson further advised that his client had noise management plans in place.

The Board resolved:

LICENSING BOARD
12 March 2019

To grant the application as amended.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - O'NEILLS (GROUND FLOOR), 9 BACK WYND, ABERDEEN

8. The Board had before it a letter for representation dated 28 February 2019 from Police Scotland.

The Board heard from Audrey Junner, Solicitor, in support of the application who advised that the applicant accept the police conditions. Ms Junner suggest that the following door supervisor condition be applied:

'It is a condition that the licence holder will ensure that where the premises will be open after 12 midnight they shall employ or use suitably licensed door supervisors from 11pm onwards'

The Board resolved: -

to grant the application subject to the late the Radio link, CCTV, duty of care and Door steward condition as amended.

APPLICAITON FOR VARIATION OF PREMISES LICENCE - O'NEILLS (UPPER FLOOR), 9 BACK WYND, ABERDEEN

9. The Board heard from Alexander Munro, Legal advisor, that there had been no representations or objections received in connection with the application.

The Board resolved: -

To grant the application subject to the duty of care condition.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - REVOLUTION, 25 BELMONT STREET, ABERDEEN

10. The Board heard from Alexander Munro, Legal advisor that the applicant had requested that the application be continued to the next meeting of the Board.

The Board resolved: -

To defer consideration of the application to its next meeting to be held on 14 May 2019.

LICENSING BOARD
12 March 2019

APPLICATION FOR VARIATION OF PREMISES LICENCE - SANDMAN SIGNATURE HOTEL, ABERDEEN

11. The Board heard from Alexander Munro, Legal advisor that there had been no representations or objections received in connection with the application.

The Board resolved:-

To grant the application subject to the duty of care condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE FOUNDRY, 43 HOLBURN STREET, ABERDEEN

12. The Board heard from Alexander Munro, Legal advisor, that the representation from NHS Grampian had been withdrawn.

The Board had before it a memo from Environmental Health dated 28 February 2019.

The Board heard from Audrey Junner, Solicitor speak in support of the application and from Andrew Gilchrist speak in support of the Environmental Health memo.

Ms Junner advised that the applicant was willing to work with Environmental Health on a noise management plan.

The Board resolved: -

To grant the licence subject to the duty of care condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE HAWTHORN BAR AND ADAM LOUNGE

13. The Board had before a memo from Environmental Health dated 28 February 2019 and a letter of objection from Mr David Lakin.

The Board heard from Tony Dawson, Solicitor in support of the application and from Mr Lakin in support of his objection.

The Convenor moved, seconded by Councillor Greig to refuse the application on the grounds that the application was inconsistent with the licensing objection preventing public nuisance.

LICENSING BOARD

12 March 2019

Councillor McLellan, seconded by Councillor Townson moved as an amendment to grant the application.

On a division there voted for the motion (2) The Convener and Councillor Greig for the amendment (4) Councillors Cameron, Donnelly, McLellan and Townson

The Board resolved:

To adopt the amendment and grant the application subject to the duty of care condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - UNIT 1, THE ACADEMY, ABERDEEN

14. The Board heard from Alexander Munro, Legal advisor that the applicant had requested that the application be continued to the next meeting of the Board.

The Board resolved: -

To defer consideration of the application to its next meeting to be held on 14 May 2019.

APPLICATION FOR RENEWAL OF PERSONAL LICENCE

15. The Board had before it a letter dated 29 November 2018 from Police Scotland.

The Board heard from Alexander Munro, Legal advisor, that the applicant had verbally advised that she wished to withdraw the application but had not followed this up in writing.

In the absence of the applicant;

The Board resolved:

to refuse the application.

NOTICE OF CONVICTIONS - PERSONAL LICENCE HOLDER

16. The Board heard from Alexander Munro, Legal advisor that the Licensing Team had recently become aware that the licence holder had moved address and that it would be he may not have recent correspondence inviting him to attend the meeting, in the circumstances Mr Munro suggested that consideration of the matter be deferred.

The Board resolved: -

LICENSING BOARD

12 March 2019

To defer consideration of the application to the next meeting of the Board to be held on 14 May 2019.

LICENSING FORUM

17. The Board heard an update on matters from the Licensing Forum from Alexander Munro Legal advisor:

1. Joint Meeting of the Board and Licensing Forum

It has been suggested that the annual meeting of the Board and forum could be held following a scheduled Board meeting, the meeting of the Board in September has been suggested.

2. The Forum are keen to be tasked by the Board. Mr Munro suggested that the Forum could examine the impact of the new policy statement over the period of a year particularly the policy area of hours.
3. Conference

The feedback on the last Licensing Conference held by the Board was that it was well received and useful and it was been suggested that this should be repeated this year focusing on the implementation of the new policy. The date is to be confirmed.

LSO UPDATE

18. The Board were advised that there is no update for this meeting.

LICENSING BOARD
12 March 2019

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ABERDEEN CITY LICENSING BOARD

Meeting 14 May 2019 at 10:30am in Council Chambers , Broad Street , Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Provisional(s)

	Premises	Applicant	Date Received	Comments
1	HILTON THE EVENT COMPLEX ABERDEEN ABERDEEN AB21 9SB	HOTEL EMPLOYEES LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	11 April 2019	Hotel adjacent to the TECA complex over 4 floors with external roof terrace.
2	SHELL PROPELLER INVERURIE ROAD ABERDEEN AB21 9BB	SHELL UK OIL PRODUCTS LIMITED C/O LOCKETT & CO LOCKETT HOUSE 13 CHURCH STREET KIDDERMINSTER WORCESTERSHIRE DY10 2AH	4 March 2019	Convenience store offering off-consumption 10:00 - 22:00 Monday to Sunday.
3	SHELL REDMOSS WELLINGTON ROAD ABERDEEN AB12 3JG	SHELL UK OIL PRODUCTS LIMITED C/O LOCKETT & CO LOCKETT HOUSE 13 CHURCH STREET KIDDERMINSTER WORCESTERSHIRE DY10 2AH	4 February 2019	Convenience store and the openings hours will be 10.00 to 22.00 Monday to Sunday.
4	ALOFT HOTEL THE EVENT COMPLEX ABERDEEN ABERDEEN AB21 9SB	HOTEL EMPLOYEES LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	10 April 2019	Hotel adjacent to the TECA complex over 4 floors.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

New Grant(s)

Premises	Applicant	Date Received	Comments
5 55A SPRINGHILL ROAD ABERDEEN AB16 6SA	ELEIL MARAN RAJARATNAM C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	8 April 2019	Shop premises offering consumption off premises Monday to Sunday 10 -10

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
6	ABERDEEN HERO/PUMPKIN ABERDEEN RAILWAY STATION GUILD STREET ABERDEEN AB11 6LX	SELECT SERVICE PARTNER LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	14 March 2019	Variation to the commencement of Sunday hours from 12:30 to 10:00 for both on and off-sales. Variation to the terms on which children and young persons are permitted access to the premises to accompanied by an adult and by removing reference to "who is partaking of a table meal".
	AMUSEMENT PARK AND CONGO ADVENTURE GOLF AND BAR DINER QUEENS LINKS BEACH BOULEVARD ABERDEEN AB24 5ED	JOHN CODONA'S PLEASURE FAIRS LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	14 March 2019	" Variation to operating plan to include outdoor drinking facilities and variation to the layout plan to include the outdoor area.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
8 BREWDOG 17 GALLOWGATE ABERDEEN AB25 1EB	BREWDOG RETAIL LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	5 February 2019	Variation to terminal hour for on consumption on Sundays to Thursdays from 00:00 to 02:00 Fridays and Saturdays from 01:00 to 03:00. Variation to the commencement of the on-consumption hours on Friday and Saturdays from 11:00 to 12:00. Addition of seasonal variations.
9 REVOLUTION 25 BELMONT STREET ABERDEEN AB10 1JS	REVOLUTION BAR LIMITED C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW G20 6NB	17 January 2019	Variation to the terminal hour to 02:00 on Sunday to Thursday and to 03:00 on Friday and Saturday.
10 BUGSY BROWNS 7 WINDMILL BRAE ABERDEEN AB11 6HU	DEVANA INVESTMENTS LIMITED C/O RAEBURN CHRISTIE CLARK & WALLACE SOLICITORS 12-16 ALBYN PLACE ABERDEEN AB10 1PS	21 March 2019	Variation to the commencement of on consumption hours Monday to Sunday from 19:30 to 13:00 and variation to the terminal hour Sunday to Thursday to 02:00 and to 03:00 on Friday and Saturdays. Addition of conference facilities, club/group meetings and receptions.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
11 CROFT TAVERN 5 STOCKETHILL CRESCENT ABERDEEN AB16 5TT	CAPTURE PUB COMPANY LTD	11 March 2019	Amend opening time for on-sales from 11:00 Monday to Saturday to 10:00 and Sunday from 12:30 to 10:00. Amend terminal hour for on sales from 00:00 to 01:00 Friday and Saturday and Sunday from 23:00 to 00:00. Amend opening time for off sales from 11:00 Monday to Saturday to 10:00 and Sunday from 12:30 to 10:00. Q5(f) add poker nights, remove Church Alpha classes, choir practice and add community group meetings. Q6 allow lounge to be used as a smaller private function suite, amend as follows children allowed into lounge when accompanied by an adult and must partake in food. Restaurant facilities to be provided during and outwith core hours. Change premises name to Croft & Cairns.

ABERDEEN CITY LICENSING BOARD

Meeting 14 May 2019 at 10:30am in Council Chambers , Broad Street , Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
12 DYCE FARM ABZ BUSINESS PARK INTERNATIONAL AVENUE DYCE ABERDEEN AB21 0BH	GREENE KING BREWING & RETAILING LIMITED C/O BELHAVEN PUBS LICENSING TEAM ATRIUM HOUSE 6 BACK WALK STIRLING FK8 2QA	18 March 2019	Amend the terminal hour Friday and Saturday to 01:00. Add to Any Other Activities to allow external live or recorded music, the external drinking area at a controlled level and to finish no later than 22:00.
Page 18 HUSH (UNIT 6) AND HUSH 2 (UNITS 7, 8, 9 AND 10) THE GALLERIA BON ACCORD STREET ABERDEEN AB11 6FB	BLU INNS LIMITED C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	14 March 2019	Variation to the terminal hour on Fridays & Saturdays to 03:00 for Hush 2.
14 UNIT 1 THE ACADEMY ABERDEEN AB10 1LB	REVOLUCION DE CUBA LIMITED C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW G20 6NB	16 January 2019	Variation to the terminal hour to 02:00 on Sunday to Thursday and to 03:00 on Friday and Saturday.
15 ICELAND FOODS LIMITED 306 HOLBURN STREET ABERDEEN AB10 7GX	ICELAND FOODS LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	14 March 2019	Variation to the terminal hour for off sales to 22:00 Monday to Sunday; removal of seasonal variations and addition of recorded music within and outwith core hours.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
16 ICELAND FOODS LIMITED 461 GREAT NORTHERN ROAD ABERDEEN AB24 2BD	ICELAND FOODS LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	14 March 2019	Variation to the terminal hour for off sales to 22:00 Monday to Sunday; removal of seasonal variations and addition of recorded music within and outwith core hours.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
17 ICELANDS FOODS LTD UNIT 3 BOULEVARD RETAIL PARK ABERDEEN AB11 5EJ	ICELAND FOODS LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	15 April 2019	Remove reference to seasonal variations. Allow recorded music as an activity during and outwith core hours. Q5 additional information add the following - sale of groceries, including fresh and frozen foods and other non-food items to be provided both within and outwith the core licensing hours. But not before 07:00 or after 23:00. Activities outwith core hours may occur as ancillary. Q5(f) replace with the following wording - the sale of alcohol by retail for consumption off the premises is ancillary to the sale of groceries and other non-food items. The above shall include deliveries made using our home delivery and ecommerce services, subject to compliance with Sections 119 and 120 of the Licensing (Scotland) Act 2005. The premises will also, on occasion, be used to launch

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
18 ILLICIT STILL NETHERKIRKGATE ABERDEEN AB10 1AU	HAMILTON HOUSE INVESTMENTS LIMITED C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW G20 6NB	20 February 2019	Variation to the terminal hour on Sunday to Thursday for consumption from 01:00 to 02:00. Variation to the commencement of on consumption hours on Friday and Saturdays from 11:00 to 12:00 and variation to terminal hour from 01:00 to 03:00.
MALONE'S IRISH SPORTS BAR 90 SHIPROW ABERDEEN AB11 5BZ	ABERDEEN DOUGLAS HOTEL LIMITED C/O BURNES PAULL LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	18 February 2019	Amendment to opening time for consumption on the premises on Sundays from 12:30 to 11:00
20 MALONE'S IRISH SPORTS BAR 90 SHIPROW ABERDEEN AB11 5BZ	ABERDEEN DOUGLAS HOTEL LIMITED C/O BURNES PAULL LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	10 April 2019	Amendment to Commencement to on-consumption on the premises Monday to Saturday to 11:00 and to the Terminal hour Monday to Sunday to 02:00.
21 MARQUIS DAIRY 101 MARQUIS ROAD ABERDEEN AB24 2QY	IGNATIUS SELVARAJ MARY JOSEPH	4 March 2019	Variation of terminal hour for consumption off premises from 20.00 to 22.00 Mondays to Sundays.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
22 MURDOS CAIRNCRY ROAD ABERDEEN AB16 5DP	STONEGATE PUB COMPANY LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	5 March 2019	Variation of terminal hour for on consumption on premises from 00.00 to 01.00 Fridays and Saturdays.
23 MUSA 33 EXCHANGE STREET ABERDEEN AB11 6PH	BREWDOG RETAIL LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	18 March 2019	Change of premises name to Hop & Anchor Variation to on sale hours; Sunday to Thursday 11:00 to 02:00 and Friday and Saturday 12:00 to 03:00 Variation to off sales hours: Sunday to Saturday 10:00 to 22:00 Addition of Seasonal variations. Amend activities to the following: The premises may open prior to core licensed hours for early morning breakfasts, snacks and retail sales. All activities listed above may take place at the times the premises are open. No alcohol will be sold/supplied out with licensed hours.

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
24 NIRVANA 23 CROWN TERRACE ABERDEEN AB11 6HD	AJM FUNDING LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	1 April 2019	Variation to the commencement of on consumption time on Friday and Saturday from 13:00 to 12:00; and on Sunday to from 12:00 to 10:00. Addition of indoor/outdoor sports and televised sport to be provided during and outwith core hours. Layout Plan - Internal alterations to accommodate the use of the premises as a sports/pool centre. Change of premises name to Legends Sports Bar.
25 PITTODRIE STADIUM FUNCTION SUITES CORPORATE HOSPITALITY AREAS PITTODRIE STADIUM PITTODRIE STREET ABERDEEN	ABERDEEN FOOTBALL CLUB PLC C/O BURNES PAULL LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	8 April 2019	Variation to amend the commencement of on consumption time on a Sunday from 1230 to 11:00 Amend wording on terms of access for children and young persons to simplify. Variation to the layout plan.
26 RICHMOND ARMS 327 NORTH DEESIDE ROAD PETERCULTER ABERDEEN AB14 0UL	ROB ROY BAR LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	3 April 2019	To vary the terminal hour for on sales on Fridays and Saturdays from 00:00 to 01:00.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
27	THE PLOUGHMAN NORTH DEESIDE ROAD PETERCULTER ABERDEEN AB14 0QN	SIMON CRUICKSHANK C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	3 April 2019	Variation to on consumption terminal hour for on sales on Fridays and Saturdays to 01:00. Incorporate the outside area into the licensed area.
28	U STORE 94 VICTORIA ROAD TORRY ABERDEEN AB11 9DT	ANBURAJ PALANISWAMY C/O JANET HOOD TRAINING & CONSULTING LTD KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS DD9 7XU	4 February 2019	Increase display area of alcohol.

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: HILTON, THE EVENT COMPLEX ABERDEEN

DESCRIPTION

- Hotel adjacent to the TECA Complex
- Over 4 floors
- External roof terrace
- Monday to Sunday 10:00 to 01:00 on-consumption
- Monday to Sunday 10:00 to 22:00 off- consumption

OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health
- LSO

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.

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

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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29 April 2019

Your Ref:

Our Ref: 410659

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PROVISIONAL PREMISES LICENCE
HILTON, THE EVENT COMPLEX, ABERDEEN, AB21 9SB
HOTELS EMPLOYEES LIMITED, 40 BRAND STREET, GLASGOW, G51 1DG**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

In relation to the operating plan that accompanies the application seeking core on-sales hours of 1000-0100 hours Monday to Sunday, this will exceed the guideline hours on Sunday to Thursday in terms of the Board's policy, for premises outwith the city centre.

Whilst I have no objection to the proposed terminal hour, I recommend the Board gives consideration as to whether it merits a departure from their policy.

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

The operating plan further indicates that they intend to provide outdoor drinking by way of a roof terrace area during and outwith core hours. I recommend that the operating plan in its current form is modified to reflect a terminal hour of 2200 hours and no amplified music, in relation to that area.

This letter is submitted for your consideration when considering this application.

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

EH Comments Hilton Hotel

29 April 2019 11:38

From: Andrew Gilchrist <AGilchrist@aberdeencity.gov.uk>

Sent: 29 April 2019 09:23

To: LicensingBoard <licensingboard@aberdeencity.gov.uk>

Cc: Tara-Erin Gilchrist <TEGilchrist@aberdeencity.gov.uk>; Diane Sande <DSande@aberdeencity.gov.uk>

Subject: RE: May Licensing Board - Provisional Premises Licence - Hilton Hotel, TECA Complex

The application includes a rooftop drinking area. Recommend that there is no amplified music and the use is terminated at 10pm.

Best wishes,



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522720

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Application For Provisional Premises Licence: Hilton Hotel, The Event Complex Aberdeen, Aberdeen, AB21 9SB

03 May 2019 11:19

Subject	Application For Provisional Premises Licence: Hilton Hotel, The Event Complex Aberdeen, Aberdeen, AB21 9SB
From	Commercial
To	LicensingBoard
Cc	LSO
Sent	03 May 2019 11:16

For the attention of Alexander Munro, Team Leader, Licensing, Legal and Democratic Services.

Licensing (Scotland) Act 2005

Application For Provisional Premises Licence: Hilton Hotel, The Event Complex Aberdeen, Aberdeen, AB21 9SB

In terms of Section 22 (1) (b) (ii) I make the following representation to the Licensing Board.

In regards to the outdoor drinking area, if the Licensing Board is minded to grant the application, I recommend the following conditions are included:

1. The outdoor drinking area will not be in operation after 10pm.
2. The outdoor drinking area will be monitored on a regular basis to ensure good housekeeping practices are in place.
3. Live entertainment and amplified music will not be permitted within the outdoor drinking area.
4. To include the wording '*outdoor drinking area until 10pm*' within the children and young person's terms of access, Q6 (b) of the Operating Plan.

I have no comment to make in regards to the other parts of this application.

Regards

Licensing Standards Officer

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE
PREMISES: SHELL PROPELLER, INVERURIE ROAD, ABERDEEN

DESCRIPTION

- Convenience store located on a petroleum forecourt offering off-consumption 10:00 to 22:00 Monday to Sunday.

OBJECTIONS/REPRESENTATIONS

None

POLICY

6 CONDITIONS ATTACHING TO LICENCES

6.5 The Board has devised a number of local conditions which may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy.

Legislation

S123 Excluded premises

(1) No premises licence or occasional licence has effect to authorise the sale of alcohol on excluded premises.

(2) For the purposes of this Act, "excluded premises" means—

(a) premises on land—

(i) acquired or appropriated by a special roads authority, and

(ii) for the time being used,

for the provision of facilities to be used in connection with the use of a special road provided for the use of traffic of class 1 (with or without other classes), and

(b)subject to subsection (5), premises used as a garage or which form part of premises which are so used.

(4)For the purposes of subsection (2)(b), premises are used as a garage if they are used for one or more of the following—

(a)the sale by retail of petrol or derv,

(b)the sale of motor vehicles, or

(c)the maintenance of motor vehicles.

(5)Despite subsection (2)(b), premises used for the sale by retail of petrol or derv or which form part of premises so used are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of—

(a)petrol or derv, or

(b)groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

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Propeller Shell Services,
Inverurie Road, Aberdeen, AB21 9BB
Customer Profiling Research Report
January 2019

Research & Reporting by

Taylor McKenzie Research & Marketing Ltd (TMcK)

TMcK



VAT Registration 774523611

A 107 Douglas Street, Glasgow, G2 4EZ

TAYLOR MCKENZIE RESEARCH & MARKETING LTD

T 0141 221 8030

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Registered in Scotland 210656

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Executive Summary Page Shell Propeller Filling Station

Introduction

The following report outlines the findings from a customer research interviewing program carried out between Thursday 24th January and Monday 28th January at Propeller Shell Services, Inverurie Road, Aberdeen, AB21 9BB. The research explored the buying behaviours of persons' resident in the locality of the site. Customers were asked to provide information on; their place of residence in relation to the premises, their means of travel to the premises and their purchasing behaviour in relation to fuel and groceries.

This summary page contains the results from the key objective of the research as outlined below.

Key Research Objective

[Section 123(5) seeks to determine, as interpreted in the Opinion of the Inner House of the Court of Session in *BP Oil UK Limited v City of Glasgow Licensing Board and City of Edinburgh Licensing Board (5th April 2011)* whether a recognisable number of persons in the locality see and treat the said premises as the principal source from which they, in ordinary course, purchase groceries or fuel and who would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to no longer be provided from said premises.

Materially disadvantaged or inconvenienced?

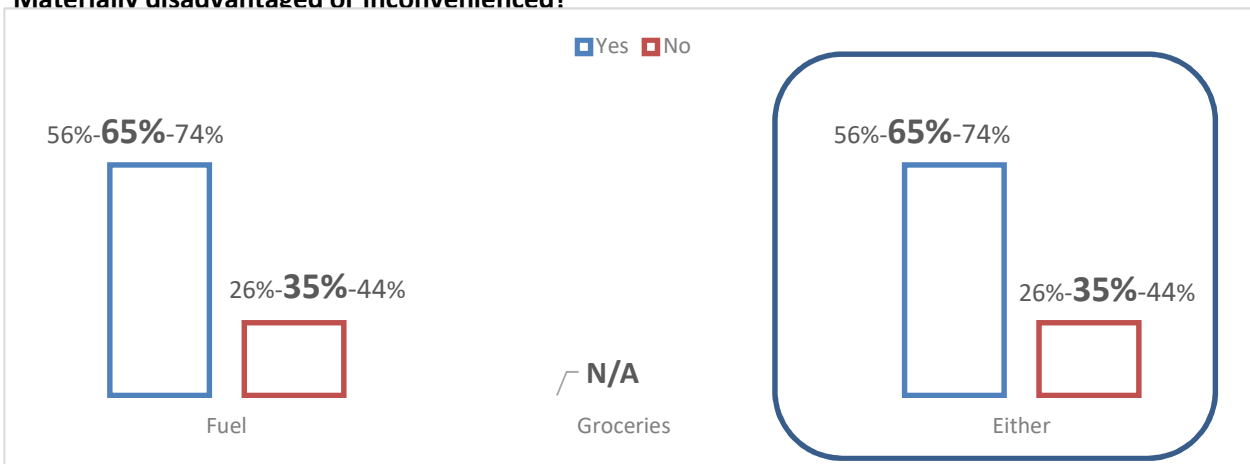


Figure 9 – Fuel Base 110

Groceries Base 0

Either Base 110

Conclusion

The results show that a statistically significant* proportion of persons (65% (+/-9.9) in the locality) see and treat this service station on Inverurie Road as the principal source from which they, in ordinary course, purchase groceries or fuel and would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to no longer be provided from said premises.

