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

Town House,
ABERDEEN 23 November 2021

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Council Chamber - Town House** on **TUESDAY, 30 NOVEMBER 2021 at 10.30 am.**

JENNI LAWSON
CLERK TO THE BOARD

BUSINESS

- 1 Minute of Meeting of 05 October 2021 (Pages 5 - 16)
- 2 List of Applications (Pages 17 - 22)
 - 2.1 Application for Provisional Premises Licence - Union Kirk, 333 Union Street, Aberdeen (Pages 23 - 40)
 - 2.2 Application for Provisional Premises Licence - Aldi Stores Limited, Altens Farms Road, Aberdeen (Pages 41 - 62)
 - 2.3 Application for Premises Licence - Homesense, Union Square Shopping Park, 6/7 East Terrace, Aberdeen (Pages 63 - 86)
 - 2.4 Application for Variation of a Premises Licence - Auchmill Golf Club, Bonnyview Road, Heatheryfold, Aberdeen (Pages 87 - 106)
 - 2.5 Application for Variation of Premises Licence - BP King Street Filling Station, 661 King Street, Aberdeen (Pages 107 - 124)

- 2.6 Application for Variation of Premises Licence, Fountain Bar and Embassy Function Suite, 368 Great Northern Road, Aberdeen (Pages 125 - 136)
- 2.7 Application for Variation of Premises Licence, Pizza Express, 402 Union Street, Aberdeen (Pages 137 - 154)
- 2.8 Application for Variation of Premises Licence - Tesco Express, 390-406 Great Northern Road, Aberdeen (Pages 155 - 174)
- 2.9 Application for Variation of Premises Licence - Cocket Hat, North Anderson Drive, Aberdeen (Pages 175 - 196)
- 2.10 Application for Variation of Premises Licence - Dutch Mill Hotel, 7 Queens Road, Aberdeen (Pages 197 - 208)
- 2.11 Application for Variation of Premises Licences - Slains Castle, 14-18 Belmont Street, Aberdeen (Pages 209 - 226)
- 2.12 Application for Variation of Premises Licence - Wild Board, 19 Belmont Street, Aberdeen (Pages 227 - 236)
- 2.13 Application for Variation of Premises Licence - The Howff (Draft Project), 365 Union Street, Aberdeen (Pages 237 - 258)
- 3 Premises Licence Review - Las Iguanas, First Floor Mall, Union Square, Guild Street, Aberdeen (Pages 259 - 262)
- 4 Annual Fee Payments 2021 - List of outstanding Fees (Pages 263 - 264)
- 5 Licensing Board Dates 2022 - For Approval
8 February 2022
26 April 2022
23 August 2022
4 October 2022
6 December 2022
- 6 Gambling Policy Statement Jan 2022 to 2025 (Pages 265 - 308)

Should you require any further information about this agenda, please contact
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LICENSING BOARD

ABERDEEN, 5 October 2021. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Grant, Greig, McLellan and Townson.

MINUTE OF MEETING OF 17 AUGUST 2021

1. The Board had before them the minutes of the meeting of 17 August 2021.

Sandy Munro, Depute Clerk to the Board advised that Councillor Grant had been present for Items 7-13 only.

The Board resolved: -

to otherwise approve the minute.

LIST OF APPLICATIONS

2. The Board had before it for its consideration the list of applications as listed at 3 - 24

APPLICATION FOR VARIATION OF PREMISES LICENCE - ABERDEENSHIRE CRICKET CLUB, MORNINGSIDE ROAD

3. Councillor Cameron declared an interest in this item and took no part in the determination of the application.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application. Mr Munro advised that the outstanding building standards issues had been resolved and that all elements of the application were within policy.

The Board resolved: -

to grant the application

LICENSING BOARD

5 October 2021

APPLICATION FOR VARIATION OF PREMISES LICENCE - ALDI, UNITS 9 & 10 BOULEVARD RETAIL PARK

4. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - BP ESPLANADE M & S SIMPLY FOOD

5. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF A PREMISES LICENCE - CLUBHOUSE HOTEL, 239 GREAT WESTERN ROAD

6. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

LICENSING BOARD

5 October 2021

APPLICATION FOR VARIATION OF PREMISES LICENCE, CROFTERS, 77 GREENBURN DRIVE

7. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF A PREMISES LICENCE - GRAYS INN, GREENFERN ROAD, ABERDEEN

8. The Board heard from Sandy Munro, Depute Clerk to the Board that the variation sought to extend the outside drinking area at the front of the building. Mr Munro advised that the applicant had agreed to 2 out of the 3 standard external area conditions and sought a variation of the condition in respect of amplified music.

The Board had before them a letter of representation dated 15 September 2021 from Police Scotland and email of representation from the LSO.

Thereafter the Board heard from Mr Andrew Hunter in support of the application.

The Convenor moved to grant the application with the standard external conditions.

Councillor McLellan moved as an amendment to grant the application with an amended condition of low level music only in the external area which must be inaudible in neighbouring premises.

On a division there voted: - for the motion (5) the Convenor and Councillors Cameron, Townson, Greig and Grant and for the amendment (1) Councillor McLellan

The Board resolved: -

To adopt the motion

LICENSING BOARD

5 October 2021

APPLICATION FOR VARIATION OF PREMISES LICENCE - LIDL, LANG STRACHT

9. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY STORE, UNIT W1, ST NICHOLAS CENTRE

10. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY STORE, 97-99 ROSEMOUNT PLACE, ABERDEEN

11. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

To grant the application.

LICENSING BOARD

5 October 2021

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY STORE,
313 GEORGE STREET**

12. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY STORE,
BERRYDEN RETAIL PARK, BERRYDEN ROAD**

13. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY STORE,
45 GARTHDEE ROAD**

14. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

LICENSING BOARD

5 October 2021

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY STORE,
RETAIL UNIT 1, COUNTESSWELLS PARK DRIVE**

15. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

**APPLICATION FOR VARIATION OF PREMISES LICENCE, SAINSBURY STORE,
492-494 UNION STREET**

16. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURYS STORE,
206 UNION STREET**

17. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

LICENSING BOARD

5 October 2021

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURYS STORE,
124 HOLBURN STREET**

18. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY'S
SUPERMAKETS LTD, 345 NORTH DEESIDE ROAD, CULTS, ABERDEEN**

19. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY'S, 54
GUILD STREET, ABERDEEN**

20. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

LICENSING BOARD

5 October 2021

APPLICATION FOR VARIATION OF A PREMISES LICENCE - SAINSBURY'S, 1 CHARLESTON ROAD NORTH, ABERDEEN

21. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

Thereafter the Board heard from Niall Hassard, Solicitor in support of the application.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - SOUL, 333 UNION STREET

22. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE HOLBURN, 225 HOLBURN STREET

23. The Board heard from Sandy Munro, Depute Clerk to the Board that the variation sought to amend and extend the outside drinking area at the side of the building. Mr Munro advised that the applicant had agreed to 2 out of the 3 standard external area conditions and sought a variation of the condition in respect of amplified music.

The Board had before them a letter of representation dated 16 September 2021 from Police Scotland and email of representation from the LSO.

Thereafter the Board heard from Mr Andrew Hunter who advised that his client's would accept the standard external area conditions.

LICENSING BOARD

5 October 2021

The Board resolved: -

To grant the application subject to the external area conditions.

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE SCOTTISH EMBASSY, 4 TRINITY STREET

24. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR A PERSONAL LICENCE

25. The Board had before them a letter of representation dated 15 September 2021 from Police Scotland.

In the absence of the applicant;

The Board resolved: -

To defer consideration of the application to its next meeting to be held on 30 November 2021.

APPLICATION FOR PERSONAL LICENCE

26. The Board had before them a letter of representation from Police Scotland dated 9 August 2021. The Board heard from the applicant and thereafter the from Sergeant Flett in support of their letter.

The Board resolved: -

To grant the application.

NOTICE OF CONVICTION - PERSONAL LICENCE HOLDER

LICENSING BOARD

5 October 2021

27. The Board had before them a letter of representation from Police Scotland dated 17 May 2021. The Board heard from Sergeant Flett speak in support of the letter.

In the absence of the licence holder;

The Board resolved: -

To suspend the licence until 6 November 2021.

CHIEF CONSTABLE'S ANNUAL REPORT 2020 -2021

28. The Board had before them the Chief Constable's Annual Report for 2020-2021. The Board heard from Segreant Flett who spoke to the report.

The Convenor on behalf of the Board thanked Police Scotland for producing the report and thanked Segreant Flett for her regular attendance at the Board meetings

The Board resolved: -

to note the contents of the report.

FESTIVE GUIDELINES

29. The Board heard from Sandy Munro, Depute Clerk to the Board. Mr Munro asked the Board to consider if it wished to set a general extension of the festive period as in previous years. Mr Munro advised that it is usually any premises whose regular licensed hours adhere to the maximum of 15 hours continuous trading in any 24 hour period.

The Board resolved: -

To set a general extension for the following dates in December/January

Friday 3 December 2021
Saturday 4 December 2021
Friday 10 December 2021
Saturday 11 December 2021
Friday 17 December 2021
Saturday 18 December 2021
Friday 24 December 2021
Sunday 26 December 2021
Friday 31 December 2021
Saturday 1 January 2022
Sunday 2 January 2022

LICENSING BOARD

5 October 2021

OCCASIONAL LICENCES - POLICY

30. The Board heard from Mr Munro, Depute Clerk to the Board that the Board were currently not applying part of its Licensing Policy in respect of Occasional Licences. He asked the Board to consider when they wish this relaxation of policy to cease.

Following discussion, it was considered that the relaxation should cease at the same time as the Spaces for People arrangements, which is January 2022.

The Board resolved: -

That the relaxation of its Licensing Policy in respect of Occasional Licences would cease in January 2022.

