

# Public Document Pack



To: Councillor Copland, Convener; and Councillors Al-Samarai, Boulton, Hazel Cameron, Crockett, Fairfull, Grant, Greig and McLeod.

Town House, Aberdeen  
12 September 2025

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 23 SEPTEMBER 2025 at 10.00 am**. This is a hybrid meeting and Members may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

ALAN THOMSON  
CLERK TO THE BOARD

## BUSINESS

- 1 Minutes of Meeting of 1 July 2025 (Pages 3 - 6)
- 2 Statement of Licensing Policy (Pages 7 - 8)
- 3 Application for Premises Licence - ARI Convenience Store, Unit 1, Cornhill Shopping Centre, Cornhill Drive, Aberdeen (Pages 9 - 34)
- 4 Application for Premises Licence - Skene Street Convenience Shop, 55 Skene Street, Aberdeen (Pages 35 - 58)
- 5 Application for Premises Licence - Greens of Hillhead, Hillhead Student Village, Don Street, Aberdeen (Pages 59 - 84)
- 6 Application for Provisional Premises Licence - Unit 19, Mastrick Shopping Centre, Greenfern Place, Aberdeen (Pages 85 - 106)

- 7 Application for Major Variation - Merkur Casino, 61 Summer Street, Aberdeen (Pages 107 - 158)
- 8 Application for Major Variation - China Kingdom, 12-16 Guild Street, Aberdeen (Pages 159 - 178)
- 9 Application for Major Variation - Gilcomston Bar, 5 Gilcomston Steps, Aberdeen (Pages 179 - 194)
- 10 Application for Major Variation - Shotz, Arch 13, South College Street, Aberdeen (Pages 195 - 208)
- 11 Application for Major Variation - St Machar Bar, 97 High Street, Old Aberdeen, Aberdeen (Pages 209 - 236)
- 12 Application for Personal Licence
  - 12.1 Application for Personal Licence Grant (Pages 237 - 240)
- 13 Licensing Board Dates 2026 (Pages 241 - 242)
- 14 LSO Update

Website Address: [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Should you require any further information about this agenda, please contact Alexa Last, [alast@aberdeencity.gov.uk](mailto:alast@aberdeencity.gov.uk)

## LICENSING BOARD

ABERDEEN, 1 July 2025. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Copland, Convener; and Councillors Al-Samarai, Boulton, Hazel Cameron, Crockett and McLeod.

### DECLARATIONS OF INTEREST

1. Councillor McLeod advised he is a neighbour of the applicant in item seven so will excuse himself for that item.

### MINUTES OF MEETING OF 15 APRIL 2025

2. The Board had before it for its consideration the minutes of meeting of 15 April 2025.

The Board resolved:  
To approve the minute.

### MINUTES OF MEETING OF 21 MAY 2025

3. The Board had before it for its consideration the minutes of meeting of 21 May 2025.

The Board resolved:  
To approve the minute.

### APPLICATION FOR PROVISIONAL PREMISES LICENCE - POWIS CORNER, 61 POWIS TERRACE, ABERDEEN

4. The Board heard from David Scott who introduced the application. He was joined by the owner of the premises. There had been no objections or representations received and everything was within policy.

The Board unanimously resolved:  
To grant the application.

### APPLICATION FOR PROVISIONAL PREMISES LICENCE - MUGIEMOSS MARKET LIMITED, 43 MILL DRIVE, ABERDEEN

5. The Board heard from David Scott who introduced the application. He was joined by the owner of the premises. There had been no objections or representations received and everything was within policy.

**LICENSING BOARD**

1 July 2025

The Board unanimously resolved:  
To grant the application.

**APPLICATION FOR PROVISIONAL PREMISES LICENCE - CLOVER CORNER LIMITED, UNIT 2 AND 3 CLOVER HILL DEVELOPMENT, ABERDEEN**

6. The Board heard from David Scott who introduced the application. He was joined by the owner of the premises. There had been no objections or representations and everything was within policy.

The Board unanimously resolved:  
To grant the application.

**APPLICATION FOR PROVISIONAL PREMISES LICENCE - GLENHOUSE RESTAURANT, 201 UNION STREET, ABERDEEN**

7. The Board heard from Arlene Dunbar who was representing the applicant. There had been no objections or representations received and everything was within policy.

Sandy Munro advised the Board there was an error on the Operating Plan and the proposed terminal hour is 22:00 which is within policy and the correct times had been advertised.

The Board resolved:  
To grant the application.

**APPLICATION FOR MAJOR VARIATION - WHITE HORSE BAR, 697 GREAT NORTHERN ROAD, ABERDEEN**

8. The Board heard from Stephen McGowan who was representing the applicant. The applicants were also present online. There had been no objections or representations received and everything was within policy.

The Board unanimously resolved:  
To grant the application.

**APPLICATION FOR MAJOR VARIATION - MERKUR CASINO, 61 SUMMER STREET, ABERDEEN**

9. The Board heard from Niall Hassard who was representing the applicant. The Senior General Manager, George Gordon was also in attendance.



**LICENSING BOARD**

1 July 2025

Sandy Munro addressed the Board to advise there was an LSO objection to the application. The applicant was not in agreement with the Outdoor Drinking Conditions in terms of the 10pm terminal hour.

The Board unanimously resolved:  
To grant the application with the usual conditions imposed.

**APPLICATION FOR MAJOR VARIATION - ROYAL ABERDEEN GOLF CLUB, LINKS ROAD, BRIDGE OF DON, ABERDEEN**

10. The Board heard from Keith Grant, the General Manager for the premises. There had been no objections or representations to the application and everything was within policy.

The Board unanimously resolved:  
To grant the application.

**APPLICATION FOR MAJOR VARIATION - RED LION, 130 SPITAL, ABERDEEN**

11. The Board heard from Anthony Dawson who was representing the applicant. The applicant was also in attendance online. There had been no objections or representations and everything was within policy.

The Board unanimously resolved:  
To grant the application.

**APPLICATION FOR MAJOR VARIATION - THE SPIDER'S WEB, 19 STATION ROAD, DYCE**

12. The Board heard from David Scott who was representing the applicant. The applicant was also in attendance. The application had attracted a representation from the LSO in line with the Licensing Policy Objective – 'Protecting Children and Young Persons from Harm.' The applicant was requesting changes to the terms of entry for children and young people and the LSO explained the position of the pool table meant it was not in view of staff at all times.

The Board resolved:  
To grant the application on the basis of a 9am opening time Monday to Saturday and 10am on a Sunday. Children are allowed entry to the Public Bar to 8pm only.

Councillor Al-Samarai excused herself from this application due to concerns over a conflict as the applicant referred to letters in support of the application.

## **LICENSING BOARD**

1 July 2025

### **ANNUAL FINANCIAL REPORT**

13. Sandy Munro introduced the report to the Board.

The Board resolved to agree the contents of the report.

### **ANNUAL FUNCTIONS REPORT**

14. Laura McGhee introduced the report to the Board.

The Board resolved to agree the contents of the report.

### **LICENSING FORUM UPDATE**

15. The Board heard from Elaine Mottram, Chair of the Local Licensing Forum who updated the Board on local licensing matters.

### **LSO UPDATE**

16. The Board heard from John Philip, Licensing Standards Officer, who advised the Board that the recent Granite City Festival had been a success and that they were working toward the upcoming Tall Ships event in Aberdeen in July.

# Agenda Item 2

All alcohol licensing applications will be determined in line with the Statement of Licensing Policy which can be found in the link below [https://www.aberdeencity.gov.uk/sites/default/files/2023-12/Statement%20of%20Licensing%20Policy%20Nov%202023%20update\\_0.pdf](https://www.aberdeencity.gov.uk/sites/default/files/2023-12/Statement%20of%20Licensing%20Policy%20Nov%202023%20update_0.pdf)

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR A PREMISES LICENCE  
**PREMISES:** ARI CONVENIENCE STORE, UNIT 1 CORNHILL SHOPPING CENTRE, CORNHILL DRIVE, ABERDEEN, AB16 5UT

### DESCRIPTION

- Convenience store offering off sales consumption.
- Home delivery of food and alcohol to be offered (only wines and beers, not spirits)
- Capacity of 24.459sqm

### OBJECTIONS/REPRESENTATIONS

Public representation X1

The applicant has agreed to the imposition of CCTV and delivery driver conditions.

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**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR PREMISES LICENCE/~~PROVISIONAL~~ PREMISES  
LICENCE\***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** Licensing (Scotland) Act 2005, section 20(1)

**Question 1**

Name, Address and postcode of premises to be licensed.

ARI Convenience Store,  
Unit 1 Cornhill Shopping Centre,  
Cornhill Drive,  
Aberdeen, AB16 5UT

**Question 2**

Particulars of applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

KSM24 Ltd.

2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number.

KSM24 Ltd, registered office 117 Clifton Road, Aberdeen, AB24 4RH  
Company registration number SC818364

2(d) Where applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. \*

Kanagavel Sinthujan

\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005

For the text of section 147 (3) please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)



**Question 3**

Previous applications

3. Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? **YES/NO\***

\*If yes – provide full details

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**Question 4**

Previous convictions

- |   |                |
|---|----------------|
| 4. Has the applicant or any connected person ever been convicted of a relevant or foreign offence (a) | <b>YES/NO*</b> |
|---|----------------|

\*if YES - provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

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(a) in addition to any conviction held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application

**DESCRIPTION OF PREMISES** Licensing (Scotland) Act 2005, section 20(2)(a)

**Question 5**

5. Description of premises (where application is submitted by a members' club, please also complete question 6)

Convenience store
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**Question 6**

6. To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?*	YES/NO*
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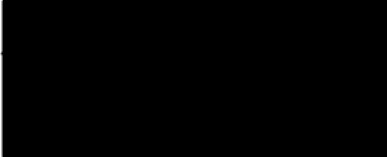
\*Delete as appropriate

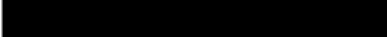
\*\* for the text of Regulation 2 please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

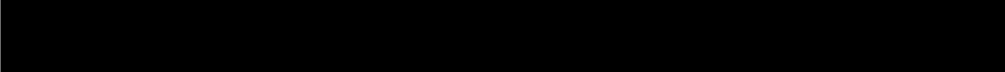
The contents of this Application are true to the best of my knowledge and belief.

Signature .....  ..... \* (see note below)

Date .....  .....

Capacity ..... ~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory

..... 

Postal Address of Agent (if appropriate) .....

Hamilton Watt & Co.  
4 Bon Accord Crescent  
Aberdeen  
AB11 6DH

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	YES/NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/NO*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES/NO*
*Delete as appropriate	

### Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

**Question 3**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10 am	10 pm
Tuesday	10 am	10 pm
Wednesday	10 am	10 pm
Thursday	10 am	10 pm
Friday	10 am	10 pm
Saturday	10 am	10 pm
Sunday	10 am	10 pm

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
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\*if YES – provide details

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

COL 1 5(a) Activity	COL 2 Please confirm YES/NO	COL 3 To be provided during core licensed hours - please confirm YES/NO	COL 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	N/A	N/A
Restaurant facilities	NO	N/A	N/A
Bar meals	NO	N/A	N/A
<b>5 (b) Activity</b> <b>Social functions</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours -</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	NO	N/A	N/A
Club or other group meetings etc	NO	N/A	N/A
<b>5(c)</b> <b>Activity</b> <b>Entertainment</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours -</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
Recorded music - see 5(g)	NO	N/A	N/A
Live performances - see 5(g)	NO	N/A	N/A
Dance facilities	NO	N/A	N/A
Theatre	NO	N/A	N/A

Alcohol	NO	N/A	N/A
Gaming	NO	N/A	N/A
Indoor/outdoor sports	NO	N/A	N/A
Televised sport	NO	N/A	N/A
5 (a) Activities	Please confirm YES/NO	To be provided during core licensed hours please confirm YES/NO	Where activities are also to be provided outside core licensed hours please confirm YES/NO
Collaborating facilities	NO	N/A	N/A
5 (b) Activities	Please confirm YES/NO	To be provided during core licensed hours please confirm YES/NO	Where activities are also to be provided outside core licensed hours please confirm YES/NO
Adult entertainment	NO	N/A	N/A

Where you have answered YES in respect of any entry in column 4, please provide further details below.

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

Home deliveries of food and alcohol to be provided, subject to demand for this service.  
Only wines and beers will be included, not spirits.

5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	<del>YES/NO*</del>
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n/a

When fully occupied, are there likely to be more customers standing than seated?	<del>YES/NO*</del>
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n/a

*Delete as appropriate	
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**Question 6 (On-Sales only)**

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	<del>YES/NO*</del>
	*Delete as appropriate	

n/a

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

23.523 square metres off sales

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

Kanagavel Sinthujan

8 (b) Date of birth

8 (c) Contact address

8 (d) Email address




8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
18 February 2025	Aberdeen City	AC7348

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .....  ..... \*(see note below)

Date .....

Capacity ..... ~~APPLICANT/AGENT~~ (delete as appropriate.)

Telephone number and email address of signatory .....

..... 

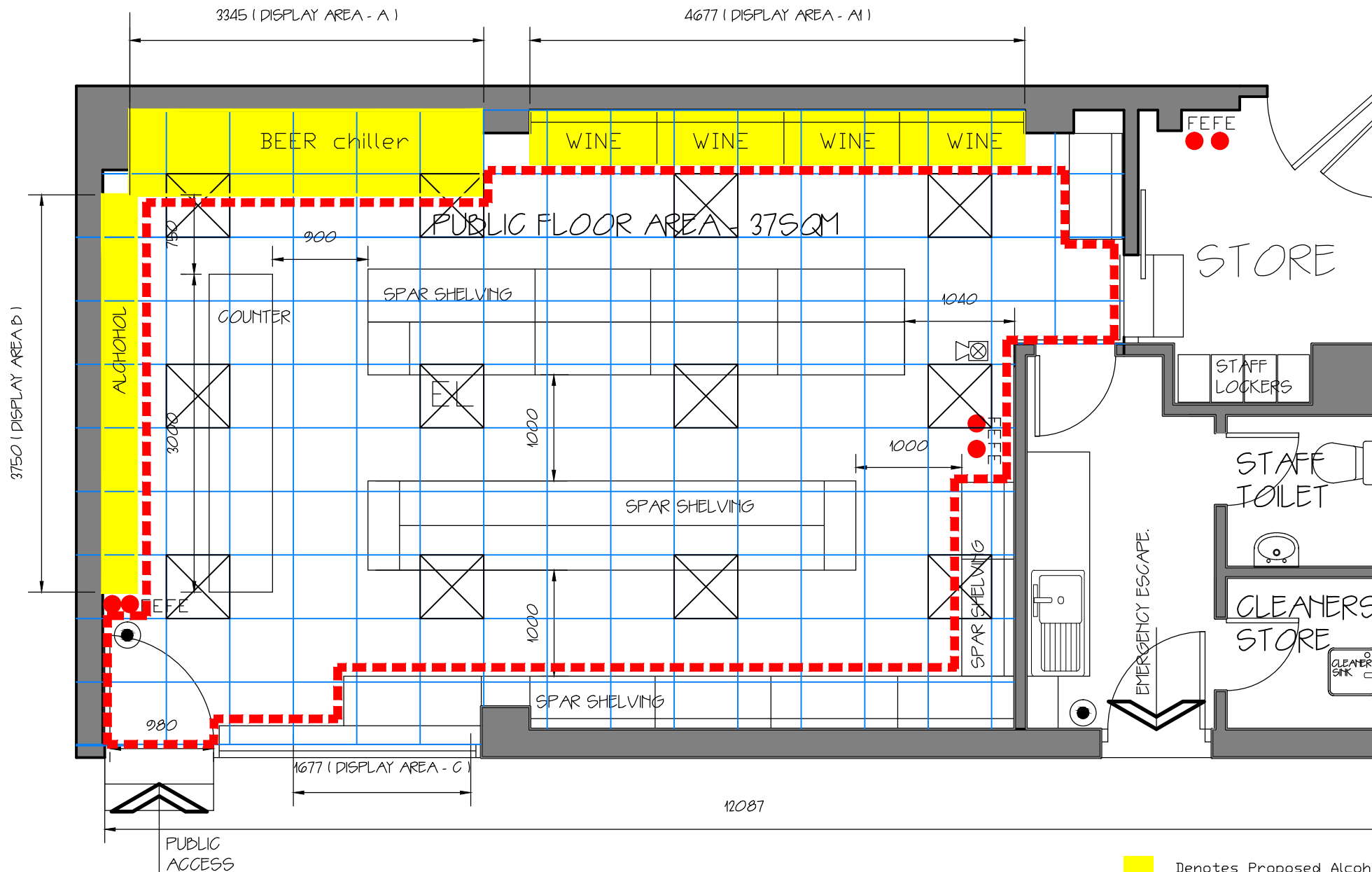
Postal Address of Agent (if appropriate) .....

.....  
**Hamilton Watt & Co.**  
 4 Bon Accord Crescent  
 Aberdeen  
 AB11 6DH  
 .....

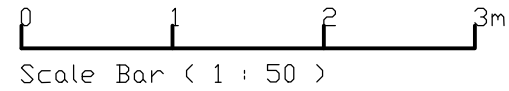
**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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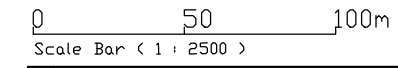
PROPOSED SALES FLOOR AREA 1 : 50



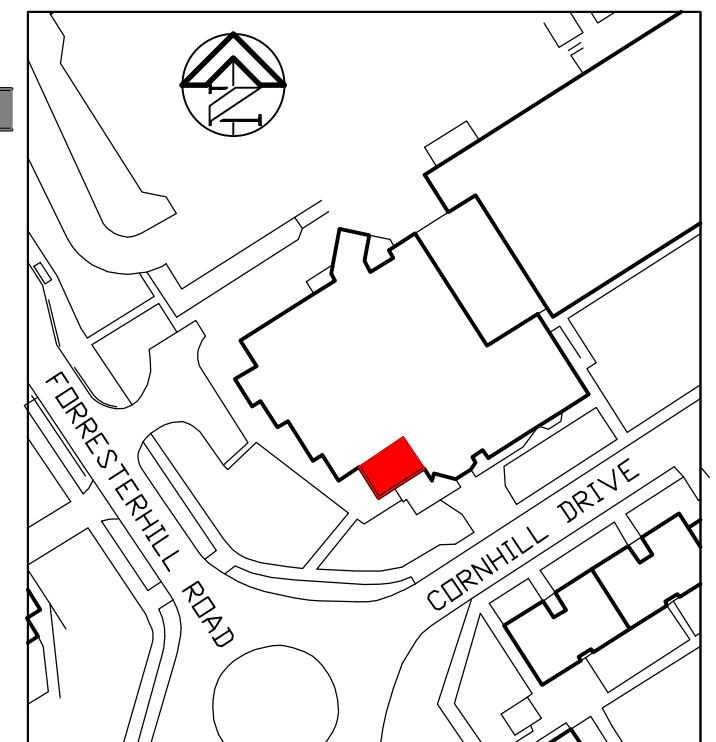
DISPLAY AREA :

AREA - A = 2.0 X 3.345 = 6.669SQM  
 AREA - A = 2.0 X 4.677 = 9.354SQM  
 AREA - B = 2.0 X 3.750 = 7.500SQM  
 TOTAL DISPLAY AREA = 23.523 SQM

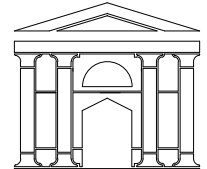
- DENOTES - 600 X 600 LED PANEL LIGHT
- DENOTES - 600 X 600 LED PANEL LIGHT FITTED WITH A 3HR BATTERY PACK TO PROVIDE EMERGENCY LIGHT FITTING



- Denotes Proposed Alcohol display locations
- FE Denotes Fire Extinguisher ( Located at counter )
- Solid line indicates entire licenced premises
- Dashed line indicates limit of customer licenced area - children & young persons access
- Break glass point
- Sounder ( note : there are no smoke detectors as break glass points provided )



LOCATION PLAN 1 : 2500

 <p>32MEIKLE GARDENS WESTHILL AB32 6WN TEL 01224 467358 MOBILE 07831 409682</p>	<p><b>DEREK L YOUNG</b></p> <p><b>CHARTERED ARCHITECT</b></p>		<p>JOB : <b>PROPOSED ALCOHOL LICENSING AT :</b> <b>UNIT 1, CORNHILL SHOPPING ARCADE, ABERDEEN AB16 5UT</b></p>			
	<p>DRAWING: <b>FLOOR PLAN</b></p>	<p>SCALE: <b>1 : 50</b></p>	<p>DATE: <b>MARCH '25</b></p>	<p>CLIENT:</p>	<p>DRAWING NUMBER: <b>1125-01</b></p>	<p>JOB NUMBER: <b>1125</b></p>

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**THE LICENSING (SCOTLAND) ACT 2005 (SECTION 50)**

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**Date: 22 April 2025**  
**Reference Number: L250248**

Certificates in terms of Planning and/or Building Standards to accompany a premises licence application

Address of premises to which this certificate applies:-

**Max Convenience Store**  
**Unit1**  
**Cornhill Shopping Centre**  
**Cornhill Drive**  
**Aberdeen**  
**AB16 5UT**

(hereinafter referred to as 'the said premises')

**Applicant**  
**KSM24 Ltd**  
**104 Clifton Road Aberdeen AB16 4RD**

On behalf of Aberdeen City Council I hereby certify: -

**PLANNING CERTIFICATE – Sect 50(4)**

(a) that planning permission under the Town and Country Planning (Scotland) Act 1997 (c. 8) referred to in this section as “the 1997 Act”) in respect of any development of the subject premises in connection with their proposed use as licensed premises has been obtained, or

(b) that no such planning permission is required.

GALE BEATTIE  
CHIEF OFFICER STRATEGIC PLACE PLANNING



**BUILDING STANDARDS CERTIFICATE – Sect 50(6)**

(a) that a completion certificate has been accepted under section 18 of the Building (Scotland) Act 2003 (asp 8) (referred to in this section as “the 2003 Act”) in respect of any construction or conversion of the subject premises in connection with their proposed use as licensed premises,

(b) that permission for the temporary occupation or use of the premises has been granted under section 21(3) of the 2003 Act, or

(c) that no such completion certificate or permission is required.

Dated: 22 April 2025



**David Dunne**  
Chief Officer Strategic Place Planning



## THE LICENSING [SCOTLAND] ACT 2005 [SECTION 50]

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### **FOOD HYGIENE CERTIFICATE FHC/25/204890**

Certificate as to the suitability of the premises in relation to food hygiene, for which the grant of a new premises licence is sought.