* Statistically significant - In statistics, a result is called **statistically significant** if it is unlikely to have occurred by chance. The likelihood that a result or relationship is caused by something other than mere random chance.

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Research Methodology

Shell Propeller Filling Station

A quantitative research study was carried out between Thursday 24th January and Monday 28th January at Propeller Shell Services, Inverurie Road, Aberdeen, AB21 9BB with 821 customers (or 'participants'), all of whom were selected as they were exiting the store. Fieldwork was stratified to cover the core hours of off-sale of alcohol on the premises 10am until 10pm.

The structured questionnaire (please see Appendix 2 for full questionnaire) was executed via Computer Assisted Personal Interviewing (CAPI) with the use of an iPad. The screen was shared with participants so that they could view all images and questions. All participants were asked to give their full postcode in order to help map travel time and distance to location.

Sample Size

All intercepts (interviews) were conducted as participants were exiting via the main front entrance/exit; participants were selected at random to ensure sampling confidence. Upon completion of each survey, interviewers were under strict instruction to approach the second customer that passed them. By completing 821 interviews with current service station users we can be sure that the data and attitudes collected will be statistically representative of the customer base. Importantly this large number of 'base' participants allowed for statistical comparison of sub-groups. **An important sub-group within this research that will form the 'population of interest' are participants who live within the locality of the premises AND use the garage as their principal source for purchasing Fuel or Groceries [Base – 110]. This figure represents 13.4% of the entire customer population.**

Population of Interest

This sub-group of 110 participants will be used to answer the key objective of the research. Whether a recognisable number of persons in the locality see and treat the said premises as the principal source from which they, in ordinary course, purchase groceries or fuel and who would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to no longer be provided from said premises.

Defining the Population of interest

Q2 – How far from this Station do you live? (Map 1)

Within 1.5 miles = continue

1.5 miles+ = record postal code & close

Q7 – In the ordinary course of your purchasing habits, do you treat these premises as the principal source of: a) Petrol or DERV (Fuel)? b) Groceries?

Yes to a) *or* b) = Continue

No to a) *and* b) = Close



Map 1

Research Findings – Locality Shell Propeller Filling Station

Locality to Premises

Q2 – How far away from this Service station do you live?

If codes 1-4 were selected (under 1.5 miles) then respondent was categorised as **living within the locality**.

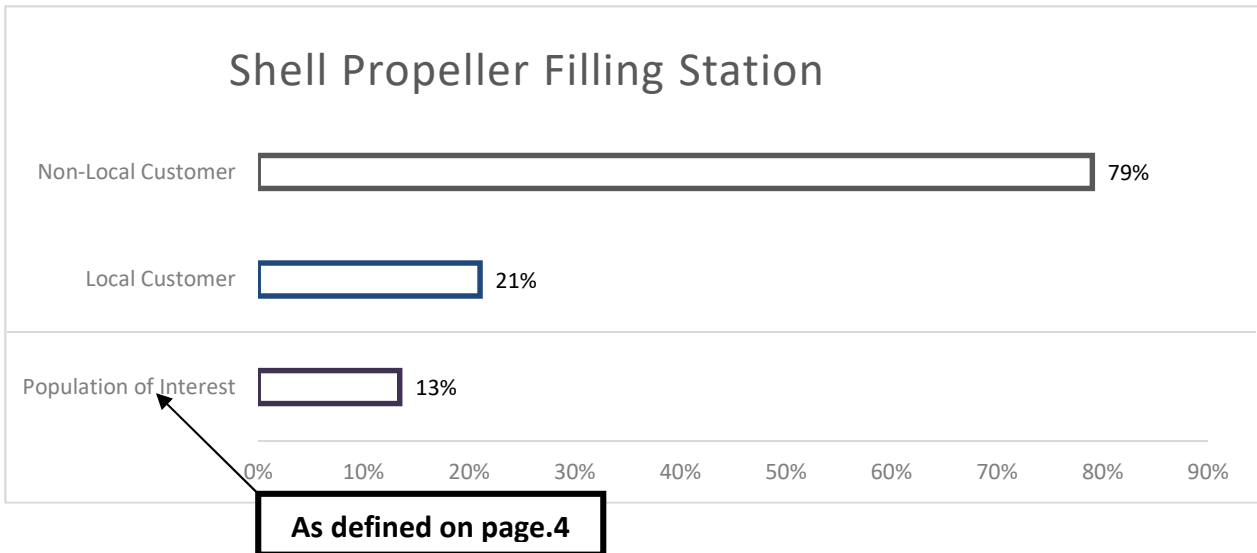


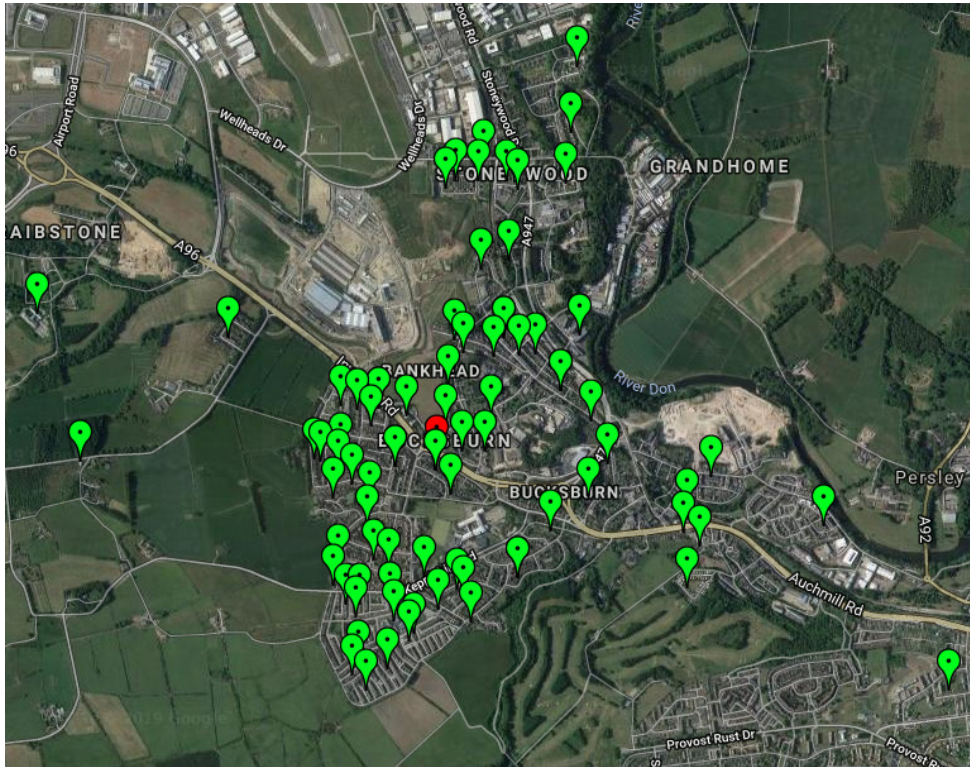
Figure 2 – Base - 821

Research Findings–Geo-mapping

Shell Propeller Filling Station

All participants were asked to provide their postcode in order to allow for them to be geo-tagged on a map. Out of the 110 participants who fell into **the population of interest** 110 provided a full and complete postcode. They are represented below as red icons, in some cases the same postcode has been given and will be represented by only 1 icon.

Average distance from filling station – 0.45 miles



Map 2

Analysis of the postcode data has shown that the participants from the 'population of interest' live within a locality of 0.45 miles from the service station (red icon) on average.

Research Findings – Demographics Shell Propeller

Filling Station

Gender

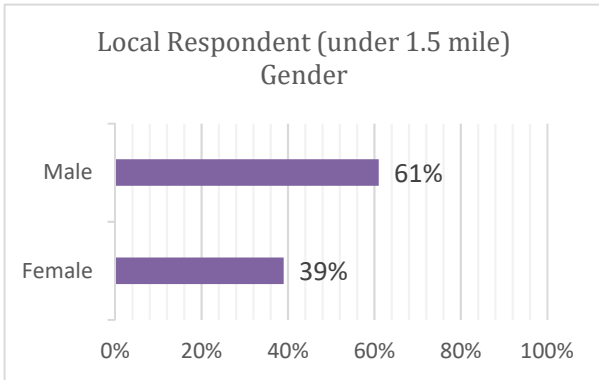


Figure 3 – Base 171

Average visits per week (local users)

Grocery Shopping Base - 48	1.69 visits per week
Fuel Purchase Base - 166	1.29 visits per week

Table 1 – Base varied

Age

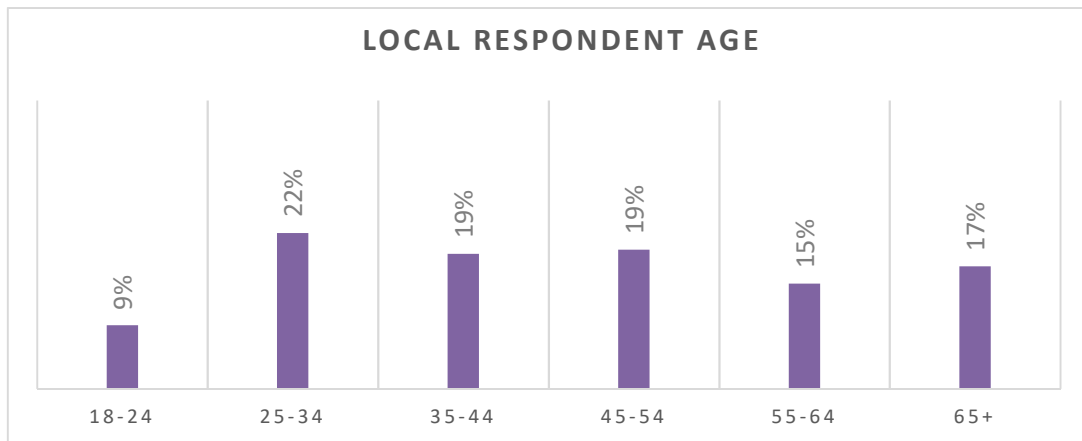


Figure 4 – Base 171

Respondent travel habits

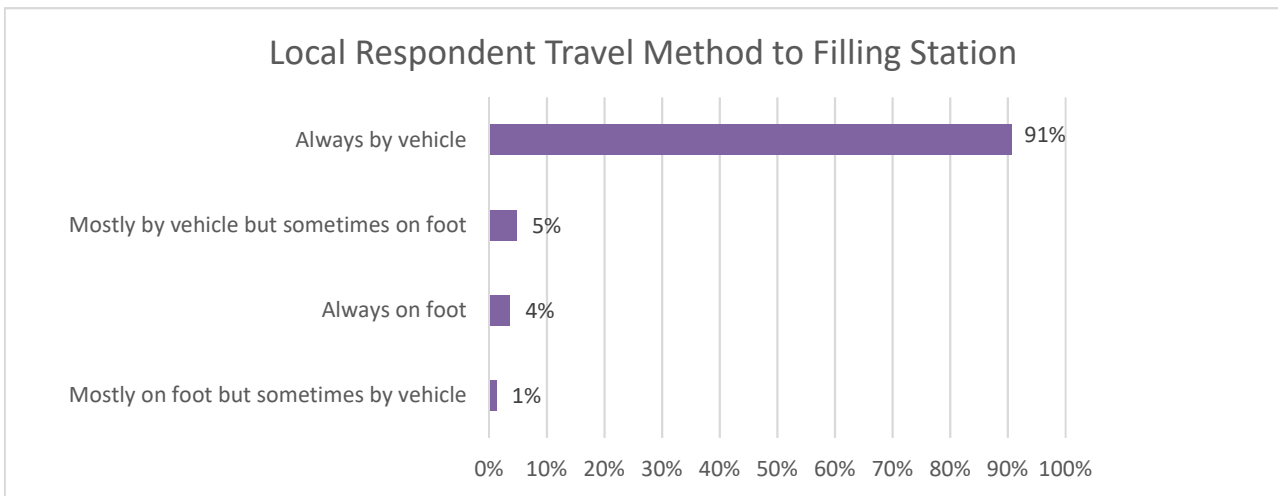
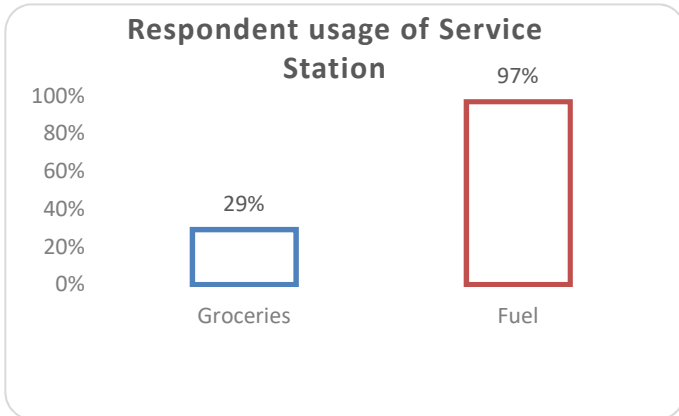


Figure 5 – Base 171

Research Findings – Premises Usage Shell Propeller

Filling Station

How Shell Propeller filling station is being used



50 participants (29.2%)

Use service station as a source of **Groceries**

166 participants (97.1%)

Use service station as a source of **Petrol/DERV (Fuel)**

Figure 6 – Base 171

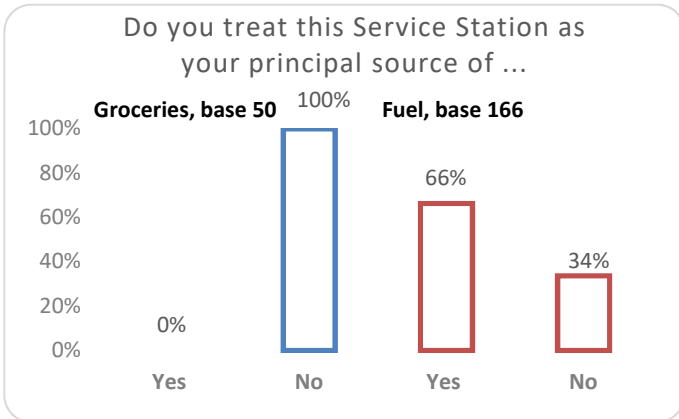


Figure 7 – Base varied

Defining the population of interest

Participants, who live within the locality (within 1.5 miles) of the service station [Base 171], were asked how they currently use the Service Station – **Figure 6**.

They were then asked if, in the ordinary course of their purchasing habits, they treated this Service Station as their principal source of Petrol/DERV or Groceries – **Figure 7**.

110 (64.4%) local customers (participants) answered ‘yes’ to treating the service station as their principal source of either groceries or fuel. This forms the population of interest as outlined in the introduction – **Figure 8**.

**Population of interest
110 participants**

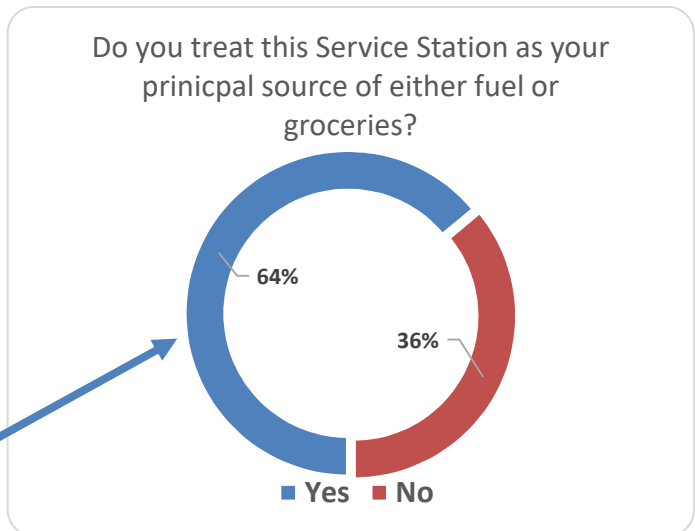


Figure 8 – Base 171

Research Findings – Key Findings Usage Shell

Propeller Filling Station

Once the population of interest had been defined (Base 110), these participants were asked:
 Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with: a) Petrol or DERV (Fuel)? b) Groceries?

Materially disadvantaged or inconvenienced?

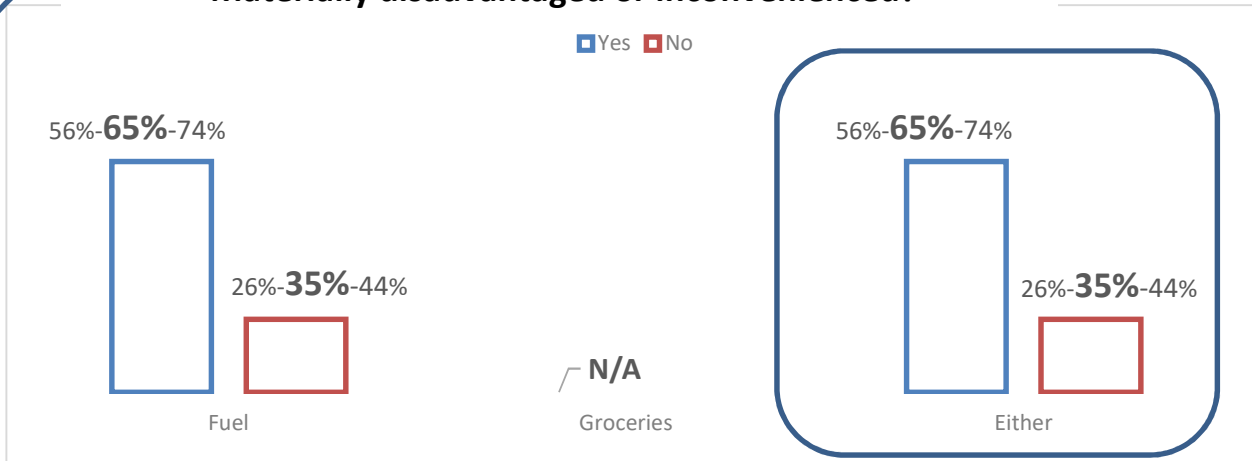


Figure 9 – Fuel Base 110

Groceries Base 0

Either Base 110

The results show that a statistically significant proportion of persons in the locality (64.5%) see and treat the premises as the principal source from which they, in ordinary course, purchase groceries or fuel and that they would properly consider themselves materially disadvantaged or inconvenienced were any of these retail facilities to no longer be provided from said premises.

Bases explained

Fuel: Overall 110 participants from the locality stated that they used the station as their principal source of fuel, of these participants 64.5% (71) stated that they would be materially disadvantaged if the premises could no longer provide them with fuel.

Groceries: No participants used the filling station as their principle source of groceries.

Either: The combined base and response for fuel and groceries.

Research Findings – Key Findings

Shell Propeller Filling

Station

In order to qualify the result all participants who coded yes to being materially disadvantaged if the service station could no longer provide fuel were asked **'Would you have an alternative fuel source you could use?' Base 71**

Yes – 76.1% (54)

No 23.9% (17)

Those who answered 'Yes' to having an alternative fuel source – 100% (44) were then asked: **Is this alternative fuel source available to you without causing you to be disadvantaged or inconvenienced in any way? Base 54**

Yes – 7.4% (4)

No – 92.6% (50)

Results show that the alternative fuel sources available to 76% of participants would cause 92.6% of this group to be inconvenienced.

94.3% (67) of those materially disadvantaged (base 71) confirmed this was still the case after considering alternatives.

Research Findings – Key Findings Shell Propeller Filling Station

Station

The graph below highlights participants who live locally and use the garage as their principal source of either fuel or groceries and who, after considering local alternatives, still feel they would be materially disadvantaged or inconvenienced if the premises could no longer provide them with either.

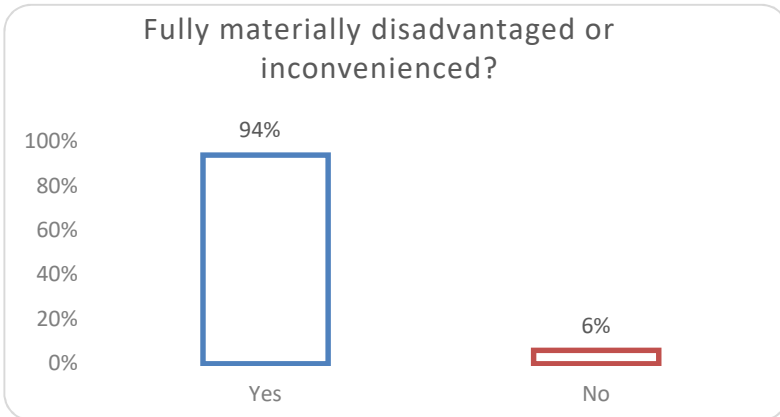
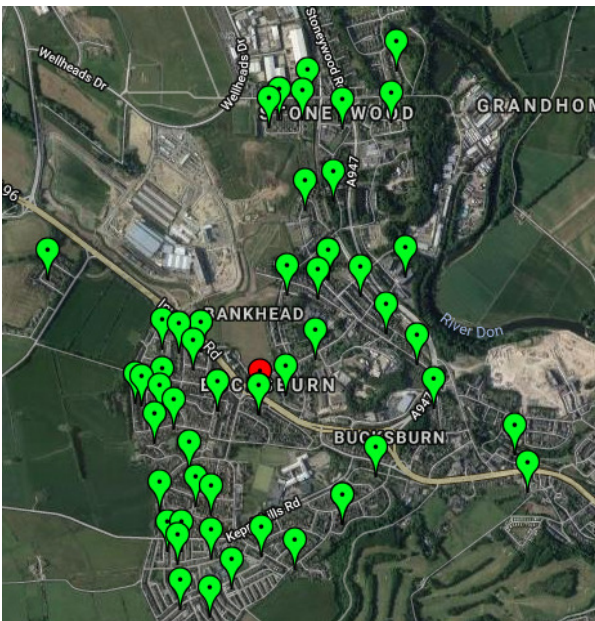


Figure 10, Base 71

The geo-map below shows where all participants (67) who coded 'yes' live; on average 0.39 miles from the station.