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ABERDEEN CITY LICENSING BOARD

Meeting 30 November 2021 at in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Provisional(s)

	Premises	Applicant	Date Received	Comments
1	UNION KIRK 333 UNION STREET ABERDEEN AB11 6BS	PB DEVELOPMENT COMPANY LIMITED	7 August 2021	Event venue consisting of two bars and function room, On-sales Sunday to Thursday 12:00 to 02:00 and Friday and Saturdays 12:00 to 03:00 "Offering conference facilities, restaurant facilities, bar meals, receptions, club meetings, recorded music, live performances, televised sports
2	ALDI STORES LIMITED ALTENS FARM ROAD ABERDEEN	ALDI STORES LIMITED	7 September 2021	Supermarket Off-sales 1000-2200 Monday to Sunday Click & Collect Service and on-line sales/deliveries

ABERDEEN CITY LICENSING BOARD

Meeting 30 November 2021 at in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

New Grant(s)

Premises	Applicant	Date Received	Comments
3 HOMESENSE UNION SQUARE SHOPPING PARK 6/7 EAST TERRACE ABERDEEN AB11 5RD	TJX UK C/O GOSSCHALKS SOLICITORS QUEENS GARDENS HULL HU1 3DZ	14 September 2021	Retail Homeware Store Off-sales 1000-2200 Monday to Sunday Recorded Music

ABERDEEN CITY LICENSING BOARD

Meeting 30 November 2021 at in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
4	AUCHMILL GOLF CLUB BONNYVIEW ROAD HEATHRYFOLD ABERDEEN AB16 7FQ	AUCHMILL GOLF CLUB	23 October 2021	Creation of new bar and lounge area at the ground floor level including seating for 16 people.
5	BP KING STREET FILLING STATION 661 KING STREET ABERDEEN AB24 1SD	MOTOR FUEL LTD C/O HARPER MACLEOD LLP SOLICITORS THE CA'D'ORO 45 GORDON STREET GLASGOW G1 3PE	24 August 2021	Refurbishment and remerchandising of the store resulting in layout changes. Increase in capacity to 6.7905m2
6	FOUNTAIN BAR AND EMBASSY FUNCTION SUITE 368 GREAT NORTHERN ROAD ABERDEEN AB24 2AX	SUSAN KAY DAVIE	4 April 2019	Variation to permit Children and Young Persons access to Function Room Inclusion of fundraising events including poker nights and race nights in the operating plan
7	PIZZA EXPRESS 402 UNION STREET ABERDEEN AB10 1TQ	PIZZAEXPRESS LIMITED C/O PINSENT MASONS LLP SOLICITORS 141 BOTHWELL STREET GLASGOW G2 7EQ	22 September 2021	Addition of off-sale Hours Monday to Sunday 10:00 to 22:00 "Addition of Home deliveries and take away

ABERDEEN CITY LICENSING BOARD

Meeting 30 November 2021 at in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
8 TESCO EXPRESS 390-406 GREAT NORTHERN ROAD ABERDEEN AB24 2AX	TESCO STORES LIMITED C/O PINSENT MASONS LLP SOLICITORS 141 BOTHWELL STREET GLASGOW G2 7EQ	12 October 2021	Increase in Capacity
COCKET HAT NORTH ANDERSON DRIVE ABERDEEN AB15 6DD	MITCHELLS & BUTLERS RETAIL LTD C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	6 October 2021	Incorporation of additional outside area into the licensed area.; Variation to the on-sales terminal hour on Friday and Saturday from 00:00 to 01:00 Variation to the commencement hour for Off-sales on a Sunday from 12:30 to 11:00; Variation of seasonal trading; Variation to the terms under which children and young persons allowed entry; Variation to the times during which children and young persons allowed in the public bar and external area to 22:00; Variation to reflect that children and young persons of all ages are allowed entry; Increase in capacity.

ABERDEEN CITY LICENSING BOARD

Meeting 30 November 2021 at in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
10 DUTCH MILL HOTEL 7 QUEENS ROAD ABERDEEN AB15 4NR	GORDON HARRY NICOLL C/O BRODIES LLP SOLICITORS 15 ATHOLL CRESCENT EDINBURGH EH3 8HA	2 September 2021	Variation to remove local condition that prohibitions amplified music or entertainment to take place in the outdoor area.
11 SLAINS CASTLE 14-18 BELMONT STREET ABERDEEN AB10 1JH	STONEGATE PUB COMPANY LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	4 October 2021	To amend Q2 of the Operating Plan in respect of the on-sales cores hours as follows: Monday 11am - 2am Tuesday 11am - 2am Wednesday 11am - 2am Thursday 11am - 2am Friday 12 noon - 3am Saturday 12 noon - 3am Sunday 11am - 2am
12 WILD BOAR 19 BELMONT STREET ABERDEEN AB10 1JR	GREENE KING RETAILING LTD C/O BELHAVEN PUBS LICENSING TEAM ATRIUM HOUSE 6 BACK WALK STIRLING FK8 2QA	2 September 2021	To remove the local condition in respect of Door Supervisors

ABERDEEN CITY LICENSING BOARD

Meeting 30 November 2021 at in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AB

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
13 THE HOWFF (CHANGE TO DRAFT PROJECT) 365 UNION STREET ABERDEEN AB11 6BT	PB DEVELOPMENT COMPANY LTD C/O LEDINGHAM CHALMERS LLP SOLICITORS JOHNSTONE HOUSE 52-54 ROSE STREET ABERDEEN AB10 1HA	29 October 2021	Change the name of the Howff Garden to the Draft Project Change of core operating hours for on sales on Sundays from 10.00 to midnight (currently 12.30 - 23.00) A change to the description of the Premises in the Premises Licence to "The Howff public house occupies approximately 200 square metres of basement space in a 5 floor building comprising retail and office space. It is served by a kitchen, beer store and has male and female plus staff toilets. The area is partly seated with a capacity of 121. The Draft Project occupies an indoor steel and glazed structure to the rear of the Howff extending to 560 square metres. It is served by its own bar and has males and female toilets. The area is mainly seated with a capacity of 500." The steel framed structure forming the Draft Project / Howff Garden, has now been

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: UNION KIRK

DESCRIPTION

- Event venue consisting of two bars and function room,
- On-sales Sunday to Thursday 12:00 to 02:00 and Friday and Saturdays 12:00 to 03:00
- Offering conference facilities, restaurant facilities, bar meals, receptions, club meetings, recorded music, live performances, televised sports

OBJECTIONS/REPRESENTATIONS

- None

The applicant has accepted the imposition of the undernoted conditions.

POLICY

6 CONDITIONS ATTACHING TO LICENCES

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

Door Supervisors It is a condition that the licence holder will ensure that from 23:00 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives.

Drugs Policy It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

Radio Link It is a condition that the licence holder is a member of the local Radiolink Scheme.

Duty of Care It is a condition that the licence holder must have in place a duty of care policy to ensure a standard approach is taken when any patron appears to be displaying signs of excessive intoxication. The purpose of this policy is to reduce vulnerability through

intoxication, however attained. All staff must have training in identifying signs of excessive intoxication and an enhanced awareness of vulnerability through intoxication. This should include use of material such as the 'Who are You' video (whoareyou.nz) or similar. All related training should be recorded and such records available for inspection by Police and Licensing Standards Officers.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: ALDI, ALTEN FARM ROAD, ABERDEEN

DESCRIPTION

- Supermarket
- Off-sales 1000-2200 Monday to Sunday
- Click & Collect Service and on-line sales/deliveries

OBJECTIONS/REPRESENTATIONS

None

The applicant has accepted the imposition of the CCTV conditions and Delivery Driver Conditions

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: L PREMISES LICENCE
PREMISES: HOMESENSE, UNION SQUARE SHOPPING CENTRE

DESCRIPTION

- Retail Homeware Store
- Off-sales 1000-2200 Monday to Sunday
- Recorded Music

OBJECTIONS/REPRESENTATIONS

- None

Applicant has accepted the CCTV condition

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

PREMISES: AUCHMILL GOLF CLUB

DESCRIPTION

Creation of new bar and lounge area at the ground floor level including seating for 16 people.

OBJECTIONS/REPRESENTATIONS

None

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION
PREMISES: KING STREET FILLING STATION

DESCRIPTION

Refurbishment and remerchandising of the store resulting in layout changes.
Increase in capacity to 6.7905m2

OBJECTIONS/REPRESENTATIONS

None

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION

PREMISES: FOUNTAIN BAR AND EMBASSY SUITES

DESCRIPTION

Variation to permit Children and Young Persons access to Function Room
Inclusion of fundraising events including poker nights and race nights in the operating plan

OBJECTIONS/REPRESENTATIONS

- None

POLICY

6. 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.

What the Board Will Expect of Partner Agencies: • Communication of relevant information. • Sharing of best practice or initiatives designed to improve standards. • Participation in mediation in the event of issues or licence review hearings as a last resort

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION

PREMISES: PIZZA EXPRESS, 402 UNION STREET

DESCRIPTION

- Addition of off-sale Hours Monday to Sunday 10:00 to 22:00
- Addition of Home deliveries and take away

OBJECTIONS/REPRESENTATIONS

- None

The applicant has agreed to the imposition of Delivery Driver Conditions

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: MAJOR VARIATION
PREMISES: TESCO, GREAT NORTHERN ROAD

DESCRIPTION

- Increase in Capacity

OBJECTIONS/REPRESENTATIONS

- None

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION

PREMISES: THE COCKET HAT

DESCRIPTION

- Incorporation of additional outside area into the licensed area.
- Variation to the on-sales terminal hour on Friday and Saturday from 00:00 to 01:00
- Variation to the commencement hour for Off-sales on a Sunday from 12:30 to 11:00
- Variation of seasonal trading
- Variation to the terms under which children and young persons allowed entry
- Variation to the times during which children and young persons allowed in the public bar and external area to 22:00
- Variation to reflect that children and young persons of all ages are allowed entry
- Increase in capacity.

OBJECTIONS/REPRESENTATIONS

- None

The applicant has agreed to the imposition of the Outdoor Drinking Area conditions.

POLICY

6 CONDITIONS ATTACHING TO LICENCES

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

Outdoor Drinking Areas It is a condition of the licence that; (a) any outdoor area is clearly demarcated onsite; (b) that use of the area is to cease at 2200 hours and (c) that no amplified music or entertainment is to take place in the outdoor area.

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.

What the Board Will Expect of Partner Agencies: • Communication of relevant information. • Sharing of best practice or initiatives designed to improve standards. • Participation in mediation in the event of issues or licence review hearings as a last resort.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION
PREMISES: DUTCH MILL, 7 QUEENS ROAD

DESCRIPTION

Variation to remove local condition that prohibitions amplified music or entertainment to take place in the outdoor area.

OBJECTIONS/REPRESENTATIONS

- Police Scotland
- LSO

POLICY

6 CONDITIONS ATTACHING TO LICENCES

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

Outdoor Drinking Areas It is a condition of the licence that; (a) any outdoor area is clearly demarcated onsite; (b) that use of the area is to cease at 2200 hours and (c) that no amplified music or entertainment is to take place in the outdoor area.

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OFFICIAL

5 November 2021

Your Ref:

Our Ref: 593384

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Marischal College
Broad Street
Aberdeen



North East Division
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THE DUTCH MILL HOTEL, 7 QUEENS ROAD, ABERDEEN, AB15 4NR**

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 applicant currently holds a premises licence allowing the sale of alcohol in the outdoor drinking area between 1000 and 2200 hours daily.