**ARI Convenience Store  
Unit 1  
Cornhill Shopping Arcade  
Aberdeen  
AB16 5UT**

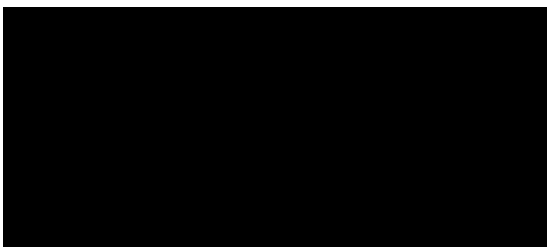
[hereinafter referred to as “the said premises”]

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On behalf of Aberdeen City Council, I hereby certify that the said premises if constructed to conform with the layout plans

**(Ref: ARICONVENIENCESTORE/EH/1125/01/1:50/REV-C)**

lodged with the application would comply with the requirements of the Food Hygiene (Scotland) Regulations 2006, relating to construction, layout, drainage, ventilation, lighting and water supply, or concerned with the provision of sanitary and washing facilities.



**Chartered Environmental Health Officer – Protective Services - Governance**

**Date: 26<sup>th</sup> May 2025**

**NB: Should the applicant require to amend the plans referred to above then any changes must be agreed, in writing, with this Service.**

ANDY MACDONALD-EXECUTIVE DIRECTOR CORPORATE SERVICES



Heritage 100% Recycled



Choose products with the FAIRTRADE Mark



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SCHEDULE 6 Regulation 7  
**DISABLED ACCESS AND FACILITIES STATEMENT**  
*Licensing (Scotland) Act 2005, section 20(2)(b)(ia)*

**Question 1**

**Disabled access and facilities**

1(a)	Is there disabled access to the premises	<del>YES</del> / NO*
1(b)	Do you have facilities for those with a disability	YES / <del>NO</del>
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES / <del>NO</del> *
*Delete as appropriate		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

**Question 2**

**Disabled access to, from and within the premises**

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

Signage provided to allow for disabled assistance.

**Question 3**

**Facilities available**

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

NONE (small convenience store)

**Question 4**

**Other provisions**

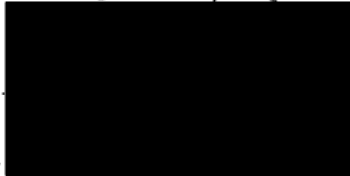
Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature ..... \* (see note below)



**Hamilton Watt & Co.**  
4 Bon Accord Crescent  
Aberdeen  
AB11 6DH

Date .....

Capacity ..... ~~APPLICANT~~/AGENT

Telephone number and email address of signatory.....

\* **Data Protection Act 1998**



The information on this form may be held on an electronic public register which may be available to members of the public on request."

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Dear Sir /Madam

I am Varghese Padayadan, RC and Company Ltd, Running a Premier Convenience Store in Oldcroft place, Aberdeen , AB16 5BX.

My business firm is having high rent and business is rate also high.

Aldi shop is also running business near by me and having OFF Licence.

Having the current struggling situation in business , there is another shop is coming in between my shop and Aldi Store.

The new shop details is:-ARI Convenience store , Unit 1 Cornhill shopping Centre, Cornhill Drive , AB165UT.

These group people they started in Cluny place and applied for off licence and rejected for some other activities.

They opened shop Rosemount place applied Off Licence , rejected and closedown.

My customers are telling that they are started selling tobacco and Vape with reduced price under age people.

Here my objection for giving OFF Licence to ARI Convenience sore is for my survival to running my shop.

Kindly Consider my application.

Thanking,

Varghese Padayadan,

RC and Company Ltd.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR A PREMISES LICENCE  
**PREMISES:** SKENE STREET CONVENIENCE SHOP, 55 SKENE STREET,  
ABERDEEN, AB10 1QD

### DESCRIPTION

- Convenience Store offering off-sales of alcohol
- Home delivery of food and alcohol to be offered (only wines and beers, not spirits)
- Capacity of 14.583sqm

### OBJECTIONS/REPRESENTATIONS

The applicant has agreed to the imposition of CCTV and delivery driver conditions.

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**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR PREMISES LICENCE/~~PROVISIONAL~~ PREMISES  
LICENCE\***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** Licensing (Scotland) Act 2005, section 20(1)

**Question 1**

Name, Address and postcode of premises to be licensed.

Skene Street Convenience Shop,  
55 Skene Street,  
Aberdeen,  
AB10 1QD

**Question 2**

Particulars of applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

Mr. Vipularajah Nadarajah,  


2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number.

2(d) Where applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. \*

\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005

For the text of section 147 (3) please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)

**Question 3**

Previous applications

3. Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? ~~YES~~/NO\*

\*If yes – provide full details

--

**Question 4**

Previous convictions

4. Has the applicant or any connected person ever been convicted of a relevant or foreign offence (a)	<del>YES</del> /NO*
---	---------------------

\*if YES - provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

---

(a) in addition to any conviction held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application

**DESCRIPTION OF PREMISES** Licensing (Scotland) Act 2005, section 20(2)(a)

**Question 5**

5. Description of premises (where application is submitted by a members' club, please also complete question 6)

Convenience store
-------------------

**Question 6**

6. To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?*	YES/NO*
---	---------

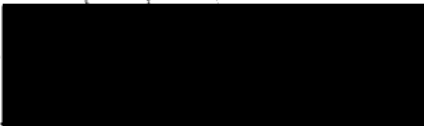
\*Delete as appropriate


\*\* for the text of Regulation 2 please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature .....  ..... \* (see note below)

Date .....  .....

Capacity ..... ~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory .....



Postal Address of Agent (if appropriate) .....

..... Hamilton Watt & Co.  
..... 4 Bon Accord Crescent  
..... Aberdeen  
..... AB11 6DH

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	<del>YES</del> /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/ <del>NO</del> *
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES/NO*
*Delete as appropriate	

### Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

**Question 3**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10 am	10 pm
Tuesday	10 am	10 pm
Wednesday	10 am	10 pm
Thursday	10 am	10 pm
Friday	10 am	10 pm
Saturday	10 am	10 pm
Sunday	10 am	10 pm

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	<del>YES</del> /NO*
---	---------------------

\*if YES – provide details

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

COL.1 5(a) Activity	COL.2 Please confirm YES/NO	COL.3 To be provided during core licensed hours - please confirm YES/NO	COL.4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	N/A	N/A
Restaurant facilities	NO	N/A	N/A
Bar meals	NO	N/A	N/A
5 (b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours - please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc	NO	N/A	N/A
Club or other group meetings etc	NO	N/A	N/A
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours - please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music - see 5(g)	NO	N/A	N/A
Live performances - see 5(g)	NO	N/A	N/A
Dance facilities	NO	N/A	N/A
Theatre	NO	N/A	N/A

Films	NO	N/A	N/A
Gaming	NO	N/A	N/A
Indoor/outdoor sports	NO	N/A	N/A
Televised sport	NO	N/A	N/A
	NO	N/A	N/A
5 (d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Outdoor drinking facilities	NO	N/A	N/A
5 (e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Adult entertainment	NO	N/A	N/A

Where you have answered YES in respect of any entry in column 4, please provide further details below.

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

Home deliveries of food and alcohol to be provided, subject to demand for this service. Only wines and beers will be included, not spirits.



5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	<del>YES</del> /NO*
---	---------------------

n/a

When fully occupied, are there likely to be more customers standing than seated?	<del>YES</del> /NO*
--	---------------------

n/a

*Delete as appropriate	
------------------------	--

Question 6 (On-Sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	<del>YES</del> /NO*
	*Delete as appropriate	

n/a

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

14.583 square metres off sales

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

Vipularajah Nadarajah

8 (b) Date of birth

8 (c) Contact address

8 (d) Email address

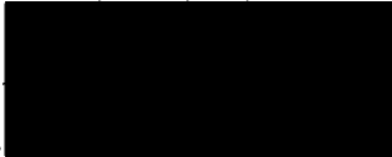
8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
29 January 2025	Aberdeen City	AC7333

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .....  ..... \*(see note below)

Date .....

Capacity ..... ~~APPLICANT~~/AGENT (delete as appropriate.)

Telephone number and email address of signatory .....

..... 

Postal Address of Agent (if appropriate) .....

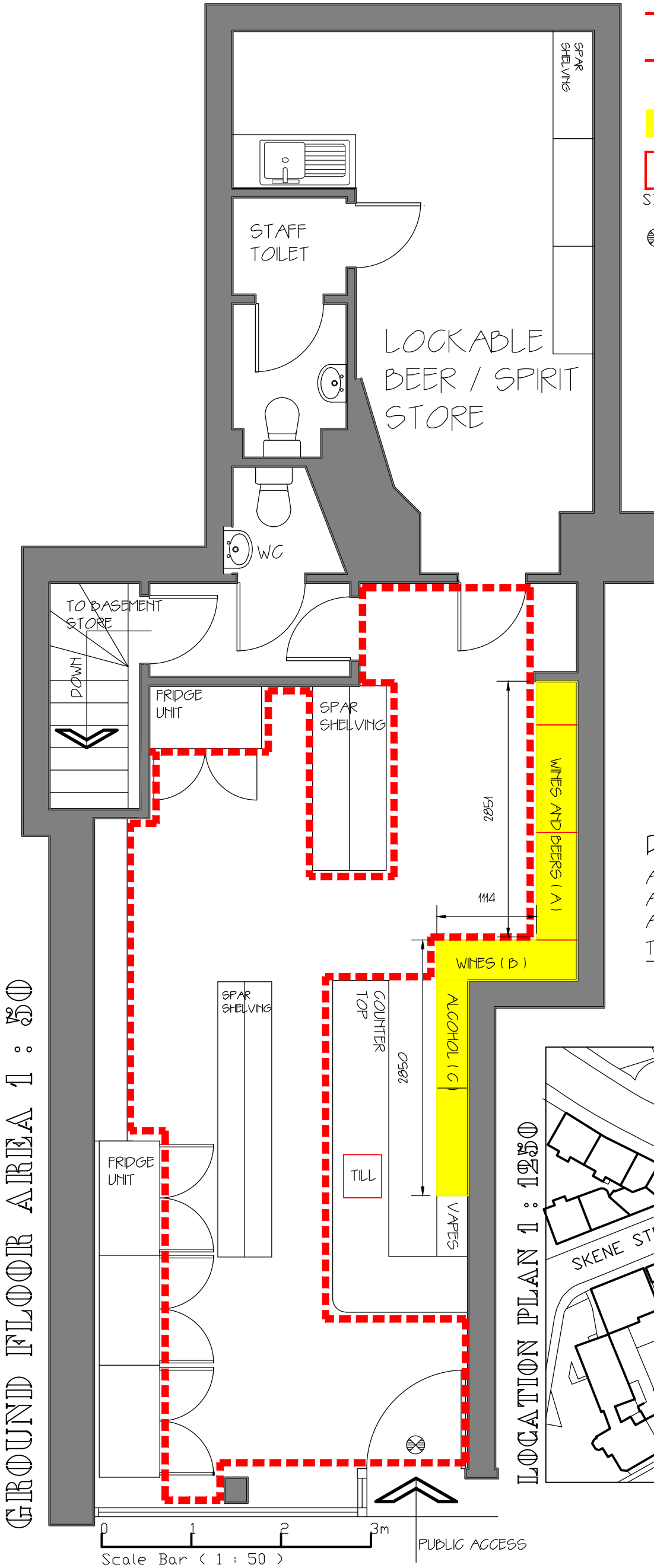
..... Hamilton Watt & Co.  
..... 4 Bon Accord Crescent  
..... Aberdeen  
..... AB11 6DH  
.....

**\* Data Protection Act 1998**

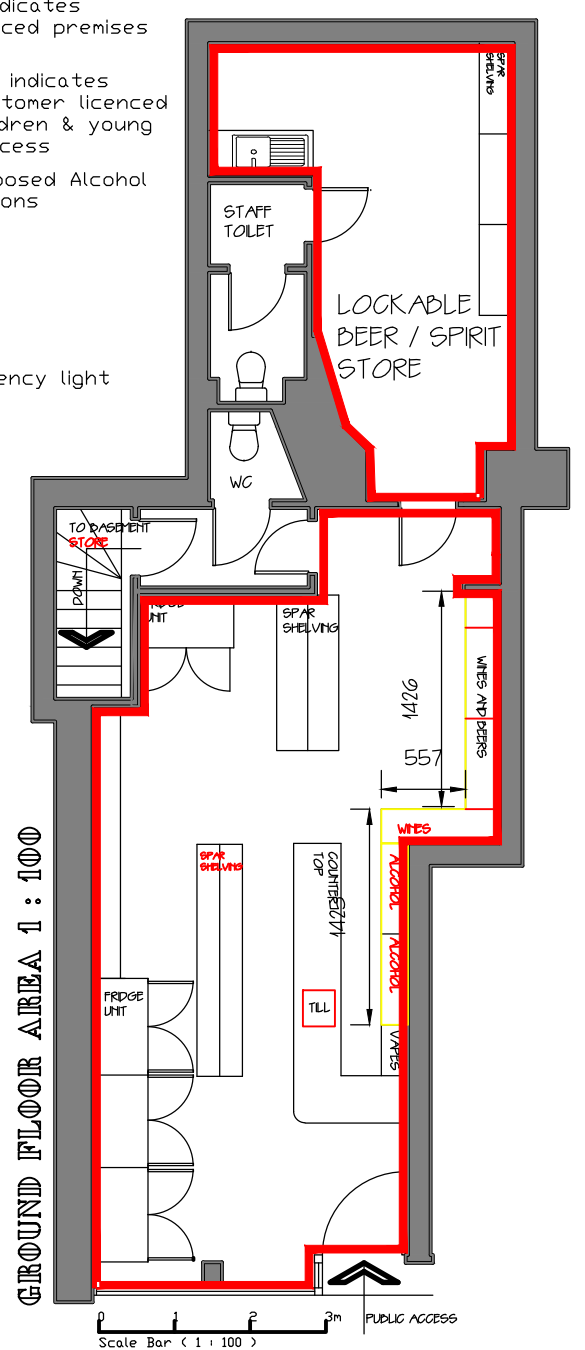
The information on this form may be held on an electronic public register which may be available to members of the public on request.

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- Solid line indicates entire licenced premises
- - - Dashed line indicates limit of customer licenced area - children & young persons access
- Denotes Proposed Alcohol display locations
- SITE BOUNDARY
- ⊗ Denotes emergency light



GROUND FLOOR AREA 1 : 50

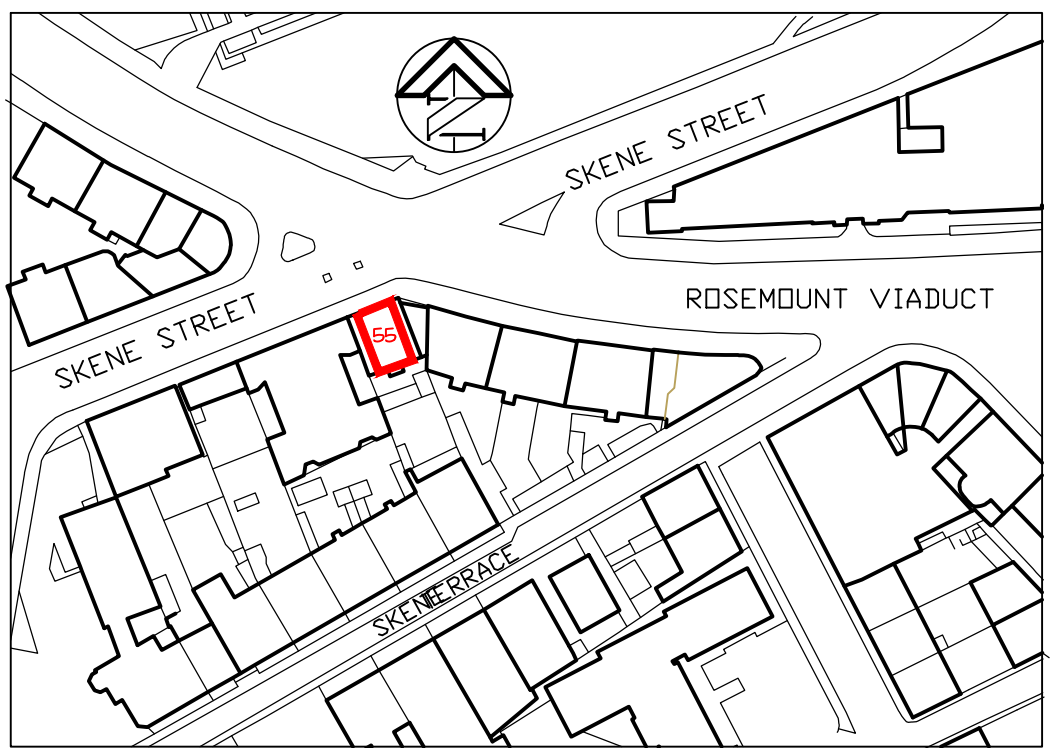


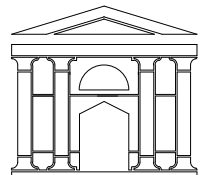
GROUND FLOOR AREA 1 : 100

**DISPLAY AREA :**

- AREA - A = 2.140 X 2.851 = 6.1015SQM
- AREA - B = 2.140 X 1.114 = 2.3835SQM
- AREA - C = 2.140 X 2.850 = 6.0995SQM
- TOTAL DISPLAY AREA = 14.583 SQM

LOCATION PLAN 1 : 1250



	<p><b>DEREK L YOUNG</b>  <b>CHARTERED ARCHITECT</b></p>	<p>JOB : PROPOSED ALCOHOL LICENSING AT :          55 SKENE STREET, ABERDEEN. AB10 1QP</p>			
		<p>DRAWING: PROPOSED PLAN</p>	<p>SCALE: 1:50</p>	<p>DATE: MARCH '25</p>	
<p>32 MEIKLE GARDENS          WESTHILL          AB32 6WN          TEL 01224 467358          MOBILE 07831 409682</p>		<p>CLIENT:</p>	<p>DRAWING NUMBER:          1127-01</p>	<p>JOB NUMBER:          1127</p>	<p>REVISIONS:          REV - A</p>

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**THE LICENSING (SCOTLAND) ACT 2005 (SECTION 50)**

---

**Date: 12 May 2025**  
**Reference Number: L250322**

Certificates in terms of Planning and/or Building Standards to accompany a premises licence application

Address of premises to which this certificate applies:-  
**55 Skene Street**  
**Aberdeen**  
**AB10 1QD**

(hereinafter referred to as 'the said premises')

**Applicant**  
**Mr Vipularajah Nadarajah**



**Agent**  
**Hamilton Watt & Co**  
**4 Bon Accord Crescent Aberdeen AB11 6DH**

On behalf of Aberdeen City Council I hereby certify: -

**PLANNING CERTIFICATE – Sect 50(4)**

- (a) that planning permission under the Town and Country Planning (Scotland) Act 1997 (c. 8) referred to in this section as “the 1997 Act”) in respect of any development of the subject premises in connection with their proposed use as licensed premises has been obtained, or
- (b) that no such planning permission is required.

GALE BEATTIE  
CHIEF OFFICER STRATEGIC PLACE PLANNING



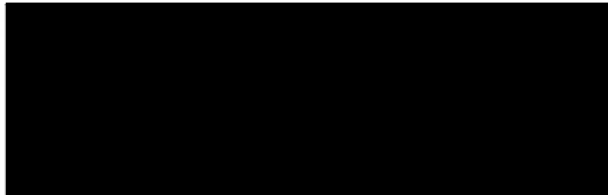
**BUILDING STANDARDS CERTIFICATE – Sect 50(6)**

(a) that a completion certificate has been accepted under section 18 of the Building (Scotland) Act 2003 (asp 8) (referred to in this section as “the 2003 Act”) in respect of any construction or conversion of the subject premises in connection with their proposed use as licensed premises,

(b) that permission for the temporary occupation or use of the premises has been granted under section 21(3) of the 2003 Act, or

(c) that no such completion certificate or permission is required.

Dated: 12 May 2025



**David Dunne**  
Chief Officer Strategic Place Planning





## THE LICENSING [SCOTLAND] ACT 2005 [SECTION 50]

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### **FOOD HYGIENE CERTIFICATE FHC/25/205400**

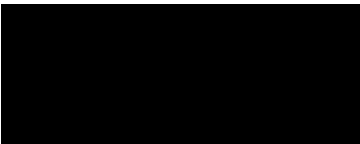
Certificate as to the suitability of the premises in relation to food hygiene, for which the grant of a new premises licence is sought.

**55 Skene Street  
Aberdeen  
AB10 1QD**

[hereinafter referred to as “the said premises”]

---

On behalf of Aberdeen City Council, I hereby certify that the said premises if constructed to conform with the layout plans (**REF:March25\_1127-01\_1127\_REV\_A/1:50**) lodged with the application would comply with the requirements of the Food Hygiene (Scotland) Regulations 2006, relating to construction, layout, drainage, ventilation, lighting and water supply, or concerned with the provision of sanitary and washing facilities.



Authorised Officer – Protective Services – Governance

Date: [12 May 2025](#)

**NB: Should the applicant require to amend the plans referred to above then any changes must be agreed, in writing, with this Service.**

ANDY MACDONALD-EXECUTIVE DIRECTOR CORPORATE SERVICES



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SCHEDULE 6 Regulation 7  
DISABLED ACCESS AND FACILITIES STATEMENT  
*Licensing (Scotland) Act 2005, section 20(2)(b)(iia)*

**Question 1**

**Disabled access and facilities**

1(a)	Is there disabled access to the premises	<del>YES</del> / NO*
1(b)	Do you have facilities for those with a disability	YES / <del>NO</del>
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES / <del>NO</del>
<i>*Delete as appropriate</i>		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

**Question 2**

**Disabled access to, from and within the premises**

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

Signage provided to allow for disabled assistance.
--

**Question 3**

**Facilities available**

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

NONE (small convenience store)

**Question 4**

**Other provisions**

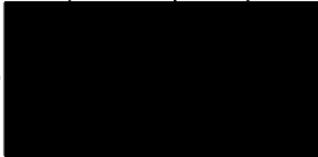
Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature .....



..... \* (see note below)

Hamilton Watt & Co.  
4 Bon Accord Crescent  
Aberdeen  
AB11 6DH

Date .....

Capacity .....

~~APPLICANT~~/AGENT

Telephone number and email address of signatory.....

\* Data Protection Act 1998



The information on this form may be held on an electronic public register which may be available to members of the public on request."