Map 3

Research Findings – Key Findings Shell Propeller Filling Station

Station

The graphs below highlight the demographic of those who are materially disadvantaged or inconvenienced after having considered local alternatives.

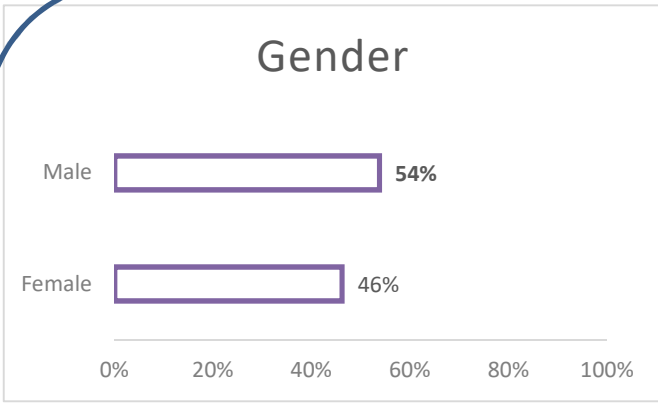


Figure 11 – Base 67

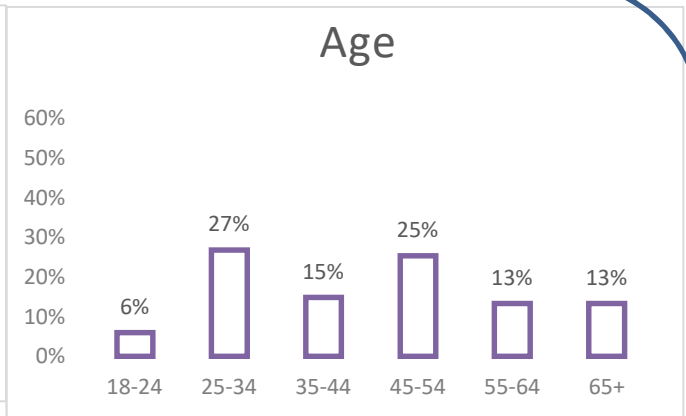


Figure 12 – Base 67

Average visits per week

Grocery Shopping <i>Base 24</i>	2.08 visits per week
Fuel Purchase <i>Base 67</i>	1.71 visits per week

Table 2 – Base Varied

About TMcK

Taylor McKenzie Research & Marketing (TMcK) are a full service agency and provide all stages in the market research process from fieldwork and recruitment, through to interviewing and analysis of data. We are also proud to host one of the UK's best viewing facilities, known as 'The Glasgow View'.

Based in Glasgow since formation in 2001 our steady growth over the past eighteen years has been down to the dedication of our skilled, reliable and creative staff.

TMcK's research team is headed up by Research Director Nicky Taylor who has extensive knowledge of consumer research in Scotland. In the past 12 months he has headed up similar quantitative research projects for KPMG, Tennent's, AXA amongst others. Nicky acts as the main contact for client and will attend briefings and debriefs and will be aided in the completion of the project by research executive Lisa Dixon and TMcK field. TMcK are Company Partners of the Market Research Society and abide by their code of conduct.

This demonstrates that we are one of a small number of Scottish companies who work with the Market Research Society in ensuring that quality standards are consistently upheld within the research industry.

About Market Research Society (MRS)

In the competitive world of market research, one name assures you of instant recognition and respect - that of MRS.

MRS is the 'voice of your profession'. Their role is to represent and communicate good practice in research to the business community, government and the public; to award accreditation and to provide support for our members.

Professional standards

All members of the Society must comply with the [MRS Code of Conduct](#) which is enforced through a disciplinary process. This is the primary means by which market research remains a self-regulated profession. A range of guidelines and advisory services provide support to members in practical implementation of the *Code*.

The *Code of Conduct* embodies the principles of confidentiality and transparency. It provides protection to research users, participants and to researchers themselves. The *Code* has the confidence of the business community, government and regulators. It embraces the principles of data protection legislation. Membership of MRS is your way of showing that you subscribe to these ethical and legislative principles.

Appendix 1 – Research Background

The Licensing (Scotland) Act 2005 defines premises that operate in whole or in part as a garage for the sale of petrol or derv as “excluded premises”. Subject to the provisions of section 123(5) of the Act, garage premises are “excluded premises”. Where premises are “excluded premises”, sale of alcohol is not permitted. The Client wishes to explore the motivations and buying behaviours of the consumers who visit affected forecourt premises with the purpose of ascertaining whether or not their forecourt premises fall to be determined as “excluded premises” or within the exception contain under section 123(5). Section 123(5) seeks to determine, as interpreted in the Opinion of the Inner House of the Court of Session in *BP Oil UK Limited v City of Glasgow Licensing Board and City of Edinburgh Licensing Board (5th April 2011)* whether a recognisable number of persons in the **locality**¹ see and treat the said premises as the **principal source**² from which they, in **ordinary course**³, purchase **groceries**⁴ or fuel and who would properly consider themselves **materially disadvantaged** or **inconvenienced**⁵ were these retail facilities to no longer be provided from said premises.

Should the research prove that a substantial % of a **representative sample**⁶ local residents who use the outlet as their principal source of groceries and would be materially disadvantaged or inconvenienced if the outlet stopped selling groceries then it would help to form a case to include the outlet as being ‘not excluded’ from the changing legislation.

¹ **Locality** will be defined on a premises by premises basis. This will be determined via respondent answering what will be Q1 (How far away from this station do you live?) and will be confirmed with geo-mapping postcode software. Those living within the chosen distance will be deemed suitable to represent persons living in the locality and they will be further questioned on purchasing habits. Those living out with the chosen distance will be asked for their postcode and interview will be terminated.

²⁻³ **Principal source / Ordinary course**; these points must be answered by asking each respondent a question that will be interpreted consistently and fully understood.

Generally speaking, do you treat this premises as your principal source for a) Petrol or DERV (a full description of DERV will be provided in Showcard to help understanding) b) Groceries. A simple yes or no answer will be collected.

This will provide the research with its population of interest.

⁴ **Groceries**; will be defined as being food or other things used within the home.

Appendix 1 – Research Background

(continued)

⁵ **Materially disadvantaged or inconvenienced;** the term materially disadvantaged is perhaps not in the general diction of the average respondent, and we would not expect it to be used by a respondent if asked to describe how they felt about a retail outlet closing. However, when it is combined with the word inconvenienced in the Q. “Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with a) petrol (DERV) b) Groceries?”) we would expect a good understanding. An open question asking why participants would feel materially disadvantaged or inconvenienced will be asked if ‘yes’ is coded at either a) petrol (DERV) or b) groceries.

⁶ **Representative sample;** in quantitative market research studies which are to be conclusive it is very important that the data collected and the findings and recommendations made from the data are representative of the given population. In real terms this means that should the study be repeated at any given time then the results will be similar 95 times out of 100 and within an acceptable margin of error (+/-) %.

In order to achieve this, data collection should be stratified in terms of opening hours and weekend / weekday footfall and respondent selection should be entirely random.

Statistical Representation

In order for the findings to be conclusive it is very important that the data collected, the findings and recommendations made from the data are representative of the given population. In real terms this means that should the study be repeated at any given time then the results will be similar 95 times out of 100 and within an acceptable margin of error (+/-) %.

In order to achieve this, data collection was stratified in terms of opening hours and weekend / weekday footfall and respondent selection was entirely random.

The table below indicates achieved error thresholds for the overall base of participants and for the population of interest base. Error bars are present throughout each table to represent statistical relevance of each figure.

<u>Population</u>	<u>%GIVING PARTICULAR ANSWER</u>		
	<u>10%/90%</u>	<u>30%/70%</u>	<u>50%</u>
Total Base 821	+ 2.05	+ 3.13	+ 3.42
Local Base 171	+ 4.5	+ 6.87	+ 7.49
Pop of interest Base 110	+ 5.61	+ 8.56	+ 9.34
Inconvenienced Base 71	+ 6.98	+ 10.66	+ 11.63

Appendix 2 – Research Questionnaire

Good morning/afternoon my name is & I am work for Taylor McKenzie Research & Marketing Ltd, an independent Scottish research agency. We are here today to better understand how this filling station is being used by its customers. We only have a few questions to ask and it is important you help so that we can ensure a representative view of all customers. It should only take 2 minutes.

Q1 Interviewer select filling station

- Shell Propeller
-
-

Q2 How far away from this Service station do you live?

Showcard s2

- Within 1/4 of a mile Go to Q3
- Within 1/2 a mile
- Within 1 mile
- Within 1.5 miles
- Within 1.5 to 2 miles CLOSE
- Within 2 to 10 miles (approx.) CLOSE
- More than 10 miles away (approx.) CLOSE

Q3 Which of these best describes how you travel to this station?

Showcard s3

- Always by vehicle Go to Q4
- Always on foot Go to Q4
- Mostly by vehicle but sometimes on foot Go to Q4
- Mostly on foot but sometimes by vehicle Go to Q4
- Other (write in)..... Go to Q3

Q4 Including today, in the past 6 months have you used this station as a source of ...

Showcard s4

Interviewer - Read out...

- Petrol or DERV (fuel) Go to Q5
- Groceries Go to Q6
- Both for Petrol or DERV (fuel) and Groceries Go to Q5

**Interviewer note - if respondent queries what qualifies as 'groceries' please give the following description -
Groceries - 'food or other things used within the home'**

Appendix 2 – Research Questionnaire

(Continued)

Q5 How often do you visit this station for the purchase of petrol or DERV (fuel)?

Showcard s5

- Every day
- 4 - 5 times a week
- 2 - 3 times a week
- Once a week
- 2 - 3 times a month
- Once a month
- Once every 2 months
- 3 - 4 times a year
- Once a year
- Less often
- First visit**

Q6 How often do you visit this station for the purchase of groceries?

Showcard s5

- Every day
- 4 - 5 times a week
- 2 - 3 times a week
- Once a week
- 2 - 3 times a month
- Once a month
- Once every 2 months
- 3 - 4 times a year
- Once a year
- Less often
- First visit**

Q7 Generally speaking, do you treat this premises as your principal source for:

Showcard s6a & s6b

Interviewer - Read out full statement above for both petrol and groceries

	Yes	No
Purchasing Petrol or DERV (fuel)	<input type="checkbox"/>	<input type="checkbox"/>
Purchasing Groceries	<input type="checkbox"/>	<input type="checkbox"/>

Q8 Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with:

Showcard s7

	Yes	No
Petrol or DERV (fuel)	<input type="checkbox"/>	<input type="checkbox"/>
<i>Would you have an alternative fuel source you could use?</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is this alternative fuel source available to you without causing you to be disadvantaged or inconvenienced in any way?	<input type="checkbox"/>	<input type="checkbox"/>

If no: Why is this? (probe fully)

Appendix 2 – Research Questionnaire

(Continued)

Q9 **Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with...**

Showcard s7b

	Yes	No
Groceries	<input type="checkbox"/>	<input type="checkbox"/>
<i>Would you have an alternative grocery source you could use?</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is this alternative grocery source available to you without causing you to be disadvantaged or inconvenienced in any way?	<input type="checkbox"/>	<input type="checkbox"/>

If no: Why is this? (probe fully)

Q10 **Record Gender**

- Male
- Female

Q11 **Which of these age groups do you fall into?**

Showcard s8

- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+

Interviewer Say: Could you please tell me your home postcode, this is so we can get a better understanding of store catchment. This data will never be used for contacting you and will never be passed on with any personal information. Interviewer please enter with a space, as follows.... e.g. G2 4EZ

Postcode

Appendix 3 – Open Ended Responses

Participants who confirmed they were materially disadvantaged or inconvenienced after having considered the alternatives were asked to explain their answer below.

"Q8b"

"Handy close for me"

"Convenient"

"Always convenient for mw"

"Use shell"

"Location and price it's best for shell"

"For close to home"

"Have to drive further"

"Close to home"

"It's so close so handy"

"Handy here"

"Only use shell fuel. Not sure where next nearest is"

"Like shell fuel. Don't think there is another near here."

"Need a high octane fuel and Shell is the best"

"Like her not far from my house"

"Nearest to me"

"Location best for me"

"Shell and next to me"

"So close"

"Location it's close"

"Use shell v power"

"I always use v power"

"Local handy"

"It's closest"

"Location best for me"

"Closest"

"Handy in way home"

"So close"

"This handy"

"Handy and use better high performance fuel"

"Use this brand only"

"Live next door"

"So close on way to town"

"Always like to use shell"

"This close"

"Have to go to Dyce"

"It's location is close for me"

"Use shell fuel"

"Have to go further need to detour"

"Next one miles away"

"Need to go further"

"Location for me"

"Have to go wrong way for work"

"It's shell"

"This is handy need to go further"

"Have to find another"

"Shell card"

"Handy when heading home"

"Need to go further"

"It's very close for me here"

"My car only takes v power"
 "Have to go into town"
 "Handy location"
 "Have to go further"
 "So handy and staff couldn't be more friendly or helpful"
 "No other shell garage near me and don't like supermarket fuel"
 "Sell high octane fuel"
 "Don't like supermarket fuel and that's nearest to me"
 "Like shell fuel and this is on my doorstep. Staff are great to"
 "Would have to go out of my way"
 "Like v power fuel. No other shell garage near here plus collect the points"
 "So near to me and on my doorstep. Prefer shell fuel"
 "Nearest to me and on route to work and on right side of dual carriageway for me. Like shell fuel"
 "Like shell fuel and it's handy for me."
 "Like here and so near home"
 "Like shell fuel"
 "Use V power fuel and only shell sell it"
 "On my doorstep and staff very good."
 "Q8e"
 "Not on way"
 "Further out"
 "Live closer to here"
 "It's out a bit more and not on my route"
 "It's further into town and usually dearer"
 "Further away to others"
 "Out my way"
 "Need to travel to Dyce."
 "Not as near"
 "This is closet"
 "Further to go to get shell"
 "Not near as close"
 "Need to drive to Dyce"
 "Further to drive"
 "It's further to go"
 "Need to go further for v power"
 "Takes me out way"
 "Don't like supermarkets"
 "Sometimes on red and this close"
 "Work and live here"
 "Prefer this shell and service"
 "Not shell"
 "Not as close"
 "Next shell is Anderson drive but bit away"
 "A few miles to next suitable"
 "Need to drive to other area and don't use a lot of fuel this better here"
 "Local not shell"
 "Not as close"
 "Too far away and girls here fill car for me"
 "Need to drive other way from where I drive"
 "3miles away to shell"
 "Off route"
 "Closest shell bridge of don"
 "Always use shell"
 "Next is bit away"
 "Opposite direction for me"
 "This best location"
 "Further away"
 "This handier"

"Next shell a bit away"
"Need to turn off road into other"
"Others out my way"
"Good distance to next shell"
"A distance to it"
"A bit further"
"Off my road"
"It's also off my route"
"Out of my way"
"No other shell garage on my way to work"
"Out of my way so would cost me time and fuel"

Appendix 4 – Postcodes of Population of Interest

Ab21 9ul	Ab21 9ew	Ab21 9ax
Ab21 9dd	Ab21 9fh	AB21 9ED
Ab21 9uu	Ab21 9qs	AB21 9BL
Ab21 9xd	Ab21 9lp	AB21 9XS
Ab21 9jr	Ab21 9jz	AB21 9SL
Ab21 9et	Ab21 9ax	AB21 9DX
Ab21 9ps	Ab21 9je	AB21 9SQ
Ab21 9dd	AB21 9hb	AB21 9QU
Ab21 9ba	Ab21 9rt	AB21 9QD
Ab21 9bd	Ab21 9jp	AB21 9RJ
Ab21 9jb	Ab21 9hr	AB21 9PF
Ab21 9ne	Ab21 9al	AB21 9HR
Ab21 9ax	Ab21 9bl	AB21 9wF
Ab21 9qy	Ab21 9jq	AB21 9HS
AB21 9EA	Ab21 9je	AB21 9SL
AB21 9QS	Ab21 9ld	AB21 9QH
AB16 7UN	Ab21 9be	AB21 9BD
AB16 5ST	Ab21 9wd	AB21 9RU
AB21 9WG	Ab21 9rt	AB21 9AQ
AB21 7FW	Ab21 9de	AB21 9BD
AB21 9XS	Ab21 9ax	AB21 9QH
AB21 9XS	Ab21 9ul	
AB21 9ED	Ab21 9ag	
AB21 9HY	Ab21 9eh	
Ab21 9ey	Ab21 9rj	
Ab21 9jp	Ab21 9fa	
Ab21 9qz	Ab21 9uw	
Ab21 9rt	Ab21 9dr	
Ab16 5az	Ab21 9qa	
Ab21 9qw	Ab21 9lg	
Ab21 9al	Ab21 9ya	
Ab21 9ag	Ab21 9hz	
Ab21 9ha	Ab21 9er	
Ab21 9ul	Ab21 9el	
Ab21 9pp	Ab21 9eh	
Ab21 9ud	Ab21 9ul	
Ab21 9rn	Ab21 9ea	
Ab21 9bl	Ab21 9pp	
Ab21 9xr	Ab21 9bu	
Ab21 9by	Ab21 9de	
Ab21 9eq	Ab21 9py	
Ab21 9up	Ab21 9an	
Ab21 9bd	Ab21 9rl	
Ab21 9jq	Ab21 9pn	

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: SHELL REDMOSS, WELLINGTON ROAD

DESCRIPTION

- Convenience store located on a petroleum forecourt offering off-consumption 10:00 to 22:00 Monday to Sunday.

OBJECTIONS/REPRESENTATIONS

None

POLICY

6 CONDITIONS ATTACHING TO LICENCES

6.5 The Board has devised a number of local conditions which may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy.

Legislation

S123 Excluded premises

(1) No premises licence or occasional licence has effect to authorise the sale of alcohol on excluded premises.

(2) For the purposes of this Act, "excluded premises" means—

(a) premises on land—

(i) acquired or appropriated by a special roads authority, and

(ii) for the time being used,

for the provision of facilities to be used in connection with the use of a special road provided for the use of traffic of class 1 (with or without other classes), and

(b)subject to subsection (5), premises used as a garage or which form part of premises which are so used.

(4)For the purposes of subsection (2)(b), premises are used as a garage if they are used for one or more of the following—

(a)the sale by retail of petrol or derv,

(b)the sale of motor vehicles, or

(c)the maintenance of motor vehicles.

(5)Despite subsection (2)(b), premises used for the sale by retail of petrol or derv or which form part of premises so used are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of—

(a)petrol or derv, or

(b)groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

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Redmoss Shell Services,
Wellington Road, Aberdeen,
AB12 3JG
Customer Profiling Research Report
November 2018

Research & Reporting by

Taylor McKenzie Research & Marketing Ltd (TMck)

TM^CK



Executive Summary Page Shell Redmoss Filling Station

Introduction

The following report outlines the findings from a customer research interviewing program carried out between Tuesday 20th November and Sunday 25th November at Redmoss Shell Services, Wellington Road, Aberdeen, AB12 3JG. The research explored the buying behaviours of persons' resident in the locality of the site. Customers were asked to provide information on; their place of residence in relation to the premises, their means of travel to the premises and their purchasing behaviour in relation to fuel and groceries.

This summary page contains the results from the key objective of the research as outlined below.

Key Research Objective

[Section 123(5) seeks to determine, as interpreted in the Opinion of the Inner House of the Court of Session in *BP Oil UK Limited v City of Glasgow Licensing Board and City of Edinburgh Licensing Board (5th April 2011)* whether a recognisable number of persons in the locality see and treat the said premises as the principal source from which they, in ordinary course, purchase groceries or fuel and who would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to no longer be provided from said premises.

Materially disadvantaged or inconvenienced?

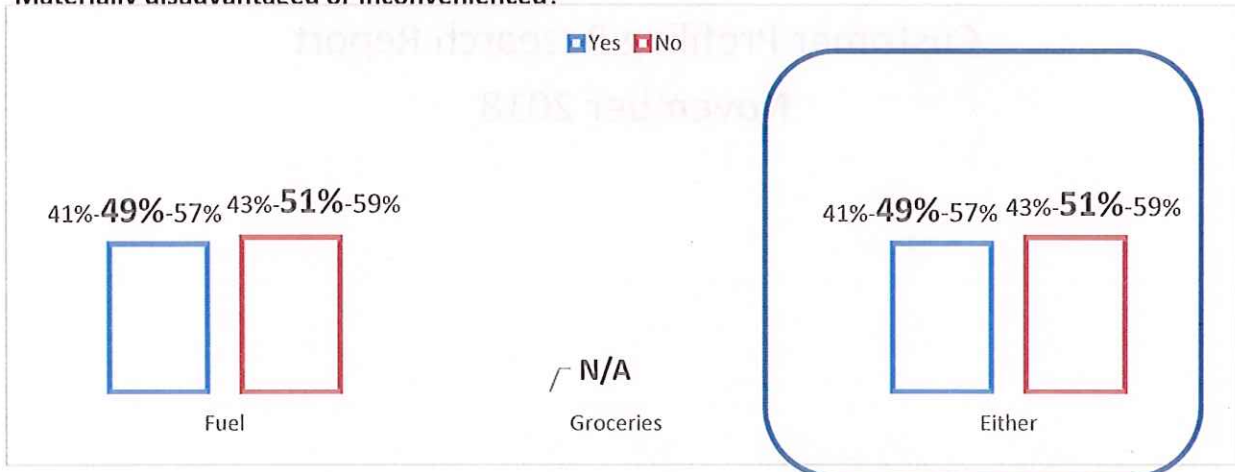


Figure 9 – Fuel Base 139

Groceries Base 0

Either Base 139

Conclusion

The results show that a statistically significant* proportion of persons (49% (+/-8.31%) in the locality) see and treat this service station on Wellington Road as the principal source from which they, in ordinary course, purchase groceries or fuel and would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to no longer be provided from said premises.

* Statistically significant - In statistics, a result is called **statistically significant** if it is unlikely to have occurred by chance. The likelihood that a result or relationship is caused by something other than mere random chance.

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Research Methodology

Shell Redmoss Filling Station

A quantitative research study was carried out at Redmoss Shell Services, Wellington Road, Aberdeen, AB12 3JG between Tuesday 20th November and Sunday 25th November 2018 with 648 customers (or 'participants'), all of whom were selected as they were exiting the store. Fieldwork was stratified to cover the core hours of off-sale of alcohol on the premises 10am until 10pm.

The structured questionnaire (please see Appendix 2 for full questionnaire) was executed via Computer Assisted Personal Interviewing (CAPI) with the use of an iPad. The screen was shared with participants so that they could view all images and questions. All participants were asked to give their full postcode in order to help map travel time and distance to location.