The variation requested seeks the removal of the local condition relating to the outdoor area, which states that no amplified music or entertainment is to take place within the licensed outdoor area.

This condition is a standard condition for external drinking areas, as stated within Aberdeen City Licencing Board's Statement of Licensing Policy.

In support of the Preventing Public Nuisance licensing objective, during any consultation process, Police Scotland consistently recommends that no amplified music is played within any outdoor licensed area.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, in pursuance of the after mentioned licensing objective, I wish to make representation to the application and recommend that condition currently attached remains in place.

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

Yours faithfully

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George Macdonald
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 301085

OFFICIAL

Licensing (Scotland) Act 2005

Application for Variation of Premises Licence

Address: The Dutch Mill, 7 Queens Road, Aberdeen AB15 4NR

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

The applicant has applied for the condition prohibiting amplified music and entertainment activity within the external area to be deleted.

I would like to recommend that the condition is retained, as per the Aberdeen Licensing Board's supplementary licensing policy, as below, this is on the basis of consistency with the policy and the licensing objective - Prevention of public nuisance

- Outdoor area to be clearly demarcated onsite.
- Use of the area to cease at 2200 hours.
- No amplified music or entertainment to take place in the outdoor area.

Licensing Standards Officer

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION

PREMISES: SLAINS CASTLE

DESCRIPTION

To amend Q2 of the Operating Plan in respect of the on-sales cores hours as follows:

Monday 11am - 2am
Tuesday 11am - 2am
Wednesday 11am - 2am
Thursday 11am - 2am
Friday 12 noon - 3am
Saturday 12 noon - 3am
Sunday 11am - 2am

OBJECTIONS/REPRESENTATIONS

- Police – Applicant has accepted the conditions proposed by Police Scotland but have suggested an amended Door Supervisors conditions as follows:

Door Supervisors

It is a condition that the licence holder will ensure that where the premises will be open after 00:00 they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives from 23:00 onwards.

POLICY

The Hours sought are within policy.

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OFFICIAL

2 November 2021

Your Ref:
Our Ref: 593391

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Marischal College
Broad Street
Aberdeen



North East Division
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
SLAINS CASTLE, BELMONT STREET, ABERDEEN, AB10 1JE**

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 on Monday to Wednesday and 1100 - 0200 on Thursday to Sunday to 1100 - 0200 on Sunday to Thursday and 1200 to 0300 on Friday and Saturday.

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

In accordance with the Board's Statement of Licensing Policy in respect of outdoor drinking areas, I recommend any increase in hours or later 'on sales' hours should not be granted in respect of the premises outdoor area.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, and in support of the Preventing Crime and Disorder and Preventing Public Nuisance licensing objectives, I make the following representation.

In the event the premises are not premises to which The Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007 applies, I recommend the variation be granted subject to conditions 1, 2, 4 and 5 as contained within the Schedule attached to said Regulations being applied and the local conditions in respect of Door Supervisors and Radiolink, as detailed within the Board's Statement of Licensing Policy also being applied.

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

Yours faithfully

George Macdonald
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 301085

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION

PREMISES: WILD BOAR

DESCRIPTION

To remove the local condition in respect of Door Supervisors

OBJECTIONS/REPRESENTATIONS

- Police Scotland

POLICY

N/A

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2 November 2021

Your Ref:

Our Ref: 593384

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Marischal College
Broad Street
Aberdeen



North East Division
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
WILD BOAR, 19 BELMONT STREET, ABERDEEN, AB10 1JR**

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

The variation requested consists of the removal of the local condition attached to the licence which stipulates: 'from 2300 onwards to employ or use suitably licensed door supervisors at or near the entrance, or within 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.

Although the existing condition stipulates that stewards must be deployed from 2300 hours, it is probably the case that they are routinely deployed earlier than that time.

Whilst the main purpose of such deployment is to prevent entry by intoxicated customers and maintain order within the premises, the presence of door stewards undoubtedly has a preventative effect and it cannot be measured what has been prevented by their presence.

If the variation, or an amended version is approved, in support of the Preventing Crime and Disorder and Preventing Public Nuisance licensing objectives, I request that the Licensing Board considers, as a minimum, retaining the local

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condition for the trading days of Friday and Saturday and any dates on which the premises makes use of additional trading hours under a General Extension. This representation is submitted for your attention when considering this application.

Yours faithfully

George Macdonald
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 301085

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION

PREMISES: THE HOWFF, 365 UNION STREET

DESCRIPTION

- Change the name of the Howff Garden to the Draft Project
- Change of core operating hours for on sales on Sundays from 10.00 to midnight (currently 12.30 - 23.00)
- A change to the description of the Premises in the Premises Licence to "The Howff public house occupies approximately 200 square metres of basement space in a 5 floor building comprising retail and office space. It is served by a kitchen, beer store and has male and female plus staff toilets. The area is partly seated with a capacity of 121. The Draft Project occupies an indoor steel and glazed structure to the rear of the Howff extending to 560 square metres. It is served by its own bar and has males and female toilets. The area is mainly seated with a capacity of 500."

OBJECTIONS/REPRESENTATIONS

- Police Scotland
- LSO
- Environmental Health

POLICY

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5 November 2021

Your Ref:

Our Ref: 593384

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Marischal College
Broad Street
Aberdeen



North East Division
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THE HOWFF, 365 UNION STREET, ABERDEEN, AB116BT**

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 removal of:

1. Change of name from the Howff Garden to the Draft Project;
2. Amend core 'on sales' hours on Sunday from 1000 to 0000;
3. Amend core 'off sales' hours on Sunday from 1200 to 2200;
4. Amend description to make reference to steel and glass structure to be considered as an indoor part 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 points 1, 2 (as it relates to the existing, indoor part of the premises) and point 3, I offer no objection. Point 2 (as it relates to the existing, outdoor part of the premises) is contingent upon the Board's decision in respect of point 4.

In respect point 4, the area occupied by the steel and glass structure is currently considered an external licensed area. Due to technical specifications, the applicant seeks to have it treated as an indoor area, in which case conditions currently in force in respect of it being considered outdoor would presumably fall

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and there would no longer be the existing restrictions in terms of the playing of music and terminal 'on sales' hour.

In support of the Preventing Public Nuisance licensing objective, I recommend the Board is satisfied that there is sufficient evidence in respect of sound insulation to prevent noise nuisance arising from the area being utilised as sought, prior to the grant of the variation application.

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

Yours faithfully

George Macdonald
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 301085

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Good Morning, in relation to this application the LSO has no comments relating to the change of name or change of hours as per the variation application .

However, if the Board is not satisfied that the area specified on point 4 is not deemed to be an internal area then the LSO recommends that the current conditions are retained for this area as per below:

22:00 hours as the terminal hour
No amplified music or live entertainment
Demarcation of the external area

Best Regards
John

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Representation from Environmental Health

It is noted that this variation application includes the glazing of the structure at The Draft Project on Langstane Place.

This Service requested submission of a Noise Impact Assessment (NIA) resulting from consideration of planning application (210871/DPP), in order to address any potential noise breakout issues from use of this structure. The NIA report has been produced and subsequently reviewed by this Service. There are a number of issues in the report that require clarification or amendment.

Until such time as we are satisfied with the content of the report, I cannot give a definitive opinion on the suitability of this part of the variation application.

ACG 16/11/21

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: Las Iguanas, 18 UpperLevel Mall, Union Square

LICENCE HOLDER: Las Iguanas Ltd

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2021 has not been made. The annual fee payment for 2020 has also not been paid. At its meeting on 02 February 2021 the Board resolved to vary the licence and operating plan by amending the operating hours to zero.

ADDITIONAL INFORMATION

LSO Report

BOARD'S POWERS ON REVIEW

- (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

- (1A) Subsection (1) is subject to subsection (2A).

- (2) Those steps are—
 - (a) to issue a written warning to the licence holder,
 - (b) to make a variation of the licence,
 - (c) to suspend the licence for such period as the Board may determine,
 - (d) to revoke the licence.
- (2A) Where, at a review hearing in relation to any premises licence, the Licensing Board are satisfied that the ground for review specified in [section 36\(3\)\(za\)](#) (that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence) is established, the Board must revoke the licence.
- (2B) Subject to [section 39B](#) (see below), a revocation under subsection (2A) takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.
- (3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

39B Recall of revocation of licence under section 39(2A)

- (1) This section applies where a Licensing Board decides to revoke a premises licence under [section 39\(2A\)](#).
- (2) The Board must recall the revocation if—
 - (a) a relevant application is made before the end of the period referred to in [section 39\(2B\)](#) (“the 28 day period”), and
 - (b) the Board grants the application.
- (3) The Board may extend the 28-day period pending determination of a relevant application.
- (4) In this section, “*relevant application*” means—
 - (a) an application under [section 33\(1\)](#) for the transfer of the premises licence, or
 - (b) a premises licence variation application seeking a variation of the licence that the Board considers would remove the ground on which the licence was revoked under [section 39\(2A\)](#).
- (5) This section does not affect the right to appeal against the decision to revoke the licence under [section 39\(2A\)](#).

Non-payment of Annual Fee Review – Las Iguanas, 18 Upper Level Mall, Union Square, Aberdeen,
AB11 5RG

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2021 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

This restaurant has been closed for a period of time and their website states that the premises are permanently closed.