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR A PREMISES LICENCE  
**PREMISES:** GREENS OF HILLHEAD, HILLHEAD STUDENT VILLAGE, DON  
STREET, ABERDEEN, AB24 1WU

### DESCRIPTION

- Convenience store offering a full range of products including fresh food, meats, confectionary, tobacco and off-sales of alcohol
- Recorded music will play during store opening hours
- Home delivery of alcohol and other goods may take place via a third party courier
- Capacity of 19.48sqm

### OBJECTIONS/REPRESENTATIONS

The applicant has agreed to the imposition of CCTV and delivery driver conditions.

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**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR PREMISES LICENCE \***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** Licensing (Scotland) Act 2005, section 20(1)

**Question 1**

Name, Address and postcode of premises to be licensed.

Greens of Hillhead Hillhead Student Village Don Street Aberdeen AB24 1WU
--

**Question 2**

Particulars of applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

--

2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number.

Greens Retail Ltd  
Glenshire House, 14 Randolph Place, Kirkcaldy, KY1 2YX  
SC444567

2(d) Where applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. \*

Harris Aslam – [REDACTED]  
Amir Aslam – [REDACTED]  
Raza Rehman – [REDACTED]  
[REDACTED]

\* **Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005**

**For the text of section 147 (3) please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)**

**Question 3**

Previous applications

3. Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? NO\*

\*If yes – provide full details

--

**Question 4**

Previous convictions

4. Has the applicant or any connected person ever been convicted of a relevant or foreign offence (a)	NO*
---	-----

\*if YES - provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty
NONE				

---

(a) in addition to any conviction held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application

**DESCRIPTION OF PREMISES** Licensing (Scotland) Act 2005, section 20(2)(a)

**Question 5**

5. Description of premises (where application is submitted by a members' club, please also complete question 6)

The premises is a convenience store offering a full wide range of products including fresh foods, meats, confectionary, tobacco, alcohol etc

**Question 6**

6. To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?*	YES/NO*
---	---------

\*Delete as appropriate

\*\* for the text of Regulation 2 please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

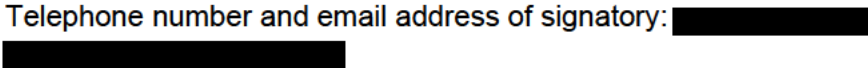
**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature  \* (see note below)

Date: 28/07/2025

Capacity: APPLICANT (delete as appropriate)

Telephone number and email address of signatory: 

Postal Address of Agent (if appropriate) .....  
.....  
.....

## OPERATING PLAN

### Licensing (Scotland) Act 2005, section 20(2)(b)(i)

#### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	NO*
*Delete as appropriate	

#### Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10am	10pm
Tuesday	10am	10pm
Wednesday	10am	10pm
Thursday	10am	10pm
Friday	10am	10pm
Saturday	10am	10pm
Sunday	10am	10pm

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO*
---	-----

\*if YES – provide details

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

<b>COL.1 5(a) Activity</b>	<b>COL.2 Please confirm YES/NO</b>	<b>COL.3 To be provided during core licensed hours – please confirm  YES/NO</b>	<b>COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Accommodation	No	N/A	N/A
Conference facilities	No	No	No
Restaurant facilities	No	No	No
Bar meals	No	No	No
<b>5 (b) Activity Social functions including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	No	No	No
Club or other group meetings etc	No	No	No
<b>5(c) Activity Entertainment including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Recorded music – see 5(g)	Yes	Yes	Yes
Live performances – see 5(g)	No	No	No
Dance facilities	No	No	No
Theatre	No	No	No

Films	No	No	No
Gaming	No	No	No
Indoor/outdoor sports	No	No	No
Televised sport	No	No	No
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
Outdoor drinking facilities	No	No	No
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
Adult entertainment	No	No	No

Where you have answered YES in respect of any entry in column 4, please provide further details below.

Recorded music will be played during store opening hours via in store radio

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

THE SALE OF FOOD, NON FOOD AND OTHER HOUSEHOLD GOODS AND THE PROVISION OF ANCILLARY CUSTOMER SERVICES TAKING PLACE BEFORE CORE HOURS.

DELIVERIES OF ALCOHOL AND OTHER GOODS SOLD IN STORE MAY TAKE PLACE BY THE PREMISES, VIA DELIVERY THROUGH USE OF A COURIER OR THIRD PARTY.



5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	NO*
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A*
--	------

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only) – N/A**

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
------	---	---------

	*Delete as appropriate	
--	------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

19.48 m2

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

Harris Aslam

8 (b) Date of birth

██████████

8 (c) Contact address

██

8 (d) Email address

██

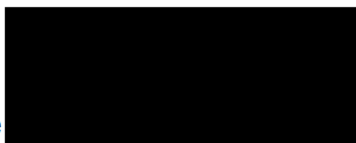
8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
28/05/2025	Fife Licensing Board	FI 7216

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

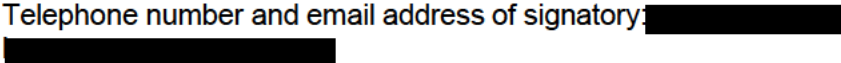
If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature  \*(see note below)

Date: 28/07/2025

Capacity: APPLICANT (delete as appropriate.)

Telephone number and email address of signatory: 

Postal Address of Agent (if appropriate) .....  
.....  
.....  
.....

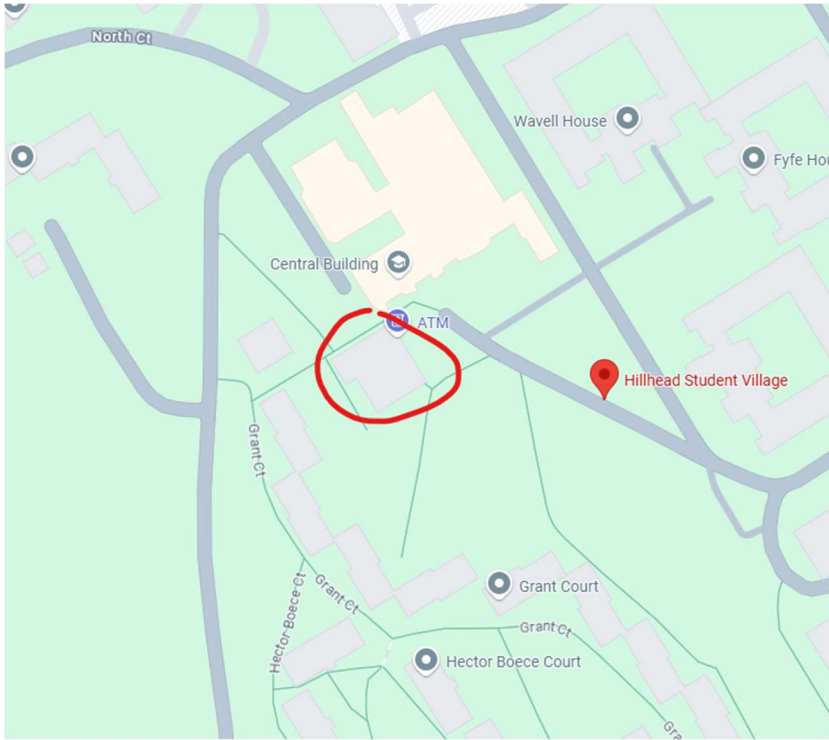
**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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**THE LICENSING (SCOTLAND) ACT 2005 (SECTION 50)**

---

**Date: 22 July 2025**  
**Reference Number: L250512**

Certificates in terms of Planning and/or Building Standards to accompany a premises licence application

Address of premises to which this certificate applies:-

**Greens Of Hillhead**  
**Hillhead Student Village**  
**Don Street**  
**Aberdeen**  
**AB24 1WU**

(hereinafter referred to as ‘the said premises’)

**Applicant**  
**Greens Retail Ltd**  
**Glenshire House 14 Randolph Place Kirkcaldy KY1 2YX**

On behalf of Aberdeen City Council I hereby certify: -

**PLANNING CERTIFICATE – Sect 50(4)**

(a) that planning permission under the Town and Country Planning (Scotland) Act 1997 (c. 8) referred to in this section as “the 1997 Act”) in respect of any development of the subject premises in connection with their proposed use as licensed premises has been obtained, or

(b) that no such planning permission is required.

GALE BEATTIE  
CHIEF OFFICER STRATEGIC PLACE PLANNING



Amend/delete where necessary

**BUILDING STANDARDS CERTIFICATE – Sect 50(6)**

(a) that a completion certificate has been accepted under section 18 of the Building (Scotland) Act 2003 (asp 8) (referred to in this section as “the 2003 Act”) in respect of any construction or conversion of the subject premises in connection with their proposed use as licensed premises,

(b) that permission for the temporary occupation or use of the premises has been granted under section 21(3) of the 2003 Act, or

(c) that no such completion certificate or permission is required.

Dated: 22 July 2025



**David Dunne**  
Chief Officer Strategic Place Planning



## THE LICENSING [SCOTLAND] ACT 2005 [SECTION 50]

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### **FOOD HYGIENE CERTIFICATE FHC/25/205261**

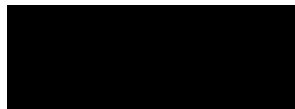
Certificate as to the suitability of the premises in relation to food hygiene, for which the grant of a new premises licence is sought.

**Greens of Hillhead  
Hillhead Student Village  
Don Street  
Aberdeen  
AB24 1WU**

[hereinafter referred to as “the said premises”]

---

On behalf of Aberdeen City Council, I hereby certify that the said premises if constructed to conform with the layout plans (**REF:1:75@A2-REV-A-25/03/2025-AD-AA**) lodged with the application would comply with the requirements of the Food Hygiene (Scotland) Regulations 2006, relating to construction, layout, drainage, ventilation, lighting and water supply, or concerned with the provision of sanitary and washing facilities.



Authorised Officer

Date: 14 July 2025

**NB: Should the applicant require to amend the plans referred to above then any changes must be agreed, in writing, with this Service.**

ANDY MACDONALD-EXECUTIVE DIRECTOR CORPORATE SERVICES



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**Question 3**

**Facilities available**

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

As above, no lift required due to premises being on one level.

**Question 4**

**Other provisions**

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Assistance dogs are allowed in store.

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**



**If signing on behalf of the applicant please state in what capacity.**

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature:  \* (see note below)

Date: 28/07/2025

Capacity: APPLICANT

Telephone number and email address of signatory:   


**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.”

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR A PROVISIONAL PREMISES LICENCE

**PREMISES:** UNIT 19, MASTRICK SHOPPING CENTRE, GREENFERN PLACE, ABERDEEN, AB16 5PZ

### DESCRIPTION

- Mid-terraced, ground floor shop unit opening as a convenience store  
Alcohol to be sold during core hours
- Capacity of 10.71sqm

### OBJECTIONS/REPRESENTATIONS

The applicant has agreed to the imposition of CCTV conditions.

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A 23542.4

**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES LICENCE\***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** Licensing (Scotland) Act 2005, section 20(1)

**Question 1**

Name, Address and postcode of premises to be licensed.

UNIT 19, MASTROK SHOPPING CENTRE,  
GREEN FERN PLACE, ABERDEEN AB16 5 PZ

**Question 2**

Particulars of applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

JAFFARALI NALLAMOHAMED  
[REDACTED]

2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number.

2(d) Where applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. \*

\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005

For the text of section 147 (3) please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)

**Question 3**

Previous applications

3. Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? YES/NO\*

\*If yes – provide full details

--

**Question 4**

Previous convictions

- |   |         |
|---|---------|
| 4. Has the applicant or any connected person ever been convicted of a relevant or foreign offence (a) | YES/NO* |
|---|---------|

\*if YES - provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

---

(a) in addition to any conviction held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application

**DESCRIPTION OF PREMISES** Licensing (Scotland) Act 2005, section 20(2)(a)

**Question 5**

5. Description of premises (where application is submitted by a members' club, please also complete question 6)

MID TERRACED GROUND FLOOR SHOP UNIT IN THE MASTRICK SHOPPING CENTRE OPERATING AS A CONVENIENCE STORE

**Question 6**

6. To be completed by members' clubs only

N/A

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?*	YES/NO*
---	---------

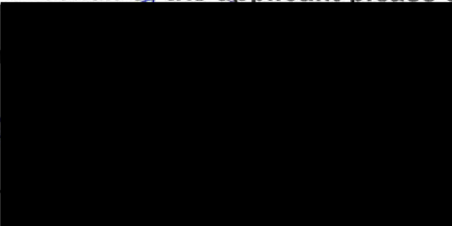
\*Delete as appropriate

\*\* for the text of Regulation 2 please go to [www.aberdeency.gov.uk/licensing](http://www.aberdeency.gov.uk/licensing)

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The content of this declaration is true to the best of my knowledge and belief.

Signature  ..... \* (see note below)

Date .....

Capacity ..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory . 

Postal Address of Agent (if appropriate) 



A 23542.4

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	YES/NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/NO*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES/NO*
*Delete as appropriate	

### Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES.

N/A

Day	ON Consumption	
	Opening time	Terminal Hours
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10:00	22:00
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:00
Saturday	10:00	22:00
Sunday	10:00	22:00

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
---	---------

\*if YES – provide details



**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

COL.1 5(a) Activity	COL.2 Please confirm YES/NO	COL.3 To be provided during core licensed hours – please confirm YES/NO	COL.4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	N	N	N
Restaurant facilities	N	N	N
Bar meals	N	N	N
<b>5 (b) Activity</b> <b>Social functions</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours –</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	N	N	N
Club or other group meetings etc	N	N	N
<b>5(c)</b> <b>Activity</b> <b>Entertainment</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours –</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
Recorded music – see 5(g)	N	N	N
Live performances – see 5(g)	N	N	N
Dance facilities	N	N	N
Theatre	N	N	N

Films	N	N	N
Gaming	N	N	N
Indoor/outdoor sports	N	N	N
Televised sport	N	N	N
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Outdoor drinking facilities	N	N	N
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Adult entertainment	N	N	N

Where you have answered YES in respect of any entry in column 4, please provide further details below.

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

NORMAL NON ALCOHOL RETAIL SALES WILL BE CONDUCTED DURING NORMAL OPENING HOURS OF THE PREMISES BUT ALCOHOL WILL ONLY BE SOLD DURING CORE HOURS

5 (g) Late night premises opening after 1.00am

N/A

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
--	---------

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only)**

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
------	---	---------

	*Delete as appropriate	
--	------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.



6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

10.71 M<sup>2</sup>

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

8 (b) Date of birth

8 (c) Contact address

8 (d) Email address

8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of [redacted] are true to the best of my knowledge and belief.

Signature ..... \* (see note below)

Date .....

Capacity ..... APPLICANT/AGENT (delete as appropriate.)

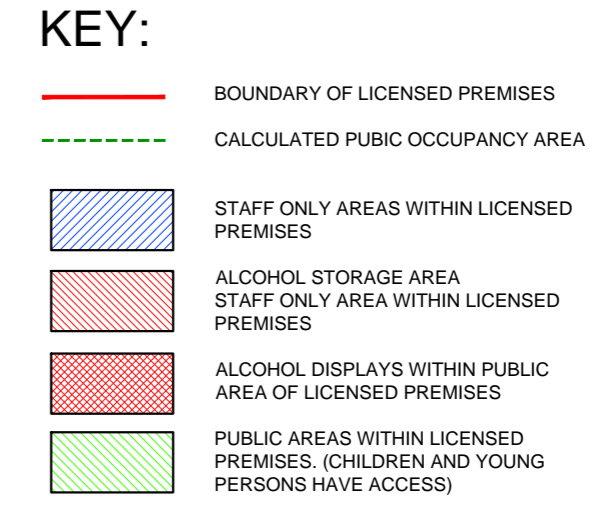
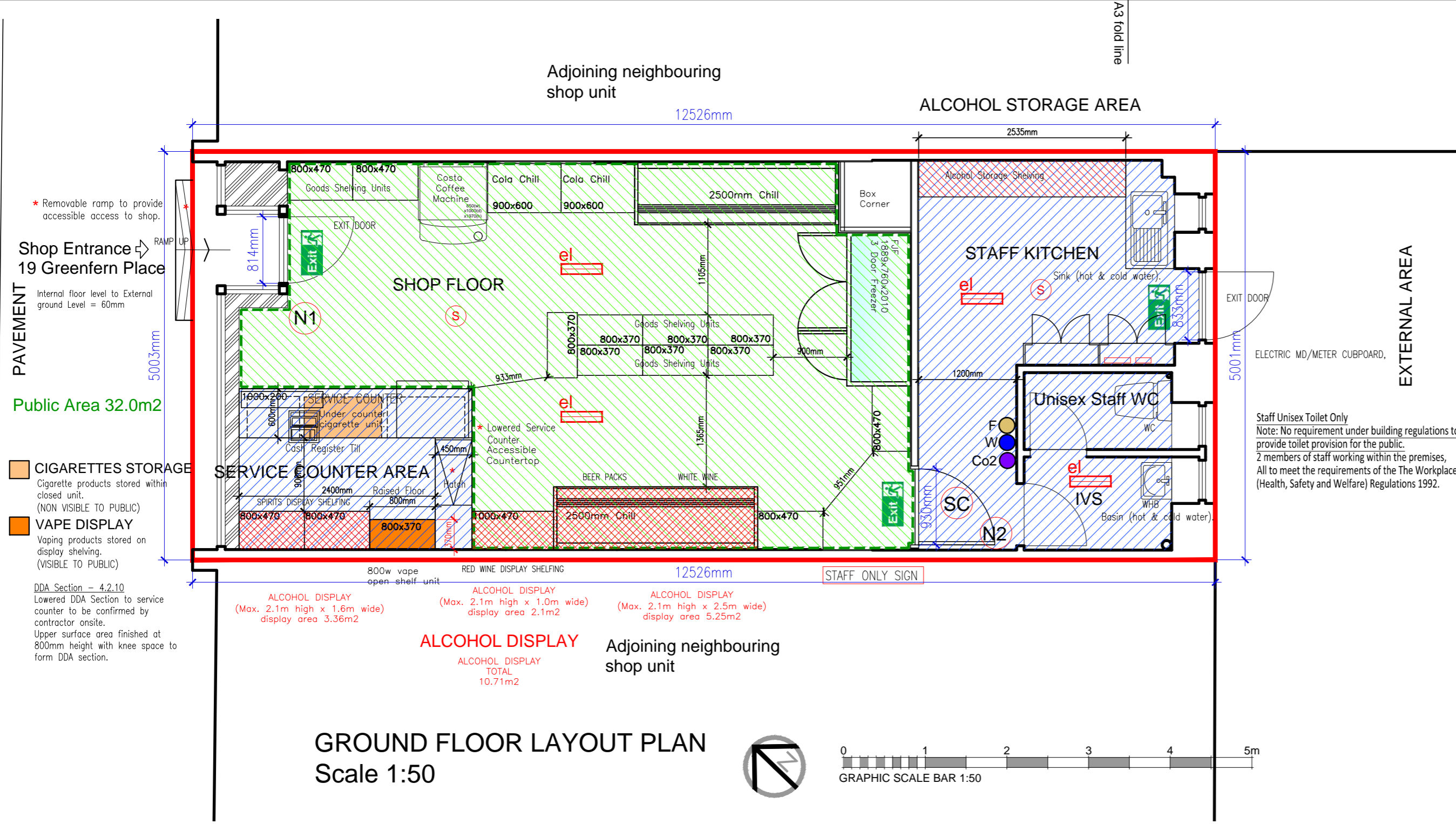
Telephone number and email address of signatory .....  
[redacted]

Postal Address of Agent (if appropriate) .....  
[redacted]

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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All businesses with more than four employees must have a written Fire Risk Assessment. This is the cornerstone of fire protection in your business and, along with your Fire Safety Log Book, is one of the first things that a fire authority inspecting officer will ask to see if they inspect your premises. This will include such things as fire escape exits, emergency lighting, fire detection & fire extinguishers.