Sample Size

All intercepts (interviews) were conducted as participants were exiting via the main front entrance/exit; participants were selected at random to ensure sampling confidence. Upon completion of each survey, interviewers were under strict instruction to approach the second customer that passed them. By completing 647 interviews with current service station users we can be sure that the data and attitudes collected will be statistically representative of the customer base. Importantly this large number of 'base' participants allowed for statistical comparison of sub-groups. An important sub-group within this research that will form the 'population of interest' are participants who live within the locality of the premises AND use the garage as their principal source for purchasing Fuel or Groceries [Base – 139]. This figure represents 21% of the entire customer population.

Population of Interest

This sub-group of 139 participants will be used to answer the key objective of the research. Whether a recognisable number of persons in the locality see and treat the said premises as the principal source from which they, in ordinary course, purchase groceries or fuel and who would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to no longer be provided from said premises.

Defining the Population of interest

Q2 – How far from this Station do you live? (Map 1)

Within 1 mile = continue

1 mile+ = record postal code & close

Q7 – In the ordinary course of your purchasing habits, do you treat these premises as the principal source of: a) Petrol or DERV (Fuel)? b) Groceries?

Yes to a) or b) = Continue

No to a) and b) = Close



Map 1

Research Findings – Locality Shell Redmoss Filling Station

Locality to Premises

Q2 – How far away from this Service station do you live?

If codes 1-3 were selected (under 1 mile) then respondent was categorised as **living within the locality**.

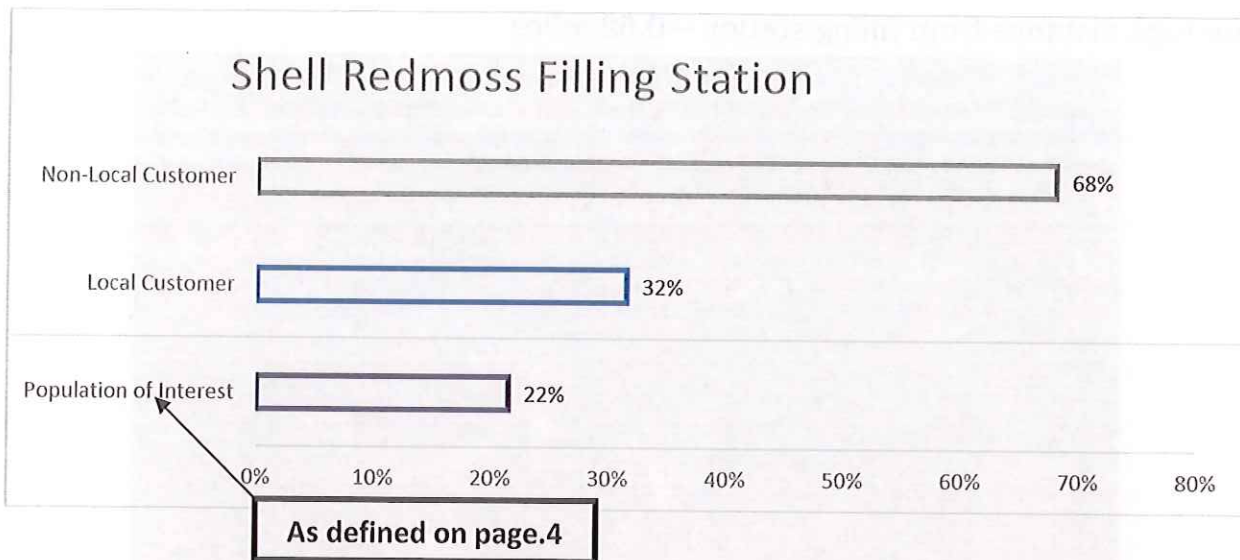


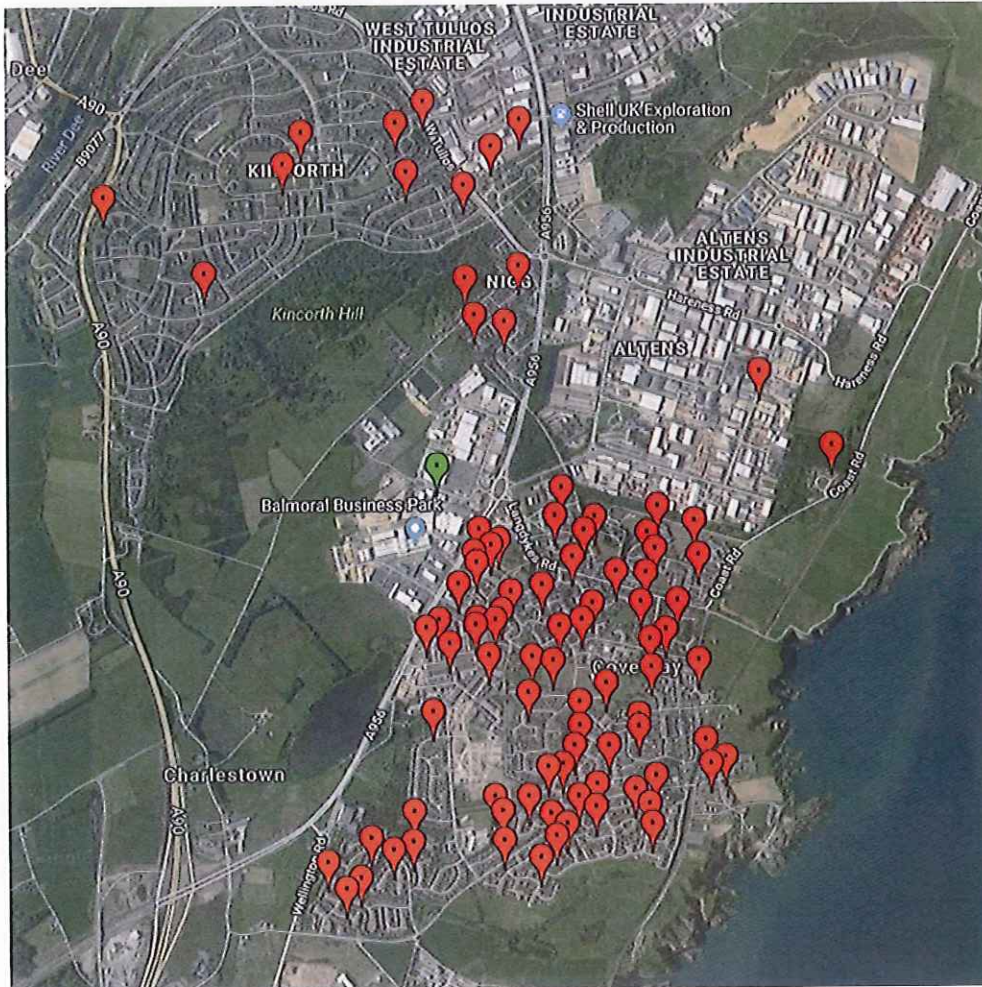
Figure 2 – Base - 648

Research Findings–Geo-mapping

Shell Redross Filling Station

All participants were asked to provide their postcode in order to allow for them to be geo-tagged on a map. Out of the 139 participants who fell into the population of interest 137 provided a full and complete postcode. They are represented below as red icons, in some cases the same postcode has been given and will be represented by only 1 icon.

Average distance from filling station – 0.68 miles



Map 2

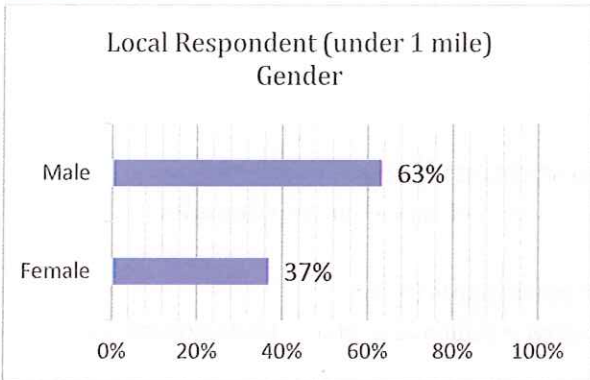
Analysis of the postcode data has shown that the participants from the 'population of interest' live within a locality of 0.68 miles from the service station (red icon) on average.

Research Findings – Demographics Shell Redmoss

Filling Station

Gender

Average visits per week (local users)



Grocery Shopping Base -12	1.17 visits per week
Fuel Purchase Base -198	1.22 visits per week

Table 1 – Base varied

Figure 3 – Base 204

Age

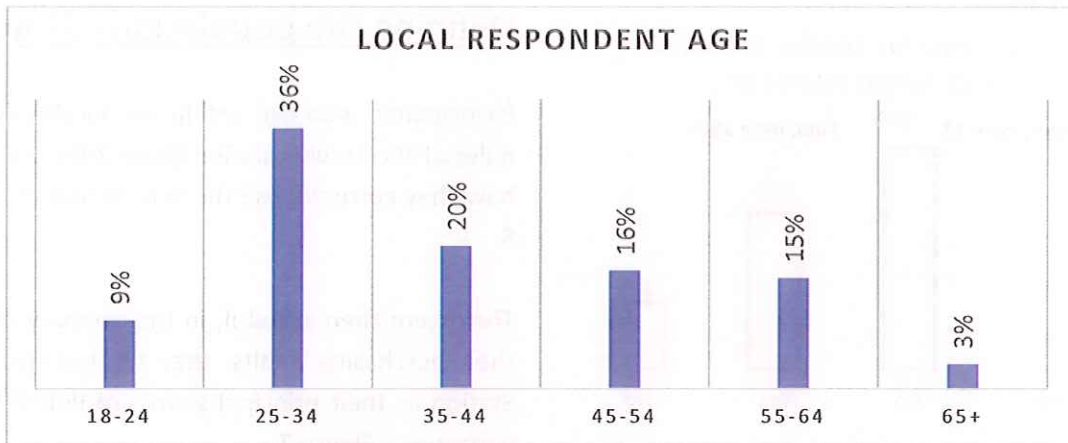


Figure 4 – Base 204

Respondent travel habits

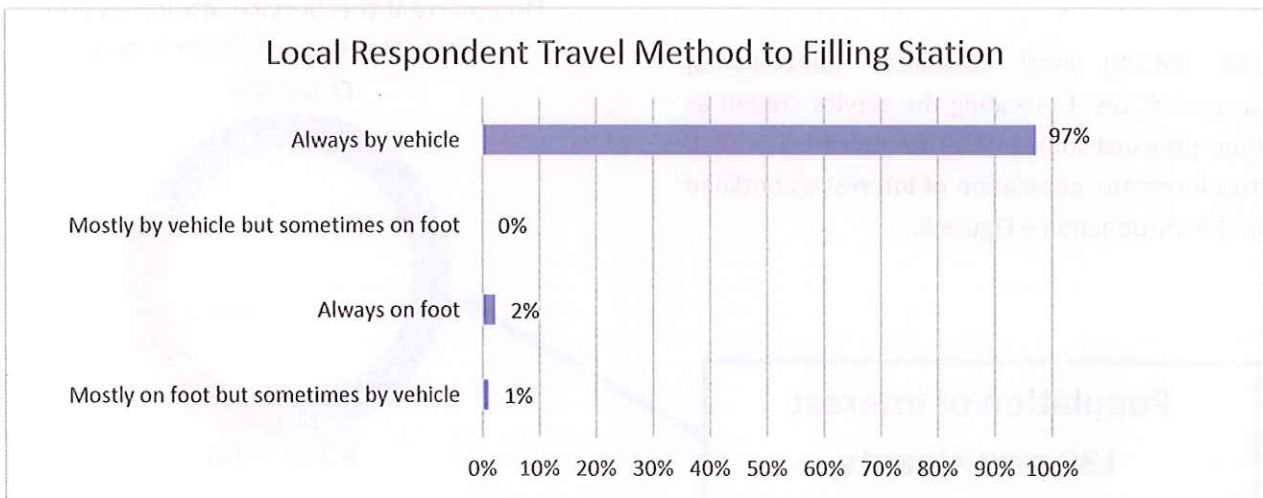
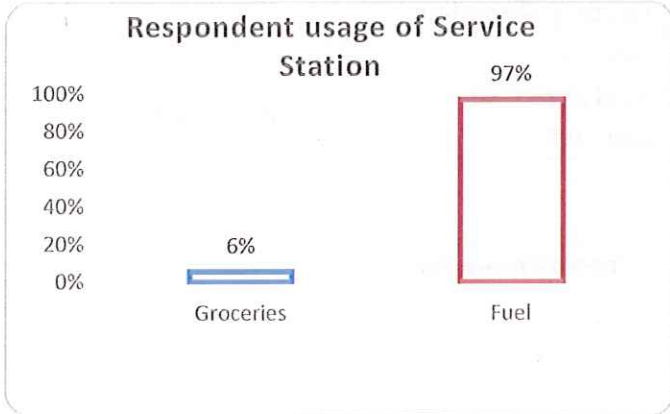


Figure 5 – Base 204

Research Findings – Premises Usage Shell Redmoss

Filling Station

How Shell Redmoss filling station is being used



12 participants (5.6%)

Use service station as a source of **Groceries**

198 participants (97%)

Use service station as a source of **Petrol/DERV (Fuel)**

Figure 6 – Base 204

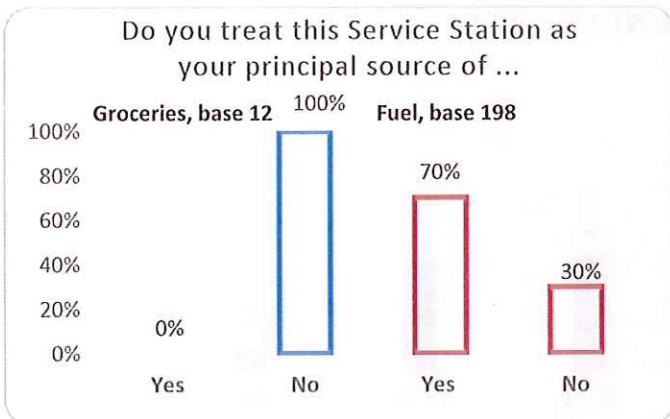


Figure 7 – Base Varied

Defining the population of interest

Participants, who live within the locality (within 1 mile) of the service station [Base 204], were asked how they currently use the Service Station – **Figure 6**.

They were then asked if, in the ordinary course of their purchasing habits, they treated this Service Station as their principal source of Petrol/DERV or Groceries – **Figure 7**.

139 (68.1%) local customers (participants) answered 'yes' to treating the service station as their principal source of either groceries or fuel. This forms the population of interest as outlined in the introduction – **Figure 8**.

Population of interest
139 participants

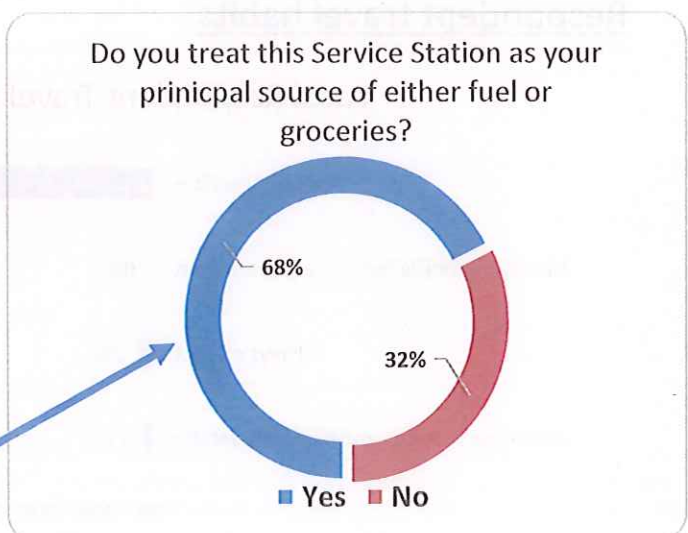


Figure 8 – Base 204

Research Findings – Key Findings Usage Shell

Redmoss Filling Station

Once the population of interest had been defined (Base 139), these participants were asked:
Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with: a) Petrol or DERV (Fuel)? b) Groceries?

Materially disadvantaged or inconvenienced?

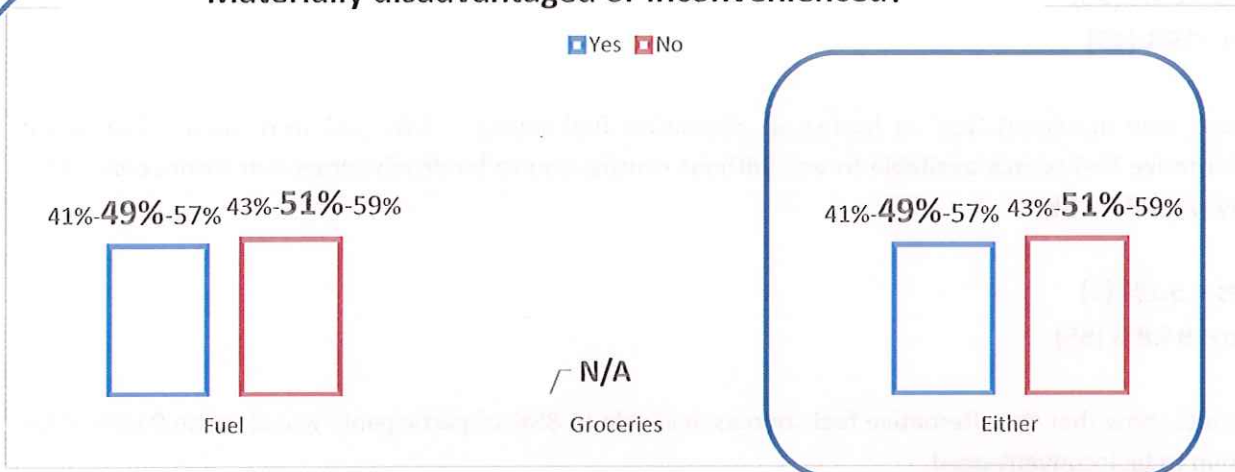


Figure 9 – Fuel Base 139

Groceries Base 0

Either Base 139

The results show that a statistically significant proportion of persons in the locality (49%) see and treat the premises as the principal source from which they, in ordinary course, purchase groceries or fuel and that they would properly consider themselves materially disadvantaged or inconvenienced were any of these retail facilities to no longer be provided from said premises.

Bases explained

Fuel: Overall 139 participants from the locality stated that they used the station as their principal source of fuel, of these participants 49% (68) stated that they would be materially disadvantaged if the premises could no longer provide them with fuel.

Groceries: No participants used the filling station as their principle source of groceries.

Either: The combined base and response for fuel and groceries.

Research Findings – Key Findings

Shell Redmoss Filling Station

In order to qualify the result all participants who coded yes to being materially disadvantaged if the service station could no longer provide fuel were asked 'Would you have an alternative fuel source you could use?' Base 68

Yes – 85% (58)

No –15% (15)

Those who answered 'Yes' to having an alternative fuel source – 74% (43) were then asked: Is this alternative fuel source available to you without causing you to be disadvantaged or inconvenienced in any way? Base 58

Yes – 5.2% (3)

No – 94.8% (55)

Results show that the alternative fuel sources available to 85% of participants would cause 94.8% of this group to be inconvenienced.

95.6% (65) of those materially disadvantaged (base 68) confirmed this was still the case after considering alternatives.

Research Findings – Key Findings

Shell Redmoss Filling Station

The graph below highlights participants who live locally and use the garage as their principal source of either fuel or groceries and who, after considering local alternatives, still feel they would be materially disadvantaged or inconvenienced if the premises could no longer provide them with either.

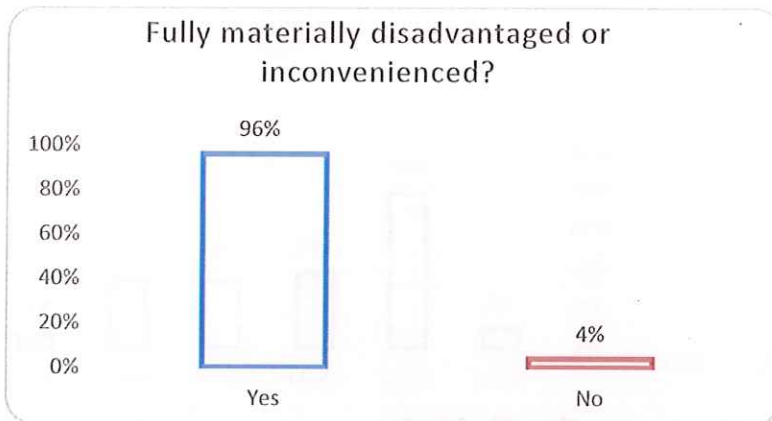


Figure 10, Base 68

The geo-map below shows where all participants (65) who coded 'yes' live; on average 0.69 miles from the station.



Research Findings – Key Findings Shell Redmoss Filling Station

Station

The graphs below highlight the demographic of those who are materially disadvantaged or inconvenienced after having considered local alternatives.

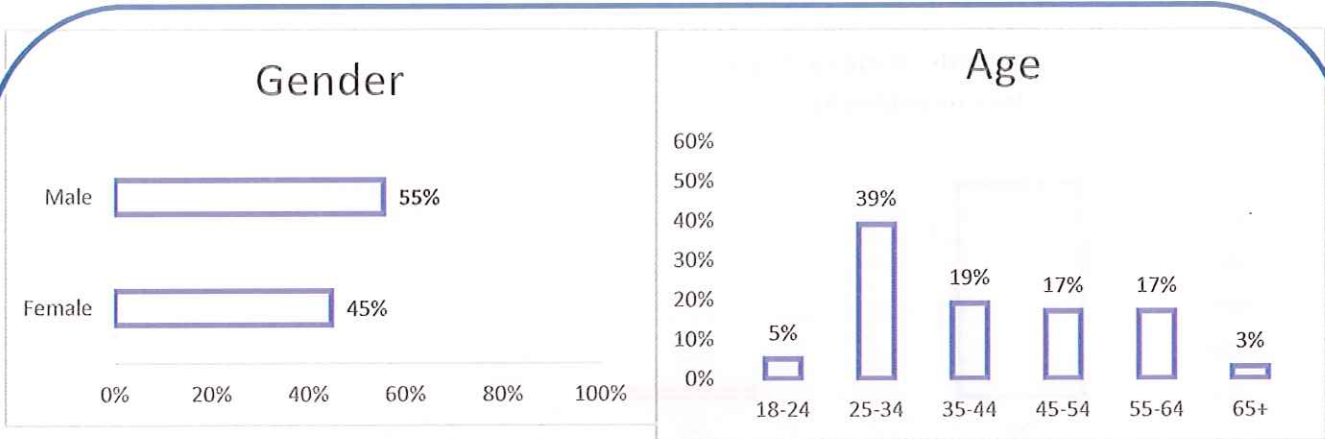


Figure 11 – Base 65

Figure 12 – Base 65

Average visits per week

Grocery Shopping <i>Base 3</i>	1.17 visits per week
Fuel Purchase <i>Base 65</i>	1.63 visits per week

Table 2 – Base Varied

About TMcK

Taylor McKenzie Research & Marketing (TMcK) are a full service agency and provide all stages in the market research process from fieldwork and recruitment, through to interviewing and analysis of data. We are also proud to host one of the UK's best viewing facilities, known as 'The Glasgow View'.