The licence holder company, Las Iguanas Ltd have failed to respond to any communications.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer

Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations |
Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB Direct Dial: 01224
522541

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Premises Licence No	Premises	Annual Amount	Date Letter issued				
AC929	W H Smith - Landside	£120.00	02/09/2021				
AC0088	Arjumand Tandoori	£187.00	23/08/2021				
AC0143	Yatai	£187.00	25/08/2021			to be chased by LSO	
AC0237	Engage Gaming	£187.00	26/08/2021			chased by LSO	
AC0742	Sing City	£187.00	24/08/2021			Closed	
AC865	Cocoa Ooze	£187.00	31/08/2021			Queried with Finance	
AC0196	Grampian Corner	£220.00	25/08/2021			Review Hearing	
AC0320	Duncans	£220.00	26/08/2021				
AC0671	KS Store	£220.00	31/08/2021				
AC0574	The Neuk	£147.00	30/08/2021				
AC0383	Flower Vogue	£280.00	27/08/2021				
AC967	21 Crown Terrace	£280.00	01/09/2021				
AC0102	Wild Ginger	£334.00	24/08/2021				
AC0171	Howie's	£334.00	25/08/2021				
AC0210	Steinhaus	£334.00	26/08/2021				
AC0517	Yangtse River Restaurant	£334.00	30/08/2021				
AC900	Prezzo	£334.00	31/08/2021				
AC939	Figment	£334.00	01/09/2021				
AC952	Rohaan Cafe Bar	£334.00	01/09/2021				
AC793	Gamola Golf	£467.00	31/08/2021				
AC0221	Manzil	£500.00	No contact details				

AC0676	ASK Restaurant	£600.00	31/08/2021				
AC858	Holiday Inn Express Aberdeen Airport	£600.00	31/08/2021				
AC863	Crowne Plaza Aberdeen Airport	£600.00	31/08/2021				
AC903	Hampton by Hilton Aberdeen Airport Hotel	£600.00	01/09/2021				

ABERDEEN CITY COUNCIL

COMMITTEE	Aberdeen City Licensing Board
DATE	30 November 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Gambling Policy Statement 2022 to 2025
REPORT AUTHOR	Arlene Dunbar, Paralegal

1. PURPOSE OF REPORT

- 1.1 To recommend that Aberdeen City Licensing Board ('the Board') agree to the adoption of the revised Statement of Policy in terms of Section 349(1) of the Gambling Act 2005 ('the Act'). The revised Statement is attached to the report at Appendix 1

2. RECOMMENDATION(S)

That the Board :-

- 2.1 note the contents of the report; and
- 2.2 approves the Statement of Policy 2022-2025, as detailed in Appendix 1, for publication in accordance with the statutory timescales.

3. BACKGROUND

- 3.1 Section 349 (1) of the Act requires all licensing authorities to prepare and publish every three years a statement of the principles that they propose to apply in exercising their function under the Act during the three-year period to which the policy applies.

The Licensing Authority Statement of Policy will last for a maximum of three years but can be reviewed at any time. The Board's current policy runs from January 2019 to January 2022.

The Policy requires to be reviewed, revised and published by 3 January 2022. Officers have carried out a review of the existing Policy and a draft Statement of Policy for 2022-2025 is attached ("Appendix 1"). At its meeting on 18 May 2021 the Board resolved to carried out a 12-week consultation on the terms of the update policy.

- 3.2 The Board undertook the consultation process which concluded on 20 August 2021.

3.3 At the close of the consultation responses were received from:

- Cults Community Council
- Eleanor Sheppard, Chief Education Officer
- Sport Aberdeen
- Police Scotland
- Derek McGowan, Chief Officer, Early Intervention and Community Empowerment

The full consultation responses can be read at Appendix 2 of this report.

Officers have considered the responses received and noted the comments contained therein. It was considered in respect of the responses received from Cults Community Council, Eleanor Sheppard and Sport Aberdeen that there is no requirement to amend the policy.

With respect to the responses received from Police Scotland and Derek McGowan, officers noted the comments in respect to online Gambling and problem gambling and have added a section to the draft policy. The amendments are highlighted in Blue in Appendix 1.

4 APPENDICES

Appendix 1 Statement of Policy 2022-2025

Appendix 2 Consultation Responses

5. REPORT AUTHOR CONTACT DETAILS

Name	Arlene Dunbar
Title	Paralegal
Email Address	ardunbar@aberdeencity.gov.uk

ABERDEEN CITY LICENSING BOARD

GAMBLING ACT 2005

POLICY STATEMENT

JANUARY 2022 TO 2025

TABLE OF CONTENTS

PART A	3
1 Introduction	3
2 Declaration	3
3 Geographical Area	3
4. Scope – Licensing Functions	4
5. The Licensing Objectives	4
6 Responsible Authorities	7
7 Interested Parties	7
8 Consultation	7
9 Duplication with other Regulatory Regimes	8
10 Local Area Profile	8
11 Risk Assessments	8
12 General Principles	10
13 Conditions	11
14 Definition of Premises	11
15. Scheme of Delegation	13
16 Licensing Reviews	13
17. Compliance and Enforcement	14
18 Exchange of Information	15
19 Public Register	15
PART B	16
1. LICENSABLE PREMISES	16
1.1 Provisional Statements	16
1.2 Casino Premises	17
1.3 Bingo Premises	17
1.4 Betting Premises	17
1.5 Tracks	18
1.6 Adult Gaming Centres	19
1.7 Licensed Family Entertainment Centres	20
PART C	21
1. PERMITS	21
1.1 Unlicensed Family Entertainment Centre Gaming Machine Permits	21
1.2 Club Gaming Permit	22
1.3 Club Machine Permit	23
1.4 Prize Gaming Permit	23
1.5 Alcohol Licensed Premises – Gaming Machine Permit	25
2 Occasional Use Notices	26
3 Temporary Use Notices	26
4 Registration of Small Society Lotteries	27
5 Travelling Fairs	28

6. Problem Gambling	29
APPENDIX 3 -	34
APPENDIX 4	35
APPENDIX 5	37

GAMBLING ACT 2005

POLICY STATEMENT

6th EDITION

ABERDEEN LICENSING BOARD

PART A

1 Introduction

This Policy Statement sets out the principles by which Aberdeen City Licensing Board, as the Licensing Authority under the Gambling Act 2005 (referred to in this document as 'the Act'), intends to apply in discharging its functions to licence premises for gambling under the Act.

The Policy has been prepared having regard to the licensing objectives as detailed in Section 1 of the Act, the Guidance to Licensing Authorities 5th edition September 2015 ('the Guidance') issued by the Gambling Commission ('the Commission') the provisions of the Act itself and subsequent Regulations made under it.

The Policy will come into effect on **31 January 2022** and will remain in place for a maximum period of 3 years to **31 January 2025**. The Policy will be reviewed, updated and modified as and when the Board considers it appropriate and at least every three years.

2 Declaration

In adopting the final Policy the Board has had regard to, the licensing objectives of the Act, the Commission's Guidance and responses from those persons consulted.

3 Geographical Area

The Board's area covers the same territory as the Aberdeen City Council Area. Aberdeen is the 8th largest local authority in Scotland. The City is made up of 37 neighbourhoods. A map of the area is attached to this Policy document at Appendix 1

4. Scope – Licensing Functions

This Board will make decisions upon applications or notifications made for:

- premises licences
- temporary use notices
- occasional use notices
- permits as required under the Act and
- registrations as required under the Act

This Policy relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, namely:

- casinos
- bingo premises
- betting premises
- tracks
- adult gaming centres
- licensed family entertainment centres
- unlicensed family entertainment centres
- club gaming permits
- prize gaming and prize gaming permits
- occasional use notices
- temporary use notices
- registration of small society lotteries

The Board shall not be involved in licensing remote gambling. Regulation of this function shall be the responsibility of the Commission.

5. The Licensing Objectives

The Board must have regard to the licensing objectives set out in Section 1 of the Act. These are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Premises Licences granted must be reasonably consistent with the three Licensing Objectives. With regard to these Objectives, the following will be considered:-

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime**

The Board is aware that there is a distinction between disorder and nuisance and that the prevention of nuisance is not a Licensing Objective under the Act.

What the Board will do:

- Whilst the Board is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime, it will pay attention to the proposed location, design and layout of gambling premises;
- The Board have the ability to attach additional conditions to premises licences and are entitled to include a requirement for door supervision.
- Where an area has known high levels of organised crime, the Board will consider carefully whether gambling premises are suitable to be located there.

What the Board will Expect of Licence Holders

- Up to date training given to staff in crime prevention measures appropriate to those premises;
- Provision of effective CCTV and physical security features installed in the premises.
- Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks.

• **Ensuring that gambling is conducted in a fair and open way**

The Gambling Commission does not generally expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way. However, if the Board suspects that gambling is not being conducted in a fair and open way, it will bring this to the attention of the Commission.

• **Protecting children and other vulnerable persons from being harmed or exploited by gambling –**

In practice, the Objective of protecting children from being harmed or exploited by gambling often means preventing them from taking part in, or being in close proximity to, gambling.

There is no definition of the term 'vulnerable person' in the Act, but this could include people who are gambling beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or substance misuse of alcohol or drugs.

What the Board will do:

- seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.
- Where the Board determines that there may be a risk of harm to children in relation to particular premises, it may exclude or limit the access of children to the premises at specific times or when certain activities are taking place.
- Impose additional conditions where necessary to protect children and other vulnerable persons from harm.
- consider carefully whether applications for Premises Licences in respect of gambling premises located close to schools, centres for gambling addicts, or residential areas where there may be a high concentration of families with children, should be granted, and will fully scrutinise the control measures outlined in an operator's local area risk assessment in this regard.

What the Board will Expect of Licence Holders

- Consider the configuration of the premises;
- Consider the use of floor-walkers
- Provision of effective CCTV
- Supervision of entrances/machine areas;
- To display clear notices and signage both externally and internally regarding age restrictions and restricted areas;
- To implement a clear segregation of gambling and non-gambling areas;
- Supervision of access to gambling areas;
- Supervision of gambling machines
- With particular regard to vulnerable persons, measures such as the use of self-barring schemes, provision of information, leaflets, helpline numbers for organisations such as GamCare
- policy and procedures regarding the employment of young persons
- self-exclusion schemes;
- the display of a notice specifying opening hours;
- the display of gambling rules in prominent positions in or near betting areas;

6 Responsible Authorities

A full list of the Responsible Authorities designated under the Act and their contact details are given in Appendix 2.

The Licensing Authority is required to designate, in writing, a body that is competent to advise it about the protection of children from harm. In accordance with the Gambling Commission's Guidance to Local Authorities, the Integrated Children's Services Partnership has been designated as the body competent to advise the Board about the protection of children from harm.

7 Interested Parties

Interested Parties may make representations in writing about licence applications or apply for a review of an existing licence. In terms of Section 158 of the Act, an Interested Party is a person who:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph a) or b)

Interested parties can be people who are democratically elected such as councillors and Members of Parliament.

Interested parties can also be trade associations, trade unions, residents' associations and tenants' associations. Providing that these people represent those living or having business interests in the area which might be affected, no specific evidence of authorisation is required.

Otherwise, the licensing authority will generally require a third party to produce some form of authorisation to speak on behalf of an interested party.

Whether a person is an interested party will be determined on a case by case basis.

8 Consultation

In producing this Policy, the Licensing Board carried out a consultation before finalising and publishing it. In addition to the statutory consultees (listed below), the Board chose to consult with additional local groups and individuals. A full list of all groups and persons consulted is provided at Appendix 3.