- W WATER FIRE EXTINGUISHER (burning solids - wood, fabrics, paper) & class A fire risks)
- F FOAM FIRE EXTINGUISHER (burning solids - wood, liquids such as petrol)
- P POWDER FIRE EXTINGUISHER (fire)
- Co2 CARBON DIOXIDE FIRE EXTINGUISHER (class B (flammable liquids, petrol/oil (not cooking oil) & electrical)
- S SMOKE DETECTOR
- el EMERGENCY LIGHT
- Exit EMERGENCY ILLUMINATED EXIT SIGN
- SC SELF CLOSING DOOR
- N1 GENERAL FIRE NOTICE
- N2 STAFF FIRE NOTICE

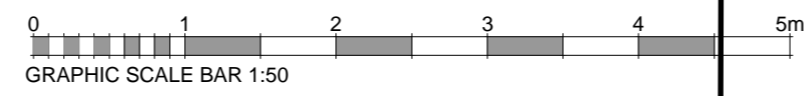
CONVENIENCE SELF SERVICE STORE LICENSED PREMISES BOUNDARY AREA:  
Ground Floor (GFA) = 53.6m<sup>2</sup>

PUBLIC INTERNAL AREA WITHIN LICENSED PREMISES = 32.0m<sup>2</sup>  
OLF of 2.0 = 32m<sup>2</sup> divided by OLF(2) = 16 persons.  
Table 2.10 Occupancy Capacity in rooms and spaces without fixed seating.  
Shop sales area = Occupancy Load Factor of 2.0

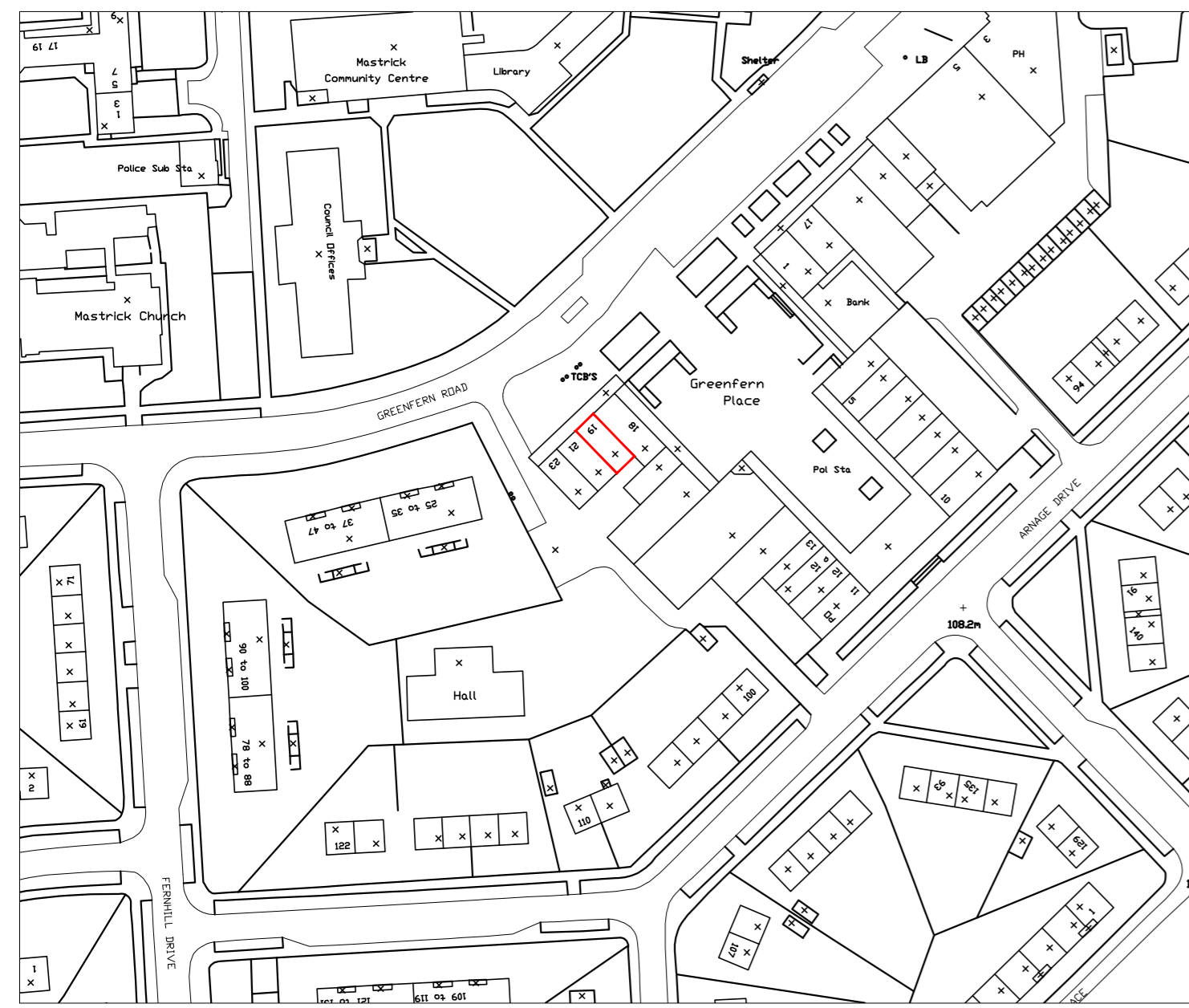
**TOTAL PUBLIC OCCUPANCY = 16 PERSONS**

Total alcohol display areas - 10.71m<sup>2</sup>

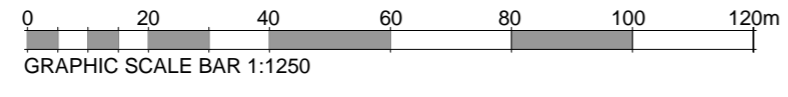
**GROUND FLOOR LAYOUT PLAN**  
Scale 1:50



Page 99



**LOCATION PLAN**  
Scale 1:1250



CLIENT/SOLICITOR ISSUE: SL	03/07/2025	A
<h1 style="margin: 0;">LICENSING</h1>		
<h1 style="margin: 0;">LAS</h1>		
ARCHITECTURE		
Upper Balblair Studio, Midmar, Aberdeenshire, AB51 7NA 01330 830 024 info@las-limited.com www.las-limited.com		
Written sizes take preference over scaled sizes. Large scale details take preference over small scale. All dimensions to be checked on site. Discrepancies to be referred to this office for decision.		
PROJECT TITLE:	LAS25032 - Mastrick Convenience Store - Alcohol Licensing	
ADDRESS:	19 Greenfern Place, Mastrick, Aberdeen AB16 6JR	
CLIENT:	Mr Jaffar Ali Nalla Mohamed	
DRAWING TITLE:	Location Plan, Site Plan & Floor Layout Plan	
DWG NUMBER:	SCALE:	DATE:
LAS25032_L01	As shown @ A2	02/07/2025
DRAWN:	REVISION:	
SL	A	

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**THE LICENSING (SCOTLAND) ACT 2005 (SECTION 50)**

---

**Date: 22 July 2025**  
**Reference Number: L250504**

Certificates in terms of Planning and/or Building Standards to accompany a premises licence application

Address of premises to which this certificate applies:-  
**Unit 19**  
**Mastrick Shopping Centre**  
**Greenfern Place**  
**Aberdeen**  
**AB16 5PZ**

(hereinafter referred to as ‘the said premises’)

**Applicant**  
**Jaffarali Nallamohamed**



**Agent**  
**James & George Collie**  
**1 East Craibstone Street Aberdeen AB11 6YQ**

On behalf of Aberdeen City Council I hereby certify: -

**PROVISIONAL PLANNING CERTIFICATE – Sect 50(5)**

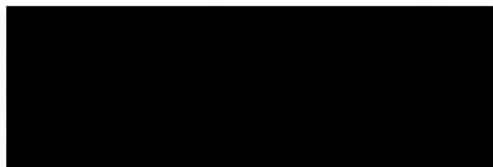
(a) that planning permission or outline planning permission under the 1997 Act has been obtained in respect of the construction or conversion of the subject premises, or

GALE BEATTIE  
CHIEF OFFICER STRATEGIC PLACE PLANNING



(b) that no such planning permission is required.

Dated: 22 July 2025



**David Dunne**  
Chief Officer Strategic Place Planning

- 19 GREENFERN PLACE, ABERDEEN

SCHEDULE 6 Regulation 7  
DISABLED ACCESS AND FACILITIES STATEMENT  
Licensing (Scotland) Act 2005, section 20(2)(b)(iia)

**Question 1**

**Disabled access and facilities**

1(a)	Is there disabled access to the premises	YES NO*
1(b)	Do you have facilities for those with a disability	YES NO*
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES NO*
*Delete as appropriate		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

**Question 2**

**Disabled access to, from and within the premises**

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

1A - REMOVABLE RAMP TO FRONT DOOR WHICH HAS SMALL (60MM) STEP.  
1B - LOWERED DDA SECTION TO SERVICE COUNTER. (ACCESSIBLE)

**Question 3**

**Facilities available**

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

REFER TO QUESTION 2

**Question 4**

**Other provisions**

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

N/A

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature  \* (see note below)

Date 23/7/25.....

Capacity AGENT..... APPLICANT/AGENT

Telephone number and email address of signatory.....   
\* **Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request."

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR MAJOR VARIATION  
**PREMISES:** MERKUR CASINO, 59 SUMMER STREET, ABERDEEN, AB10 1SJ

### DESCRIPTION

- Variation to the layout of the premises to include outdoor gaming machines

### OBJECTIONS/REPRESENTATIONS

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**Application to vary a premises licence under the Gambling Act 2005**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

**Part 1 – Applicant Details**

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

**Section A**

**Individual applicant**

1. Title: Mr  Mrs  Miss  Ms  Dr  Other (please specify)

2. Surname: \_\_\_\_\_ Other name(s): \_\_\_\_\_

*[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence]*

3. Applicant's address (home or business – *[delete as appropriate]*):

Postcode:

4(a) The number of the applicant's operating licence (as set out in the operating licence):

4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

5. Tick the box if the application is being made by more than one person.

*[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

**Section B**

**Application on behalf of an organisation**

6. Name of applicant business or organisation:

**MERKUR Casino Entertainment UK Limited**

7. The applicant's registered or principal address:

**Second Floor  
Matrix House  
North Fourth Street  
Milton Keynes  
MK9 1NJ**

8(a) The number of the applicant's operating licence (as given in the operating licence):

**062997-N-337626**

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

9. Tick the box if the application is being made by more than one organisation.

### Part 2 – Premises Details

10. Trading name used at licensed premises:

**MERKUR Casino**

11. Give the address of the premises or, if none, give a description of the premises and its location. Where the premises are a vessel, give the place indicated in the premises licence as the place in the licensing authority's area where the vessel is wholly or partly situated. Where possible this should include an address with a postcode:

**59 Summer Street**

**Aberdeen**

**AB10 1SJ**

12. Telephone number at premises (if known): **N/A**

13. Type of premises licence to be varied:

Regional Casino

Large Casino

Small Casino

Converted Casino

Bingo

Adult Gaming Centre

Betting (track)

Betting (other)

Family Entertainment Centre

14. Premises licence number (if known): **0051**

15. If you are making this application alongside an application for transfer or reinstatement of the premises licence into your name, please give the name of the current licence holder as it appears on the premises licence (if known):

Surname:

Other name(s):

### Part 3 – Details of variations applied for

16(a) Please give details of any variation which is being applied for. Where the application includes an application to exclude or vary a condition of the premises licence, identify the relevant condition here (unless it relates to hours of operation which are dealt with in questions 16(b) and 16(c)):

**To vary the layout of the premises in accordance with the plan provided in support of this application.**

16(b) Do you want the licensing authority to exclude or vary a condition of the licence so that the premises may be used for longer periods than would otherwise be the case?

**No**

16(c) If the answer to question 16(b) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon			
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

17. Please indicate any particular date on which you want the variation to take effect if approved:

**Following successful grant of the application we will confirm, in writing, to the authority once the works have been completed and the premises is ready to trade against the plan provided with this application. Until such a time as written confirmation is provided, the premises will continue to operate against the existing licence plan attached to the current licence.**

18. Please set out any other matters which you consider to be relevant to your application:

**We have considered the impact of the proposed variation and do not consider that additional steps beyond the existing management and operation of the premises are required to promote the Licensing Objectives.**

**Part 4 – Declarations and Checklist (Please tick as appropriate)**

We confirm that, to the best of our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

We confirm that the applicant(s) have the right to occupy the premises.

Checklist:

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- The existing premises licence is enclosed
- The existing premises licence is not enclosed, but the application is accompanied by –
  - A statement explaining why it is not reasonably practicable to produce the licence and,
  - An application under the Section 190 of the Gambling Act 2005 for the issue of a copy of the licence

- We understand that if the above requirements are not complied with the application may be rejected
- We understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

### Part 5 – Signatures

19. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature: 

Print Name: **Poppleston Allen**

Date: **24 June 2025**

Capacity: **Solicitors for & on behalf of applicant**

20. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_ (dd/mm/yyyy)

Capacity: \_\_\_\_\_

### Part 6 – Contact Details

21(a) Please give the name of a person who can be contacted about the application:

\_\_\_\_\_

21(b) Please give one or more telephone numbers at which the person identified in question 21(a) can be contacted:

\_\_\_\_\_

22. Postal address for correspondence associated with this application:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

23. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

\_\_\_\_\_



TOTAL GAMING AREA: 410.9m<sup>2</sup>  
 TOTAL NON-GAMING AREA: 145.1m<sup>2</sup>



**GENERAL NOTES**  
 THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ANY SPECIFICATION AND OR SCOPE OF WORKS AND DRAWINGS TO BE PROVIDED BY THE CLIENT. THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCY BETWEEN THIS DRAWING AND THE SAID DOCUMENTS. PLEASE CONTACT THE PROJECT MANAGER FOR CLARIFICATION.

**SETTING OUT**  
 THE CONTRACTOR SHALL NOTE THAT ALL DIMENSIONS HAVE BEEN PROVIDED FROM EITHER SURVEY PLANS OR AN EXISTING DRAWING PROVIDED BY OTHERS, AND AS SUCH ACCURACY CANNOT BE GUARANTEED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL SETTING OUT DIMENSIONS AND PROVIDING A MINIMUM SCALE OF 1:20 FOR APPROVAL. BY OBSERVING ALL DIMENSIONS AND SETTING OUT TO THE APPROVAL OF CONTRACTORS ROOM AND SETTING OUT DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.

**WORKS TO EXISTING SHOP-FLOOR**  
 1. CAREFULLY REMOVE WHERE APPLICABLE SHOWN UPON THE DRAWINGS EXISTING SHOP-FLOOR, WALLS AND FLOOR FINISHES.  
 2. EXISTING TEMPORARY WORKINGS AS REQUIRED BY THE LANDLORD OR LOCAL AUTHORITY.  
 3. CAREFULLY REMOVE WHERE APPLICABLE SHOWN UPON THE DRAWINGS EXISTING SHOP-FLOOR, WALLS AND FLOOR FINISHES, PARTITIONS, FRASERS, SIGNETS, ETC. BE EXERCISED CARE WHEN REMOVING GLASS.  
 4. CAREFULLY DEMOLISH ALL UNWANTED PARTITIONS AND STRIP OUT PARTS AND FITTINGS, FLOOR FINISHES AND CEILING FINISHES AS STATED UPON THE DRAWING OR INDICATED BY THE PROJECT MANAGER.  
 5. WHERE EXISTING ITEMS ARE TO BE RETAINED, PROVIDE ADEQUATE PROTECTION TO AVOID DAMAGE DURING THE WORKS.  
 6. MAKE GOOD REPAIR, REINSTATE AS REQUESTED BY THE PROJECT MANAGER, ANY OR DISTURBED EXISTING ITEMS.  
 7. REMOVE ALL RUBBISH, DEBRIS AND WASTE FROM THE AREA OF WORKS, AND FROM THE SITE.  
 8. BEFORE ANY WORK COMMENCES, NOTIFY THE PROJECT MANAGER OF ANY DISCREPANCIES BETWEEN THE SITE AND THE DRAWINGS SCOPE OF WORKS.

**WORKS TO EXISTING ROOF**  
 ALL WORKS TO EXISTING ROOF TO COMPLY WITH THE LANDLORD'S, FIRE OFFICER'S AND LOCAL AUTHORITY REQUIREMENTS FOR ROOF, THE PARTING AND REPAIR OF ROOF, AND OPENINGS ARE ALLOWED WITHIN THE WORKING UNLESS OTHERWISE REQUESTED. THE INTERIOR OF THE ROOFING TO BE DEMOLISHED UNTIL THE ROOFING IS COMPLETE. THE GLASS AND BRICKWORK ARE RETAINED UNTIL THE ROOFING IS COMPLETE.

**FIRE SAFETY DETAILS**  
 ALL FIREWORKS SHALL COMPLY WITH THE EUROPEAN SAFETY STANDARDS (EN1363 AND EN1363-2). ALL FIRE EXITS SHALL COMPLY WITH THE EUROPEAN SAFETY STANDARDS (EN1363 AND EN1363-2). ALL FIRE EXITS SHALL COMPLY WITH THE EUROPEAN SAFETY STANDARDS (EN1363 AND EN1363-2). ALL FIRE EXITS SHALL COMPLY WITH THE EUROPEAN SAFETY STANDARDS (EN1363 AND EN1363-2).

**EMERGENCY LIGHTING**  
 PROVIDE ALL EXISTING FITTINGS BEING RETAINED MEET CURRENT REGULATIONS AND ARE IN FULL COMPLIANCE WITH ALL RELEVANT REGULATIONS. PROVIDE ALL EXISTING FITTINGS BEING RETAINED MEET CURRENT REGULATIONS AND ARE IN FULL COMPLIANCE WITH ALL RELEVANT REGULATIONS. PROVIDE ALL EXISTING FITTINGS BEING RETAINED MEET CURRENT REGULATIONS AND ARE IN FULL COMPLIANCE WITH ALL RELEVANT REGULATIONS.

**ELECTRICAL INSTALLATION**  
 THE ELECTRICAL CONTRACTOR IS TO ALLOW FOR WIRING AND INSTALLATION OF ALL THE NEW FIRE ALARMS TO BE SUPPLIED BY THE CLIENT. ALL EXISTING FITTINGS BEING RETAINED ARE TO BE CHECKED TO ENSURE THEY ARE IN FULL COMPLIANCE WITH ALL RELEVANT REGULATIONS. PROVIDE ALL EXISTING FITTINGS BEING RETAINED MEET CURRENT REGULATIONS AND ARE IN FULL COMPLIANCE WITH ALL RELEVANT REGULATIONS.

**ELECTRICAL INSTALLATION - FURNITURE**  
 THE ELECTRICAL CONTRACTOR IS TO USE WITH THE FURNITURE MANUFACTURER ON WIRING OF FURNITURE.

**NEW PARTITIONS AND DOORS**  
 ALL NEW WALLS AND DOOR FRAMES ARE TO HAVE SOUND SEAL AND INTERLOCKED EFFORT. THE DOOR IS TO BE 44mm SOLID CORE AND FITTED WITH DOOR CLOSER, ALL TO THE APPROVAL OF THE FIRE OFFICER.

**EXTERNAL SIGNAGE**  
 SIGN CONTRACTOR IS TO RELY WITH THE SPECIALIST SUB-CONTRACTOR TO FIT SIGNAGE TO THE BUILDING AND LOCAL AUTHORITY TO THE SIGN LOCATIONS. A TIME CLOCK WILL BE REQUIRED FOR CONTROL OF ALL EXTERIOR SIGNAGE AND BE LOCATED AT REAR OF THE BUILDING. PROVIDE ALL EXISTING FITTINGS BEING RETAINED MEET CURRENT REGULATIONS AND ARE IN FULL COMPLIANCE WITH ALL RELEVANT REGULATIONS.

**ME & VENTILATION ARE CONDITIONS**  
 ALL WORKS TO COMPLY WITH THE 2015 AND PART F1 OF THE BUILDING REGULATIONS. PLUS ANY LANDLORD'S REQUIREMENTS. DRAWINGS AND CALCULATIONS ARE TO BE PROVIDED BY A SPECIALIST SUB-CONTRACTOR FOR APPROVAL. THE SIGN CONTRACTOR IS TO USE WITH SUB-CONTRACTORS FOR ANY BUILDING WORKS THEY REQUIRE.

**REVISIONS**

Rev.	Description	By	Date

Revision Log:

Rev.	Description	By	Date

**LICENCE**

**FIT OUT TYPE**  
 ABERDEEN CASINO

**PROJECT**  
 MERKUR CASINO  
 59 - 63 SUMMER STREET  
 ABERDEEN  
 AB10 1SJ

**DESCRIPTION**  
 PROPOSED PREMISES LICENCE PLAN

DRW BY	SCALE	DATE
RT	1:75	22/05/25
DRAWING No.	REVISION	
999-PR-25	03	

**LICENCE PLAN LEGEND**

LINE TYPE	LINE TYPE DESCRIPTION
—	GAMING AREA
—	EXTENT OF PREMISES
—	NON-GAMING AREA

**GAMBLING ACT 2005 LICENSING PLAN**  
 Anything shown on this plan, which is not required by The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 is for illustrative purposes only, and does not form part of the premises licence.

**CONTRACTOR'S DECLARATION**  
 I, THE SIGNATURED CONTRACTOR, DECLARE THAT I AM A REGISTERED CONTRACTOR WITH THE GAMING ACT 2005 LICENSING PLAN AND I AM NOT PROVIDING THIS DRAWING TO ANY OTHER PERSONS WITHOUT THE WRITTEN CONSENT OF MERKUR CASINO UK.

**THE DRAWING SHOULD NOT BE SCALED. THE CONTRACTOR SHOULD CHECK ALL DIMENSIONS ON SITE. ANY ERROR OR OMISSION SHOULD BE REPORTED TO MERKUR CASINO UK.**

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**Premise Address:** Merkur Casino,  
59 Summer Street,  
Aberdeen AB10 1SJ

**Operator Licence – Merkur casino Entertainment UK Ltd** 62997  
**Casino Premises Licence Number:** 051  
**Premises with Alcohol Licence:** ACO393

### 1. Introduction

This Local Risk Assessment has been completed as per Social Responsibility Code Provision 10.1.1 (Assessing Local Risk).

Merkur Casino UK is an experienced operator in the gambling industry with over 220 locations throughout the UK in various sectors including AGC's, High Street Bingos and Traditional Bingo Clubs.

The Merkur Casino Entertainment UK Ltd (62997) licence has been held since January 2024. The Merkur Casino in Aberdeen is the first Casino Merkur have operated and the premise will operate under a Non-Remote 1968 Act Casino Operating Licence (converted under the Gambling Act 2005).

It is regulated by the United Kingdom Gambling Commission (UKGC).

To support Merkur Casino in the operation of the Casino several consultants and support services have been employed including;

David Mills (Casino Compliance)  
Paul Sculpher (Paul Sculpher Consultants Ltd)  
Marieanne Carmody (Gamsafe Consultancy)

The gambling industry is regulated by the Gambling Commission established under The Gambling Act 2005. The Gambling Commission's licensing objectives are:

- A) Preventing Gambling from becoming a source of crime and disorder, being associated with crime or disorder, or being used to support crime
- B) Ensuring that Gambling is conducted in a fair and open way
- C) Protecting Children and other Vulnerable Persons from being harmed or exploited by Gambling

These principles have been embedded into Merkur Casino company policies, procedures, risk assessments and corporate culture. Merkur Casino has also reviewed the Aberdeen City Licensing Board Gambling Act 2005 Policy Statement 6th Edition Jan 2022-25

#### [Gambling Statement of Licensing Principles – 2022-2025](#)

Merkur Casino is a member of both the Betting and Gaming Council (BGC) and the National Security Association (NCSA), both of which are Non-Governmental Casino Industry Associations. Merkur Casino is committed to the BGC's Social Responsibility program (Playing Safe) and participates in SENSE (the casino industry's multi-operator self-exclusion scheme). Merkur Casino will take part in test purchasing undertaken by the BGC. Merkur Casino will participant in the NSA COIN scheme which is primarily a casino industry crime prevention initiative. These activities are all additional to the development of, and adherence to, the casino's detailed and effective Safer Gambling Policy which has been prepared in accordance with the Gambling Commission's License Conditions and Codes of Practice (LCCP).

#### **Charitable Contributions**

(including annual contribution for gambling research, prevention, and treatment)

Merkur Casino contributes to Gambling Charities on an annual basis in the areas of Research, Prevention/Treatment and Treatment (Gamcare, GambleAware and YGAM).

### Key Personnel – Responsibilities and Licenses

The person with overall responsibility for Daily Operations under the Gambling Act 2005 is Colin Liddle (General Manager). Completion of the Local Risk Assessment is the responsibility of Amanda Kiernan (Head of Compliance) who also ensures that reviews are carried out and that any immediate resulting actions are followed through.

### Casino License Holders

Casino Managers hold Personal Management Licenses (PML) issued by the Gambling Commission and Personal Licenses (Licensing (Scotland) Act 2005) issued by Local Authorities.

All other Casino staff who hold the job function of handling equipment related to gaming within the premises hold a Personal Functional License (PFL)

All external security contractors are registered with the Security Industry Association (SIA). At the Merkur Casino Aberdeen external security contractors are supplied by Granite Elite, Bucksburn, Aberdeen AB21 9FD.