Based in Glasgow since formation in 2001 our steady growth over the past seventeen years has been down to the dedication of our skilled, reliable and creative staff.

TMcK's research team is headed up by Research Director Nicky Taylor who has extensive knowledge of consumer research in Scotland. In the past 12 months he has headed up similar quantitative research projects for KPMG, Tennent's, AXA amongst others. Nicky acts as the main contact for client and will attend briefings and debriefs and will be aided in the completion of the project by research executive Lisa Dixon and TMcK field. TMcK are Company Partners of the Market Research Society and abide by their code of conduct.

This demonstrates that we are one of a small number of Scottish companies who work with the Market Research Society in ensuring that quality standards are consistently upheld within the research industry.

About Market Research Society (MRS)

In the competitive world of market research, one name assures you of instant recognition and respect - that of MRS.

MRS is the 'voice of your profession'. Their role is to represent and communicate good practice in research to the business community, government and the public; to award accreditation and to provide support for our members.

Professional standards

All members of the Society must comply with the [MRS Code of Conduct](#) which is enforced through a disciplinary process. This is the primary means by which market research remains a self-regulated profession. A range of guidelines and advisory services provide support to members in practical implementation of the *Code*.

The *Code of Conduct* embodies the principles of confidentiality and transparency. It provides protection to research users, participants and to researchers themselves. The *Code* has the confidence of the business community, government and regulators. It embraces the principles of data protection legislation. Membership of MRS is your way of showing that you subscribe to these ethical and legislative principles.

Appendix 1 – Research Background

The Licensing (Scotland) Act 2005 defines premises that operate in whole or in part as a garage for the sale of petrol or derv as “excluded premises”. Subject to the provisions of section 123(5) of the Act, garage premises are “excluded premises”. Where premises are “excluded premises”, sale of alcohol is not permitted. The Client wishes to explore the motivations and buying behaviours of the consumers who visit affected forecourt premises with the purpose of ascertaining whether or not their forecourt premises fall to be determined as “excluded premises” or within the exception contain under section 123(5). Section 123(5) seeks to determine, as interpreted in the Opinion of the Inner House of the Court of Session in *BP Oil UK Limited v City of Glasgow Licensing Board and City of Edinburgh Licensing Board* (5th April 2011) whether a recognisable number of persons in the locality¹ see and treat the said premises as the **principal source**² from which they, in **ordinary course**³, purchase **groceries**⁴ or fuel and who would properly consider themselves **materially disadvantaged or inconvenienced**⁵ were these retail facilities to no longer be provided from said premises.

Should the research prove that a substantial % of a **representative sample**⁶ local residents who use the outlet as their principal source of groceries and would be materially disadvantaged or inconvenienced if the outlet stopped selling groceries then it would help to form a case to include the outlet as being ‘not excluded’ from the changing legislation.

¹ **Locality** will be defined on a premises by premises basis. This will be determined via respondent answering what will be Q1 (How far away from this station do you live?) and will be confirmed with geo-mapping postcode software. Those living within the chosen distance will be deemed suitable to represent persons living in the locality and they will be further questioned on purchasing habits. Those living out with the chosen distance will be asked for their postcode and interview will be terminated.

²⁻³ **Principal source / Ordinary course**; these points must be answered by asking each respondent a question that will be interpreted consistently and fully understood.

Generally speaking, do you treat this premises as your principal source for a) Petrol or DERV (a full description of DERV will be provided in Showcard to help understanding) b) Groceries. A simple yes or no answer will be collected.

This will provide the research with its population of interest.

⁴ **Groceries**; will be defined as being food or other things used within the home.

Appendix 1 – Research Background

(continued)

⁵ **Materially disadvantaged or inconvenienced;** the term materially disadvantaged is perhaps not in the general diction of the average respondent, and we would not expect it to be used by a respondent if asked to describe how they felt about a retail outlet closing. However, when it is combined with the word inconvenienced in the Q. “Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with a) petrol (DERV) b) Groceries?” we would expect a good understanding. An open question asking why participants would feel materially disadvantaged or inconvenienced will be asked if ‘yes’ is coded at either a) petrol (DERV) or b) groceries.

⁶ **Representative sample;** in quantitative market research studies which are to be conclusive it is very important that the data collected and the findings and recommendations made from the data are representative of the given population. In real terms this means that should the study be repeated at any given time then the results will be similar 95 times out of 100 and within an acceptable margin of error (+/-) %.

In order to achieve this, data collection should be stratified in terms of opening hours and weekend / weekday footfall and respondent selection should be entirely random.

Statistical Representation

In order for the findings to be conclusive it is very important that the data collected, the findings and recommendations made from the data are representative of the given population. In real terms this means that should the study be repeated at any given time then the results will be similar 95 times out of 100 and within an acceptable margin of error (+/-) %.

In order to achieve this, data collection was stratified in terms of opening hours and weekend / weekday footfall and respondent selection was entirely random.

The table below indicates achieved error thresholds for the overall base of participants and for the population of interest base. Error bars are present throughout each table to represent statistical relevance of each figure.

<u>Population</u>	<u>%GIVING PARTICULAR ANSWER</u>		
	<u>10%/90%</u>	<u>30%/70%</u>	<u>50%</u>
Total Base 648	+ 2.31	+ 3.53	+ 3.85
Local Base 204	+ 4.12	+ 6.29	+ 6.86
Pop of interest Base 139	+ 4.99	+ 7.62	+ 8.31
Inconvenienced Base 68	+ 7.13	+ 10.89	+ 11.88

Appendix 2 – Research Questionnaire

Good morning/afternoon my name is & I am work for Taylor McKenzie Research & Marketing Ltd, an independent Scottish research agency. We are here today to better understand how this filling station is being used by its customers. We only have a few questions to ask and it is important you help so that we can ensure a representative view of all customers. It should only take 2 minutes.

Q1 Interviewer select filling station

- Shell Redmoss.....
-
-

Q2 How far away from this Service station do you live?

Showcard s2

- Within 1/4 of a mile Go to Q3
- Within 1/2 a mile
- Within 1 mile
- Within 1.5 miles
- Within 1.5 to 2 miles CLOSE
- Within 2 to 10 miles (approx.) CLOSE
- More than 10 miles away (approx.) CLOSE

Q3 Which of these best describes how you travel to this station?

Showcard s3

- Always by vehicle Go to Q4
- Always on foot Go to Q4
- Mostly by vehicle but sometimes on foot Go to Q4
- Mostly on foot but sometimes by vehicle Go to Q4
- Other (write in) Go to Q3

Q4 Including today, in the past 6 months have you used this station as a source of ...

Showcard s4

Interviewer - Read out...

- Petrol or DERV (fuel) Go to Q5
- Groceries..... Go to Q6
- Both for Petrol or DERV (fuel) and Groceries Go to Q5

**Interviewer note - if respondent queries what qualifies as 'groceries' please give the following description -
Groceries - 'food or other things used within the home'**

Appendix 2 – Research Questionnaire

(Continued)

Q5 How often do you visit this station for the purchase of petrol or DERV (fuel)?
 Showcard s5

Every day

4 - 5 times a week

2 - 3 times a week

Once a week

2 - 3 times a month

Once a month

Once every 2 months

3 - 4 times a year

Once a year

Less often

First visit

Q6 How often do you visit this station for the purchase of groceries?
 Showcard s5

Every day

4 - 5 times a week

2 - 3 times a week

Once a week

2 - 3 times a month

Once a month

Once every 2 months

3 - 4 times a year

Once a year

Less often

First visit

Q7 Generally speaking, do you treat this premises as your principal source for:
 Showcard s6a & s6b
 Interviewer - Read out full statement above for both petrol and groceries

	Yes	No
Purchasing Petrol or DERV (fuel)	<input type="checkbox"/>	<input type="checkbox"/>
Purchasing Groceries	<input type="checkbox"/>	<input type="checkbox"/>

Q8 Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with:
 Showcard s7

	Yes	No
Petrol or DERV (fuel)	<input type="checkbox"/>	<input type="checkbox"/>
Would you have an alternative fuel source you could use?	<input type="checkbox"/>	<input type="checkbox"/>
Is this alternative fuel source available to you without causing you to be disadvantaged or inconvenienced in any way?	<input type="checkbox"/>	<input type="checkbox"/>

If no: Why is this? (probe fully)

Appendix 2 – Research Questionnaire

(Continued)

Q9 Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with...

Showcard s7b

	Yes	No
Groceries	<input type="checkbox"/>	<input type="checkbox"/>
Would you have an alternative grocery source you could use?	<input type="checkbox"/>	<input type="checkbox"/>
Is this alternative grocery source available to you without causing you to be disadvantaged or inconvenienced in any way?	<input type="checkbox"/>	<input type="checkbox"/>

If no: Why is this? (probe fully)

Q10 Record Gender

- Male
- Female

Q11 Which of these age groups do you fall into?

Showcard s8

- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+

Interviewer Say: Could you please tell me your home postcode, this is so we can get a better understanding of store catchment. This data will never be used for contacting you and will never be passed on with any personal information. Interviewer please enter with a space, as follows.... e.g. G2 4EZ

Postcode

Appendix 3 – Open Ended Responses

Participants who confirmed they were materially disadvantaged or inconvenienced after having considered the alternatives were asked to explain their answer below.

"Q8b"

"If yes: Why is this? (probe fully)"

"Use shell only"

"I use this and the other shell depending on direction"

"It's my routine"

"It's handy convenient"

"I pass on my own car and I hire a car one day a week and this is on way to return"

"This more on way"

"Nearest use for work driving instructor"

"I've got a fuel card can only use here"

"Use shell fuel cards this one where I start my runs for work"

"Work fuel card"

"Don't use a lot and this local"

"This most convenient"

"Convenient to me"

"Use shell"

"Fuel card is for here"

"Have to go down and turn"

"Easiest to access"

"This close and convenient"

"Have a shell account here"

"We use fuel cards"

"This one is closest Have to travel to other"

"Has to be shell as have fuel card"

"Would need to go down road and turn to other one"

"This more convenient"

"Other out the way"

"It's the closest and handiest for all directions"

"Local"

"Do this on way school"

"I buy v power only one close"

"This is local to home and work"

"Other further down in towards town Handy here"

"It's fine and handy"

"Have to go elsewhere"

"It's closest to me"

"This one has hose for asking car other doesn't have this"

"Need to cross road"

"Can only use shell"

"Have to go further"

"A bit annoyed"

"Closest"

"This easy access"

"Have to drive further out and make a turn to other shell"

"It this side of dual carriageway"
 "This is nearest and easiest and has better facilities"
 "It's the nearest"
 "If coming this direction its closer"
 "Can get coffee and sit in car park when come here eat breakfast"
 "Don't use supermarket fuel"
 "Convenient"
 "Don't want to drive further"
 "Need to go further"
 "Closest"
 "Can only put certain fuel in car so don't mix fuels"
 "Need to travel"
 "This is handy on way to work"
 "It's on straight road from home and nearest"
 "It's really handy"
 "Have to go further shell v power diesel is all I use can't get it elsewhere near to me"
 "This is handy"
 "I'd have to go down and back up to other"
 "Very handy"
 "Inconvenience because others can take 20 minutes with traffic"
 "Handy convenient"
 "This is most convenient"
 "Q8e"
 "If no: Why is this? (probe fully)"
 "It's on way back in from town I normally travel other way so this best and closest and no need to turn"
 "I do use both the shell garages but if this closed and I was heading one way I'd have to backtrack to the other one and vice versa, in fact this is easiest from both sides"
 "This one handy"
 "This handy going certain ways"
 "Need to cut back to other side of road"
 "It's opposite way into town on wrong side of road"
 "This one is always better"
 "This more convenient for house work school etc"
 "Not as handy"
 "Not as handy"
 "Not as convenient"
 "This easier access"
 "More time consuming"
 "I don't pass the other shell station so need to go down turn and come back in a circle on busy road to get to other, none in town when in there"
 "Like getting coffee here"
 "At opposite side road, need to go to roundabout"
 "It's awkward to get across to"
 "This one is better situated for me"
 "It's going down road further then having to turn, busy roads"
 "It's opposite side of road"
 "Takes longer to get down the road"
 "Not as accessible"
 "Not as local"
 "It means going past where I not Really drive to, not as convenient"
 "The other shell is down towards town and need to turn back up this direction so adds Tim and miles for visit"
 "Not as handy"
 "Not as convenient to me"
 "Further away"
 "Doesn't have hose for wash"

"Other one means round the road"
"Further to go"
"Need to go down and backup"
"Opposite side dual carriageway"
"It's down road and on way back to here"
"It's the opposite side of dual carriageway making it a pest to turn, I like this one as fill up on way home so have fuel for next day when it's low"
"It's on wrong side of road for me and doesn't do same things as I get here"
"Not as handy need to go around roundabout"
"Depends on direction I'm travelling"
"Can't sit anywhere near there to finish breakfast"
"Shell across road there but this easier access when heading into town"
"Further to drive"
"Further to go"
"Not as handy"
"Not as easy access"
"Not as close"
"Need to get caught in traffic to turn"
"Off the main road from home"
"Not as handy"
"It's at other direction"
"Not as convenient"
"Not as convenient to get in and out"
"At times too far"
"Not as convenient"
"Not as close"

Appendix 4 – Postcodes of Population of Interest

Ab12 3dw	0.87	Ab12 3bw	0.94
Ab12 3hz	0.8	Ab12 3lx	0.38
Ab12 3ry	1	Ab12 3bu	0.89
Ab12 3na	1	Ab12 3tz	0.48
Ab12 3bw	0.94	Ab12 3pq	0.67
Ab12 3hh	0.6	Ab12 3nj	0.99
Ab12 3qb	0.94	Ab12 3wj	0.36
Ab12 3hw	0.4	Ab12 3up	0.78
Ab12 3bp	0.92	Ab12 3dw	0.87
Ab12 5bd	0.88	Ab12 3bu	0.89
Ab12 3he	0.5	Ab12 3sr	0.67
Ab12 3dy	0.87	Ab12 3jy	0.68
Ab12 3wj	0.36	Ab12 3st	0.4
Ab12 3bp	0.92	Ab12 3jy	0.68
Ab12 5bu	0.77	Ab12 3ef	0.81
Ab12 3bu	0.89	Ab12 3eg	0.85
Ab12 3wn	0.97	Ab12 3qf	0.84
Ab12 3ry	1	Ab12 3pu	0.55
Ab12 3sd	0.38	Ab12 3ub	0.79
Ab12 3lh	0.82	Ab12 3se	0.41
Ab12 3tq	0.37	Ab12 3fq	0.25
Ab12 3bf	0.78	Ab12 3sw	0.4
Ab12 3sh	0.32	Ab12 3hd	0.67
Ab12 3qu	1	Ab12 3qg	0.92
Ab12 3fr	0.18		
Ab12 3nw	0.57		
Ab12 3bu	0.89		
Ab12 3ry	1		
Ab12 3nz	0.8		
Ab12 3tj	0.4		
Ab12 3jn	0.46		
Ab12 3nf	0.55		
Ab12 3bw	0.94		
Ab12 3st	0.4		
Ab12 3sz	0.29		
Ab12 3ub	0.79		
Ab12 3sw	0.4		
Ab12 3dg	0.92		
Ab12 3sz	0.29		
Ab12 3bu	0.89		
Ab12 3fd	0.6		

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE
PREMISES: ALOFT HOTEL, THE EVENT COMPLEX ABERDEEN

DESCRIPTION

- Hotel adjacent to the TECA Complex
- Over 4 floors
- Monday to Sunday 10:00 to 01:00 on-consumption
- Monday to Sunday 10:00 to 22:00 off- consumption

OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health
- LSO

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.

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

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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29 April 2019

Your Ref:

Our Ref: 410847

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PROVISIONAL PREMISES LICENCE
ALOFT HOTEL, THE EVENT COMPLEX ABERDEEN, ABERDEEN, AB21 9SB
HOTELS EMPLOYEES LIMITED, 40 BRAND STREET, GLASGOW, G51 1DG**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

In relation to the operating plan that accompanies the application seeking core on-sales hours of 1000-0100 hours Monday to Sunday, this will exceed the guideline hours on Sunday to Thursday in terms of the Board's policy, for premises outwith the city centre.

Whilst I have no objection to the proposed terminal hour, I recommend the Board gives consideration as to whether it merits a departure from their policy.

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

The operating plan further indicates that they intend to provide outdoor drinking during and outwith core hours. Further examination of the layout plans provided indicate a large area at the rear of the premises is included within the licenced area - unfortunately there is insufficient information provided to confirm if this is the area being used for this purpose.

I recommend that if this area is to be used for the purposes of an outdoor drinking facility, it is subject to a physical barrier indicating the licenced area and subject to a terminal hour of 2200 hours and no amplified music.

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

EH Comments Aloft Hotel

29 April 2019 11:42

From: Andrew Gilchrist <AGilchrist@aberdeencity.gov.uk>
Sent: 29 April 2019 09:25
To: LicensingBoard <licensingboard@aberdeencity.gov.uk>
Cc: Tara-Erin Gilchrist <TEGilchrist@aberdeencity.gov.uk>; Diane Sande <DSande@aberdeencity.gov.uk>
Subject: RE: May Licensing Board - Application for Provisional Premises Licence - Aloft Hotel, TECA Complex

The application includes an external drinking area. Recommend that there is no amplified music and the use is terminated at 10pm. ACG 29/04/19

Best wishes,



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10
1AB

Direct Dial: 01224 522720

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Application For Provisional Premises Licence: Aloft Hotel, The Event Complex Aberdeen, Aberdeen, AB21 9SB

03 May 2019 11:18

Subject	Application For Provisional Premises Licence: Aloft Hotel, The Event Complex Aberdeen, Aberdeen, AB21 9SB
From	Commercial
To	LicensingBoard
Cc	LSO
Sent	03 May 2019 10:56

For the attention of Alexander Munro, Team Leader Licensing, Legal and Democratic Services.

Licensing (Scotland) Act 2005

Application For Provisional Premises Licence: Aloft Hotel, The Event Complex Aberdeen, Aberdeen, AB21 9SB

In terms of Section 22 (1) (b) (ii) I make the following representation to the Licensing Board.

In regards to the outdoor drinking area, if the Licensing Board is minded to grant the application, I recommend the following conditions are included;

1. The outdoor drinking area will not operate after 10pm.
2. The outdoor drinking area will be clearly demarcated.
3. Live entertainment and amplified music will not be permitted within the outdoor drinking area
4. To include the wording '*outdoor drinking area until 10pm*' within the children and young person's terms of access, Q6 (b) of the Operating Plan.

In regards to other parts of the application, I have no further comment to make.

Regards

Licensing Standards Officer

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PREMISES LICENCE

PREMISES: 55A Springhill Road, Aberdeen

DESCRIPTION

- Convenience store
- Off – Consumption Monday to Sunday 10 – 10

OBJECTIONS/REPRESENTATIONS

None at the date of the agenda preparation – last date for objections/representations is 9/05/2019

POLICY

6 CONDITIONS ATTACHING TO LICENCES

6.5 The Board has devised a number of local conditions which may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: ABERDEEN HERO/PUMPKIN, ABERDEEN RAILWAY STATION

DESCRIPTION

- Variation to the commencement of Sunday hours from 12:30 to 10:00 for both on and off-sales.
- Variation to the terms on which children and young persons are permitted access to the premises to accompanied by an adult and by removing reference to "who is partaking of a table meal".

OBJECTIONS/REPRESENTATIONS

- Police
- LSO

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.

25 April 2019

Your Ref:

Our Ref: 410534

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ABERDEEN HERO/PUMPKIN
ABERDEEN RAILWAY STATION, GUILD STREET, ABERDEEN, AB11 6LX**

I refer to the above variation of a premises licence in 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 Sunday from 1230-2300 hours to 1000-2300 hours;
2. Amend the core off-sales hours on Sunday from 1230-2200 hours to 1000-2200 hours;
3. Amend the terms in which Children and Young Persons are permitted entry, specifically removing the wording 'adult who is partaking of a table meal'.

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

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

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

The application seeks to amend the terms in which Children and Young Persons are permitted entry to the premises, specifically removing the wording 'adult who is partaking of a table meal', which would allow Children and Young Persons accompanied access to what is predominately a bar environment.

In a letter dated 26 August 2014, Police Scotland made representation in support of the (then) Protecting Children from Harm licencing objective that should children and young persons be permitted entry to the premises, it would be for the purposes of the consumption of food.

I am of the opinion that given the premises is adjoined to a café which offers a family friendly environment within the train station, and in keeping with the spirit of the previous representation, I recommend that the current wording remain or be amended to similarly reflect that the purpose of children being present is the consumption of food, by the party.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

Variation application - Aberdeen Hero/Pumpkin, Aberdeen Railway Station 14 May 2019

02 May 2019 12:46

Subject	Variation application - Aberdeen Hero/Pumpkin, Aberdeen Railway Station 14 May 2019
From	Diane Sande
To	LicensingBoard; Alexander Munro
Cc	Arlene Dunbar; LSO
Sent	02 May 2019 09:20

Application for Variation of Premises Licence
Premises: Aberdeen Hero/Pumpkin, Aberdeen Railway Station, Guild Street, Aberdeen
Applicant: Select Service Partner Limited

In terms of Section 22 (1) (b) (ii) I make the following representation to the Licensing Board.

With regard to the amendment to core hours I make no comment.

The application also refers to the children and young persons access terms, specifically removing the wording " who is partaking of a table meal" in relation to the adult accompanying the child or young person within the Hero section of the premises.

Therefore, if granted, children and young persons could remain in the premises, accompanied by an adult aged 18 or over, with no food service to the adult or child or young person being a requirement. This could be the case until 23.00 within an environment where the consumption of alcohol is the predominant activity.

In light of this, I would like to recommend that the current wording remains in place and is not deleted.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: AMUSEMENT PARK AND CONGO ADVENTURE GOLF, QUEENS LINKS

DESCRIPTION

- Variation to operating plan to include outdoor drinking facilities and variation to the layout plan to include the outdoor area.

OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health
- LSO

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.

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.

What the Board Will Do:

- Promote education and awareness of potential risks.
- Apply additional licence conditions where appropriate for the purposes of this licensing objective.
- Facilitate effective communication between all relevant parties.
- Disseminate relevant information from partner agencies as widely as possible.
- Review licences as a last resort.