The Act requires that the following parties are consulted by the Licensing Authority:-

- The Chief Officer of Police for the Authority's area;
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

The other groups and people consulted included: -

- Organisations, working with people who are problem gamblers,
- Responsible Authorities under the Act.
- Public Health

9 Duplication with other Regulatory Regimes

Duplication with other statutory/regulatory regimes will be avoided where possible. The Licensing Authority will not consider whether a licence application is likely to be granted Planning Permission or Building Control consent.

10 Local Area Profile

In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Licensing Board has published a local area profile (LAP). The LAP is published as a separate document to this policy and does not form part of it.

The LAP may be reviewed by the Licensing Board at any time. Such a review would not constitute a review of this policy

11 Risk Assessments

In order for location to be considered, the Licensing Authority will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives. It is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, that licensees assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must consider relevant matters identified in this policy

The LCCP also states that licensees must review (and update as necessary) their local risk assessments:

- a) to take account of significant changes in local circumstance, including those identified in this policy;
- b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c) when applying for a variation of a premises licence; and
- d) in any case, undertake a local risk assessment when applying for a new premises licence.

The Board expects 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;
- the demographics of the area in relation to vulnerable groups;
- whether the premises is in an area subject to high levels of crime and/or disorder.
- how vulnerable people, including people with gambling dependencies are protected.

In every case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with underage persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide betting machines.

The Licensing Authority expects all licensed premises to have their local area risk assessment available on site for inspection by an authorised officer at all times when they are trading.

12 General Principles

Premises Licences are subject to the permissions/restrictions set out in the Act as well as the specific mandatory and default conditions detailed in Regulations issued by the Secretary of State. The Licensing Board is able to exclude default conditions and also attach others, where it is thought appropriate.

Premises licences can authorise the provision of facilities on:

- casino premises
- bingo premises
- betting premises, including tracks and premises used by betting intermediaries
- adult gaming centre premises (for category B3, B4, C and D machines)
- family entertainment centre premises (for category C and D machines) (note that, separate to this category, the licensing authority may issue a family entertainment centre gaming machine permit, which authorises the use of category D machines only).

In considering an application for a premises licence, no regard shall be had to the expected demand for the facilities proposed to be provided in the premises for which a premises licence is sought.

Each case will be decided on its merits and will depend upon the type of gambling that is proposed, as well as taking into account how the applicant proposes that the Licensing Objective concerns can be overcome. The Board is aware that considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives. A decision by the Board shall not be based on a dislike of gambling by any member, nor of a general notion that it is undesirable to allow gambling premises in an area.

The Licensing Board is required by the Act, in making decisions about Premises Licences, to permit the use of premises for gambling so far as it thinks it: -

- a) in accordance with any relevant Code of Practice under Section 24 of the Act;
- b) in accordance with any relevant Guidance issued by the Gambling Commission under
 - i. Section 25;
- c) reasonably consistent with the Licensing Objectives (Subject to paragraphs a) and b)) and

- d) in accordance with the Licensing Authority's Statement of Licensing Policy (subject to paragraphs a) and c)).

13 Conditions

The Licensing Board is aware that the mandatory and default conditions imposed by the Gambling Commission will normally be sufficient to regulate gambling premises. In exceptional cases where there are specific risks or problems associated with a particular locality, specific premises or class of premises the Board may consider attaching individual conditions related to the Licensing Objectives.

Any conditions attached to Licences will be proportionate and will be:-

- relevant to the need to make the proposed premises suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

It is recognised that there are conditions which the Licensing Authority cannot attach to Premises Licences. These are: -

- any conditions on the Premises Licence which make it impossible to comply with an Operating Licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated);
- conditions in relation to stakes, fees, and the winning of prizes.

14 Definition of Premises

In the Act 'premises' is defined as including 'any place'. It is for the Licensing Board (having due regard for the Gambling Commission Guidance) to determine on the merits of each application whether different parts of a building can be regarded properly as separate premises.

However, the Board notes that the Commission's Guidance indicates that the proper application of Section 152 means that different premises licences cannot apply in respect of single premises at different times. There is therefore no temporal element to a premises licence. Premises therefore cannot, for example, be licensed as a bingo club on weekdays and a betting shop at weekends.

The Board also notes that the Commission's Guidance indicates that there is no reason in principle why a single building cannot be subject to more than

one premises licence, provided that those licences are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. The Board shall also pay particular attention with regard to the sub-division of a single building or plot to ensure that mandatory conditions relating to access between these premises are adhered to.

The Board takes note of the Commission's Guidance that in most cases the expectation will be that a single building or plot will be the subject of an application for a licence. This does not, however, mean that the single building or plot cannot be the subject of separate premises licences for example for the basement and ground floor. However, the Board agrees with the Commission that areas of a building that are artificially or temporarily separated (for examples by ropes or moveable partitions) cannot properly be regarded as different premises.

The Board also agrees with the Commission that whilst different configurations may be appropriate under different circumstances in determining whether a single building may be regarded as different premises, the crux of the matter shall be whether the proposed premises may be regarded as being genuinely separate premises that merit having their own licence and are not an artificially created part of what is readily identifiable as a single premises.

Consideration as to whether different parts of a building may be regarded as being different premises shall be one of fact and degree and the Board shall determine each case on an individual, case by case basis.

However, in determining whether two or more proposed premises may be regarded as truly separate, the Board may consider the following factors from the following non-exhaustive list:

- a) the location of the premises;
- b) whether there is separate registration for business rates in place for the premises;
- c) whether each of the premises may be accessed from the street or a public passageway
- d) whether the premises may be only accessed from other gambling premises.
- e) whether the premises' neighbouring premises are owned by the same person or someone else.

In considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other non-gambling purposes, the Board shall consider the following factors from the following non exhaustive list:

- a) the third licensing objective which seeks to protect children from being harmed by gambling. This means not only preventing children from

taking part in gambling, but also preventing them from being in close proximity to gambling. Premises should therefore be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating.

- b) Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not 'drift' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- c) Customers ought to be able to participate in the activity named on the premises

15. Scheme of Delegation

The Licensing Board has agreed a scheme of delegation for discharging its functions under the Act. The Board cannot delegate all of its functions.

Those functions that can be delegated are set out in Appendix 4

The Board reserves the right, to determine all applications and relevant matters under the Act.

16 Licensing Reviews

Applications for a Review of a Premises Licence may be made by Responsible Authorities and Interested Parties

It is for the Licensing Board to decide whether the review is to be carried out.

This decision will generally be on the basis of whether the request for the review is relevant to the matters listed below: -

- Whether the grounds for the request raises issues relevant to the principles to be applied by the Licensing Board and set out within the Policy Statement.
- Whether the grounds for the request are frivolous or vexatious.
- Whether the grounds for the request would certainly not cause the Licensing Board to alter/revoke/suspend the Premises Licence;
- Whether the grounds for the request are substantially the same as previous representations or requests for a review.
- In accordance with any relevant codes of practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Reasonably consistent with the Licensing Objectives.

The Licensing Board can also initiate a review of a Licence if it has reason to suspect that a licensing condition is not being observed, or for any other reason which gives it cause to believe that a review may be appropriate.

In terms of action following a review, the Board may:

- a) revoke the licence;
- b) suspend the licence for a specified period not exceeding three months;
- c) exclude a condition attached to the licence under Section 168 of the Act or remove or amend an exclusion;
- d) Add, remove or amend a condition under Section 169 of the Act.

17. Compliance and Enforcement

In exercising its functions regarding the inspection of premises the Licensing Board will follow best practice. This requires that actions should be:

- Proportionate – Intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
- Accountable – The Authority must be able to justify decisions and be subject to public scrutiny.
- Consistent – Rules and standards must be joined up and implemented fairly.
- Transparent – Enforcement should be open, and regulations kept simple and user friendly.
- Targeted – Enforcement should be focused on the problems and minimise side effects.

The Board shall adopt a local risk-based approach whereby the main determinant shall be the risk posed to the three licensing objectives by premises. A risk-based inspection programme shall also be implemented whereby premises will be subject to a scheme of routine inspection, the frequency of which will be determined by the risk posed by the premises. Those premises considered to pose a greater risk will be subject to more frequent inspections than those that are considered to pose a lower risk.

When determining risk, consideration will be given to: -

- the nature of the gambling activities carried out on the premises
- the location of the premises in relation to schools, vulnerable adult centres or residential areas where there may be high concentrations of families with children.
- the number of complaints received (if any) in relation to particular premises

- the procedures put in place by management of the premises to ensure compliance with the licensing objectives

In determining whether to undertake an inspection of premises, the Board shall determine each case on its own merits.

The main enforcement and compliance role of the Licensing Board in terms of the Act, is to ensure compliance with the Premises Licence and other permissions which it authorises. The Gambling Commission is the enforcement body for Operating and Personal Licences. Concerns about the manufacture, supply or repair of gaming machines are not dealt with by the Licensing Board but will be notified to the Gambling Commission.

The Board may investigate complaints against licensed premises in relation to matters relating to the licensing objectives

Any complaints received in relation to premises or a class of premises may affect the general risk rating of those premises. Complaints received by the Board in relation to particular or a class of premises may also initiate the Board's right of review under Section 200 of the Act.

18 Exchange of Information

The Board shall exchange any information it receives through the application process with the Commission and other regulatory bodies in accordance with its obligations and functions under the Act.

The Board will act in accordance with the provisions of the Act in its exchange of information with the Commission and other parties listed in Schedule 6 of the Act. The Act includes the provision that any disclosure of information must comply with data protection legislation (as defined by section 3 of the Data Protection Act 2018). The Board will also have regard to any Guidance issued by the Gambling Commission to Licensing Authorities on this matter, as well as any relevant regulations issued by the Secretary of State and the Scottish Ministers under the powers provided in the Act. Should any protocols be established as regards information exchange with other bodies then they will be made available.

19 Public Register

The Licensing Board is required to keep a public register and share information in it with the Gambling Commission and others. Regulations prescribe what information should be kept in the register. Copies of the register may be provided upon request.

PART B

1. LICENSABLE PREMISES

1.1 Provisional Statements

A person may make an application for a provisional statement in respect of premises that:

- they expect to be constructed;
- that they expect to be altered, or
- that they expect to acquire a right to occupy.

In its consideration of an application for a provisional statement, the Board shall not speculate on, nor take into account, the likelihood of an operating licence being granted by the Commission.

If a provisional statement is granted by the Board, the Board is aware that it is constrained in the matters it may consider when an application for a premises licence is subsequently made in relation to the same premises. In terms of any representations made in relation to the application for the premises licence, the Board shall disregard said representations unless it thinks that those representations:

- address matters that could not have been addressed in representations in relation to the application for the provisional statement, or
- reflect a change in the applicant's circumstances.