### Designated Premises Supervisor

The Designated Premises Supervisor for the Merkur Casino Aberdeen is Colin Liddle (General Manager), who is responsible for ensuring that daily Operations are Compliant with the relevant UK Legislation (Primarily Licensing Act Scotland 2005 and where applicable the Gambling Act 2005).

### Staff Training

All staff at Merkur Casino undergo training in relation to Social Responsibility and Anti-Money Laundering on a minimum 6 month's cycle. The training is conducted on a face-to-face basis in a group setting followed 6 months later by Individual online learning (and repeated) with training records and test results held at each individual site (relevant to the staff member) and Head Office. All staff have access to Corporate Policy and Training Documents through their individual login to the Merkur Training platform system.

## 2. Overview of Merkur Casino Aberdeen

### Location

Merkur Casino Aberdeen is located at 59 Summer Street Aberdeen AB10 1SJ, in the City Centre Area (situated in the Midstocket/Rosemount Ward). This is a mixed business, Retail and Residential area in the City Centre. Entry to the Casino is a street level entrance and due to its city centre location customers arrive by multiple means (driving, walking and public transport).

### Statement of Licensing Policy

Under the Licensing Act Scotland 2005 Merkur Casino Gaming has considered the Statement of Licensing Policy (objectives of the Licensing Act Scotland 2005 – The Prevention of Crime and Disorder, Securing Public Safety, The Prevention of Public Nuisance, Protecting and Improving Public Health and The Protection of Children from Harm) issued by the Aberdeen City Licensing Board updated November 2023). The next review will be published within the three-year cycle. This document is a legal requirement for Local Authorities and has been prepared in accordance with the provisions under Section 6 of the Licensing Act Scotland 2005.

[mgConvert2PDF.aspx](#)

### Local Statistics

Merkur Casino Aberdeen is not situated within a Cumulative Impact Area (CIA). Crime levels within Aberdeen City Centre are higher than those in the wider Aberdeen area. The Casino is situated in the Midstocket/Rosemount Ward which is ranked 3228 in the Scottish Index of Multiple Deprivation in January 2020 (it must be noted that the wider Aberdeen City area is ranked at 13). The Casino has robust Anti-Money Laundering and Safer Gambling Policies in place and all staff are trained on a six-monthly basis.

[https://www.gov.scot/publications/scottish-index-multiple-deprivation-2020/Casino Operation](https://www.gov.scot/publications/scottish-index-multiple-deprivation-2020/Casino%20Operation)



# Aberdeen Casino

## Local Area Risk Assessment



Merkur Casino Aberdeen has a 24hr Premises License issued under the Gambling Act 2005 (current opening hours 18:00 – 05:00 Monday – Thursday, Friday to Sunday 14:00 to 06:00 with the retail sale of alcohol permitted between 11:00 – 06:00 Monday – Saturday 12:30–06:00 Sunday, current alcohol serving is Monday – Thursday 18:00 – 04:30), Friday to Sunday 14:00 – 05:30. The casino offers facilities relating to gaming (live tables and slots), poker and food & beverage. Merkur Casino has an average attendance of 139 with the busiest nights Thursday (when poker is played), Friday and Saturday. Merkur Casino Aberdeen has a maximum occupancy of 330 which is detailed in the Annual Fire Risk Assessment. Occupancy numbers are monitored through our reception procedures.

Merkur Casino Aberdeen has an internal and external (External covers main entrances only) CCTV system which is accessible to Management during opening hours and nominated members of management 24/7. Currently images are retained for a maximum 31 days. Entry to the casino is via a street level entrance which is manned during opening hours by trained receptionists and by additional SIA staff at peak trading hours.

The casino is spacious and well laid out with good sight lines and there is a high percentage of experienced and well-trained staff. Safer Gambling leaflets are available in all internal areas with clear signage. The clientele of the casino is mixed male/female across all age groups and the majority of the casino clientele would be considered to be leisure based. Most customers are from the local Aberdeen area and Management carry out regular interactions with the aim of identifying both Gambling and Non-Gambling related Harms (Social Responsibility Code Provision 3.4.1).

Parking for the casino is in the Summer Street carpark which is accessible to the casino via the street level entrance on Summer Street.

### 3. Risk Assessment

IMPACT AND PROBABILITY RISK MATRIX						
Impact of Event Occurring	Very High (A)	30	35	40	45	50
	High (B)	25	30	35	40	45
	Medium/High (C)	15	25	30	35	40
	Medium (D)	10	15	25	30	35
	Low (E)	5	10	15	20	30
		Low (1)	Medium (2)	Medium/High (3)	High (4)	Very High (5)
Probability of Event Occurring						

#### Licensing Objective –

Preventing Gambling from becoming a source of crime and disorder, being associated with crime or disorder, or being used to support crime (Gambling Act 2005/Licensing Act Scotland 2005)

#### Potential Risk (Risk Rating C4):

As a city centre venue, the casino may attract groups of people that behave inappropriately – drug/alcohol abuse, anti-social behaviour.

#### Mitigation/Governance (Managed Risk D2):

The casino has adopted the following control mechanisms:

- Company Policies available to all staff on company PC's – via MyMerkur/MerkurDrive
- Merkur Casino Aberdeen operates an open-door policy. Subject to being over 18, guests are allowed on the premises to socialise or game subject to our internal controls. Once a guest plays up to a maximum of £1500 or wishes to cash out £1500, they are invited to take membership and must provide valid, government issued ID. Once a membership has been created, entry will be logged by the receptionist upon each visit.

- At reception all new members and those who wish to enter as a 'non-member' are asked if they have self-excluded from gambling. All 'non-members' are made aware of our threshold policy after which a formal membership must be created.
- Non-member's play is monitored according to our AML and SG policies. Requirement to produce ID is at the discretion of the management in accordance with those policies and mandatory above the £1500 threshold limit.
- Trained SIA door staff are employed at peak times and are always trained in conflict resolution with trained Receptionists on duty during opening hours. It is a mandatory condition that there is 1 SIA Door Supervisor from 11pm until 5am (or close, whichever is earlier) with 1 at each entrance from 1am until 5am (or close, whichever is earlier). The casino has 1 entrance staffed by 1 SIA Door staff between 21:30 – 05:00 Monday to Thursday, 2 SIA door staff on Friday and Saturday (1 between 21:30 – 06:00 and 1 between 01:30 – 06:00) and 1 SIA door staff on Sunday between 21:30 – 06:00.
- Zero tolerance to the use or supply of drugs or other illegal substances and/or anti- social behaviour on the premises.
- Regular patrolling of the venue to deter substance abuse and anti-social activity.
- Management and staff are trained in ensuring there is responsible alcohol consumption within the venue and that service or entry is refused for any customers that may be intoxicated and or considered vulnerable. A Responsible Alcohol Policy is available on all company PC's – via MyMerkur/MerkurDrive.
- Liaison with the Local Aberdeen City Licensing Officer and Positive Engagement with Local and National Initiatives.

**Potential Risk (Risk Rating B4):**

The casino will attract the attention of money launderers, those who contemplate robbery or who engage in other criminal activity.

**Mitigation/Governance (Managed Risk D2):**

The casino has adopted the following control mechanisms:

- Company Policies are available to all staff on company PC's-via MyMerkur/MerkurDrive
- Robust trigger mechanisms for CDD, EDD and the use of Cash (detailed in Company Safer Gambling and Anti-Money Laundering Policies).
- Oversight throughout the company using the three-tiered approach (see AML Policy and AML Risk Assessment for more information).
- Staff receive twice yearly AML training- six monthly cycle using an online learning platform and an experienced company trainer – face to face. This training is reviewed, as a minimum, on a yearly basis to ensure it aligns with any changes in LCCP, GC advice and/or relevant research which may be beneficial to reference.
- Sufficient levels of trained and experienced staff to monitor the casino and its customers during opening hours.
- CCTV coverage – Managers have access to a full CCTV system during opening hours.
- The design of the casino which is spacious and well laid out with good sight lines and there is a high percentage of experienced and well-trained staff.
- Regular patrolling of the venue including toilets (and other quieter areas within the venue) to deter illegal and or anti-social activity.
- Use of C6 Acuris upon entry whereby all new members are screened against PEP/Sanctions databases and for signs of Adverse Media before entry is permitted.
- Effective Suspicious Activity Reporting (SAR) Scheme.

- Merkur Casino Aberdeen operates an open-door policy. Subject to being over 18, guests are allowed on the premises to socialise or game subject to our internal controls. Once a guest plays up to a maximum of £1500 or wishes to cash out £1500, they are invited to take membership and must provide valid, government issued ID. Once a membership has been created, entry will be logged by the receptionist upon each visit.
- At reception all new members and those who wish to enter as a 'non-member' are asked if they have self-excluded from gambling. All 'non-members' are made aware of our threshold cash out policy after which a formal membership must be created.
- Non-member's play is monitored according to our AML and SG policies. Requirement to produce ID is at the discretion of the management in accordance with those policies and mandatory above the £1500 threshold limit.

### Licensing Objective –

**Protecting Children and other Vulnerable Persons from being harmed or exploited by Gambling (Gambling Act 2005/Licensing Act Scotland 2005)**

### Potential Risk (Risk Rating B4):

The operation of the casino in the city centre may attract children, young people, and other vulnerable persons from the local area.

### Mitigation/Governance (Managed Risk D2):

The casino has adopted the following control mechanisms:

- Company Policies available to all staff on company PC's – MyMerkur/Merkur Drive.
- Challenge 25 Policy – The company operates a challenge 25 Policy across all its UK Venues.
- Merkur Casino Aberdeen operates an open-door policy. Subject to being over 18, guests are allowed on the premises to socialise or game subject to our internal controls. Once a guest plays up to a maximum of £1500 or wishes to cash out £1500, they are invited to take membership and must provide valid, government issued ID. Once a membership has been created, entry will be logged by the receptionist upon each visit.
- At reception all new members and those who wish to enter as a 'non-member' are asked if they have self-excluded from gambling. All 'non-members' are made aware of our threshold policy after which a formal membership must be created.
- Trained Reception staff are present at the casino entrance throughout opening hours and SIA badged staff are present during peak hours.
- Participation in a national test purchasing scheme operated by the Betting and Gaming Council.
- CCTV Coverage – Managers have access to a full CCTV system during opening hours.
- All external signage and entrances are designed to not be appealing to the young and vulnerable. All signage and marketing (internal and external) are checked by Compliance before display.
- Reception staff daily upon the start of their shift review the SENSE database, any new additions to the database are screened against the membership database and the company adheres to mandated SENSE procedures regarding breaches. All new members are screened against the SENSE database upon their first visit.
- SENSE and Company Self-Help leaflets are available at prominent locations in the venue.
- Staff receive twice yearly Social Responsibility training – six monthly cycle using an online learning platform and an experienced company trainer – face to face. This training is reviewed, as a minimum, on a yearly basis to ensure it aligns with any changes in LCCP, GC advice and/or relevant research which may be beneficial to reference.

**Potential Risk (Risk Rating B4):**

The operation of a casino attracts those with gambling problems, including those who have already self-excluded from other casinos.

**Mitigation/Governance (Managed Risk D2):**

The casino has adopted the following control mechanisms:

- Company Policies available to all staff on company PC's – MyMerkur/MerkurDrive.
- Reception staff regularly review the SENSE database, any new additions to the database are screened against the membership database and the company adheres to mandated SENSE procedures regarding breaches. All new members are screened against the SENSE and Company databases upon their first visit.
- SENSE and Company Self-Help leaflets are available at prominent locations in the venue.
- Merkur Casino Aberdeen operates an open-door policy. Subject to being over 18, guests are allowed on the premises to socialise or game subject to our internal controls. Once a guest plays up to a maximum of £1500 or wishes to cash out £1500, they are invited to take membership and must provide valid, government issued ID. Once a membership has been created, entry will be logged by the receptionist upon each visit.
- At reception all new members and those who wish to enter as a 'non-member' are asked if they have self-excluded from gambling. All 'non-members' are made aware of our threshold policy after which a formal membership must be created.
- The company carries out Social Responsibility Interactions as per the LCCP for land-based operators 'Premises based customer interactions' 3.4.1.
- Staff receive twice yearly Social Responsibility training- six monthly cycle using an online learning platform and an experienced company trainer – face to face. This training is reviewed, as a minimum, on a yearly basis to ensure it aligns with any changes in LCCP, GC advice and/or relevant research which may be beneficial to reference.

**Potential Risk (Risk Rating B4):**

Aberdeen Grammar School is in close proximity to the casino.

**Governance (Managed Risk D2):**

The casino has adopted the following control mechanisms:

- Aberdeen Grammar School is approximately 1000 meters+ away from the casino and is not within direct sight. No other children's venues are near the casino.
- Company Policies available to all staff on company PC's – MyMerkur/MerkurDrive.
- Challenge 25 Policy – The company operates a challenge 25 Policy across all its UK Venues.
- Merkur Casino Aberdeen operates an open-door policy. Subject to being over 18, guests are allowed on the premises to socialise or game subject to our internal controls. Once a guest plays up to a maximum of £1500 or wishes to cash out £1500, they are invited to take membership and must provide valid, government issued ID. Once a membership has been created, entry will be logged by the receptionist upon each visit.
- At reception all new members and those who wish to enter as a 'non-member' are asked if they have self-excluded from gambling. All 'non-members' are made aware of our threshold cash-out policy after which a formal membership must be created.
- Trained Reception staff are present at the casino entrance throughout opening hours and SIA badged staff are present during peak hours.
- Participation in a national test purchasing scheme operated by the Betting and Gaming Council.
- CCTV Coverage – Managers have access to a full CCTV system during opening hours.

- All external signage and entrances are designed to not be appealing to the young and vulnerable. All signage and marketing (internal and external) are checked by Compliance before display.
- Staff receive twice yearly Social Responsibility training- six monthly cycle using an online learning platform and an experienced company trainer – face to face). This training is reviewed, as a minimum, on a yearly basis to ensure it aligns with any changes in LCCP, GC advice and/or relevant research which may be beneficial to reference.

**Potential Risk (Risk Rating C4):**

The presence of Bars, Nightclubs and Restaurants could lead to vulnerable people being in close proximity to the casino late at night possibly under the influence of alcohol.

**Mitigation/Governance (Managed Risk D2):**

The casino has adopted the following control mechanisms:

- Company Policies available to all staff on company PC's – MyMerkur/MerkurDrive.
- Merkur Casino Aberdeen operates an open-door policy. Subject to being over 18, guests are allowed on the premises to socialise or game subject to our internal controls. Once a guest plays up to a maximum of £1500 or wishes to cash out £1500, they are invited to take membership and must provide valid, government issued ID. Once a membership has been created, entry will be logged by the receptionist upon each visit.
- At reception all new members and those who wish to enter as a non-member (walk-in) are asked if they have self-excluded from gambling. All non-members are made aware of our threshold policy after which a formal membership must be created.
- Trained SIA door staff are employed at peak times and are trained in conflict resolution with trained Receptionists always on duty during opening hours.
- Management and staff are trained in ensuring there is responsible alcohol consumption within the venue and that service or entry is refused for any customers that may be intoxicated and or considered vulnerable. A Responsible Alcohol Policy is available on all company PC's – MyMerkur/MerkurDrive.
- Sufficient levels of trained and experienced staff to monitor the casino and its customers during opening hours.
- CCTV coverage – Managers have access to a full CCTV system during opening hours.
- The design of the casino which is spacious and well laid out with good sight lines and there is a high percentage of experienced and well-trained staff.

**Licensing Objective –**

Ensuring that Gambling is conducted in a fair and open way (Gambling Act 2005)

**Potential Risk (Risk Rating D3):** The facilities the casino offers and its positioning in the leisure market attracts customers who have not been to a casino before and do not know how to play casino games.

**Governance (Managed Risk E2):** The casino has adopted the following control mechanisms:

- 'How to Play' leaflets are displayed in prominent locations around the casino.
- Trained staff who are experienced in casino games.

**Potential Risk (Risk Rating D3):**

Customers may not be aware of the rules under which gaming is operated.

**Governance (Managed Risk E2):**

The casino has adopted the following control mechanisms:

- House Edge' leaflets and the casino rules are displayed around the venue.

- Table signage displaying minimums, maximums and decks in use etc. are displayed.
- Trained and experienced management and staff (PML and PFL holders licensed by The Gambling Commission).

**Potential Risk (Risk Rating D3):**

Customers are not aware of how to make a complaint.

**Governance (Managed Risk E2):**

The casino has adopted the following control mechanisms:

- Merkur Casino's complaint process is clearly laid out in the casino rules which are easily available and accessible within the casino in the 'Customer Disputes' Leaflets.
- Licensing Objective – The Protection of Public Health (Licensing Act Scotland 2005).

**Potential Risk (Risk Rating B4):**

The operation of the casino may attract vulnerable persons from the local area.

**Mitigation/Governance (Managed Risk D2):**

The casino has adopted the following control mechanisms:

- Cyrenians Homeless and Addiction Centre is in close proximity to the casino.
- Company Policies available to all staff on company PC's – MyMerkur/MerkurDrive.
- Merkur Casino Aberdeen operates an open-door policy. Subject to being over 18, guests are allowed on the premises to socialise or game subject to our internal controls. Once a guest plays up to a maximum of £1500 or wishes to cash out £1500, they are invited to take membership and must provide valid, government issued ID. Once a membership has been created, entry will be logged by the receptionist upon each visit.
- At reception all new members and those who wish to enter as a non-member are asked if they have self-excluded from gambling. All non-members are made aware of our threshold policy after which a formal membership must be created.
- Trained SIA door staff are employed at peak times, and are always trained in conflict resolution, alongside trained Receptionists on duty during opening hours. It is a mandatory condition that there is 1 SIA Door Supervisor from 11pm until 5am (or close, whichever is earlier) with 1 at each entrance from 1am until 5am (or close, whichever is earlier). The casino has 1 entrance staffed by 1 SIA Door staff between 21:30 – 05:00 Monday to Thursday, 2 SIA door staff on Friday and Saturday (1 between 21:30 – 06:00 and 1 between 01:30 – 06:00) and 1 SIA door staff on Sunday between 21:30 – 06:00
- Zero tolerance to the use or supply of drugs or other illegal substances and/or anti-social behaviour on the premises.
- Regular patrolling of the venue to deter substance abuse and anti-social activity.
- Management and staff are trained in ensuring there is responsible alcohol consumption within the venue and that service or entry is refused for any customers that may be intoxicated and or considered vulnerable. A Responsible Alcohol Policy is available on all company PC's – MyMerkur/MerkurDrive

The Local Area Risk Assessment will be reviewed annually as part of the Regulatory compliance Audit or when a significant change is identified (Such as a change in the Aberdeen City Licensing Board Statement of Licensing Policy etc.).

**ABERDEEN CITY COUNCIL**

**LICENSING BOARD**

**23 SEPTEMBER 2025**

**VARIATION OF A CASINO PREMISES LICENCE**

**MERKUR CASINO ENTERTAINMENT UK LIMITED**

**59 SUMMER STREET, ABERDEEN, AB10 1SJ**

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**APPLICANT'S BACKGROUND INFORMATION**

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## **A. BACKGROUN TO THE APPLICATION**

1. The Merkur Casino Group acquired the casino premises from Double Diamond Gaming Limited on the 4<sup>th</sup> May 2023. Following an internal transfer of the business between group licensees, Merkur Casino Entertainment UK Limited (“the applicant”) has traded at 59 Summer Street, Aberdeen since January 2024.
2. The Converted Casino Premises Licence (0051) permits the premises to be used for the provision of facilities for the playing of casino games, including games of equal chance and the operation of gaming machines as permitted under the Gambling Act 2005. The premises operational hours for the provision of gambling activities as prescribed by the default condition under the Gambling Act 2005 (Mandatory and Default Conditions)(Scotland) Regulations 2007 (“the Regulations”) are Sunday to Monday 12:00 (midday) until 06:00.
3. The licence is subject to the mandatory conditions provided the Regulations.
4. Since operating under the Merkur Casino group, over the last 28 months, the premises has traded without any complaint or issue raised by any resident, responsible authority or any other agency.
5. The Applicant now applies to vary its licence to update the licensing plans attached to the converted casino premises licence to ensure consistency with the premises layout and the premises licence issued under the Licensing (Scotland) Act 2005. The plans have also been updated to incorporate all areas within the premises demise, including the external smoking area, which is within the self-contained rear yard of the premises. The licensed gaming area has been slightly increased to incorporate a designated area within the smoking shelter to permit a number of gaming machines to be operated during permitted hours.
6. The application does not seek to vary the permitted hours or activities currently permitted under the premises licence and all existing operational safeguards, controls and effective premises management will continue to be applied.



7. The applicant has sought to make this application in a way which recognises and fully respects Aberdeen City Council Licensing Boards' Statement of Gambling Policy dated January 2025 to 2028.
8. A detailed Local Area Risk Assessment is maintained at the premises and a copy has been supplied in support of the application.
9. During the statutory consultation period, which ran from the 25<sup>th</sup> June 2025 until the 22<sup>nd</sup> July 2025 no representations were received by the Licensing Board and we are not aware of any queries or concerns being raised by any responsible authorities or interested parties.
10. The Board will be aware of the following, but to assist with its consideration of the application, the following documents have been provided for reference:
  - Extracts of the Gambling Commission's Guidance to Licensing Authorities
  - Extract from Hansard Parliamentary debate on prevention of public nuisance as a Licensing Objective under the Gambling Act 2005
  - Extract of Paterson's Licensing Acts 2025
  - Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007

The Board may also wish to consider The Gambling Commission's Licence Conditions and Codes of Practice applicable to non-remote casino licences.

## **B. THE APPLICANT**

11. The Merkur Casino Group is a national provider of gambling facilities and operates to the highest standards of social responsibility and compliance.
12. The applicant currently operates two trading casinos, the converted casino premises in Aberdeen and a Large Casino premises in Milton Keynes. The Merkur Group has over 220 trading premises.
13. The applicant's regulatory record is as follows:

- It has been granted licences in every premises it has applied for.
  - None of its trading licences have ever been reviewed.
14. Its systems, staff training, compliance monitoring and audit have proved sufficient to ensure that the licensing objectives are promoted.
15. It is a record of which the applicant is proud and guards with care. In the very rare event of any kind of issue, it will always liaise with relevant authorities to ensure that it is resolved promptly and effectively.
16. The reasons for the applicant's excellent, in fact unblemished, record are summarised as follows:
- (1) The applicant has detailed systems for compliance with the law and promotion of the licensing objectives, which it a) implements through staff training and management programmes, b) supervises through area and national management oversight and c) audits, including through independent audit.
  - (2) Those under the influence of drugs are not admitted.
  - (3) Children are not admitted.
  - (4) The layout of the premises facilitates effective supervision.
  - (5) Good quality CCTV systems are fitted inside and out so that customers know they are under surveillance.
  - (6) Venues are subject to security risk assessments, so that any further measures needed are periodically assessed and undertaken.
  - (7) The applicant maintains good liaison with local Police.
17. All in all, it the applicant sets out to provide a safe, welcoming and pleasant environment for customers while also promoting the licensing objectives.