What the Board Will Expect of Licence Holders/Applicants:

- High standards of maintenance of premises.
- Membership of schemes to secure public safety such as radiolink and pubwatch.
- Glassware or alternatives to glassware including toughened or safety glass frequently cleared.
- Accurate disability access statements. Although these are only required for new applications the Board would encourage all existing premises to consider the preparation of an appropriate statement for publication.
- Clear and accurate signage in and around premises.
- Fully completed risk assessments where appropriate, for both premises and proposed activities to be carried out.
- Policies on crowd management and dispersal, both in the ordinary course of operation and in an emergency.
- Regular maintenance and testing of security and operating systems.
- Designation of a “safe space” within the premises in which vulnerable persons can be provided with assistance.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

What the Board Will Expect of Partner Agencies:

- Co-operative approach.
- Effective communication and the sharing of up to date relevant information.
- Involvement in a 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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2 May 2019

Your Ref:

Our Ref: 410903

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
AMUSEMENT PARK, CONGO ADVENTURE GOLF AND MIAMI BEACH,
BEACH BOULEVARD, ABERDEEN, AB24 5ED**

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 including the external area to one of the premises licences pertaining to the complex.

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.

The area to be licensed has, for some time also been utilised for music events and themed nights.

In terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, I am of the opinion that the variation in its current form should be modified to reflect the following points:

1. The external area to have a terminal hour of 2300 hours daily;
2. Control measures to be in place to ensure no access by children and young person to events for person aged 18 years and above, such DJ/dance music events;

3. Adequate stewarding to be in place commensurate with the activity ongoing, including ordinary trading days;
4. For events other than ordinary trading involving 500 persons or more, prior notification of no less than 21 days to be given to Police Scotland;
5. Signage at egress points regarding alcohol not being taken outwith and to include reference to the local bye-law.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468

Application for Variation of Premises Licence - Amusement Park and Congo Adventure Golf and Bar Diner, Queens Links by John Codona's Pleasure Fairs Ltd,

07 May 2019 10:29

Subject	Application for Variation of Premises Licence - Amusement Park and Congo Adventure Golf and Bar Diner, Queens Links by John Codona's Pleasure Fairs Ltd,
From	Andrew Gilchrist
To	LicensingBoard
Cc	Diane Sande; Tara-Erin Gilchrist
Sent	03 May 2019 14:15

Of particular note to this Service is the part of the application referring to allowing outdoor drinking. In order to reduce the risk of noise nuisance to neighbouring residents I recommend that the following are attached as conditions –

1. The use of the outdoor area ceases at 2200,
2. The use of amplified music is not permitted
3. implementation of a formal written Noise Management Plan (NMP), agreed in writing with this Service, for all reasonably foreseeable noise sources associated with the business activities to protect amenity of the neighbouring residents.

The NMP is intended to reasonably demonstrate noise impact has been assessed by the business and suitable controls formalised for the purposes to both demonstrating these controls and for staff training purposes. The NMP and its acceptability by this service is not, however, an exemption from the statutory nuisance provisions should a justified complaint occur.

Best wishes,



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522720
www.aberdeencity.gov.uk | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

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Variation of premises licence - Amusement Park and Congo Adventure Golf and Bar Diner

02 May 2019 12:49

Subject	Variation of premises licence - Amusement Park and Congo Adventure Golf and Bar Diner
From	Diane Sande
To	Alexander Munro; LicensingBoard
Cc	Arlene Dunbar; LSO
Sent	02 May 2019 10:13

Application for Variation of Premises Licence
Premises: Amusement Park and Congo Adventure Golf and Bar Diner, Queens Links, Aberdeen
Applicant: John Codona's Pleasure Fairs Limited

In terms of Section 22 (1) (b) (ii) I make the following representation to the Licensing Board.

I have no objections to the application but would like to recommend conditions for the external area :-

1 Daytime events –

- Beer and wine only on sale
- Personal licence holder to be on site at all times
- Drinks to be decanted into plastic glasses
- CCTV coverage

2 Evening events -

- Personal licence holder to be on site at all times
- Drinks to be decanted into plastic glasses
- CCTV coverage
- SIA Door Supervisors on duty
- Terminal hour of 23:00
- A4 Signage stating no access to children and young persons at adults only themed events

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: BREWDOG, 17 GALLOWGATE, ABERDEEN

DESCRIPTION

- Variation to terminal hour for on consumption on Sundays to Thursdays from 00:00 to 02:00
- Fridays and Saturdays from 01:00 to 03:00.
- Variation to the commencement of the on-consumption hours on Friday and Saturdays from 11:00 to 12:00.
- Addition of seasonal variations.

OBJECTIONS/REPRESENTATIONS

- Police
- NHS
- Member of the Public
- Environmental Health (received outwith statutory timescales)

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.

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.

What the Board Will Do:

- Promote education and awareness of potential risks.
- Apply additional licence conditions where appropriate for the purposes of this licensing objective.
- Facilitate effective communication between all relevant parties.
- Disseminate relevant information from partner agencies as widely as possible.
- Review licences as a last resort.

What the Board Will Expect of Licence Holders/Applicants:

- High standards of maintenance of premises.
- Membership of schemes to secure public safety such as radiolink and pubwatch.
- Glassware or alternatives to glassware including toughened or safety glass frequently cleared.
- Accurate disability access statements. Although these are only required for new applications the Board would encourage all existing premises to consider the preparation of an appropriate statement for publication.
- Clear and accurate signage in and around premises.
- Fully completed risk assessments where appropriate, for both premises and proposed activities to be carried out.
- Policies on crowd management and dispersal, both in the ordinary course of operation and in an emergency.
- Regular maintenance and testing of security and operating systems.
- Designation of a “safe space” within the premises in which vulnerable persons can be provided with assistance.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

What the Board Will Expect of Partner Agencies:

- Co-operative approach.
- Effective communication and the sharing of up to date relevant information.
- Involvement in a licence review as a last resort.

Protecting and Improving Public Health

The Board recognise that excessive consumption of alcohol can cause or exacerbate a number of health problems. All applicants will be expected to demonstrate measures to be taken to protect public health, and all licence holders

will be expected to maintain those standards and take all necessary steps to prevent excessive consumption.

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:

- 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.

2 April 2019

Your Ref:

Our Ref: 404141

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



Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
BREWDOG BAR, 17-19 GALLOWGATE, ABERDEEN, AB25 1EB**

I refer to the above variation of a premises licence in 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 from 1100-0000 hours on Monday to Thursday, 1100-0100 hours on Friday and Saturday and 1230-0000 hours on Sunday to 1100-0200 hours Sunday to Thursday and 1200-0300 hours on Friday and Saturday;
2. Amend the core off-sales hours from 1100-2200 hours on Monday to Saturday and 1230-2200 hours on Sunday to 1100-2200 hours on Monday to Sunday;
3. Amend Q4 to include seasonal variations, as per the Board's festive policy;
4. Amend Q5(g) stating music will not exceed the stipulated decibel level.

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

In respect of 2, 3 and 4 I have no adverse comment to make.

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

In the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy in respect of Door Stewards, Radiolink, CCTV; a holder of a Personal Licence under the Licensing (Scotland) Act 2005 being on duty for any time the premises operates after 0100 hours and the condition relating to Duty of Care being applied.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

Date 11th April 2019
Enquiries to 01224 557047
Our Ref 20191035
Email: grampian.phalcohollicensing@nhs.net

Ms Jenny Wilson
Team Lead
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms Wilson

**Licensing (Scotland) Act 2005 – Variation of Premises Licence
Brewdog, 17 Gallowgate, Aberdeen, AB25 1EB**

We refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following representation under the licensing objectives:

**Protecting and Improving Public Health
Preventing Crime & Disorder
Securing Public Safety**

In creating the new Statement of Licensing Policy, the Licensing Board recognised that excessive consumption of alcohol can cause or exacerbate a number of issues. They set guidance within the policy to help address these concerns and included an appendix of Local Conditions which may be attached to premises licences at the Board's discretion.

The applicant seeks to make the following amendments:

- Amend on sales hours on Fridays and Saturday to 11:00 to 0200 (15 hours)
- Amend on sales hours Sunday through to Thursday – 11:00 – 01:00 (14 hours)

Trading times comply with the Statement of Licensing Policy and we have no comment to make to this request.

However, the Statement of Licensing Policy, page 12, states that:

“Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink.”

We would suggest that the Licensing Board give consideration to adding these conditions to the license, if they are not already in place, and also give consideration to the Duty of Care condition. These conditions serve as protection to patrons and staff and will contribute to the general wellbeing of visitors to the premises and the city centre in general.

For this reason, and in terms of Section 22(1) (a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian submits this letter of representation as the granting of the application would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health, Preventing Crime & Disorder and Securing Public Safety.

Yours sincerely

Dr Tara Shivaji
Consultant in Public Health

pp Heather Wilson
Health Improvement Officer (Alcohol & Drug

DELIVERED BY HAND

Legal Services Governance
Aberdeen City Council
Business Hub 6 L15
Marischal College
Aberdeen
AB10 1AB

12th April 2019

Dear Sir/Madam

OBJECTION TO VARIATION OF LICENSE FOR BREWDOG PUB, 17 GALLOWGATE, ABERDEEN

Thank you for your letter notifying me that an application has been made by Brewdog Retail Limited to vary their license at 17 Gallowgate. I wish to formally object upon the following grounds:

1. Your notification dated 22nd March 2019 to affected parties was inaccurate (see attached) the closing date was stated as 24th October 2018 and Details of Variations applied for on the reverse side are incorrect. Notwithstanding this I object on the following grounds.
2. The licensed premises has shown total disregard to residents living on top of the public house, and a daily extension of hours until 2am will cause additional noise, nuisance and distress. The business has not addressed any of the issues raised in the last 6 months (see attached) although they repeatedly promise to do so. In addition to the valid legal reasons for objecting before (which you chose to ignore) there is now 1) regular fly tipping in the alleyway to the premises food & drink storage areas, 2) rats have been seen and there is evidence of them eating through the rubbish left lying on the ground, and 3) the pub's heating/air conditioning unit has no drain so all condensate forms a 2 cm puddle on the floor so all the urine/vomit/ faeces and rotting food is walked into the pub and our homes. (Additional photographs are available if required).
3. In the summer months the fire exit door is regularly kept open and the noise from the public house directly travels up to our flats, an extension of opening hours to 2 am is totally unreasonable as 2 of the 4 residents leave for work between 5 and 6 am.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: REVOLUTION, 25 BELMONT STREET

DESCRIPTION

- Variation to the terminal hour to 02:00 on Sunday to Thursday and to 03:00 on Friday and Saturday.

OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health

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

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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28 February 2019

Your Ref:

Our Ref: 391765

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



Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
REVOLUTION, 25 BELMONT STREET, ABERDEEN, AB10 1JS**

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

The variation requested consists of an amendment to the operating plan to allow an increase to core on sales hours from 1200 - 0000 hours to 1200 - 0200 hours every Sunday to Thursday and from 1200 - 0200 hours to 1200 - 0300 hours every Friday and Saturday.

In terms of Section 29(5) 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 the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy in respect of Door Stewards, Radiolink, CCTV and holder of a Personal Licence under the Licensing (Scotland) Act 2005 being on duty for any time the premises operates after 0100 hours remaining attached, and the condition relating to Duty of Care being applied.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468

EH comments Revolution

28 February 2019 12:46

Subject	EH comments Revolution
From	Andrew Gilchrist
To	LicensingBoard; Tara-Erin Gilchrist
Sent	28 February 2019 10:23

For the attention of Jennifer Wilson, Team Leader, Legal and Democratic Services, Corporate Governanance, Aberdeen City Council

Licensing Board Meeting 12 March 2019

Variation – Revolution, 25 Belmont St. ,Aberdeen AB10 IJS

The above application has been assessed by this Service in relation to any music noise breakout from amplified / non-amplified music played / performed at the premises. Consideration has been given to the risk of noise impact on local residences at the proposed times listed in the application.

As with any such matter it is naturally desirable to avoid a situation that would result in this Service serving formal notices to abate activities that have caused nuisance.

Having carefully considered the application I am not objecting to this application.

However, there is an expectation that management at the premises would establish and apply suitable and robust noise control measures associated with music noise to protect the amenity of local residents and reduce the risk of adverse noise impact constituting a statutory nuisance.

I would recommend these noise control measures are formalised in writing to demonstrate and convey to staff for training purposes the specific detail of the required noise controls. A copy of these noise control measures should be submitted to this Service for approval.



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
|Operations| Marischal College|3rd Floor South |Broad Street| Aberdeen | AB10 1AB

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: BUGSY BROWNS, 7 WINDMILL BRAE

DESCRIPTION

- Variation to the commencement of on consumption hours Monday to Sunday from 19:30 to 13:00
- variation to the terminal hour Sunday to Thursday to 02:00 and to 03:00 on Friday and Saturdays.
- Addition of conference facilities, club/group meetings and receptions.

OBJECTIONS/REPRESENTATIONS

- NHS Grampian

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.

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

Date 30th April 2019
Enquiries to 01224 557047
Our Ref 20191047
Email: grampian.phalcohollicensing@nhs.net

Ms Jenny Wilson
Team Lead
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms Wilson

**Licensing (Scotland) Act 2005 – Variation to Operating plan of Premises Licence
Bugs Browns, 7 Windmill Brae, Aberdeen, AB11 6HU**

We refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following representation under the licensing objectives:

**Protecting and Improving Public Health
Preventing Crime & Disorder
Securing Public Safety**

In creating the new Statement of Licensing Policy, the Licensing Board recognised that excessive consumption of alcohol can cause or exacerbate a number of issues. They set guidance within the policy to help address these concerns and included an appendix of Local Conditions which may be attached to premises licences at the Board's discretion.

The applicant seeks to make the following amendments:

- Amend on sales hours Sunday through to Thursday opening at 13:00 to 02:00 (13 hours)
- Amend on sales hours Friday through to Saturday opening at 13:00 to 03:00 (14hours)

Trading times comply with the Statement of Licensing Policy and we have no comment to make to this request.

However, the Statement of Licensing Policy, page 12, states that:

“Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink.”

We would suggest that the Licensing Board give consideration to adding these Local Conditions to the license, if they are not already in place, with specific consideration to the following conditions:

- CCTV
- Door Supervisors
- Drugs Policy
- Radio Link
- Duty of Care.

These conditions serve as protection to patrons and staff and will contribute to the general wellbeing of visitors to the premises and the city centre in general.

For this reason, and in terms of Section 22(1) (a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian submits this letter of representation as the granting of the application would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health, Preventing Crime & Disorder and Securing Public Safety.

Yours sincerely

Dr Tara Shivaji

Consultant in Public Health

pp Marie-Louise Shaw

Health Improvement Officer (Alcohol & Drugs)

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: CROFT TAVERN, 5 STOCKETHILL CRESCENT

DESCRIPTION

- Amend opening time for on-sales from 11:00 Monday to Saturday to 10:00 and Sunday from 12:30 to 10:00.
- Amend terminal hour for on sales from 00:00 to 01:00 Friday and Saturday and Sunday from 23:00 to 00:00.
- Amend opening time for off sales from 11:00 Monday to Saturday to 10:00 and Sunday from 12:30 to 10:00.
- add poker nights, remove Church Alpha classes, choir practice and add community group meetings.
- allow lounge to be used as a smaller private function suite, amend children's access as follows: "children allowed into lounge when accompanied by an adult and must partake in food"
- Restaurant facilities to be provided during and outwith core hours.
- Change premises name to Croft & Cairns.

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.

29 April 2019

Your Ref:

Our Ref: 410547

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
CROFT TAVERN, 5 STOCKETHILL CRESCENT, STOCKETHILL, ABERDEEN,
AB16 5TT**

I refer to the above variation of a premises licence in 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 from 1100-0000 hours on Monday to Saturday and 1230-2300 hours on Sunday to 1000-0000 hours Sunday to Thursday and 1000-0100 hours on Friday and Saturday;
2. Amend the core off-sales hours from 1100-2200 hours Monday to Saturday and 1230-2200 hours on Sunday to 1000-2200 hours Monday to Sunday;
3. Amend Q5 to include the provision of restaurant facilities;
4. Amend Q6 relating to Children and Young Persons terms, permitting them to attend a function within the lounge whilst accompanied by an adult.
5. Change the premises name to 'Croft and Cairns'

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

In respect of points 1, 2, 3 and 5 I have no adverse comment to make.

In respect of point 4 and in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

The applicant was contacted regarding the requested changes to the terms in which Children and Young Persons are permitted access and it was established

that the amended changes would not reflect how the premises intend to operate, in that it would appear there will be no service of food after 2200 hours, other than at a private function.

It is my recommendation, in support of the Protecting Children and Young Persons from Harm licensing objective that the operating plan in its current form is modified to state

'Children and young persons are permitted into the lounge and function area whilst accompanied by a responsible adult aged 18 years of age or over for the purposes of partaking of breakfasts prior to the commencement of core hours and for a meal and no later than 2200 hours or for the purposes of attending a private, pre-booked function, within the function suite, until the terminal hour, or lounge area providing that the entirety of the lounge is being utilised for a private pre-booked function'.

The applicant indicated he would be agreeable to these terms.

This letter is submitted for your attention when considering this application

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: DYCE FARM, ABZ BUSINESS PARK, INTERNATIONAL AVENUE

DESCRIPTION

- Amend the terminal hour Friday and Saturday to 01:00.
- Add to Any Other Activities to allow external live or recorded music, the external drinking area at a controlled level and to finish no later than 22:00.

OBJECTIONS/REPRESENTATIONS

- Environmental Health

POLICY

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.

Application for Variation of Licence by Greene King Brewing and Retailing Ltd. for Dyce Farm, Aberdeen AB21 0AF

29 April 2019 13:13

Subject	Application for Variation of Licence by Greene King Brewing and Retailing Ltd. for Dyce Farm, Aberdeen AB21 0AF
From	Andrew Gilchrist
To	LicensingBoard
Cc	Tara-Erin Gilchrist; Diane Sande
Sent	29 April 2019 08:37

The application includes a proposal to , “allow external live or recorded music , either in the external drinking area, or in the car park for one- off events, at a controlled level and to finish no later than 10pm”.

Although I have no objection to this application, I would recommend that the Board attach the above as a condition of the licence to ensure that the risk of nuisance to nearby commercial businesses is negated .

Best wishes,



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: HUSH (UNIT 6) HUSH 2, (UNITS 7,8, 9 and 10) THE GALLERIA, BON ACCORD STREET, ABERDEEN

DESCRIPTION

- Variation to the terminal hour on Fridays & Saturdays to 03:00 for Hush 2.

OBJECTIONS/REPRESENTATIONS

- Environmental Health
- NHS

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.

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

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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Application for Variation of Licence at Hush and Jam Jar, The Galleria, Bon Accord Street, Aberdeen, AB11 6FB

03 May 2019 09:29

Subject	Application for Variation of Licence at Hush and Jam Jar, The Galleria, Bon Accord Street, Aberdeen, AB11 6FB
From	Andrew Gilchrist
To	LicensingBoard
Cc	Diane Sande; Tara-Erin Gilchrist
Sent	03 May 2019 08:39

Details: 'Amend on sales closing time for consumption on the premises on Fridays and Saturdays to 03:00hrs

The above variation application has been assessed by this Service in respect of potential for noise impact

The assessment focussed on extension of the core hours terminal hour 02:00 Hours to 03:00 Hours on Friday and Saturday nights for Jam Jar only. A review of the complaints database advised that currently there are no unresolved noise complaints relating to the premises.

Having carefully considered the matter based on the information submitted, this Service does not object to this proposal. However the proposed additional night time operating hours increase the risk of adverse impact on neighbouring residents.

To control the risk of adverse impact this Service would therefore recommend an appropriate condition requiring the effective implementation of a formal written Noise Management Plan (NMP), agreed in writing with this Service, for all reasonably foreseeable noise sources associated with the business activities to protect amenity of the neighbouring residents. .

The NMP is intended to reasonably demonstrate noise impact has been assessed by the business and suitable controls formalised for the purposes to both demonstrating these controls and for staff training purposes. The NMP and its acceptability by this service is not, however, an exemption from the statutory nuisance provisions should a justified complaint occur.



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

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Date 30th April 2019
Enquiries to 01224 557047
Our Ref 20191050
Email: grampian.phalcohollicensing@nhs.net

Ms Jenny Wilson
Team Lead
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms Wilson

**Licensing (Scotland) Act 2005 – Variation to Operating plan of Premises Licence
Jamjar (Unit 01) Hush (Unit 6) and Hush 2, (Units 7, 8, 9 and 10), The Galleria, Bon
Accord Street, Aberdeen, AB11 6FB**

We refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following representation under the licensing objectives:

**Protecting and Improving Public Health
Preventing Crime & Disorder
Securing Public Safety**

In creating the new Statement of Licensing Policy, the Licensing Board recognised that excessive consumption of alcohol can cause or exacerbate a number of issues. They set guidance within the policy to help address these concerns and included an appendix of Local Conditions which may be attached to premises licences at the Board's discretion.

The applicant seeks to make the following amendments:

- Amend on sales terminal hour trading for **Jam Jar only** on a Friday and Saturday to 03:00 hours

Trading times comply with the Statement of Licensing Policy and we have no comment to make to this request.

However, the Statement of Licensing Policy, page 12, states that:

“Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink.”

We would suggest that the Licensing Board give consideration to adding these Local Conditions to the license, if they are not already in place, with specific consideration to the following conditions:

- CCTV
- Door Supervisors
- Drugs Policy
- Radio Link
- Duty of Care condition

These conditions serve as protection to patrons and staff and will contribute to the general wellbeing of visitors to the premises and the city centre in general.

For this reason, and in terms of Section 22(1) (a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian submits this letter of representation as the granting of the application would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health, Preventing Crime & Disorder and Securing Public Safety.

Yours sincerely

Dr Tara Shivaji

Consultant in Public Health

pp Marie-Louise Shaw

Health Improvement Officer (Alcohol & Drugs)

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: UNIT 1, THE ACADEMY, ABERDEEN

DESCRIPTION

- Variation to the terminal hour to 02:00 on Sunday to Thursday and to 03:00 on Friday and Saturday.

OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health

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

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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28 February 2019

Your Ref:

Our Ref: 391464

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



Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
REVOLUCION DE CUBA
UNIT 1, THE ACADEMY, BELMONT STREET, ABERDEEN, AB10 1LB**

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 core on-sales hours from 1100-0000 hours on Sunday to Thursday and 1100-0200 hours on Friday and Saturday to 1100-0200 hours on Sunday to Thursday and 1100-0300 hours on Friday and Saturday.

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 hours requested on the Friday and Saturday, the premises seek to operate for 16 hours continuously. The Board's Statement of Licensing Policy, published in November 2018, states, 'The Board considers 15 hours continuous trading to be reasonable within any 24-hour period'.