The Board may refuse the premises licence application (or grant it on terms or conditions not included in the provisional statement), only by reference to matters:

- which could not have been addressed in representations at the provisional statement stage
- which, in the Board's opinion, reflect a change in the operator's circumstances
- where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application.

In determining whether premises have been constructed in accordance with the plan, the Board notes that the Commission in its Guidance advises that there must be a substantial change to the plan. In this regard, the Board will endeavour to discuss any concerns that it has with the applicant before making a decision.

1.2 Casino Premises

The Licensing Authority is empowered to pass a resolution not to issue new licences for casinos in its area. No such resolution has been made. The Board reserves its right to review this determination at any time in the future and shall update this Policy as appropriate.

Mandatory and default conditions, unless excluded by the Board, shall apply. The Board may also attach conditions to a casino premises licence in terms of Section 169 of the Act.

1.3 Bingo Premises

There is no statutory definition of 'bingo' in terms of the Act although two types of bingo are commonly understood:

- cash bingo, where the stakes paid make up the cash prizes that are won
- prize bingo, where various forms of prizes are won, not directly related to the stakes paid.

A bingo premises licence holder may generally be able to offer any type of bingo game, whether it be cash bingo or prize bingo.

Children and young persons are permitted into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are permitted.

In support of the licensing objective 'protecting children and other vulnerable persons from being harmed or exploited by gambling', the Board may require an applicant to prove that sufficient measures are in place to prevent children, young persons and vulnerable persons from having access to Category B and C machines.

Mandatory and default conditions, unless excluded by the Board, shall apply. The Board may also attach conditions to a bingo premises licence.

1.4 Betting Premises

The Act contains a single class of licence for betting premises. However, within this single class of licence there are different types of premises which require licensing. This part of the Policy alludes to betting that takes place other than at a track (previously known as a licensed betting office).

No children and young persons (those under 18 years of age) shall be allowed entry to premises with a betting premises licence at any time. Special rules apply to tracks. Children and young persons are not allowed to be employed at premises with a betting premises licence.

Mandatory and default conditions, unless excluded by the Board, shall apply. The Board may also attach additional conditions where it considers it necessary to do so for the purposes of supporting the Licensing Objectives.

The Licensing Board has the power to restrict the number of Self -Service betting terminals (SSBTs) and their nature and the circumstances in which they are made available by attaching a licence.

When considering whether to impose a condition to restrict the number of SSBTs in particular premises, the licensing Board, amongst other things, shall take into account the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people and the size of the premises.

1.5 Tracks

Tracks are premises which include horse racecourses, dog tracks or other tracks where a race or other sporting event may take place.

Examples of tracks include:

- a horse racecourse (referred to in this guidance as 'racecourses')
- a greyhound track
- a point-to-point horserace meeting
- football, cricket and rugby grounds
- an athletics stadium
- a golf course
- venues hosting darts, bowls, or snooker tournaments
- a premises staging boxing matches
- a section of river hosting a fishing competition
- a motor racing event.

The Act does not define what may constitute a sporting event or race. The Board notes the Commission's position in its Guidance that the Licensing Board will need to determine this on a case by case basis.

A track premises licence permits the premises to be used for the provision of facilities for betting. If the licence holder wishes to provide a casino, bingo or other type of gambling on the track, a separate premises licence will be required. Tracks may therefore be subject to more than one premises licence.

An applicant for a premises licence need not hold an operating licence as the betting that is provided on the track is provided by third party operators. Third party operators require to hold an operating licence issued by the Commission.

Each individual operator coming onto the track on race days does not require to hold a premises licence as they are covered by the premises licence held by the track premises licence holder.

As children and young persons are allowed to be present on a track whilst betting is taking place, the Board will consider carefully, before issuing additional premises licences for a track, any potential impact an accumulation of premises licences may have on the third licensing objective.

An applicant for a track premises licence requires to submit detailed plans of the premises to the Board. Whilst the Board agrees with the Commission in its Guidance that it is sometimes difficult to define the precise location of betting areas on tracks, the Board shall require a detailed plan defining:

- the site,
- any area to be used for temporary “on-course” betting facilities and,
- in the case of dog tracks and horse racecourses, any mobile pool betting facilities as well as any other proposed gambling facilities.

Mandatory and default conditions, unless excluded by the Board, shall apply. The Board may also attach conditions to a track premises licence in terms of Section 169 of the Act.

1.6 Adult Gaming Centres

An Adult Gaming Centre premises licence authorises the licence holder to make available for use category B gaming machines not exceeding 20% of the total number of gaming C or D gaming machines.

No persons under the age of 18 years shall be permitted to enter an Adult Gaming Centre. The Board shall have regard to the location of, and entry to, an Adult Gaming Centre to ensure that opportunities for children to have access are minimised. In this regard the Board will expect applicants to offer their own measures to promote, in particular, the third licensing objective.

Mandatory conditions shall apply. There are currently no default conditions specific to Adult Gaming Centres. The Board may also attach conditions to an Adult Gaming Centre licence in terms of Section 169 of the Act

1.7 Licensed Family Entertainment Centres

A Licensed Family Entertainment Centre is a premises for which a licence is granted to provide any number of category C and D gaming machines.

A licensed FEC is classified as 'premises' and only premises that are wholly or mainly used for making gaming machines available may hold an FEC premises licence (s.238 of the Act). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

FECs are commonly located at seaside resorts, in airports and at motorway service stations, and cater for families, including unaccompanied children and young persons. The Board will take into account this specific risk when considering applications and when inspecting such premises.

Whilst persons under 18 years of age are permitted entry to the premises, no persons under 18 years of age may be permitted access to those areas of the premises where category C gaming machines are situated. The Board shall require that category C machines be situated in a separate area to ensure the segregation and supervision of machines that may only be played by those over 18 years of age.

Mandatory conditions shall apply. There are currently no default conditions specific to Licensed Family Entertainment Centres. The Board may also attach conditions to a Licensed Family Entertainment Centre licence in terms of Section 169 of the Act.

PART C

1. PERMITS

The Act introduced a range of permits for gambling which are granted by Licensing Boards. Permits are required when premises provide a gambling facility but either the stakes and prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises. With the exception of limiting machine numbers on Licensed Premises Gaming Machine permits, the Licensing Board may only grant or reject an application for a permit. No conditions may be added.

1.1 Unlicensed Family Entertainment Centre Gaming Machine Permits

Unlicensed Family Entertainment Centres are able to offer only category D machines in reliance on a gaming machine permit. Any number of category D machines can be made available with such a permit, subject to other considerations such as fire regulations and health and safety. Permits cannot be issued in respect of vessels or vehicles.

The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use. A permit cannot be granted for an entire shopping centre, airport or bowling alley, for example.

The Licensing Board requires the applicant to submit a scale plan of the premises showing the areas which the permit will cover together with any other areas under the control of the licensee. Generally, this will be at a scale of 1:100 but other scales may be submitted with prior agreement from the Licensing Board.

The Board will expect the applicant:

- To demonstrate that they have no relevant offences as per Schedule 7 of the Act;
- To demonstrate a full understanding of the maximum stakes and prizes permissible
- Provide evidence that employees are appropriately trained and have a full understanding of the maximum stakes and prizes permissible
- Provide evidence of staff training covering unsupervised and very young children being on the premises.

- Provide evidence that there are appropriate policies and procedures in place to protect children and young persons from harm;

The Board will give significant weight to all issues relating to the protection of children and young persons in pursuance of the third licensing objective.

1.2 Club Gaming Permit

A Club Gaming Permit authorises Members' Clubs (but not Commercial Clubs as defined in the Act) to provide, subject to certain restrictions, no more than 3 gaming machines of categories B, C or D, equal chance gaming and other games of chance as prescribed in regulations namely pontoon and chemin de fer.

The Club Gaming Permit also allows a Club to provide facilities for gambling provided the gambling meets a number of conditions.

The Board may grant or refuse a permit. The Board may refuse an application for a permit only on one or more of the following statutory grounds:

- that the applicant is not, in the case of an application for a club gaming permit, a members' club or a miners' welfare institute, or
- that the applicant is not, in the case of an application for a club machine permit, a members' club, a commercial club or a miners' welfare institute;
- that the applicant's premises are used wholly or mainly by persons under the age of eighteen;
- that an offence or a breach of a condition of a permit has been committed in the course of gaming activities carried on by the applicant;
- that a permit held by the applicant has been cancelled in the last ten years ending with the date of the application; or
- an objection to the application has been made by the Gambling Commission and/or the Chief Constable.

Whilst the Board cannot attach any conditions to a Club Gaming Permit, where a club has gaming machines, it is required to comply with the code of practice issued by the Commission on the location and operation of machines, which can be found on the Commission's website.
<http://www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/Sector-specific-compliance/Arcades-and-machines/Gaming-machine-categories/Gaming-machine-categories.aspx>

Section 273 of the Act sets out that a club gaming permit shall be subject to the condition that no child or young person may use a category B or C gaming

machine on the club's or institute's premises and the holder shall comply with any relevant provision of a Code of Practice under Section 24 of the Act about the location and operation of a gaming machine.

1.3 Club Machine Permit

If a Members' Club does not wish to have the full range of facilities permitted by a club gaming permit or if they are a commercial club not permitted to provide non-machine gaming, they may apply to the Board for a club machine permit.

A club machine permit allows the holder to have up to 3 gaming machines of categories B3A, B4, C or D but only one B3A machine can be sited as part of this entitlement.

The Board may grant or refuse a permit, but it may not attach any conditions.

However, by virtue of Section 273 of the Act, a club machine permit shall be subject to the condition that no child or young person may use a category B or C gaming machine on the club's or institute's premises and the holder shall comply with any relevant provision of a Code of Practice under Section 24 of the Act about the location and operation of a gaming machine.

The Board shall expect all permit holders to adhere to both the conditions specified in the Code of Practice on Gaming Machine Permits (available from www.gamblingcommission.gov.uk) and to follow the best practice guidelines in that document.

The Board may only refuse an application on the same grounds as a club gaming permit (see paragraph 4.9 above).

The licensing Board has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit.

In order to do this the Board will expect any application submitted to be accompanied by supporting documents covering the following points:

- The primary purpose of the Club's activities
- How the profits are retained by the Club
- The number of members
- The manner in which members participate in the club

1.4 Prize Gaming Permit

Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming.

A prize gaming permit is a permit issued by the Board authorising a person to provide facilities for gaming with prizes on specified premises.