## **C. REGULATORY COMPLIANCE**

18. The applicant is part of the Gauselmann group, which is one of the most experienced providers of gaming premises across the UK, including adult gaming centres and bingo premises.

19. As stated above, the applicant and its sister companies regard compliance with the law and licensing objectives as paramount. In practical terms this entails a strong focus on staff training and management programmes, supervision through area and national management oversight, together with independent audit.

20. Casino premises are subject to a high degree of regulation in order to support the licensing objectives, including the following:

- Premises and their management and operation are subject to the Gambling Commission's extensive Licence Conditions and Codes of Practice applicable to non-remote casino operating licences.
- Premises licences are subject to mandatory and default conditions set by the Scottish Ministers with the approval of the Scottish Parliament.
- The number of machines, the way they operate and their stake and prize limits, are strictly regulated through the Gambling Act 2005 (by Parliament), regulations (by the Secretary of State) and technical standards (by the Gambling Commission).
- Operators are also answerable to the Gambling Commission. They have to provide regulatory returns, report on key events and subject themselves to periodic corporate assessments.
- Premises may also be visited by licensing officers and Gambling Commission officers, who will check on their compliance.
- Good quality CCTV systems are fitted to the exterior of the premises and are monitored. Those outside know they are under surveillance. If loitering occurs, it is dealt with.

21. *Protection of vulnerable people from being harmed or exploited by gambling.* So far as vulnerable persons are concerned:

- Those who are intoxicated through alcohol or drugs are not permitted on the premises.
- “Stay in Control” posters and leaflets with the GamCare helpline number are located prominently in the premises, including the WC.
- All machines display responsible gambling messages with helpline contact details.
- Customers may set deposit and time limits on machines to assist them with managing their gambling behaviour.
- The premises are supervised by staff who are trained to notice behavioural indicators of vulnerability.
- As required by the Gambling Commission’s Licence Conditions and Codes of Practice, the applicant’s systems include processes for customer interaction and self-exclusion. Interactions are recorded electronically so that they can be overseen by independent compliance auditors.

22. *Protection of children from being harmed or exploited by gambling.* As regards this objective:

- The exterior contains no advertising or marketing which might be attractive to children.
- Gambling cannot be seen from the outside the premises.
- The exterior (and the interior) contains prominent messaging stating that Think 25 is applied.
- Those entering are greeted by staff members, so that their appearance is checked immediately.

- Staff are required to log all Think 25 events electronically, with premises data checked by the applicant's audit department to ensure that the system is being properly operated.
- Third party age verification testing is conducted.
- It is fair to report that the outward appearance, interior ambience, supervision, layout and product in casino premises are not attractive to children, and the applicant's systems have proved more than effective to ensure that underage gambling is not an issue in its premises.

#### **D. THE LAW**

23. As the Board will be aware, each piece of licensing legislation sets out a different approach to the question of grant. The approach relevant to gambling is in section 153 of the Gambling Act 2005:

*In exercising their functions under this Part, a licensing authority shall aim to permit the use of premises for gambling in so far as the authority thinks it:*

*(a) in accordance with any relevant code of practice [issued by the Gambling Commission]*

*(b) in accordance with any relevant guidance issued by the Commission*

*(c) reasonably consistent with the licensing objectives (subject to (a) and (b))*

*(d) in accordance with the [authority's statement of licensing policy] (subject to (a) to (c)).*

24. The gambling licensing objectives (section 1) are:

*(a) preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,*

*(b) ensuring that gambling is conducted in a fair and open way, and*

*(c) protecting children and other vulnerable persons from being harmed or exploited by gambling.*

25. Where the criteria in section 153(a)-(d) are satisfied, there is a mandatory “aim to permit”. This is described by the Gambling Commission in the Guidance to Licensing Authorities as the authority’s “primary obligation” (para 7.56).

26. The test is different from that under the Licensing Act, which asks the authority to take the steps appropriate for the promotion of the licensing objectives. The Gambling Act mandates the authority to aim to permit applications which are (among other things) reasonably consistent with the licensing objectives.

27. Paterson’s Licensing Acts 2025 commentary on the provision states:

*“... A person who ‘aims’ to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling.”*

28. Section 153 applies to variations in the same way as it applies to applications for new licences: section 187(3).

29. As the Licensing Board will know, a variation application does not trigger a general review of the licence: it is concerned only with the proposed variation: Taylor v Manchester City Council [2012] EWHC 3467 (Admin) at para [77]. The principle of the licence is already established. The Licensing Board is concerned only with the variation of the premises layout applied for.

30. It is not open to an authority to refuse a licence on the basis that it is inappropriate to licence an operation or a further operation, in an area. As the Guidance says:

*5.34 Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not*

*relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).*

31. Rather, as the paragraph makes clear, there would need to be reasons which demonstrate that the licensing objectives would not be met. That means demonstrate by evidence.

32. In this case, the application seeks to update the plans attached to the premises licence to reflect the layout on site and to slightly increase the licensed area to permit gaming machines within a designated area. The Commission's Guidance states that conditions limiting use should not be applied unless necessary:

*9.28 Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s 153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this Guidance, or their own statement of policy."*

33. Finally, the following considerations are legally irrelevant to the determination of an application for a licence or variation:

- i. Nuisance (see Guidance para 5.5).
- ii. A dislike of gambling (Guidance para 5.34).
- iii. A general notion that it is undesirable to allow gambling premises in an area (Guidance para 5.34).
- iv. Moral or ethical objections to gambling (Guidance para 5.34).
- v. The demand for gambling premises (see s 153 Gambling Act 2005). As such, objections which state that there are enough gambling establishments in a locality may be relevant to planning, but they are irrelevant to licensing.
- vi. Planning matters.

34. It is therefore necessary to consider:

- whether there is evidence which demonstrates that the grant of this variation would not be reasonably consistent with the licensing objectives;
- in the light of a) the applicant's history of successful operation of gambling premises, b) its regulatory record, c) with the various existing legal controls on its operation, whether it is necessary to refuse or only partially grant the application;
- whether any further conditions might be necessary in order to be able to grant the application, consistent with the aim to permit.

**E. APPLICATION OF SECTION 153 PRINCIPLES**

35. Section 153(a)-(d) sets out criteria which the authority should take into account. Each sub-paragraph is taken in turn.

*(a) Code of Practice*

36. The Gambling Commission publishes Codes of Practice under section 24 of the Gambling Act 2005.

37. The Codes cover all the gambling objectives. For example, there must be procedures for age verification, customer interaction and self-exclusion, and exterior advertising must not be aimed at children. There is no suggestion by anybody that Merkur does not comply with the Code, here or in any of its premises.

38. The Codes also require the submission of a local area risk assessment. A detailed risk assessment has been submitted

*(b) Guidance*

39. The Commission publishes Guidance for Licensing Authorities under section 25 of the Act. This covers a wide range of topics, including (for example), the layout and supervision of the premises and whether local risks are adequately controlled.



40. The Guidance states that the licensing authority does not need to investigate the suitability of the operator, or the fairness and openness of gambling, both of which are controlled by the operating licence: paras 5.10 and 5.11.

41. There is no evidence in this case that these premises or their management contravenes any the Commission's Guidance, such that refusal of the variation meets the test of necessity.

*(c) Licensing objectives*

42. Section 153 asks whether the application is reasonably consistent with the licensing objectives. Read together with the aim to permit, it precludes an argument that any gambling, or additional gambling, inherently risks harm and so should not be permitted.

*(d) Statement of licensing principles*

43. The main applicable sections are:

- Risk assessment -Paragraph 11
- The licensing objectives - Paragraph 5
- Duplication with other regulatory regimes – Paragraph 9
- Conditions - Paragraph 13

44. *The risk assessment.* Merkur has taken care to comply with this policy requirement, producing a detailed local area risk assessment supplied in support of the application, analysing local risks and referring to control measures.

45. *The licensing objectives.* As stated above, Merkur has appraised the policy criteria and considerations and set out how it seeks to comply with them.

46. *Duplication.* Duplication with other statutory regulatory regimes, such as Licensing or Planning will be avoided where possible by the Licensing Board.

47. *Conditions.* The Licensing Board may consider licence conditions in exceptional cases where risks are identified related to the Licensing Objectives under the Gambling Act 2005.

*Conclusion on compliance with section 153*

48. It is submitted that each part of section 153(a)-(d) is fully complied with, and that therefore:

49. The mandatory aim to permit applies. As such, as the Commission states, the primary obligation is to permit the application.

**F. REPRESENTATIONS**

50. No representations have been received by any Responsible Authorities or Interested Parties

**G. CONCLUSIONS**

51. The Licensing Board is invited to accept that each element of the section 153 test is met.

52. In the circumstances, the Licensing Board is invited to grant the application.

**RICHARD BRADLEY, PARTNER  
POPPELSTON ALLEN SOLICIORS  
September 2025**

**MERKUR CASINO, 59 SUMMER STREET, ABERDEEN**

**LICENSING BOARD – 23<sup>RD</sup> SEPTEMBER 2025**

**REFERENCE DOCUMENTS INDEX**

<b>#</b>	<b>DOCUMENT</b>	<b>Page Number</b>
1	Highlighted Extracts of the Gambling Commission’s Guidance to Licensing Authorities	1 - 13
2	Extracts from Hansard Parliamentary Debate discussing the inclusion of the prevention of public nuisance as a Licensing Objective under the Gambling Act 2005	14 - 16
3	Extracts of Paterson’s Licensing Acts 2025 Part 8 Para 5.158 – Premises Licences	17 - 19
4	The Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007: Schedule 1 Part 1 and 5– Conditions attaching to converted casino premises licences	20 - 23

**Highlighted Extracts of the Gambling  
Commission's Guidance to Licensing  
Authorities**

distinguish considerations made under the Act from those relevant to alcohol licensing, public entertainment or late night refreshments.

## Licensing (Scotland) Act 2005

**4.6.** The position in Scotland is similar, with procedures and decision making requirements under both the [Licensing \(Scotland\) Act 2005 \(opens in new tab\)](#) and the Act. The same care must be taken by licensing authorities in Scotland to consider only those issues which are relevant to matters under the Act in their decision making, and to ensure that they follow the prescribed procedures under the Act.

## Other provisions and legislation

**4.7.** Conditions on premises licences should relate only to gambling, as considered appropriate in light of the principles to be applied by licensing authorities under s.153 of the Act. Accordingly, if the Commission's [Licence conditions and codes of practice \(LCCP\)](#) or other legislation places particular responsibilities or restrictions on an employer or the operator of premises, it is not necessary or appropriate to impose similar conditions on a premises licence issued in accordance with the Act.

**4.8.** Similarly, where other legislation confers powers on inspection and enforcement agencies in relation to separate activities or concerns, the Act does not affect the continued use of such powers, for example, the powers of an environmental health officer in respect of statutory nuisance under the [Environmental Protection Act 1990 \(opens in new tab\)](#).

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## 3 Licensing authority decisions

**4.9.** S.153 provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it is:

- a. in accordance with any relevant code of practice under s.24
- b. in accordance with any relevant guidance issued by the Commission under s.25
- c. reasonably consistent with the licensing objectives (subject to a and b above),
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**4.10.** Therefore, a licensing authority has no discretion in exercising its functions under Part 8 of the Act, to grant a premises licence where that would mean taking a course which it did not think accorded with the guidance contained in this document, any relevant Commission code of practice, the licensing objectives or the licensing authority's own policy statement.

## Delegations

**4.11.** The decision making powers of licensing authorities may be delegated, as set out in s.154 of the Act for England and Wales and s.155 for Scotland. Decisions that are delegated to a licensing committee, may be further delegated to a sub-committee, which may then arrange for the decision to be taken by an officer of the authority.

**4.12.** It is open to licensing committees to choose not to delegate decisions. An important consideration in determining whether any particular decision should be delegated will be whether delegation might give rise

to a risk of judicial review challenge, particularly on the basis of appearance of bias.

**4.13.** The tables at [Appendix G](#) set out a summary of licensing authority delegations permitted under the Act for England and Wales, and for Scotland.

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# Part 5: Principles to be applied by licensing authorities

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## 1 Licensing objectives

**5.1.** In exercising their functions under the Act, particularly in relation to premises licences, temporary use notices and some permits, licensing authorities must have regard to the licensing objectives set out in s.1 of the Act, namely:

- 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
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

**5.2.** It is expected that the licensing authority will have set out their approach to regulation in their policy statement, having taken into account local circumstances. This is dealt with in more detail at [Part 6 of this guidance](#).

## Objective 1 : Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

**5.3.** Among other matters, licensing authorities may need to consider the location of premises in the context of this licensing objective. For example, in considering an application for a premises licence or permit that is in an area noted for particular problems with disorder, organised criminal activity etc, the licensing authority should think about what, if any, controls might be appropriate to prevent those premises being associated with or used to support crime. That might include conditions on the premises licence, such as a requirement for door supervisors. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority, as detailed in [Part 6 of this guidance](#). A non-exhaustive list of licence conditions is provided at [Part 9 of this guidance](#).

**5.4.** A licensing authority will need to consider questions raised by the location of gambling premises when:

- formulating its statement of licensing policy
- receiving relevant representations to an application
- dealing with applications as a responsible authority in its own right considering applications before it.

**5.5.** In the context of gambling premises licences, licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it. There is not a

clear line between nuisance and disorder and the licensing authority should take the views of its lawyers before determining what action to take in circumstances in which disorder may be a factor.

**5.6.** Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. However, if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.

**5.7.** Of course, licensing authorities are experienced in making judgements in relation to the suitability of premises, particularly those for which they have responsibilities under the [Licensing Act 2003 \(opens in new tab\)](#) and the [Licensing \(Scotland\) Act 2005 \(opens in new tab\)](#), in which context they have wider powers to also take into account measures to prevent nuisance.

**5.8.** In relation to preventing disorder, licensing authorities have the ability under s.169 of the Act to attach additional conditions to premises licences, and are entitled to include a requirement for door supervision, as provided for in s.178 of the Act. If a person employed on door supervision would be required to hold a licence issued by the [Security Industry Authority \(opens in new tab\)](#) (SIA), that requirement will have force as though it were a condition on the premises licence. Further information on conditions on premises licences can be found in [Part 9 of this guidance](#).

**5.9.** There are a number of voluntary initiatives that the gambling industry participates in to address issues such as underage access, staff safety and security. These change from time to time and licensing authorities are advised to check with local operators, for example when conducting inspections, as to which (if any) scheme the operator is a part of. For example, The Safe Bet Alliance's Voluntary Code of Safety and Security National Standards for Bookmakers. Further information can often be found on the websites of industry trade associations.

**5.10.** Licensing authorities do not need to investigate the suitability of an applicant for a premises licence, including in relation to crime. The issue of suitability will already have been considered by the Commission, because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued. However, if the licensing authority receives information during the course of considering a premises licence application or at any other time, that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

## Objective 2 : Ensuring that gambling is conducted in a fair and open way

**5.11.** Generally, the Commission would not expect licensing authorities to find themselves dealing with issues of fairness and openness frequently. Fairness and openness are likely to be a matter for either the way specific gambling products are provided and therefore subject to the operating licence or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. However, if licensing authorities suspect that gambling is not being conducted in a fair and open way this should be brought to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.

**5.12.** In relation to the licensing of tracks, the licensing authority's role will be different from other premises in that track owners will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Further information can be found in [Part 20 of this guidance](#).

## Objective 3 : Protecting children and other vulnerable persons from being harmed or



# exploited by gambling

**5.13.** In exercising their powers under s.153, licensing authorities should consider whether staff will be able to adequately supervise the gambling premises, as adequate staffing levels is a factor to consider regarding the prevention of underage gambling. The Commission would expect the operator and the licensing authority to work together to consider how any impediments to the supervision of premises might be most appropriately remedied. Supervision also applies to premises that are themselves not age-restricted (for example, bingo and family entertainment centre (FEC) premises) but which make gambling products and facilities available.

**5.14.** Where a licensing authority considers the structure or layout of premises to be an inhibition or potential inhibition to satisfying this licensing objective, the licensee should consider what changes are required to ensure the risk is mitigated. Such changes might include the positioning of staff or CCTV, the use of floorwalkers and the relocation of the staff counter to enable direct line of sight. Licensing authorities will need to consider the proportionality of changes to the physical layout in relation to other measures that could be put in place.

**5.15.** If the operator fails to satisfy the licensing authority that the risks are sufficiently mitigated, it may be appropriate to conduct a review of the premises licence.

**5.16.** In relation to casinos, the Commission has issued a code of practice on access to casino premises by children and young persons, as provided for by s.176 of the Act. The code of practice is available as part of the [Licence conditions and codes of practice \(LCCP\)](#) or as [Gambling codes of practice](#). In accordance with s.176 of the Act, adherence to the code will be a condition of the premises licence. Further information can be found in [Part 9 of this guidance](#) and [Part 17 of this guidance](#).

**5.17.** The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. The Commission does not seek to define 'vulnerable persons' but it does, for regulatory purposes, assume that this group includes people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.

**5.18.** Licensing authorities need to consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. This could be a local risk that is reflected in the licensing authority's policy statement. Any such considerations need to be balanced against the authority's objective to aim to permit the use of premises for gambling.

## 2 Section 153 principles

**5.19.** S.153 of the Act provides that, in exercising its functions under Part 8 of the Act, a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:

- a. in accordance with any relevant code of practice under s.24 (the [LCCP](#))
- b. in accordance with any relevant guidance issued by the Commission under s.25 (this guidance)
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**5.20.** Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so unless satisfied that such use would be in accordance with this guidance, any relevant Commission code of practice, its own statement of licensing policy, and the licensing objectives.

**5.21.** In the unlikely event that a licensing authority perceives a conflict between a provision of a Commission code of practice or this guidance, and its own policy statement or view as to the application of the licensing objectives, the structure of s.153 makes it clear that the Commission's codes and this guidance take precedence.

**5.22.** In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to:

- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
- s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.

**5.23.** A licensing authority is therefore afforded significant scope to exercise its powers under s.153 on the grounds that it does not encroach on the two principles set out above.

**5.24.** The requirements in s.153 are subject to the licensing authority's power under s.166 to resolve not to issue casino premises licences. This means that a resolution not to issue a casino premises licence applies regardless of the matters set out in s.153.

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## 3 Codes of practice

**5.25.** The [LCCP](#) sets out the Commission's general licence conditions and associated codes of practice provisions under the Act. The codes of practice are set out within the second part of the LCCP.

**5.26.** To assist licensing authorities in determining premises applications and inspecting premises, all the [codes of practice](#) are also available as a single document. The codes specify a number of requirements, many of which relate to social responsibility issues, and these may be of particular interest where a licensing authority has concern about matters such as protection of the young and vulnerable. It should be noted that the codes also apply to situations in which the gambling being offered is not normally the responsibility of an operating licence holder. Examples include the code of practice for equal chance gaming and the code for gaming machines in clubs and premises with an alcohol licence.

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## 4 Good practice in regulation

**5.27.** Under the [Legislative and Regulatory Reform Act 2006 \(opens in new tab\)](#), any person exercising a specified regulatory function has a legal duty to have regard to the statutory principles of good regulation in the exercise of the function ([Legislative and Regulatory Reform Act 2006 \(opens in new tab\)](#), section 21). These provide that regulatory activities should be carried out in a way which is transparent, accountable, proportionate, and consistent and should be targeted only at cases in which action is needed. The Commission has regard to these principles in relation to its responsibilities and also has regard to the requirements of the Regulators' Code (previously the Regulators' Compliance Code), Department of Business, Innovation and Skills<sup>5</sup>, 2014, issued under section 23 of the Legislative and Regulatory Reform Act 2006 ([opens in new tab](#)). The purpose of the Code is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

**5.28.** The statutory principles of good regulation and the Code also apply to local authorities, who are under a statutory duty to have regard to them when fulfilling their regulatory functions under the Act. The

[Legislative and Regulatory Reform \(Regulatory Functions\) Order 2007 \(opens in new tab\)](#), was amended by the [Legislative and Regulatory Reform \(Regulatory Functions\) \(Amendment\) Order 2009 \(opens in new tab\)](#), which, amongst other things, extended the application of the 2007 Order to local authorities in Wales and Scotland exercising regulatory functions under the [Gambling Act 2005 \(opens in new tab\)](#) - see [Part 3 of this guidance](#) and [Part 7 of this guidance](#).

**5.29.** Guidance produced by Regulatory Delivery now replaced by the Office of Product Safety and Standards seeks to assist local authorities in interpreting the requirements of the Regulator's Code for example in delivering risk-based regulation in relation to age restrictions.

Age-restricted products and services framework<sup>6</sup> sets out an agreed set of shared responsibilities and reasonable expectations for young people, their parents and carers, businesses, employees and regulators with regards to access to age restricted products and services. The document forms the foundations of the Age-restricted products and services: a code of practice for regulatory delivery<sup>7</sup>.

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<sup>5</sup> Now the Department for Business, Energy and Industrial Strategy

<sup>6</sup> [Age-restricted products and services framework \(opens in new tab\)](#)

<sup>7</sup> [Age-restricted products and services: a code of practice for regulatory delivery \(opens in new tab\)](#)

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## 5 Human Rights Act 1998

**5.30.** The Secretary of State has certified that the Act is compatible with the European Convention on Human Rights. In considering applications, and taking enforcement action under the Act, licensing authorities should bear in mind that they are subject to the [Human Rights Act 1998 \(opens in new tab\)](#) and in particular:

- Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest
- Article 6 – right to a fair hearing
- Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life
- Article 10 – right to freedom of expression.

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## 6 Other considerations

**5.31.** Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. In determining applications for premises licences and permits, a licensing authority may request as much information as it requires to satisfy itself that all the requirements set out at s.153 of the Act are met.

**5.32.** Licensing authorities must ensure that the application is in accordance with the relevant codes of practice, this guidance, the licensing objectives and the licensing authority's own policy statement. There is, therefore, significant scope for licensing authorities to request additional information from the applicant where they have concerns about both new applications and variations.