In the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy in respect Door Stewards, Radiolink and CCTV remaining attached and Duty of Care being applied. I also request that a condition which states that a person who is the holder of a Personal

Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates after 0100 hours, is similarly applied.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

FW: EH comments Revolucion de Cuba

28 February 2019 12:29

Subject	FW: EH comments Revolucion de Cuba
From	Andrew Gilchrist
To	LicensingBoard; Tara-Erin Gilchrist
Sent	28 February 2019 10:22

For the attention of Jennifer Wilson, Team Leader, Legal and Democratic Services, Corporate Governanance, Aberdeen City Council

Licensing Board Meeting 12 March 2019

Variation – Revolucion de Cuba, 25 Belmont St. ,Aberdeen AB10 ILB

The above application has been assessed by this Service in relation to any music noise breakout from amplified / non-amplified music played / performed at the premises. Consideration has been given to the risk of noise impact on local residences at the proposed times listed in the application.

As with any such matter it is naturally desirable to avoid a situation that would result in this Service serving formal notices to abate activities that have caused nuisance.

Having carefully considered the application I am not objecting to this application.

However, there is an expectation that management at the premises would establish and apply suitable and robust noise control measures associated with music noise to protect the amenity of local residents and reduce the risk of adverse noise impact constituting a statutory nuisance.

I would recommend these noise control measures are formalised in writing to demonstrate and convey to staff for training purposes the specific detail of the required noise controls. A copy of these noise control measures should be submitted to this Service for approval.



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522720
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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: ICELAND FOODS, 306 HOLBURN STREET, ABERDEEN

DESCRIPTION

- Variation to the terminal hour for off sales to 22:00 Monday to Sunday;
- Removal of seasonal variations
- Addition of recorded music within and outwith core hours.

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 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.

25 April 2019

Your Ref:

Our Ref: 410568

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



Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ICELAND FOODS PLC, 306-308 HOLBURN STREET, ABERDEEN, AB10 7GX**

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 off-sales hours from 1000-2000 hours Monday to Sunday to 1000-2200 hours;
2. Removal of the wording within Q4 relating to seasonal variations;
3. Amend Q5 to include the provision of recorded music during and outwith core hours;
4. Amend the wording within Q5 to include the provision of home deliveries and sale of groceries outwith core-hours.

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

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

In respect of point 4 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 when considering this application.

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: ICELAND FOODS, 461 GREAT NORTHERN ROAD

DESCRIPTION

- Variation to the terminal hour for off sales to 22:00 Monday to Sunday;
- Removal of seasonal variations
- Addition of recorded music within and outwith core hours.

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 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.

29 April 2019

Your Ref:

Our Ref: 413686

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ICELAND FOODS PLC, 461-475 GREAT NORTHERN ROAD, ABERDEEN,
AB24 2BD**

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 off-sales hours from 1000-2000 hours Monday to Sunday to 1000-2200 hours;
2. Removal of the wording within Q4 relating to seasonal variations;
3. Amend Q5 to include the provision of recorded music during and outwith core hours;
4. Amend the wording within Q5 to include the provision of home deliveries and sale of groceries outwith core-hours.

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

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

In respect of point 4 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 when considering this application.

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department 01224 306468.

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: ICELANDS FOODS LTD, UNIT 3 BOULEVARD RETAIL PARK

DESCRIPTION

- Variation to the terminal hour for off sales to 22:00 Monday to Sunday;
- Removal of seasonal variations
- Addition of recorded music within and outwith core hours.

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 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.

25 April 2019

Your Ref:

Our Ref: 411315

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ICELAND FOODS LTD
UNIT 3, BEACH BOULEVARD RETAIL PARK, ABERDEEN, AB11 5EJ**

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. Removal of the wording within Q4 relating to seasonal variations;
2. Amend Q5 to include the provision of recorded music during and outwith core hours;
3. Amend the wording within Q5 to include the provision of home deliveries and sale of groceries outwith core-hours;
4. Amend the layout plan, slightly increasing alcohol capacity.

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

In respect of points 1, 2, and 4 I have no adverse comment to make.

In respect of point 3 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 when considering this application

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: ILLICIT STILL, NETHERKIRKGATE, ABERDEEN

DESCRIPTION

- Variation to the terminal hour on Sunday to Thursday for consumption from 01:00 to 02:00.
- Variation to the commencement of on consumption hours on Friday and Saturdays from 11:00 to 12:00 and
- variation to terminal hour from 01:00 to 03:00.

OBJECTIONS/REPRESENTATIONS

- Police
- NHS
- Member of the Public x 1

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

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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2 April 2019

Your Ref:

Our Ref: 404108

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



Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ILLICIT STILL, 22 NETHERKIRKGATE, ABERDEEN, AB10 1AU**

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 from 1100-0000 hours on Sunday to Thursday and 1100-0100 hours on Friday and Saturday to 1100-0200 hours Sunday to Thursday and 1200-0300 hours on Friday and Saturday;
2. Amend the core off-sales hours on Sunday from 1230-2200 hours to 1100-2200 hours.

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

In respect of point 2, I have no adverse comment to make.

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

In the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy in respect of Door Stewards, Radiolink, CCTV; a holder of a Personal Licence under the Licensing (Scotland) Act 2005 being on duty for any time the premises operates after 0100 hours and the condition relating to Duty of Care being applied.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department.

Date 11th April 2019
Enquiries to 01224 557047
Our Ref 20191037
Email: grampian.phalcohollicensing@nhs.net

Ms Jenny Wilson
Team Lead
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms Wilson

**Licensing (Scotland) Act 2005 – Variation of Premises Licence
Illicit Still, Netherkirkgate, Aberdeen, AB10 1AU**

We refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following representation under the licensing objectives:

**Protecting and Improving Public Health
Preventing Crime & Disorder
Securing Public Safety**

In creating the new Statement of Licensing Policy, the Licensing Board recognised that excessive consumption of alcohol can cause or exacerbate a number of issues. They set guidance within the policy to help address these concerns and included an appendix of Local Conditions which may be attached to premises licences at the Board's discretion.

The applicant seeks to make the following amendments:

- Amend on sales hours on Fridays and Saturday to 12:00 to 03:00 (15 hours)
- Amend on sales hours Sunday through to Thursday – 11:00 – 02:00 (15 hours)

Trading times comply with the Statement of Licensing Policy and we have no comment to make to this request.

However, the Statement of Licensing Policy, page 12, states that:

“Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink.”

We would suggest that the Licensing Board give consideration to adding these conditions to the license, if they are not already in place, and also give consideration to the Duty of Care condition. These conditions serve as protection to patrons and staff and will contribute to the general wellbeing of visitors to the premises and the city centre in general.

For this reason, and in terms of Section 22(1) (a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian submits this letter of representation as the granting of the application would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health, Securing Public Safety and Preventing Crime and Disorder.

Yours sincerely

Dr Tara Shivaji
Consultant in Public Health

pp Heather Wilson
Health Improvement Officer (Alcohol & Drug

RECEIVED
05 APR 2019

the ILLICIT STILL.

nightclub.

year and quickly realised

at the ...

Smoking and speaking loudly as the night goes on
the noise goes from level 2

to about level 9. As i am the first floor bedroom
window above the door the noise was a nightmare.

I had to spend £4000 thousand pounds for
secondary glazing to help with the noise.

It does help it but does not stop it. As i am a owner
occupier i spent this money to help with this problem.

If you are a tennant there is no chance the landlord
will do this as he does not live there.

There must be about 40 apartments above and
round the ILLICIT STILL.

In the centre of aberdeen the prices of apartments
have fallen by thousands of pounds.

We are on a back street and no one would want to
buy an apartment with a pub below open

till two or three in the morning. Not everyone works
monday to friday. I realise you cant stop people

smoking and shouting but you can stop these small
pubs being open to these new hours that you suggest.

ToThe Licensing Board
Dear Sir or Madam

I strongly upject to any increase of hours concerning

RECEIVED
05 APR 2019

I would never have bought this property if i thought
that the council lincensing board would ever consider
these riddiculous hours.If you want aberdeen centre to
thive you need to consider people need to sleep
so they are fit to work and pay there way in society
would it not be great if everyone was able to pay
there way in life and not count on benifits.

yours sinerley
MR STANLEY

HENDERSON

REF ADM. CM4531
3/4/2019

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE X 2 APPLICATIONS

PREMISES: MALONE'S IRISH SPORTS BAR, 90 SHIPROW

DESCRIPTION

- Amendment to opening time for consumption on the premises on Sundays from 12:30 to 11:00.
- Amendment to Commencement to on-consumption on the premises Monday to Saturday to 11:00
- Amendment to the Terminal hour Monday to Sunday to 02:00.

OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health

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.

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

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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25 April 2019

Your Ref:

Our Ref:

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



Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
MALONES IRISH SPORTS BAR
90 SHIPROW, ABERDEEN, AB11 5BZ**

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.

In a letter dated 29 March 2019, Police Scotland responded to an application for the variation to the premises licence, with the only change being the commencement of the core hours on Sunday changing from 1230 hours to 1000 hours.

Since this time, the premises have submitted an updated application seeking the following, which appears to supersede the previous application, namely;

The variation requested consists of amending the core on-sales hours from 1000-0000 hours Monday to Wednesday, 1000-0100 hours Friday and Saturday, 1230-0000 hours on Sunday **to** 1100-0200 hours Monday to Saturday and 1000-0200 hours on Sunday.

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

In relation to the operating hours requested from Monday to Saturday, I have no adverse comment to make about this element of the variation.

The premises seek to operate on a Sunday between 1000-0200 hours, which would allow the premises to operate for 16 continuous hours which would be outwith the recommended hours within the Board's Policy.

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

In the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy November 2018 in respect Door Stewards, Radiolink, CCTV and Duty of Care being applied. I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

Application for Variation of Licence at Malone's Irish Sports Bar 90 Ship Row Aberdeen AB11 5BZ

03 May 2019 09:18

Subject	Application for Variation of Licence at Malone's Irish Sports Bar 90 Ship Row Aberdeen AB11 5BZ
From	Andrew Gilchrist
To	LicensingBoard
Cc	Diane Sande; Tara-Erin Gilchrist
Sent	03 May 2019 08:22

Details: 'Amend on sales opening time for consumption on the premises on Mondays to Saturdays to 11:00 and the terminal hour on each day of the week from the current midnight/01:00 to 02:00 each day.

The above variation application has been assessed by this Service in respect of potential for noise impact on neighbouring residences and disturbance.

The assessment focussed on extension of the core hours terminal hour from midnight to 02:00 Hours from Sunday to Thursday nights and from 01:00 Hours to 02:00 Hours on Friday and Saturday nights, essentially an additional 12 hours of night-time operations. A review of the complaints database advised that currently there are no unresolved noise complaints relating to the premises.

Having carefully considered the matter based on the information submitted, this Service does not object to this proposal. However the proposed additional night time operating hours increase the risk of adverse impact on neighbouring residents.

To control the risk of adverse impact this Service would therefore recommend an appropriate condition requiring the effective implementation of a formal written Noise Management Plan (NMP), agreed in writing with this Service, for all reasonably foreseeable noise sources associated with the business activities to protect amenity of the neighbouring residents.

The NMP is intended to reasonably demonstrate noise impact has been assessed by the business and suitable controls formalised for the purposes to both demonstrating these controls and for staff training purposes. The NMP and its acceptability by this service is not, however, an exemption from the statutory nuisance provisions should a justified complaint occur.



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522720

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: MARQUIS DAIRY, 101 MARQUIS ROAD, ABERDEEN

DESCRIPTION

- Variation of terminal hour for consumption off premises from 20.00 to 22.00 Mondays to Sundays.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: MURDOS, CAIRNCRY ROAD, ABERDEEN

DESCRIPTION

- Variation of terminal hour for on consumption on premises from 00.00 to 01.00 Fridays and Saturdays.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: MUSA, 33 EXCHANGE STREET, ABERDEEN

DESCRIPTION

- Change of premises name to Hop & Anchor
- Variation to on sale hours; Sunday to Thursday 11:00 to 02:00 and Friday and Saturday 12:00 to 03:00
- Variation to off sales hours: Sunday to Saturday 10:00 to 22:00
- Addition of Seasonal variations.
- Amend activities to the following: The premises may open prior to core licensed hours for early morning breakfasts, snacks and retail sales. All activities listed above may take place at the times the premises are open. No alcohol will be sold/supplied out with licensed hours.

OBJECTIONS/REPRESENTATIONS

- Police
- NHS
- Environmental Health
- Member of the Public x 2

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

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.

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.

What the Board Will Do:

- Promote education and awareness of potential risks.
- Apply additional licence conditions where appropriate for the purposes of this licensing objective.
- Facilitate effective communication between all relevant parties.

- Disseminate relevant information from partner agencies as widely as possible.
- Review licences as a last resort.

What the Board Will Expect of Licence Holders/Applicants:

- High standards of maintenance of premises.
- Membership of schemes to secure public safety such as radiolink and pubwatch.
- Glassware or alternatives to glassware including toughened or safety glass frequently cleared.
- Accurate disability access statements. Although these are only required for new applications the Board would encourage all existing premises to consider the preparation of an appropriate statement for publication.
- Clear and accurate signage in and around premises.
- Fully completed risk assessments where appropriate, for both premises and proposed activities to be carried out.
- Policies on crowd management and dispersal, both in the ordinary course of operation and in an emergency.
- Regular maintenance and testing of security and operating systems.
- Designation of a “safe space” within the premises in which vulnerable persons can be provided with assistance.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

What the Board Will Expect of Partner Agencies:

- Co-operative approach.
- Effective communication and the sharing of up to date relevant information.
- Involvement in a 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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3 May 2019

Your Ref:

Our Ref: 410576

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
MUSA (NOW HOP & ANCHOR), 33 EXCHANGE STREET, ABERDEEN,
AB11 6PH**

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 the core on-sales hours from 1100-0100 hours Monday to Sunday to 1100-0200 hours Sunday to Thursday and 1200-0300 hours Friday and Saturday;
2. Amending the core off-sales hours to 1000-2200 hours Monday to Sunday;
3. Include the provision of seasonal variations, permitting them to operate as per the Board policy;
4. Amend Q5 to include the provision of recorded music and live performances outwith core hours, in addition to during core hours;
5. Amend the wording within Q5 clarifying when activities are to take place;
6. Amend the terms of Children and Young Persons access, taking into account 'challenge 25 policy';
7. Amend the premises name and description of the premises.

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

In relation to point 1, in terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005 and in support of the Preventing Crime, Preventing Public

Nuisance and Securing Public Safety licensing objectives I make the following representation.

In the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request this element of the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy November 2018 in respect Door Stewards, Radiolink, CCTV and Duty of Care being applied. I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates after 0100 hours.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

Date 30th April 2019
Enquiries to 01224 557047
Our Ref 20191051
Email: grampian.phalcohollicensing@nhs.net

Ms Jenny Wilson
Team Lead
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms Wilson

**Licensing (Scotland) Act 2005 – Variation to Operating plan of Premises Licence
Musa, 33 Exchange Street, Aberdeen, AB11 6PH**

We refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following representation under the licensing objectives:

**Protecting and Improving Public Health
Preventing Crime & Disorder
Securing Public Safety**

In creating the new Statement of Licensing Policy, the Licensing Board recognised that excessive consumption of alcohol can cause or exacerbate a number of issues. They set guidance within the policy to help address these concerns and included an appendix of Local Conditions which may be attached to premises licences at the Board's discretion.

The applicant seeks to make the following amendments:

- Amend on sales hours Sunday through to Thursday opening at 11:00 to 02:00 (15 hours)
- Amend on sales hours Friday through to Saturday opening at 12:00 noon to 03:00 (15 hours)

Trading times comply with the Statement of Licensing Policy and we have no comment to make to this request.

However, the Statement of Licensing Policy, page 12, states that:

“Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink.”

We would suggest that the Licensing Board give consideration to adding these Local Conditions to the license, if they are not already in place, with specific consideration to the following conditions:

- CCTV
- Door Supervisors
- Drugs Policy
- Radio Link
- Duty of Care.

These conditions serve as protection to patrons and staff and will contribute to the general wellbeing of visitors to the premises and the city centre in general.

For this reason, and in terms of Section 22(1) (a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian submits this letter of representation as the granting of the application would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health, Preventing Crime & Disorder and Securing Public Safety.

Yours sincerely

Dr Tara Shivaji

Consultant in Public Health

pp Marie-Louise Shaw

Health Improvement Officer (Alcohol & Drugs)

Application for Variation of Licence at Musa, 33 Exchange Street, Aberdeen, AB11 6PH

03 May 2019 09:30

Subject	Application for Variation of Licence at Musa, 33 Exchange Street, Aberdeen, AB11 6PH
From	Andrew Gilchrist
To	LicensingBoard
Cc	Tara-Erin Gilchrist; Diane Sande
Sent	03 May 2019 08:44

Details: 'Amend on sales closing time for consumption on the premises on Saturdays to Thursdays to 02:00hrs and the terminal hour on Fridays and Saturdays to 03:00 hrs

The above variation application has been assessed by this Service in respect of potential for noise impact

The assessment focussed on extension of the core hours terminal hour to 02:00 Hours from Sunday to Thursday nights and to 03:00 Hours on Friday and Saturday nights. A review of the complaints database advised that currently there are no unresolved noise complaints relating to the premises.

Having carefully considered the matter based on the information submitted, this Service does not object to this proposal. However the proposed additional night time operating hours increase the risk of adverse impact on neighbouring residents.

To control the risk of adverse impact this Service would therefore recommend an appropriate condition requiring the effective implementation of a formal written Noise Management Plan (NMP), agreed in writing with this Service, for all reasonably foreseeable noise sources associated with the business activities to protect amenity of the neighbouring residents.

The NMP is intended to reasonably demonstrate noise impact has been assessed by the business and suitable controls formalised for the purposes to both demonstrating these controls and for staff training purposes. The NMP and its acceptability by this service is not, however, an exemption from the statutory nuisance provisions should a justified complaint occur.



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

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Your Ref: AC0361
Date: 24 April 2019

FAO: Licensing Team
Legal Services
Governance
Aberdeen City Council
DX: 529450, Aberdeen 9

By DX and E-mail

Dear Sirs,

Brewdog Retail Limited
MUSA, 33 Exchange Street, Aberdeen, AB11 6PH

I am writing to register my objection to the application for a variation of premises licence by Brewdog Retail Limited for Musa, 33 Exchange Street, Aberdeen, AB11 6PH. The basis for this opposition is that varying the licence for these premises will not promote the licensing objectives, in particular, the prevention of crime and disorder, securing public safety, prevention of public nuisance as well as protecting and improving public health.

33 Exchange Street lies within the Council's city centre area and is adjacent to many of the historical buildings. Exchange being one such listed building. It should also be noted that due to the nature of being a listed building, a majority of the properties within Exchange Street are single glazed. Noise reduction can be problematic with such windows. As such, to increase the licensed hours will be detrimental to the Council's aims and objectives, in particular Policies D1, D4 and T5, as set out in the Aberdeen Local Development Plan: 2017.

There are already at least 8 other licensed premises within a ¼ mile radius of 33 Exchange Street. Granting an increase in licensing hours would provide a further source of alcohol for longer hours within an already heavily populated area that is already known for crime, disorder and public nuisance.

Residents in this area, including myself, already suffer noise nuisance, antisocial behaviour and higher levels of crime due to the sheer amount of licensed premises selling alcohol within the area. I personally struggle on many nights to sleep and have gainful rest with the current licensed hours

due to the amount of noise and antisocial behaviour surrounding the building and licensed premises within the area. It is totally unacceptable to expect residents such as myself, to endure longer hours and increased noise nuisance than what we have already suffered.

I have also personally suffered serious distress from the crime and antisocial behaviour from the drunk patrons of the area's licensed premises. I live on the ground floor of the building and my kitchen window was smashed. I am a single female and this left my property unsecured, my welfare being affected in addition to extra costs for repairing the broken window. An increase in licensed hours causes me major anxiety and concern as I believe it would lead to increased problems with drunk and inebriated people within close vicinity of my property.

In view of the above and the licensing objections, I would urge the Licensing Authority to refuse the application.

Yours sincerely,

Sonia Cheng

AC0361

29 April 2019 12:35

Subject	AC0361
From	Rachael Taylor
To	Licensing
Sent	24 April 2019 09:01

Dear Legal Services

I am writing to register my objection to the extended opening hours of Musa, 33 Exchange Street, Aberdeen.

The basis for this opposition is that granting a licence for these premises to open late into the earlier hours will affect the residents of Exchange Street. This is a conservation area and my flat is just across the road from Musa. We have single glazing and at night you can hear everything, there will be people coming & going at hours & then there will be the smoking issue. When people have been drinking they are very loud and you can also hear the music coming from the building.

Residents in the area already suffer noise nuisance & antisocial behaviour from various bars in the street and to suffer this inconvenience until 3am at a weekend and 2 am on a Thursday/Sunday, when you have work the next day is not acceptable.

I would urge the committee to refuse the application due to the area being conservation & residential. Musa has operated well for years without extended hours. Yes, it can be very noisy when there has been parties but closing time is reasonable for a bar in a residential area.

yours faithfully

Rachael Taylor

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: NIRVANA, 23 CROWN TERRACE

DESCRIPTION

- Variation to the commencement of on consumption time on Friday and Saturday from 13:00 to 12:00; and on Sunday to from 12:00 to 10:00.
- Addition of indoor/outdoor sports and televised sport to be provided during and outwith core hours.
- Layout Plan - Internal alterations to accommodate the use of the premises as a sports/pool centre.
- Change of premises name to Legends Sports Bar.

OBJECTIONS/REPRESENTATIONS

- Police
- LSO

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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2 May 2019

Your Ref:

Our Ref: 411336

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
NIRVANA, 23 CROWN TERRACE, ABERDEEN, AB11 6HD**

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:

1. Amending the commencement of core hours from 1200 hours on Sunday to Thursday and 1300 hours on Friday and Saturday to 1200 hours, Monday to Saturday and 1000 hours on Sunday;
2. Inclusion of indoor/outdoor sports and televised sport;
3. Amendments to Q6 of the Operating plan to allow Children and Young Persons access until 2100 hours to all public parts 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 respect of point 1, I note in the paper apart submitted by the applicant's agent, that youth pool training is to be available on Sunday mornings between the hours of 1000 and 1200 with different age groups being trained at different times. If this is the reason for the earlier commencement of core hours on Sunday in particular, given core hours will commence at 1200 on the other six days of the week, then I suggest that the sale of alcohol during the period of time of 1000 - 1200 is not appropriate and inconsistent with the licensing objective of Protecting Children

and Young Persons from Harm. I recommend that unless the Licensing Board are otherwise satisfied that that the earlier commencement on Sundays is appropriate, that this element of this part to the variation be refused. I have no adverse comment to make about the commencement of on sales being amended to 1200 hours on Friday and Saturday.