The Board will specify the form and manner in which an application must be made and will specify the information and supporting documents required. These may include:

- plans of the proposed building;
- relevant insurance certificates;
- evidence demonstrating the suitability of the applicant;
- confirmation of intended opening hours;
- confirmation of the types of gaming to be offered;
- evidence demonstrating a full understanding both by the applicant and employees of the limits to stakes and prizes that are set out in Regulations;
- confirmation of appropriate levels of management supervision at all times during opening hours;
- confirmation that appropriate levels of security shall be in place at all times during opening hours;
- confirmation that appropriate CCTV will be in place at the premises;
- evidence that members of staff are appropriately trained;
- any other documents or information that the Board may direct

The Board may grant or refuse an application for a permit but cannot add conditions.

However, Section 293 of the Act sets out four conditions with which permit holders must comply to lawfully offer prize gaming. These are:

- the limits on participation fees, as set out in The Gambling Act 2005 (Limits on Prize Gaming) Regulations 2007
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- the prize for which the game is played must not exceed the amount set out in The Gambling Act 2005 (Limits on Prize Gaming) Regulations 2007 (if a money prize), or the prescribed value (if a non-monetary prize)
- participation in the gaming must not entitle the player to take part in any other gambling

The Board may grant a permit only if it has consulted the Chief Constable about the application.

The Board may not refuse an application unless it has notified the applicant of the intention to refuse and the reasons for it and given the applicant an opportunity to make representations orally or in writing or both.

1.5 Alcohol Licensed Premises – Gaming Machine Permit

On written notification to the Board, premises licensed to sell alcohol for consumption on the premises and that have a bar at which alcohol is served, without a requirement that alcohol is served only with food, have an automatic entitlement to 2 gaming machines of category C or D under Section 282 of the Act.

The Board has no discretion to consider the notification or refuse it. However, upon the giving of at least 21 days' notice to the licensee, the Board may remove this automatic entitlement if it thinks that:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of Section 282 of the Act – for example, the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
- the premises are mainly used for gaming
- an offence under the Gambling Act 2005 has been committed on the premises

An Alcohol Licensed Premises Gaming Machine Permit is required if more than 2 gaming machines are sought. The issue of such a permit will replace and not be in addition to the automatic entitlement to 2 gaming machines. The Board may issue licensed premises gaming machine permits for any number of category C or D machines.

Holders of licensed premises gaming machine permits are required to comply with a code of practice issued by the Commission on the location and operation of machines, <http://www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/Sector-specific-compliance/Arcades-and-machines/Gaming-machine-categories/Gaming-machine-categories.aspx>

The Board will specify the form and manner in which an application must be made and will specify the information and supporting documents required. The Board will require that the following information is submitted along with the application:

- a plan showing the location and category of gaming machine being sought; and
- evidence of measures in place to prevent persons under the age of eighteen years from using any category of gaming machine

The Board may decide to grant an application with a smaller number of machines and/or a different category of machine but cannot attach any other conditions.

2 Occasional Use Notices

Where there is betting on a track on eight days or less in a calendar year betting may be permitted by an occasional use notice without the need for a full premises licence. The calendar year will commence on 1 January.

In considering an application for an occasional use notice the Board will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice

A notice must be given in writing to the Board and be copied to the Chief Constable. The notice must be given only by a person who is responsible for the administration of events on the track, or by an occupier of the track.

The notice must specify the day on which it has effect, and may be given in relation to consecutive days providing the overall statutory limit of 8 days is not exceeded in a calendar year

The Board shall maintain a record of the number of notices served in relation to each track in a calendar year to ensure that the statutory limit of 8 days is not exceeded.

3 Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that may be suitable for a temporary use notice could include hotels, conference centres and sporting venues.

A Temporary Use Notice may only be granted to a person or company holding a relevant operating licence.

A set of premises may not be the subject of a Temporary Use Notice for more than 21 days in a period of 12 months but may be the subject of several notices provided that the total does not exceed 21 days. In determining what may constitute a set of premises for the purposes of a Temporary Use Notice, the Board notes the Commission's Guidance that this will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a set of premises, the Board shall look at, amongst other things, the ownership/occupation and control of the premises.

An application for a Temporary Use Notice must be submitted to the Board not less than 3 months and one day before the day on which the gambling event will begin.

In addition, a copy of the notice must also be served on:

- The Gambling Commission
- The Chief Constable
- H M Revenue and Customs
- If applicable, any other licensing authority in whose area the premises are situated

(see Appendix 2 for relevant addresses)

The person who is giving the temporary use notice must ensure that the notice and the copies are with the recipients within seven days of the date of the notice.

Each application for the grant of a Temporary Use Notice will be considered and determined on its individual merits.

4 Registration of Small Society Lotteries

Small society lotteries are non-commercial societies which are established and conducted:

- for charitable purposes as defined in s.2 of the Charities Act 2006
- for the purpose of enabling or participation in, or supporting., sport, athletics or a cultural activity; or
- for any other non-commercial purpose other than private gain.

Small Society Lotteries whose principal office is located within the City of Aberdeen require to register with the Board.

All applications for registration must be made in the form specified by Scottish Ministers and accompanied by all necessary documents specified by Scottish Ministers or required by the Board.

When considering an application for registration the Board may request further information from an applicant such as:

- evidence that the application is on behalf of a bona fide non-commercial society (e.g.: a copy of the terms and conditions of the non-commercial society's constitution);
- evidence that all persons to be connected with the promotion of the lottery have no relevant convictions or cautions recorded against them;
- details of the purpose of the Society and the purpose of the fund raising;

- confirmation of the appointment of two members of the society who have the authority to sign and complete the required financial returns.
- evidence that an external lottery manager holds an operator's licence issued by the Gambling Commission.

The Board shall record details of the society on a register and this register shall be made available for public inspection at a reasonable time upon request.

If the Board is intending to refuse an application to join the register the applicant will be notified in writing of the reasons why it is considering refusal, and the evidence on which it has based that preliminary conclusion. The applicant will then be given the opportunity to provide further evidence in support of the application or to make representations regarding these matters.

5 Travelling Fairs

Travelling Fairs wholly or principally provide amusements and must be on a site that has been used for fairs for no more than 27 days per calendar year.

The Board will consider whether the applicant falls within the statutory definition of a travelling fair and that the facilities for gambling amount to no more than an ancillary amusement. The Board will monitor and keep a record of the number of days a piece of land is used as a fair to ensure the maximum statutory 27 days is not exceeded in a calendar year.

6. Problem Gambling

The Board acknowledges that there is an increasing awareness about harmful gambling and its impact on families and local communities, as well as the individuals directly harmed by it.

Harmful gambling is defined as any type of repetitive gambling that disrupts or damages personal, family or recreational pursuits. It can have many and varied impact, including on an individual's physical and mental health, relationships, housing and finances, and affect a wide range of people, such as families, colleagues and wider local communities.

Evidence suggests that certain groups are more vulnerable to problem gambling including children and young people, people with mental health issues, certain minority ethnic groups, the unemployed, homeless people, those with low intellectual functioning, people with financially constrained circumstances and those living in deprived areas.

The Gambling Commission's Statistics on participation and problem gambling for the year end to September 2021 found the following keys facts:

- In year to September 2021, overall participation in any gambling activity (in the last four weeks) has remained stable at 42%.
- In year to September 2021, the online gambling participation rate is 25% (an increase of 2 percentage points on year to September 2020), whilst in person participation is down 5 percentage points to 24%. It should be noted that much of the online increase can be explained by increasing proportions of respondents playing National Lottery draws online.
- The overall problem gambling rate has decreased significantly (0.3%, compared to 0.6% in year to September 2020).
- The moderate risk rate has also decreased significantly to 0.7% (year to September 2021) compared to 1.2% in year to September 2020.

The Board supports the National Strategy to Reduce Gambling Harms and the Strategy Implementation Group in Scotland to coordinate the delivery of the National Strategy.

Problem Gambling in Aberdeen

Between October 2018 and June 2021, North East Division of Police Scotland, recorded 46 incidents within Aberdeen city in which gambling-related problems were found to be the root cause of the eventual incident. It can be reasonably expected that this is a conservative reflection of the true picture.

The Board notes that there is no direct link geographically between deprivation as defined in the Scottish Index of Multiple Deprivation, and the location of gambling premises. The Board further notes that the recent Strategic Needs Assessment undertaken by Community Planning Aberdeen did not identify problem gambling as an issue in the City, and therefore no projects have been identified.

The Board's Responsibilities

The Board are not responsible for providing treatment for harmful gambling.

The Board as the Licensing authority have a statutory role regulating local gambling premises and have at its disposal various tools to try to prevent gambling related harm occurring in premises. These tools included but are not limited to highlighting locally specific gambling risks, this Policy Statement which sets out the Board's expectations for gambling businesses and undertaking compliance visits to assess whether they are meeting these expectations.

The Board acknowledges the Local Authority may have a role to play in reducing harmful gambling and will work in partnership with the Local Authority where appropriate.