**5.33.** Where concerns remain, licensing authorities may choose to attach conditions to the premises licence. Further details are provided in [Part 9 of this guidance](#) and a non-exhaustive list of licence conditions is included at [Part 9 of this guidance](#) of this guidance.

**5.34.** Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building
- where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

**7.46.** The Regulation states (other than in respect of a track) ‘...the plan must show the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence’. However, licensing authorities may consider that this minimum requirement is not sufficient to satisfy them when determining if the application is in accordance with s.153 principles, namely the licensing objectives, this guidance and the Commission’s codes of practice – in particular the social responsibility codes – and the licensing authorities’ own policy statement. If the application and accompanying plan are insufficient, the licensing authority should ask for more information from the applicant.

**7.47.** The premises plan itself is only one means by which the licensing authority may seek reassurance that the requirements will be met. It may be that conditions attached to the premises licence regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices are a more effective method of doing so. Local circumstances and concerns, and the layout of a particular premises, will determine what is most appropriate for an individual application.

## Notice of application

**7.48.** The Secretary of State and Scottish Ministers have made regulations (SI 2007/459: The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 and SSI 2007/196 for Scotland) requiring the applicant to publish notice of their application and to notify responsible authorities and other persons about the application. These also apply, with one or two modifications, in relation to applications for provisional statements and some ancillary applications that can be made in relation to a premises licence.

**7.49.** Notice must be given in three ways:

- a notice placed outside the premises for 28 consecutive days in a place where it can be read conveniently
- in a newspaper or newsletter of local relevance, on at least one occasion within ten days of the application being made
- to all responsible authorities, which includes the Commission, within seven days of the application being made.

**7.50.** A licence application, and any licence subsequently issued, is not valid if the relevant notifications have not been made.

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## 6 Application for premises variation (s.187): ‘material change’

**7.51.** Previous guidance from [the Department for Culture, Media and Sport \(opens in new tab\)](#) and the Commission has been that an application for a variation will only be required where there are material changes to the layout of the premises. What constitutes a material change will be a matter for local determination, but it is expected that a common sense approach will be adopted. When considering an

application for variations, the licensing authority will have regard to the principles to be applied as set out in s.153 of the Act.

## Representations

**7.52.** In dealing with an application, licensing authorities are obliged to consider representations from two categories of person, referred to in the Act as 'responsible authorities' and 'interested parties'. Representations from other parties are inadmissible. Further information on these categories can be found in [Part 8 of this guidance](#).

**7.53.** Having determined that the representation is admissible, the licensing authority must consider its relevance. Only representations that relate to the licensing objectives, or that raise issues under the licensing authority's policy statement, or the Commission's guidance or codes of practice, are likely to be relevant.

**7.54.** The licensing authority will also need to consider if representations are 'frivolous' or 'vexatious'. This is a question of fact and licensing authorities are advised to seek help from their legal advisers in interpreting these phrases although relevant considerations may include:

- who is making the representation, and whether there is a history of making representations that are not relevant
- whether it raises a 'relevant' issue
- whether it raises issues specifically to do with the premises that are the subject of the application.

**7.55.** The Commission does not routinely make representations on premises licence applications. However, the fact that the Commission has not made a representation on a particular premises licence application should not be taken as indicating the Commission's approval of that application. Exceptionally, where an application for a premises licence, or the operation of a current premises licence, raises matters of wider or national significance, the Commission will consider making representations or requesting a review.

## Making a decision

**7.56.** As explained earlier, the licensing authority's primary obligation under s.153(1) is to permit the use of premises in so far as it thinks that to do so is:

- a. in accordance with any relevant code of practice issued by the Commission
- b. in accordance with any relevant guidance issued by the Commission
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**7.57.** Further information and guidance as to the meaning and effect of s.153 is set out at paragraph 5.19 above.

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## 7 Consideration of planning permission and building regulations

**7.58.** In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant



replaced by other conditions, given the requirements of s.153. Where the condition is more restrictive, the licensing authority should ensure that they have clear regulatory reasons for doing so.

**9.24.** Default conditions under the regulations set out above relate to particular categories of premises licence and details can be found in [Part 17 of this guidance](#) to [Part 22 of this guidance](#).

## Mandatory conditions

**9.25.** The following mandatory conditions apply to all premises licences:

- the summary of the premises licence issued by the licensing authority must be displayed in a prominent place on the premises. In England and Wales this must include a summary of the terms and conditions of the premises licence.
- the layout of the premises must be maintained in accordance with the plan that forms part of the premises licence.
- neither National Lottery products nor tickets in a private or customer lottery may be sold on the premises in England and Wales. Sale of National Lottery and private lottery tickets are prohibited in Scotland.

**9.26.** There are also mandatory conditions attaching to each type of premises licence controlling access between premises. There can be no direct access between one premises licensed under the Act and another premises licensed under the Act, with the following exceptions:

- between licensed betting premises
- between bingo premises and alcohol-licensed premises and/or clubs with a club gaming or club machine permit or family entertainment centres (FECs) and tracks
- between tracks and alcohol-licensed premises and/or clubs with a club gaming or club machine permit, FECs or betting premises and bingo premises
- between FECs and alcohol-licensed premises, bingo halls or clubs with club gaming or club machine permit and tracks.

## Default conditions

**9.27.** S.169 of the Act gives licensing authorities:

- the ability to exclude from premises licences any default conditions that have been imposed under s.168
- the power to impose conditions on premises licences that they issue.

**9.28.** Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s.153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this guidance, or their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.

**9.29.** Licensing authority statements of policy will need to consider the local circumstances which might give rise to the need for conditions. Where there are specific risks associated with a particular locality, the licensing authority might decide to attach conditions to the premises licence to mitigate those risks. For example, local issues associated with a high crime rate may put a premises at risk of not being consistent with the licensing objectives, and specific conditions may be necessary to address the risk.

**9.30.** Where there are risks associated with a specific premises or class or premises, the licensing authority may consider it necessary to attach conditions to the licence to address those risks, taking account of the local circumstances.

**9.31.** Conditions imposed by the licensing authority must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions are:

- relevant to the need to make the proposed building suitable as a gambling facility
  - directly related to the premises (including the locality and any identified local risks) and the type of licence applied for
  - fairly and reasonably related to the scale and type of premises
  - reasonable in all other respects.
- 

## 4 Conditions that may not be attached to premises licences by licensing authorities

**9.32.** The Act sets out certain matters that may not be the subject of conditions:

- s.169(4) prohibits a licensing authority from imposing a condition on a premises licence which makes it impossible to comply with an operating licence condition
- s.172(10) provides that conditions may not relate to gaming machine categories, numbers, or method of operation
- s.170 provides that membership of a club or body cannot be required by attaching a condition to a premises licence (the Act specifically removed the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- s.171 prevents a licensing authority imposing conditions in relation to stakes, fees, winnings or prizes.



**Extracts from Hansard Parliamentary  
Debate discussing the inclusion of the  
prevention of public nuisance as a  
Licensing Objective under the  
Gambling Act 2005**

## Hansard Extract

On 9 November 2004 (Standing Committee B) there was a debate in the House of Commons over whether to amend the Licensing Objectives to include "the prevention of public nuisance.) Below are the relevant paragraphs from Hansard.

The amendment was withdrawn. The following are material extracts from Hansard:

**Column Number: 012**

### **Mr Foster - Amendment to include prevention of public nuisance in Licensing Objectives:**

Why is it important that we deal with that in the objectives? The answer is simple. As the Bill stands, the local authority is unable to take account of effects that may occur not in a new casino or on gambling premises, but further afield, outside those premises. It is crucial that local authorities have the opportunity to do so. Indeed, the Local Government Association said when it wrote to all Members about the Second Reading debate that the prevention of public nuisance should be a licensing objective:

"The licensing objectives set out in Clause 1 of the Bill do not address potential problems of nuisance arising in the street outside gambling premises. This is particularly likely late at night and when alcohol has been consumed. While the Environmental Protection Act 1990 places a duty on local authorities to deal with statutory nuisances arising from the premises itself, and to investigate residents' complaints, it is not possible to use this legislation to deal with street nuisance, even where the problem is directly attributable to a particular venue."

Use of the Environmental Protection Act for such matters is therefore not possible. The LGA goes on to say:

"This omission will seriously hamper the ability of councils to ensure effective management of the environment around gambling premises and provides residents with little scope to make representations should street nuisance occur. The LGA believes that a new licensing objective of the prevention of public nuisance should be added to Clause 1."

**Column Number: 037**

### **The Minister for Sport and Tourism *Mr Richard Caborn, addressing the amendment***

*Some gambling premises (casinos and bingo clubs) are allowed to serve alcohol to their customers, and the Bill will not stop that happening. Their entitlement does not spring from gambling laws: as one or two of my hon. Friends have said, it comes from the licensing law itself. Casinos and bingo clubs in England and Wales get their entitlement from the Licensing Act 1964. However, by the time the Bill is on the statute book, the Licensing Act 2003 will have come into force. The equivalent licensing laws govern casinos and bingo clubs in Scotland. The 2003 Act includes the prevention of public nuisance as a licensing objective, understandably so given the unfortunate connection between excess alcohol intake and bad behaviour. That was referred to by a number of hon. Members this morning.*

*The relevant risks associated with licensing of pubs, bars and other premises on which alcohol is sold include noise and antisocial conduct, particularly at night. That has been referred to in connection with Guildford. Accordingly, it will be open to licensing authorities, when considering applications for casinos and bingo halls to be licensed premises under the 2003 Act, to take account of the public-nuisance risk just as they do when considering any other application. If any casino were to put its alcohol licence at risk by allowing public nuisance, it would almost certainly put its continued existence and its licence at risk. Therefore, it is unnecessary in the case of casinos and bingo clubs to duplicate provisions that are already in licensing law.*

*There is no intention of allowing other gambling premises, such as betting shops and machine arcades, to sell alcohol, and there is no reason to apply to them a nuisance test over and above the law on noise and other nuisance. There is no well-established association between betting and nuisance of the sort that unfortunately exists between alcohol and nuisance. We do not believe that*

*there is any reason to single out betting shops for special treatment in contrast to grocery shops, newsagents or any other shop.*

*There are provisions in the general criminal and civil law on the control of public nuisance. If they are not thought to be adequate, I am not expressing a Government view on this, the solution is to strengthen the general law, not to adopt specific measures for gambling premises on the basis of no*

**Column Number: 038**

*evidence of need. In practice, all licensed gambling premises are more likely to conduct themselves responsibly than the general run of premises, if only because they will have to satisfy not just the local licensing authority concerning their present licence, but the powerful gambling commission in relation to their operating licence.*

*Amendment No. 1 would be regulatory overkill. The official Opposition, who continually badger us about red tape and over-regulation, should reflect on their amendments in the light of my explanation. Amendment No. 1 would only reinforce the apprehension in the gambling industry that local authorities will be over-zealous in regulating premises, and I do not believe that those fears are well grounded. It would impact significantly on the matters that could be taken into account by local authorities and would go beyond what is reasonable. I cannot advise the Committee to accept it.*

<https://publications.parliament.uk/pa/cm200304/cmstand/b/st041109/pm/41109s02.htm>  
<https://publications.parliament.uk/pa/cm200304/cmstand/b/st041109/am/41109s03.htm>

**Extracts of Paterson's Licensing Acts**

**2025: Part 8 Para 5.158 – Premises**

**Licences**

<sup>6</sup> Standing Committee B, Thursday, 2nd December 2004 (Afternoon) Col 359.

## Determination of application

### [5.158]

In determining an application the licensing authority must hold a hearing<sup>1</sup> if:

- representations have been made by an interested party or responsible authority and have not been withdrawn;
- the authority intend to use their discretion under s 169(1) to attach a condition to a licence; or
- the authority intend to use their discretion under s 169 to exclude a default condition (ie a condition automatically attached to the licence under s 168 unless excluded by the authority in its discretion)<sup>2</sup>.

A hearing may, however, be dispensed with if the applicant and any interested party or responsible authority who have made representations consents to this course<sup>3</sup>, or the authority think that the representations are vexatious or frivolous or will certainly not influence their determination of the application<sup>4</sup>. If the authority do propose to dispense with a hearing on these latter grounds they must as soon as is reasonably practicable notify the person who made the representations<sup>5</sup>, presumably to enable him to seek a remedy by way of judicial review if so advised.

Where the applicant for the premises licence is an applicant for an operating licence<sup>6</sup> the authority cannot determine the application until the relevant operating licence has been issued<sup>7</sup>.

On considering an application for a premises licence (whether at a hearing or not) the licensing authority must either grant it or reject it<sup>8</sup>. In making that determination the licensing authority will be subject to the provisions of s 153 which sets out the principles to be applied by the authority in exercising all their functions under Part 8 GA 2005 (ie including, but not limited to, the grant or refusal of an application for a premises licence). Section 153(1) provides as follows:

“In exercising their functions under this Part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it—

- (a) in accordance with any relevant code of practice under s 24,
- (b) in accordance with any relevant guidance issued by the Commission under s 25,
- (c) reasonably consistent with the licensing objectives (subject to paras (a) and (b)), and
- (d) in accordance with the statement published by the authority under s 349 (subject to paras (a) to (c)).”

The subsection starts by imposing a general duty on the authority to ‘aim to permit the use of premises for gambling’ and then sets out a series of four factors which may, in any individual case, qualify or override the general duty. The first point to note is that the provision imposes a duty on the licensing authority: it must, subject to the qualifying factors, aim to permit the use of premises for gambling. What is the scope of this duty? It is suggested that there are two elements: first, it creates a presumption in favour of granting the premises licence since it is only if the licence is granted that the premises may lawfully be used for gambling. But the duty seems to go further than that. The verb ‘to aim’ is defined by the *OED*<sup>9</sup> as meaning: ‘5. To calculate one’s course with a view to arriving (at a point); to direct one’s course, to make it one’s object to attain. Hence fig To have it as an object, to endeavour earnestly’. The *Shorter OED*<sup>10</sup> defines it as: ‘3. Direct one’s course, make it one’s object to attain, intend, try’. A person who ‘aims’ to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling. The most obvious way in which the authority will be able to exercise their powers in this way will be by an imaginative use of their power to frame and impose conditions (see para 5.159 below) so as to overcome objections to the application which might, in the absence of suitable conditions, lead to the application being rejected. No doubt the authority could also, in a case where a licence application gave rise to issues which could not be addressed by suitably drafted conditions, seek to consider with the applicant whether amendments to the application might overcome the objections and enable it to be granted. However, it is also necessary to recognise that the language of s 153(1) stops short of being mandatory; ‘aim to permit’ provides a strong steer to look favourably on an application, but no more.

As to the list of qualifying factors, these are set out in s 153(1)(a)–(d). Section 153(1)(a) qualifies the duty to aim to permit use of premises for gambling to the extent that such use must be in accordance with any relevant code of practice issued by the Gambling Commission under s 24. That section requires the Gambling Commission to issue codes of practice about the manner in which facilities for gambling are to be provided (whether by the holder of a licence or by another person). In issuing a code of practice the Gambling Commission will be subject to a duty under s 22 to promote the licensing objectives. Accordingly any code of practice should be consistent with those objectives. Section 153(1)(b) qualifies the licensing authority’s duty to aim to permit the use of premises for gambling to the extent that such use must be in accordance with any relevant guidance issued by the Gambling

*Section 1 Commentary*

*PART 8: PREMISES LICENCES*

Commission under s 25. This section requires the Gambling Commission to issue guidance to local authorities<sup>11</sup> as to the manner in which they are to exercise their functions under the Act and the principles that they should apply in exercising those functions. Again the effect of s 22 is that in issuing such guidance the Commission will be under a duty to promote the licensing objectives, so again such guidance should be consistent with those objectives. The effect of all this is that any code of practice and any guidance to local authorities ought to promote the licensing objectives and no inconsistencies between the two should arise. On that basis codes of practice and guidance are placed (by s 153(1)(a) and (b)) as enjoying equal importance at the top of the hierarchy of factors set out in s 153(1)(a)-(d).

Next comes s 153(1)(c): this provides that the duty of the licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be reasonably consistent with the licensing objectives, but it goes on to provide that this condition is 'subject to paras (a) and (b)'. In principle there should, of course, be no conflict between (a) and (b) (which will both reflect the Gambling Commission's duty to promote the licensing objectives) and (c) (which will reflect the licensing authority's view of what the licensing objectives require). However the effect of the legislation appears to be that should there be any conflict between the two then the guidance set out in codes of practice or guidance emanating from the Gambling Commission will 'trump' any factors which the licensing authority themselves would otherwise have taken into account as relevant to the licensing objectives under s 153(1)(c).

Finally, s 153(1)(d) provides that the duty of a licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be in accordance with the authority's own statement issued under s 349. In preparing that statement the authority are not themselves expressly required to have regard to the licensing objectives, but they are obliged to have regard to guidance issued by the Gambling Commission under s 25 and such guidance deals, amongst other things, with the formulation by the authority of their licensing policy (see para AM5.6655). Since the s 25 guidance must itself promote the licensing objectives the effect should be that the authority's licensing policy will itself be consistent with those objectives so that it should not conflict with any code of practice or guidance issued by the Commission nor with the licensing objectives themselves. However, s 153(1)(d) provides that consideration of the licensing authority's own policy is 'subject to paras (a) to (c)' which appears to mean that in the case of an inconsistency a relevant Commission code of practice, relevant guidance or the licensing objectives themselves would 'trump' the authority's licensing policy.

In determining the application the authority may not have regard to the expected demand for the facilities which it is proposed to provide<sup>12</sup>, nor may they have regard to the question whether or not the proposal is likely to be granted planning permission or building regulation approval<sup>13</sup>. Where the authority have resolved under s 166 not to issue casino premises licences an application for such a licence will, of course, necessarily fail and be rejected<sup>14</sup>.

Where the application is granted the authority must as soon as reasonably practicable give notice of the grant in the form prescribed to the applicant, the Commission, any person who made representations, the chief officer of police for any area in which the premises are wholly or partly situated and HMRC<sup>15</sup> and must issue the licence to the applicant and must give him a summary of the terms and conditions in the prescribed form. If they have attached a condition to the licence under s 169(1)(a) or have excluded a default condition<sup>16</sup> they must give their reasons<sup>17</sup>. If representations were made by an interested party or a responsible authority they must give their response to the representations<sup>18</sup>.

Where the application is rejected the authority must as soon as reasonably practicable give notice of the rejection in the form prescribed to the applicant and to the same parties as are entitled to be notified of a grant<sup>18</sup>. The notice must give the authority's reasons for rejecting the application<sup>19</sup>.

<sup>1</sup> As to procedure at hearings in relation to applications see SI 2007/173.

<sup>2</sup> GA 2005, s 162. See further para 5.159 below.

<sup>3</sup> GA 2005, s 162.

<sup>4</sup> GA 2005, s 162(3).

<sup>5</sup> GA 2005, s 162(4).

<sup>6</sup> Ie under GA 2005, s 159(3)(b).

<sup>7</sup> GA 2005, s 163(2).

<sup>8</sup> GA 2005, s 163(1).

<sup>9</sup> *The Oxford English Dictionary* (2nd edn, 1989).

<sup>10</sup> (5th Edn, OUP).

**The Gambling Act 2005 (Mandatory and  
Default Conditions) (Scotland) Regulations 2007: Schedule 1**

**Part 1 – Conditions attaching to casino  
premises licences**

**Part 5- Conditions attaching to converted casino premises  
licences**

## SCHEDULE 1

Regulations 4 and 5

### Conditions attaching to casino premises licences

#### PART 1

##### Mandatory conditions attaching to casino premises licences

- 1.—(1) The principal entrance to the premises shall be from a street.
- (2) Any other entrance to the premises shall not be from premises that are used wholly or mainly by children, by young persons, or by both.
- (3) No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued by virtue of section 285 of, or Schedule 10 or 12 to, the Act, has effect.
2. A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.
3. No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.
- 4.—(1) The rules of each type of casino game that is available to be played in the premises shall be displayed in a prominent place within the gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.
- (2) This condition may be satisfied by placing a clear and legible sign displaying the rules within the gambling area of the premises, or by making available to customers leaflets or other written material containing the rules of the casino games available to be played in the premises.
5. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming table, gaming machine or betting machine in order to do so.

#### PART 2

##### Mandatory conditions attaching to regional casino premises licences

1. A notice shall be displayed in a prominent place at every entrance to the gambling area of the premises stating that no person under the age of 18 years is permitted to enter that part of the premises.
2. The gambling area of the premises shall not be capable of being seen from any part of the premises to which children, young persons, or both have access.
- 3.—(1) The premises shall contain a table gaming area the floor area of which is no less than 1000m<sup>2</sup>.
- (2) Subject to sub-paragraph (3), in determining the floor area of the table gaming area, any number of separate areas within the premises may be taken into account.
- (3) Any separate area that comprises less than 12.5% of the minimum required table gaming area shall not be taken into account in determining the table gaming area.
- (4) No gambling shall be permitted in the table gaming area of the premises other than gambling on—



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(6) The rules of each type of bingo game that is available to be played in the premises shall be made available to customers in any part of the premises used for providing facilities for bingo and this requirement may be satisfied by—

- (a) displaying a sign setting out the rules,
- (b) making available leaflets or other written material containing the rules at each table; or
- (c) running an audio-visual guide to the rules prior to any bingo game being commenced.

7. No more than 40 separate betting positions may be made available for use in relation to a betting machine at any time.

## PART 4

### Mandatory conditions attaching to small casino premises licences

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2.—(1) The premises shall contain a table gaming area, the floor area of which is no less than 500m<sup>2</sup>.

(2) Subject to sub-paragraph (3), in determining the floor area of the table gaming area, any number of separate areas within the premises may be taken into account.

(3) Any separate area that comprises less than 12.5% of the minimum required table gaming area shall not be taken into account in determining the table gaming area.

3. No gambling shall be permitted in the table gaming area of the premises other than gambling on—

- (a) casino games that are played on an ordinary gaming table or on a partially or wholly automated gaming table; and
- (b) real games of equal chance, other than bingo, played on a table.

4.—(1) The premises shall contain a non-gambling area which comprises no less than 250m<sup>2</sup>.

(2) Facilities for gambling shall not be provided in the non-gambling area.

(3) At any time during which facilities for gambling are being provided on the premises, the non-gambling area shall contain recreational facilities that are available for use by customers on the premises.

(4) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.

5. A notice shall be displayed in a prominent place in any part of the premises used for providing facilities for betting, setting out the terms on which persons are invited to bet on the premises.

6. No more than 40 separate betting positions may be made available for use in relation to a betting machine at any time.

## PART 5

### Mandatory conditions attaching to converted casino premises licences

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2.—(1) This paragraph shall apply to premises which have a gambling area the floor area of which is no less than 200m<sup>2</sup>.