In respect of point 2, and in support of the Preventing Crime and Disorder and Preventing Public Nuisance licensing objectives, I request a condition be attached that should the premises intend to hold indoor sports and/or show televised sport of any major sporting event, particularly those involving mixed martial arts and boxing, after the terminal hour, that Police Scotland be notified no less than three weeks in advance.

In respect of point 3, the terms under which Children and Young Persons is not defined. In the paper apart it is indicated that children will be present for the playing of pool, watching competitions and to eat. This is not reflected on the Operating Plan. I therefore recommend that the Operating Plan be amended to include same and when children will be supervised or accompanied.

I note the premises have the activity of adult entertainment and I understand from the applicant's agent that his client would be willing to provide an undertaking to not operate the premises utilising adult entertainment.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

Variation of premises licence - Legends, 23 Crown Terrace

02 May 2019 13:53

Subject	Variation of premises licence - Legends, 23 Crown Terrace
From	Diane Sande
To	LicensingBoard; Alexander Munro
Cc	LSO
Sent	02 May 2019 11:17

Application for Variation of Premises Licence Premises: Legends (Nirvana),23 Crown Terrace, Aberdeen Applicant: AJM Funding Ltd

In terms of Section 22 (1) (b) (ii) I make the following representation to the Licensing Board.

With regard to the amendment to core hours I make no comment regarding Friday and Saturdays amendment to opening at 12.00

I make no comment regarding the addition of indoor/outdoor sports, televised sport and change of capacity due to a change of layout.

The premises is going to be used as a sports/pool centre with access for children and young persons. The current operating plan includes adult entertainment as an activity. I cannot see this activity being consistent with the licensing objective - Protecting children from harm. On this basis I object to the introduction of children and young persons access.

With regard to the amendment of Sunday opening hours to 10am, if this application is granted and children and young persons access the premises for pool/sports I cannot see the necessity for the sale of alcohol from 10am and therefore cannot support this part of the variation.

If the Licensing Board are minded to grant this application, I would recommend that there is a local condition attached which prohibits the adult entertainment activity, along with any permanent or moveable fixtures, fittings, posters, booths etc.. which are usually present within premises which offer adult entertainment - none of which have access for children and young persons.

If granted I also recommend that the access terms are clarified as the proposed operating plan simply states that children and young persons are allowed access during opening hours until 21.00. There is no indication of whether children and young persons are accompanied or supervised by an adult over the age of 18.

Licensing Standards Officer

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: PITTODRIE STADIUM FUNCTION SUITES, CORPORATE HOSPITALITY AREA, PITTODRIE STADIUM

DESCRIPTION

- Variation to amend the commencement of on consumption time on a Sunday from 1230 to 11:00
- Amend wording on terms of access for children and young persons to simplify.
- Variation to the layout plan.

OBJECTIONS/REPRESENTATIONS

- None received at the date of agenda preparation.
- Last date for lodging objections/representations is 9 May 2019.

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: RICHMOND ARMS, 327 NORTH DEESIDE ROAD, ABERDEEN

DESCRIPTION

- To vary the terminal hour for on sales on Fridays and Saturdays from 00:00 to 01:00.

OBJECTIONS/REPRESENTATIONS

- Environmental Health

POLICY

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.

Application for Variation of Licence at Richmond Arms, 327 North Deeside Road, Aberdeen, AB14 0UL

03 May 2019 09:22

Subject	Application for Variation of Licence at Richmond Arms, 327 North Deeside Road, Aberdeen, AB14 0UL
From	Andrew Gilchrist
To	LicensingBoard
Cc	Diane Sande; Tara-Erin Gilchrist
Sent	03 May 2019 08:33

Details: 'Amend on sales closing time for consumption on the premises on Fridays and Saturdays to 01:00 hrs.

The above variation application has been assessed by this Service in respect of potential for noise impact

The assessment focussed on extension of the core hours terminal hour 00:00 Hours to 01:00 Hours on Friday and Saturday nights. A review of the complaints database advised that currently there are no unresolved noise complaints relating to the premises.

Having carefully considered the matter based on the information submitted, this Service does not object to this proposal. However the proposed additional night time operating hours increase the risk of adverse impact on neighbouring residents.

To control the risk of adverse impact this Service would therefore recommend an appropriate condition requiring the effective implementation of a formal written Noise Management Plan (NMP), agreed in writing with this Service, for all reasonably foreseeable noise sources associated with the business activities to protect amenity of the neighbouring residents. .

The NMP is intended to reasonably demonstrate noise impact has been assessed by the business and suitable controls formalised for the purposes to both demonstrating these controls and for staff training purposes. The NMP and its acceptability by this service is not, however, an exemption from the statutory nuisance provisions should a justified complaint occur.



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
|Operations| Marischal College|3rd Floor South |Broad Street| Aberdeen | AB10 1AB

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: THE PLOUGHMAN, NORTH DEESIDE ROAD

DESCRIPTION

- Variation to on consumption terminal hour for on sales on Fridays and Saturdays to 01:00.
- Incorporate the outside area into the licensed area.

OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health
- LSO

POLICY

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.

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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29 April 2019

Your Ref:

Our Ref: 410923

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



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Chief Constable

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THE PLOUGHMAN, NORTH DEESIDE ROAD, PETERCULTER, ABERDEEN,
AB14 0QN**

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 terminal hour of core on-sales hours on Friday and Saturday from 0000 hours to 0100 hours;
2. Amend Q5 to include the provision of outdoor drinking facilities;
3. Amend the layout plan to include the outdoor drinking, further increasing capacity of the premises.

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

In respect to points 1 and 3, 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.

It is my recommendation that the outdoor drinking area requested is subject to a terminal hour of 2200 hours, as per the Board's policy and that there is no external amplified music.

The applicant's agent was contacted and has indicated they would be agreeable to these terms.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

Application for Variation of Licence at The Ploughman, North Deeside Road, Peterculter, Aberdeen, AB14 0QN

03 May 2019 09:20

Subject	Application for Variation of Licence at The Ploughman, North Deeside Road, Peterculter, Aberdeen, AB14 0QN
From	Andrew Gilchrist
To	LicensingBoard; Tara-Erin Gilchrist; Diane Sande
Sent	03 May 2019 08:29

Details: 'Amend on sales closing time for consumption on the premises on Fridays and Saturdays to 01:00 hrs and increase capacity now taking in to account the outside licensing area to a total of 359.

The above variation application has been assessed by this Service in respect of potential for noise impact

The assessment focussed on extension of the core hours terminal hour 00:00 Hours to 01:00 Hours on Friday and Saturday nights. A review of the complaints database advised that currently there are no unresolved noise complaints relating to the premises.

Having carefully considered the matter based on the information submitted, this Service does not object to this proposal. However the proposed additional night time operating hours increase the risk of adverse impact on neighbouring residents.

To control the risk of adverse impact this Service would therefore recommend an appropriate condition requiring the effective implementation of a formal written Noise Management Plan (NMP), agreed in writing with this Service, for all reasonably foreseeable noise sources associated with the business activities to protect amenity of the neighbouring residents. . Additionally the outdoor licensed area should not be used after 22:00hrs and no music should be played in the outdoor area.

The NMP is intended to reasonably demonstrate noise impact has been assessed by the business and suitable controls formalised for the purposes to both demonstrating these controls and for staff training purposes. The NMP and its acceptability by this service is not, however, an exemption from the statutory nuisance provisions should a justified complaint occur.



Andrew Gilchrist | Principal Environmental Health Officer
Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

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Variation The Ploughman, North Deeside Road - 14 May 2019

02 May 2019 12:48

Subject	Variation The Ploughman, North Deeside Road - 14 May 2019
From	Diane Sande
To	Alexander Munro; LicensingBoard
Cc	Arlene Dunbar; LSO
Sent	02 May 2019 09:32

**Application for Variation of Premises Licence
Premises: The Ploughman, North Deeside Road, Peterculter, Aberdeen
Applicant: Simon Cruickshank**

In terms of Section 22 (1) (b) (ii) I make the following representation to the Licensing Board.

With regard to the amendment to core hours I make no comment.

Regarding the external area I have no objections but recommend that the external area has a terminal hour of 22.00 and that no amplified music is played within the external area.

Re the children and young persons access I would like the access terms clarified. External area - to be included within the terms as a part of the licensed premises and also details to be confirmed, for example do children require to be accompanied by an adult aged 18 or over, partake of a meal (as per the lounge bar terms of access), or just for refreshments and or a meal? Young persons I take it are allowed unaccompanied access to the external area?

Bar - the current terms state that young persons have access to the pool room and public bar, unaccompanied, until midnight. If the terminal core hour is amended to 1am on Friday and Saturdays, does this mean that young persons will have unaccompanied access to these areas until 1am?

For clarity and for section 6 of the operating plan, it would be beneficial to have these details confirmed.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: U STORE, 94 VICTORIA ROAD, ABERDEEN

DESCRIPTION

- Increase display area of alcohol.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

- N/A

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ABERDEEN LICENSING BOARD

COMMITTEE: ABERDEEN CITY LICENSING BOARD
DATE 14 MAY 2019
TITLE OF REPORT LOCAL AREA PROFILE – GAMBLING ACT 2005

1. PURPOSE OF REPORT

To recommend that Aberdeen City Licensing Board ('the Board') agree to the adoption of the Local Area Profile to complement their Statement of Policy in terms of Section 349(1) of the Gambling Act 2005 ('the Act').

2. RECOMMENDATION(S)

- 2.1 That the Board notes the contents of the report; and
- 2.2 Approves Appendix 1 for publication.

3. BACKGROUND/MAIN ISSUES

- 3.1 The Gambling Commission suggests that Licensing authorities will find it useful to complete their own assessment of the local environment as a means of mapping out local areas of concern, which can be reviewed and updated to reflect changes to the local landscape. Such an assessment is referred to as a Local Area Profile.

Completion of a local area profile is not a requirement on licensing authorities but, the Gambling Commission considered there are significant benefits for both the licensing authority and operators, in having a better awareness of the local area and risks

A Local Area profile may take into account of a wide range of factors, data and information held by the licensing authority and its partners. The aim of profile is to increase awareness of local risks and improved information sharing, to facilitate constructive engagement with licensees and a more coordinated response to local risks. The local area profile will help to inform specific risks that operators will need to address in their risk assessment, which will form a part of any new licence application, or an application to vary a licence.

The final Local Area profile is appended to the report at Appendix 1.

3.2 The Board undertook a consultation process which ran from 7 December 2018 and concluded on 28 February 2019.

3.3 Consultation Response

There was 1 response received by close of consultation from Braeside and Mannofield Community Council. The response was in support of the Local Area Profile.

4. APPENDICES
Appendix One – Local Area Profile

5. REPORT AUTHOR DETAILS

Arlene Dunbar
Registered Paralegal
ardunbar@aberdeencity.gov.uk
01224 523411

Aberdeen City Licensing Board

Gambling Act 2005

Local Area Profile

1. Introduction

This Local Area Profile has been developed to assist gambling operators to assess 'local risks' when applying for a premises licence. The aim of the profile is to allow appropriate steps to be taken to mitigate any identified risk.

Although not compulsory, the Licensing Board decided that a Local Area Profile would give the necessary guidance to gambling operators to assist them in fulfilling their duties under the provisions in the social responsibility code within the Licence Conditions and Codes of Practice (LCCP) issued by the Gambling Commission.

Aberdeen City Licensing Board is a Licensing Authority under the Gambling Act 2005 (the Act). The Licensing Authority is responsible for considering and determining applications for premises licences which offer gambling facilities within Aberdeen.

The Licensing Authority will set out how it intends to carry out its functions under the Act in its Statement of Licensing Principles, also known as Gambling Act 2005 Statement of Licensing Policy. This statement is kept under review and is updated every three years (as a minimum) and can viewed on the Board's website at <https://www.aberdeencity.gov.uk/services/business-and-licensing/licences-and-permits/gambling-act-2005>

The Gambling Commission set out guidance for Local Authorities and have developed Codes of Practice including social responsibility codes for operators. These codes are essential in ensuring that gambling operators promote the licensing objectives as set out by the Act.

From April 2016, all operators are required to undertake local area risk assessments to consider what risk gambling venues pose to the licensing objectives, including the protection of young and vulnerable people and are required to have in place appropriate policies and procedures to mitigate these risks.

2. Risk Assessments

All premises that provide facilities for gambling must be assessed to identify any local risks posed by the provision of gambling facilities in their local area. Operators should carry out assessments for;

New Premises Licence applications

If an operator intends to apply for a new premises licence under Part 8 of the Act then a local risk assessment must be carried out as required by the Commissions LCCP social responsibility code provision 10.1.1. That assessment should be based on how the premises are proposed to operate at the premises location and must take into account the local area. The completed assessment should be provided with the application for a new premises licence upon submission to the Licensing Authority.

- **Premises situated in an area where significant changes occur**

Operators are required to review their local risk assessment if significant changes in local circumstances occur. Changes to local circumstances happen frequently and can be either temporary or permanent depending on the change, how long that change will remain in place and how it affects the local area. However, the requirement for review of the risk assessment is only applicable when that change is significant.

In any circumstance where it is necessary to update and amend the existing risk assessment the operator will need to ensure that their assessments are updated appropriately and that any relevant control measures are introduced accordingly. It may be the case however, that following a review no action is necessary as the measures and systems already in place will mitigate any risk associated with that significant change. In these circumstances gambling operators may record that a review has been undertaken, the reasons for it, and that no action was necessary. This would enable the gambling operator to maintain an appropriate audit trail.

The Gambling Commission has not set out what a 'significant change' means, therefore it is the operator's responsibility to identify this and review the risk assessment accordingly.

- **Premises where significant changes occur**

From time to time operators will undertake minor alterations to a premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator must review its risk assessment and if necessary, update it, taking into account the change and how it may affect one or more of the licensing objectives.

It is expected that gambling operators will undertake this risk assessment process as a matter of course for any premises refit, changes to layout or internal control measures. If any changes do require a review of the risk assessments for that premises gambling operators should ensure that they have a system in place to record and action any measures identified in that review.

- **Variation to the Premises Licence**

Variations to premises licences are only those required to be made under section 187 of the Act and will not include changes of circumstances such as a change of premises' name or a change of licensee's address, etc.

The Commissions LCCP social responsibility code provision 10.1.1 requires that gambling operators must undertake a review of the local risk assessment and update it if necessary when preparing an application to vary the premises licence. Operators submitting a variation application to the Board may consider submitting a copy of the reviewed local risk assessment when submitting the application. This will then negate the need for the Board to request to see a copy of the risk assessment and could potentially reduce the likelihood of a representation being made in respect of application.

- **Regular reviews of the risk assessment**

As a matter of best practice the Board recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

It is up to the gambling operator to determine the frequency of these reviews but it is recommended that no more than three years should pass before these assessments are reviewed.

For the avoidance of doubt, this local risk assessment process is not the same as other forms of risk assessment undertaken by gambling operators, such as Health and Safety at Work, Fire Safety and Food Hygiene, etc. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.

- **Writing a Risk Assessment**

It is ultimately up to the operator to decide how to conduct the assessment, and who should conduct the assessment, although it should be taken into consideration that failure to carry out this function properly could result in a breach of the provisions of the LCCP.

There are two specific parts to the risk assessment process:

- the assessment of the local risks
- the determination of appropriate mitigation to reduce those risks

The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

An operator should consider the following factors when undertaking their local risk assessment;

- **Local Area**

The assessor may wish to make use of local area data from the Aberdeen City Licensing Board's interactive map

<http://accabdn.maps.arcgis.com/apps/webappviewer/index.html?id=397aaf4ccf094e0fb0be9ff32fc3930f> to identify potential factors for risk in the area surrounding the premises, along with gathering an understanding of the specific characteristics of the local area, and the people who live and work there. (see section 3 for further details)

The Board will expect the local risk assessment to consider as a minimum;

- The location of services for children, such as schools, playgrounds, leisure/community centres and other areas where children will gather
- Where children are permitted on the premises or part of the premises any additional risks associated with potential access by children to gambling.
- The location of health related services such as hospitals, clinics or health centres. In particular operators should consider any mental health services, services for people with learning disabilities, drug, alcohol or gambling dependency services, or other services for vulnerable groups.
- The demographics of an area in relation to vulnerable groups
- The demographics of the area in relation to notices and guidance that will feature in the premises, specifically whether there is a need to have notices and guidance available in different formats or languages.
- Whether the premises is in an area subject to high levels of crime and disorder and/or anti-social behaviour.
- Whether there are any other gambling premises in the area.
- Whether there are any alcohol licensed premises in the area.
- Any relevant safeguarding factors.
- Local Risk Assessments should show how vulnerable people including people with gambling dependencies are protected

This list is not exhaustive, and operators should include any relevant local risks which they believe may impact on the licensing objectives.

- **Operational Risks**

In assessing the risk factors associated with a gambling operation the assessor should take into account the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk.

They should also consider the operational policies and procedures the business already has in place, the Act, and the LCCP.

It is likely that the identification of risks associated with this element of the assessment will be broadly similar across premises run by the same operator, with appropriate local factors considered. The types of measures put in place will depend on the size of the organisation, type of gambling provided and operational policies of the organisation.

- **Premises Design**

The physical design of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. In assessing the risk factors associated with the premises design and layout reference is needed to the local area risks factors already identified to ensure the design doesn't add to that risk. The design, both internal and external should be considered and specific risk factors identified and noted.

The internal design and layout will reflect the premises operation and the type of gambling facilities that it offers. Operators should assess the risk presented by the internal layout of the premises and the location of gambling facilities within them. Simple adjustments or changes to layout early in the process can significantly reduce the risk to the licensing objectives.

The exterior of the premises is equally significant and should be carefully considered when assessing premises. Issues such as large glass frontages in areas of high vandalism may feature in the risk assessment and impact the design of the exterior of the premises.

3. Aberdeen Profile Geographical facts

- **Economy**

Aberdeen is one of the most competitive, innovative and economically productive cities in the UK. Much of the success of Aberdeen has been built on the traditional oil and gas sector; it also has a successful small business economy. Since the end of 2014, the local economy has suffered as a result of the global oil price decline. Business growth is slowing. Workplace-based median gross hourly pay for full-time employees in Aberdeen was £15.33 (2nd highest local authority area in Scotland), compared to the Scottish average of £13.98, and Unemployment levels between July 2017 and June 2018 were 4.3% compared to the Scottish national average of 4.1%. Some of the most affluent areas of Scotland are within Aberdeen City, but equally within the City boundaries are some of Scotland's most deprived areas. Overall, levels of deprivation remain low. In 2016, 3 of the 283 datazones within Aberdeen were considered to be within the 10% most deprived areas in Scotland. Despite low headline deprivation figures, other measures suggest deprivation is a problem almost, between July and September 2017 there was an estimated 12,055 children in Aberdeen and Aberdeenshire living in poverty. 26.9% of children in Aberdeen were living in families with limited resources, compared to 5.3% of children in Aberdeenshire.

- **People**

The population of Aberdeen City has risen sharply over the past decade, and in 2017 was estimated at 228,800. In 2017, 23.9% of the Aberdeen City population was aged 18 to 30, compared to 17.3% of the Scottish population. Aberdeen has historically benefitted from large numbers of students living in the city bolstering this population, but also as a place for young professionals as is the case in many large cities. Our population is projected to grow by 28% by 2037 which is the largest growth of all Scottish local authorities. In 2012 there was 103,934 households in the City; it is projected that by 2037 there will be in excess of

140,000 households. Given the current economic climate and recent political developments, these projections may change. Aberdeen City has a very diverse population, with 15.9% not born in the UK compared to 7% of the population across the country. Children (0-15) make up 15% of Aberdeen's population and education is provided to more than 22,000 pupils. Demand for early learning and childcare is high in Aberdeen City and there is a shortage of available funded provision, with 570 children on the waiting list in October 2014. In July 2014 there were 577 looked after children in Aberdeen City, a rate similar to the national rate. People in Aberdeen are living longer. The over-65s account for another 15% of the population of Aberdeen, and projections are that the population will continue to age. An older population brings many benefits and challenges. Older people are more likely to suffer from multiple and complex care needs, and therefore the demand for all services will shift.

- **Place**

Aberdeen has 37 neighbourhoods. The Scottish Index of Multiple Deprivation (SIMD) is the Scottish Government's official tool for identifying small area concentrations of multiple deprivation across Scotland. The most deprived data zones in Aberdeen City are located in the Torry, Middlefield, Northfield, Seaton, Tillydrone, Woodside, Mastrick, Sheddocksley and George Street neighbourhoods. The City has a healthy expanse of green and open space. Well maintained, attractive and accessible natural spaces bring benefits to the health and wellbeing of people. Three-quarters of Aberdeen City's residents live within a 5 minute walk of the nearest greenspace, with a further 15% within a ten minute walk, and people who live close to local greenspace are likely to visit it. Continued focus on reducing carbon emissions has reaped rewards – a reduction of 1.8 kt CO₂ per capita has been achieved over the past decade. Despite this improvement, air pollution remains a key environmental concern for the Community Planning Partnership. Transport is a major contributor to carbon emissions and in Aberdeen there is an exceptionally high level of car ownership and usage. It is a vicious circle – poor air quality and poor road safety discourages people from walking or cycling, yet reducing reliance on private transport is the best way to improve air quality. As a result of climate change, extreme weather events are becoming more frequent and intense with warmer, wetter winters and drier, hotter summers. Extreme weather events, such as the flooding in Aberdeen in January 2016, disrupt the daily routine of individuals, communities, and organisations. Aberdeen bears 80% of the flood risk within North East Scotland.

The Board have developed an interactive map containing each gambling premises within Aberdeen and the following:

- local education facilities
- drug/alcohol/gambling treatment centres
- community centres
- supported accommodation/hostels
- doctors' surgeries
- places of worship
- play areas
- the local of alcohol licensed premises.

The map can be accessed here

<http://accabdn.maps.arcgis.com/apps/webappviewer/index.html?id=397aaf4ccf094e0fb0be9ff32fc3930f>

This list is not exhaustive, and operators should include any relevant local risks which they believe may impact on the licensing objectives.

It is further recommended that as part of research when writing a risk assessment, analysis of the statistical documents provided by Aberdeen City Council may be useful to operators. The Documents contain information relating to:

- [Population](#)
- [People](#)
- [Census 2011](#)
- [Deprivation](#)
- [Place](#)
- [Economy](#)
- [Aberdeen Key Facts/Behind the Granite](#)
- [Aberdeen City area profiles](#)

and contains statistical information in relation to population, deprivation, quality of life, health and wellbeing, life expectancy, crime, education, social care, housing and ethnicity.

As a further means of assistance, information on the number of premises currently licensed by be found below.

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