7. Online Gambling

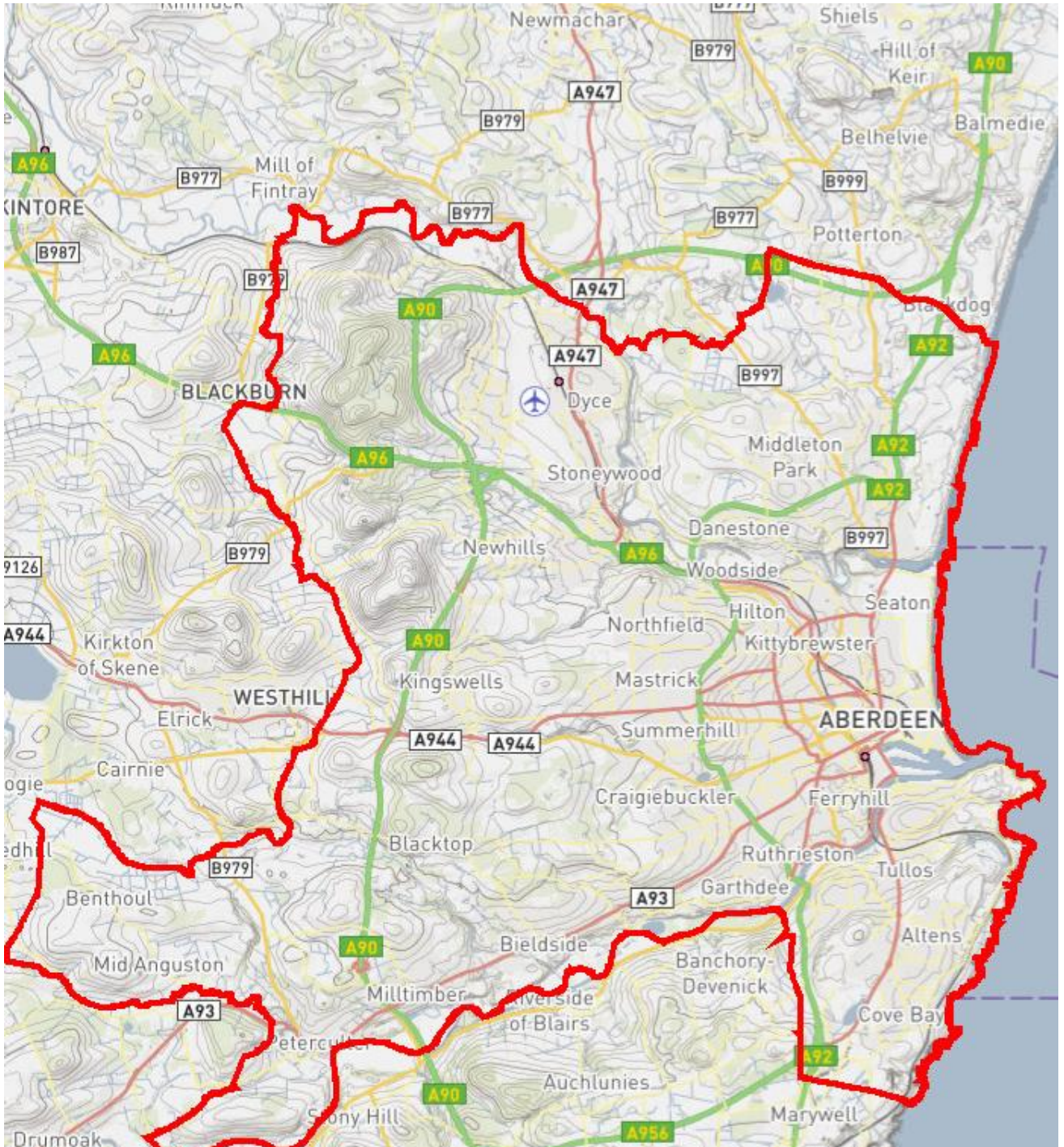
The Gambling Commission strategic assessment (2020, updated February 2021) identifies the rise in online gambling, nearing £6billion per annum, and that 50% of online gambling is now done over a mobile phone. This demonstrates the ease of access now possible to gambling.

The Board's statutory role in gambling licensing applies to gambling in premises, referred to as non-remote gambling. Remote gambling is the legal term for gambling undertaken other than in a premises, typically over the internet and therefore more commonly known as online gambling. This is regulated by the Gambling Commission.

The Board accepts, that steps that can be taken to support those experiencing harm from gambling apply equally to harmful gambling issues linked to premises based or online gambling (or for many problem gamblers, a combination of both).

APPENDIX 1

MAP OF AREA



APPENDIX 2

Contact Details for the Licensing Authority and Responsible Authorities

The Responsible Authorities are:

- The Gambling Commission, Victoria Square House, Victoria Square, Birmingham B2 4BP
- Police Service of Scotland, North East Division, Marischal College, Broad Street, Aberdeen AB10 1AB
- The Scottish Fire & Rescue Service, The Chief Fire Officer, Headquarters, 19 North Anderson Drive, Aberdeen AB15 6TP
- Building Standards, Strategic Place Planning, Aberdeen City Council, LGN, Marischal College, Broad Street, Aberdeen, AB10 1AB
- Environmental Services, Operations and Protective Services, Aberdeen City Council, L3S, Marischal College, Broad Street, Aberdeen, AB10 1AB
- Integrated Children's Services Partnership, James Simpson, L2N, Marischal College, Broad Street, Aberdeen, AB10 1AB
- H M Revenue and Customs, National Registration Unit, Portcullis House, 21 India Street, Glasgow G2 4PZ

Any further enquiries or assistance can be obtained from the Licensing Authority on licensing@aberdeencity.gov.uk . These addresses were correct at the time of going to print but are subject to change without notice. Any change made will not form part of a review of the Board's Statement of Licensing Policy

APPENDIX 3 -

List of Consultees

The draft policy was placed on the Council Website and in accordance with the Act the following organisations and individuals were consulted as part of the formal consultation exercise on the Statement of Gambling Licensing Policy.

- The Chief Constable of Police Scotland
- Chief Fire Officer, Scottish Fire & Rescue Service
- The Gambling Commission
- Integrated Children's Services Partnership
- Aberdeen City Child Protection Committee
- Premises Licence Holders
- Community Councils
- Licensing Agents
- Aberdeen City Council - Chief Officers
- Aberdeen City Council - Group Leaders
- Aberdeen City Council – Chief Executive
- National Casino Forum
- Association of British Bookmakers Limited
- GamCare
- Gamble Aware
- NHS Grampian

APPENDIX 4

Scheme of Delegation

Matter to be dealt with	Licensing Board	Sub-Group of Licensing Board	Officers
Final approval of three year licensing policy	✓		
Policy not to permit casinos	✓		
Fee Setting (when appropriate)			✓
Application for premises licences		Where representations have been received and not withdrawn	Where no representations have been received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations have been received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations have been received/representations have been withdrawn
Review of a Premises Licence		✓	
Application for a club gaming/club machine permits		Where objections have been made (not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		✓	
Applications for other permit			✓
Cancellation of licensed premises			✓

gaming machine permits			
Consideration for temporary use notice			✓
Decision to give a counter notice to a temporary use notice		✓	

APPENDIX 5

FURTHER INFORMATION

Further information about the Gambling Act 2005, this Statement of Principles and about the application process, including application forms and guidance notes can be obtained from:

The Clerk to the Licensing Board
Legal Services,
Governance,
Aberdeen City Council,
First Floor South,
Marischal College,
Broad Street, Aberdeen,
AB10 1AB
Email licensing@aberdeencity.gov.uk
www.aberdeencity.gov.uk

Information is also available from the

Gambling Commission
Victoria Square House
Victoria Square
Birmingham B2 4BP
Tel: 0121 230 6500
Fax: 0121 233 1096
info@gamblingcommission.gov.uk

Consultation responses to Gambling Policy Statement 2022 – 2025

- Cults Community Council

Thank you for the opportunity to review and comment on the proposed changes to Aberdeen City Licensing Board Gambling Policy. We have reviewed the proposed changes, which we welcome and support and we hope they will be fully incorporated in the new policy

- Eleanor Sheppard, Chief Education Officer

No comments from me but thanks for sight of the document.

- Sport Aberdeen

I can confirm that we have read the draft Gambling Policy Statement and we have no comments to add. Many thanks for including us in the consultation”

- Police Scotland

“Thank you for the opportunity to comment on the draft Gambling Policy Statement. We make the following comments:

1. Ref page 5 and the comment: ‘Where an area has known high levels of organised crime...’

At this time, despite the potential for high levels of organised crime to occur and in full acknowledgement that such crime does exist, we are unable to substantiate any consistent and meaningful link between problem gambling and high levels of organised crime within the North East Division.

2. Ref Appendix 2, please amend our address to: Police Service of Scotland, North East Division, Marischal College, Broad Street, Aberdeen, AB10 1AB.

3. General comment:

Evidence of harm, in all its different presentations, arising from gambling-related problems or addiction, is not always obvious or readily identifiable and it is acknowledged that such issues may lie behind incidents and behaviours that lead to Police contact.

Between October 2018 and June 2021, North East Division recorded 46 incidents within Aberdeen city in which gambling-related problems were

found to be the root cause of the eventual incident. It can be reasonably expected that this is a conservative reflection of the true picture.

Looking at the circumstances, there appears to be some connection between gambling activities of some individuals and problematic personal issues, which can impact on their families and others around them. Online gambling is prevalent in many recorded incidents and is worthy of more detailed consideration within the Licensing Policy Statement and by the Gambling Commission.

An increased focus would be welcomed, to identify and support problem gambling, gamblers themselves and the facilitators, whether in regulated premises or online with the recognition that such a lifestyle can render individuals vulnerable and negatively impact those around them.

Notwithstanding the potential for the commission of acquisitive crime as a means to fund problem gambling, if an individual was to come to Police attention in this regard, appropriate referral would be made to identify the best means of support.

- Derek McGowan, Chief Officer, Early Intervention and Community Empowerment

The review of the Licensing Board's Gambling Act 2005 Policy Statement is welcome, as it provides the opportunity to consider knowledge and understanding of the impact of gambling across the City.

A key role for the Board, as noted in the policy, is to:

- Prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and honest way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The consultation sets out steps for each objective above, detailing steps expected of operators. Without repeating them here, I believe these are the appropriate steps when viewed alongside the expectations set out in the Local Area Profile. Understanding the limits of Board responsibility, and the lack of specific definition in some crucial aspects of the legislation, for example a 'vulnerable person', I believe that the proposed policy sets out a responsible approach to regulating the gambling industry locally.

Having reviewed the data available on gambling sites and mapped against areas of the City where there is multiple deprivation, there is no direct link geographically between deprivation as defined in the Scottish Index of Multiple Deprivation, and the location of gambling premises. The recent Strategic Needs Assessment undertaken by

Community Planning Aberdeen did not identify problem gambling as an issue in the City, and therefore no projects have been identified.

However, this does not mean that there are not people in these areas who experience problem gambling. Perhaps the more telling statistic is the prevalence of treatment centres across the City centre area, the area with the highest density of not only gambling premises but licensed alcohol premises.

The Gambling Commission strategic assessment (2020, updated February 2021) identifies betting premises as by far the most common place to bet, and there is certainly a benefit to this – as with all physical premises – as staff in the premises can monitor behaviour and spend and act appropriately in their premises. However, this assessment also sets out the rise in online gambling, nearing £6billion per annum, and that 50% of online gambling is now done over a mobile phone. This demonstrates the ease of access now possible to gambling. This is not an area for the Board to regulate, but to have awareness of as they set out their policy, and the potential links between physical premises and changing to online gambling are important in this context.

The link between gambling at a young age and developing problem gambling later in life demands focus on family entertainment centres, ensuring appropriate access, and the regulation of advertising. This is an issue the proposed policy is clear on regarding accessing Category C machines, but the Board should maintain vigilance on this when addressing applications.

The proposed policy appears robust in regulating and tackling the issues it can locally. However, one area the Board may wish to consider is the link between gambling in premises and online gambling and including a section identifying steps and assurances around online gambling, and a section that sets out how to seek assistance for problem gambling. These would both assure operators and the public that the Board was aware of the wider issues around gambling and set this policy more clearly amidst social and national policy.

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