(2) In determining the floor area of the gambling area, any number of separate areas within the premises shall be taken into account.

(3) The premises shall contain a non-gambling area, the floor area of which is no less than 10% of the floor area of the gambling area.

(4) Facilities for gambling shall not be provided in the non-gambling area.

(5) At any time during which facilities for gambling are being provided on the premises, the non-gambling area shall contain recreational facilities that are available for use by customers on the premises.

(6) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.

## PART 6

### Default condition attaching to casino premises licences

1. No facilities for gambling shall be provided on the premises between the hours of 6am and noon on any day.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR MAJOR VARIATION  
**PREMISES:** CHINA KINGDOM RESTAURANT, 12-16 GUILD STREET,  
ABERDEEN, AB11 6NE

### DESCRIPTION

- On sales change to 11am for a Sunday
- Off sales change to 11am for a Sunday
- Conference and restaurant facilities amended to include outwith core hours
- Bar meals added to core and outwith core hours
- Adding receptions and club meetings
- Adding music and live performances outwith core hours
- Adding dance facilities, theatre and indoor/outdoor sport
- Add outdoor drinking
- Add adult entertainment
- Increase capacity to 60

### OBJECTIONS/REPRESENTATIONS

The applicant has agreed to the imposition of the following conditions:

- CCTV;
- Adult Entertainment; and
- Outdoor drinking.

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**SECTION 3 - DETAILS OF VARIATION**

a) Is the variation to any local condition(s)? YES  NO

If YES, describe below which condition(s) is to be varied and the variation sought

b) Is the variation to the Operating Plan? YES  NO

**If YES attach to this application the proposed operating plan** and describe below the variation sought – continue on a separate page if necessary.

Yes, due to change in business model and to increase business in these tough times, we are requesting the following changes to provide more services, to attract new customers to the venue, we are applying for the following changes:

1. On sales change to 11am for a Sunday
2. Off sales change to 11am for a Sunday
3. Conference and restaurant facilities amended to include out with core hours (on occasions If required by request from customers during the morning)
4. Bar meals added to core and out with core hours. (on occasions If required by request from customers during the morning)

**Continued at the end on extra Page**

c) Is the variation to the layout plan? YES  NO

**If YES, submit 6 copies of the proposed plan** and describe below the variation sought – continue on a separate page if necessary.

See attached.

- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? YES  NO

If YES please provide details below.

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) YES  NO

If YES please provide details below.

- f) Are you intimating the substitution of a new premises Manager? YES  NO

Please provide details below:

- (i) Name of proposed premises manager

- (ii) Date of birth of proposed premises manager

- (iii) Postal address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

--

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.**

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature ..... Print Name..... [REDACTED] (see note below)

Date ..... [REDACTED] .....

Capacity: APPLICANT (delete as appropriate)

Telephone number and email address of signatory ..... [REDACTED]

Email [REDACTED]

Postal Address of Agent (if appropriate) .....

.....

.....

Application Fee	Yes
Premises Licence	Yes
Operating plan (If appropriate)	
Layout plan (if appropriate)	
Draft Operating Plan (if appropriate)	YEs
Amended Layout plan (if appropriate)	Yes



### **Section 3 Details of Variation Continued:**

5. Adding receptions and club meetings. (on occasions If required by request from customers during the morning)
6. Adding music and live performances out with core hours
7. Adding dance facilities, theatre and indoor/outdoor sport
8. Add outdoor drinking
9. Add adult entertainment
10. Increase capacity to 60

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## OPERATING PLAN

### Licensing (Scotland) Act 2005, section 20(2)(b)(i)

#### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	YES/NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/NO*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES/NO*
*Delete as appropriate	

#### Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	11.00	00.00
Tuesday	11.00	00.00
Wednesday	11.00	00.00
Thursday	11.00	00.00
Friday	11.00	01.00
Saturday	11.00	01.00
Sunday	11.00	00.00

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	11.00	22.00
Tuesday	11.00	22.00
Wednesday	11.00	22.00
Thursday	11.00	22.00
Friday	11.00	22.00
Saturday	11.00	22.00
Sunday	11.00	22.00

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
---	---------

\*if YES – provide details

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

<b>COL.1 5(a) Activity</b>	<b>COL.2 Please confirm YES/NO</b>	<b>COL.3 To be provided during core licensed hours – please confirm  YES/NO</b>	<b>COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	NO
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	NO
<b>5 (b) Activity Social functions including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	YES	YES	YES
Club or other group meetings etc	YES	YES	YES
<b>5(c) Activity Entertainment including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	YES
Theatre	YES	YES	YES

Films	NO	N/A	N/A
Gaming	NO	N/A	N/A
Indoor/outdoor sports	YES	YES	YES
Televised sport	NO	N/A	N/A
5 (d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm  YES/NO	Where activities are also to be provided outwith core licensed hours please confirm  YES/NO
Outdoor drinking facilities	Yes	Yes	NO
5 (e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm  YES/NO	Where activities are also to be provided outwith core licensed hours please confirm  YES/NO
Adult entertainment	YES	YES	NO

Where you have answered YES in respect of any entry in column 4, please provide further details below.

Opening earlier than 11am for restaurant and takeaway food service

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

Christmas and New year extended hours as the licensing Board permits

5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
--	---------

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only)**

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
------	---	---------

	*Delete as appropriate	
--	------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

Children accompanied by adult(s) when partaking of a meal
---

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

Any Age
---------

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

During restaurant opening hours
---------------------------------

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

Restaurant, hallway and toilet facilities

**Question 7**

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

60

**Question 8**

PREMISES MANAGER (**NOTE: not required where application is for grant of provisional premises licence**)

8 (a) Name

FAHD KHAN

8 (b) Date of birth

[REDACTED]

8 (c) Contact address

[REDACTED]

8 (d) Email address

[REDACTED]



8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
15/11/2023	ABERDEENSHIRE LICENCING BOARD	AB-PER 564

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature ..... \*(see note below)

Date ... 16/11/24 .....

Capacity ... [REDACTED] ..... APPLICANT/ (delete as appropriate.)

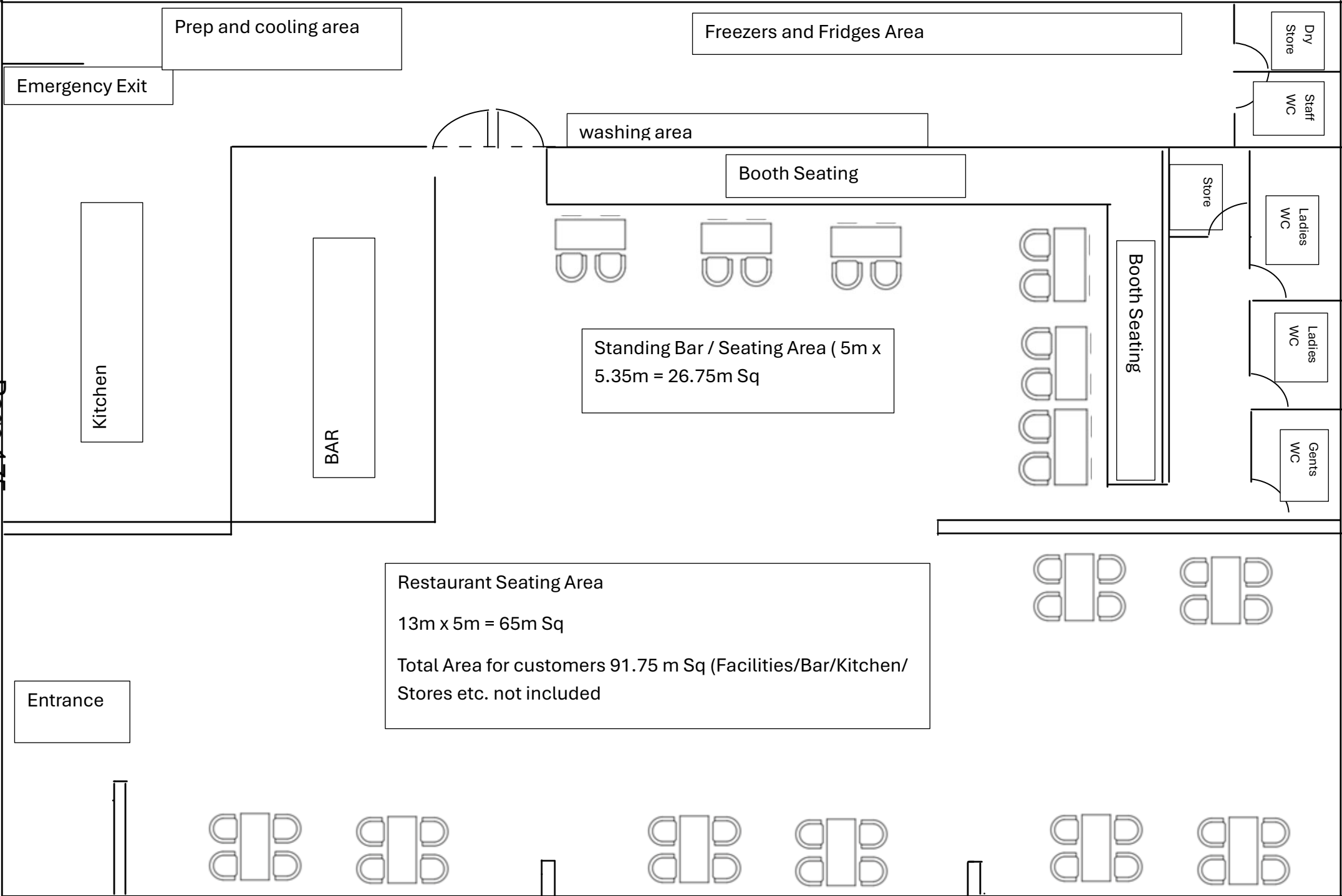
Telephone number and email address of signatory [REDACTED] .....  
[REDACTED] .....

Postal Address of Agent (if appropriate) .....  
.....  
.....  
.....

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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Arial View of the Proposed layout out outdoor seating.

Entrance

Restaurant

1.47 meter

Proposed outdoor Seating Area

2.1m meter of Foot path

Total Footpath 3.57m

Guild Street Road

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR MAJOR VARIATION  
**PREMISES:** GILCOMSTON BAR, 5 GILCOMSTON STEPS, ABERDEEN, AB25  
1UW

### DESCRIPTION

- Variation to the on-sale terminal hour to 1am Monday to Sunday
- Adding bar meals outwith core hours

### OBJECTIONS/REPRESENTATIONS

Public representation X1

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## ABERDEEN CITY LICENSING BOARD

### APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, section 29/31

Complete all sections of the application form.

#### **SECTION 1 - TYPE OF VARIATION**

Tick one box only

Is the application for a variation in terms of section 29 (5)?  See note 1

Is the application for a minor variation in terms of section 29 (6)?  See note 2

#### **SECTION 2 - APPLICANT INFORMATION**

a) Name, address and postcode of premises

<b>Name of premises</b>	Gilcomston Bar
<b>Address of premises (including postcode)</b>	5 Gilcomston Steps Aberdeen AB25 1UW

b) Particulars of premises licence holder

<b>Name of premises licence holder</b>	Trust Inns Limited
<b>Address (including postcode)</b>	Blenheim House, Ackhurst Park, Foxhole Road, Chorley, PR7 1NY

c) Premises Licence

<b>I have enclosed the premises Licence</b>	YES <input type="checkbox"/>	NO* <input checked="" type="checkbox"/>
<b>*If No please provide reason(s) for failure to produce the premises licence</b>		
Lodged by email		

**SECTION 3 - DETAILS OF VARIATION**

a) Is the variation to any local condition(s)? YES  NO

If YES, describe below which condition(s) is to be varied and the variation sought

b) Is the variation to the Operating Plan? YES  NO

**If YES attach to this application the proposed operating plan** and describe below the variation sought – continue on a separate page if necessary.

Q2 - Allow a terminal hour of 1am Monday to Sunday

Q5 - add bar meals as an activity during and outwith core hours

c) Is the variation to the layout plan? YES  NO

**If YES, submit 6 copies of the proposed plan** and describe below the variation sought – continue on a separate page if necessary.

- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? YES  NO

If YES please provide details below.

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) YES  NO

If YES please provide details below.

- f) Are you intimating the substitution of a new premises Manager? YES  NO

Please provide details below:

- (i) Name of proposed premises manager

- (ii) Date of birth of proposed premises manager

- (iii) Postal address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

--

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.**

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature Alison Smith ..... Print Name Alison Smith ..... \* (see note below)

Date 09.07.25 .....

Capacity: APPLICANT / AGENT (delete as appropriate)

Telephone number and email address of signatory ... [REDACTED] .....

Postal Address of Agent (if appropriate) .....  
TLT Solicitors  
9th Floor  
41 West Campbell Street  
Glasgow  
G2 6SE  
.....

<b>I have enclosed the relevant documents with this application – please tick the relevant boxes</b>	
Application Fee	
Premises Licence	
Operating plan (If appropriate)	
Layout plan (if appropriate)	
Draft Operating Plan (if appropriate)	
Amended Layout plan (if appropriate)	

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

*STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH*

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>NO</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES</i>
<i>*Delete as appropriate</i>	

### Question 2

*STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	01:00
<i>Tuesday</i>	11:00	01:00
<i>Wednesday</i>	11:00	01:00
<i>Thursday</i>	11:00	01:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	11:00	01:00

**Question 3**

*STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES*

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	22:00
<i>Tuesday</i>	11:00	22:00
<i>Wednesday</i>	11:00	22:00
<i>Thursday</i>	11:00	22:00
<i>Friday</i>	11:00	22:00
<i>Saturday</i>	11:00	22:00
<i>Sunday</i>	11:00	22:00

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES</i>
--	------------

*\*If YES – provide details*

Additional hours are also being sought for the festive period in conjunction with hours determined annually by the Board and its policy. In addition, other such occasions – Easter Sunday and so on, subject to extended hours applications being granted.

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

<b>COL. 1</b> <i>5(a)</i> <b>Activity</b>	<b>COL. 2</b> <i>Please confirm</i> <b>YES/NO</b>	<b>COL. 3</b> <b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>COL. 4</b> <b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	YES	YES	YES
<i>5(b) Activity</i> <i>Social functions including:</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
<i>5(c) Activity</i> <i>Entertainment including:</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performances – see 5(g)</i>	YES	YES	YES
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	YES
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
<b>5(d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Adult entertainment</i>	NO	NO	NO

*Where you have answered YES in respect of any entry in column 4 above, please provide further details below.*

*5b) Receptions/functions and club and other group meetings may take place outwith the core hours or any extensions thereto. No alcohol will be sold outwith the core hours or any extension thereto.*

*5c) Recorded music will be available on the premises outwith the core hours during all the times the premises are open. Live performances, indoor/outdoor sports and televised sport may commence before and continue after the core licensed hours. Although there are no dedicated dance facilities, dancing may take place as part of a function or to music in the premises. No alcohol will be sold outwith the core hours or any extension thereto.*



5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

All of the activities listed below will take place in both areas. As no definition of activities is given, the applicant has provided as much detail as possible - other activities include but are not limited to the following.

Entertainment, live bands; singers; disco and dancing; DJ; cabaret; stand up and comedy; talent night; open mic nights; karaoke; party nights; dinner dance; race nights; poker nights; tea dances; charity and other community events; function hire; displays and shows; other entertainment events - e.g. magicians, fortune teller, psychic, entertainers, etc; wine and other food and drink tasting evenings; product promotion evenings; seasonal events.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	NO
When fully occupied, are there likely to be more customers standing than seated?	NO
*Delete as appropriate	

**Question 6 (On-sales only)**

*CHILDREN AND YOUNG PERSONS*

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	No
	<i>*Delete as appropriate</i>	

6(b) *Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry*

6(c) *Provide statement regarding the **AGES** of children or young persons to be allowed entry*

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

██████████ ██████████ ██████████ ██████████
--

8(d) Email address

--

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
23.03.18	Aberdeen City Council	AC5254

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature ██████████ (see note below)

Date 09.07.25

Capacity Agent

Telephone number and email address of signatory ██████████

\* Data Protection Act 1998

Hello,

My name is Ihsan Sert, I live at [REDACTED] which is above gilcomston bar. I am sending this email to object their amendment to the terminal hour to 01:00 Monday to Sunday and adding bar meals during and out of core hours the reason I object for terminal hour to be extended is when they have karaoke or any kind of music the volume it is played at is at a level that disturbs our rest in our flat, sometimes at weekends the music starts at lunchtime and it is played until terminal hours.

For bar meals the previous management was cooking sometimes I don't know for customers or themselves, the staircase in the flat and sometimes in the flat the smell of the cooking from the bar was strong enough to be noticeable.

Therefore I am objecting gilcomston bars application for extending terminal hour until 01:00 and adding bar meals.

Regards

Ihsan Sert

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR MAJOR VARIATION  
**PREMISES:** SHOTZ, ARCH 13, SOUTH COLLEGE STREET, ABERDEEN, AB11  
6JX

### DESCRIPTION

- Variation to add gaming machines and live sports to the Operating Plan

### OBJECTIONS/REPRESENTATIONS

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# ABERDEEN CITY LICENSING BOARD

## APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, section 29/31

Complete all sections of the application form.

### SECTION 1 - TYPE OF VARIATION

Tick one box only

Is the application for a variation in terms of section 29 (5)?  See note 1

Is the application for a minor variation in terms of section 29 (6)?  See note 2

### SECTION 2 - APPLICANT INFORMATION

a) Name, address and postcode of premises

Name of premises	SHOTZ ABERDEEN
Address of premises (including postcode)	ARCH 13 SOUTH COLLEGE STREET, ABERDEEN AB11 6JX

b) Particulars of premises licence holder

Name of premises licence holder	MARC FLEMING
Address (including postcode)	[REDACTED]

c) Premises Licence

I have enclosed the premises Licence	YES <input type="checkbox"/>	NO* <input checked="" type="checkbox"/>
*If No please provide reason(s) for failure to produce the premises licence		
I REQUIRE A NEW COPY TO BE SENT OUT TO ME.		

**SECTION 3 - DETAILS OF VARIATION**

a) Is the variation to any local condition(s)? YES  NO

If YES, describe below which condition(s) is to be varied and the variation sought

b) Is the variation to the Operating Plan? YES  NO

If YES attach to this application the proposed operating plan and describe below the variation sought – continue on a separate page if necessary.

ALTER THE YES/NO SECTION TO THE FOLLOWING:

- GAMING MACHINES - YES
- LIVE SPORTS TV - YES.

c) Is the variation to the layout plan? YES  NO

If YES, submit 6 copies of the proposed plan and describe below the variation sought – continue on a separate page if necessary.

- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? YES  NO

If YES please provide details below.

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) YES  NO

If YES please provide details below.

- f) Are you intimating the substitution of a new premises Manager? YES  NO

Please provide details below:

(i) Name of proposed premises manager

(ii) Date of birth of proposed premises manager

(iii) Postal address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

--

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature ... [redacted] ... Print Name... MARC FLEMING \* (see note below)

Date ..... 20/03/25 .....

Capacity: APPLICANT / ~~AGENT~~ (delete as appropriate)

Telephone number and email address of signatory ..... [redacted] .....

Postal Address of Agent (if appropriate) .....

I have enclosed the relevant documents with this application – please tick the relevant boxes	
Application Fee	
Premises Licence	
Operating plan (If appropriate)	
Layout plan (if appropriate)	
Draft Operating Plan (if appropriate)	
Amended Layout plan (if appropriate)	

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	<del>YES</del> /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/NO*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES/NO*
*Delete as appropriate	

### Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	11AM	00:00
Tuesday	11AM	00:00
Wednesday	11AM	00:00
Thursday	11AM	00:00
Friday	11AM	00:00
Saturday	11AM	00:00
Sunday	11AM	00:00

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	N/A	
Tuesday	N/A	
Wednesday	N/A	
Thursday	N/A	
Friday	N/A	
Saturday	N/A	
Sunday	N/A	

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	<input checked="" type="radio"/> YES <input type="radio"/> NO*
---	--

\*if YES – provide details

THE PREMISES OPERATOR WILL UTILISE ALL + ANY GENERAL EXTENSIONS TO PREMISES LICENCE CORE HOURS APPROVED BY THE CITY OF ABERDEEN LICENSING BOARD.

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

COL.1 5(a) Activity	COL.2 Please confirm YES/NO	COL.3 To be provided during core licensed hours - please confirm  YES/NO	COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO
Accommodation	N	N/A	N/A
Conference facilities	N	N	N
Restaurant facilities	N	N	N
Bar meals	N	N	N
<b>5 (b) Activity</b>	<b>Please confirm</b>	<b>To be provided</b>	<b>Where activities are</b>
<b>Social functions including:</b>	<b>YES/NO</b>	<b>during core licensed hours - please confirm</b>  <b>YES/NO</b>	<b>also to be provided outwith core licensed hours please confirm</b>  <b>YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	Y	Y	Y
Club or other group meetings etc	Y	Y	Y
<b>5(c) Activity</b>	<b>Please confirm</b>	<b>To be provided</b>	<b>Where activities are</b>
<b>Entertainment including:</b>	<b>YES/NO</b>	<b>during core licensed hours - please confirm</b>  <b>YES/NO</b>	<b>also to be provided outwith core licensed hours please confirm</b>  <b>YES/NO</b>
Recorded music - see 5(g)	Y	Y	Y
Live performances - see 5(g)	N	N	N
Dance facilities	N	N	N
Theatre	N	N	N

Films	N	N	N
Gaming	Y	Y	Y
Indoor/outdoor sports	Y	Y	Y
Televised sport	Y	Y	Y
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours - please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Outdoor drinking facilities	N	N	N
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours - please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Adult entertainment	N	N	N

Where you have answered YES in respect of any entry in column 4, please provide further details below.

THE PREMISES MAY OPEN AT 9.00 TO PERMIT CUSTOMERS TO PLAY POOL.  
ALCOHOL WILL BE SERVED AT THE START OF CORE HOURS & DURING CORE HOURS, BUT NOT AFTER THOSE HOURS.

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

POOL, SERVICE OF TEAS, COFFEES, SOFT DRINKS AND HOT AND COLD BEVERAGES.

5 (g) Late night premises opening after 1.00am

--	--



Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

**Question 6 (On-Sales only)**

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

<p>CHILDREN AGED 11 TO 15 AND YOUNG PEOPLE AGED 16 AND 17 WILL BE PERMITTED TO ATTEND THE PREMISES FROM 9:00 TO 18:00 UNACCOMPANIED FOR THE PURPOSE OF PLAYING OR PRACTISING POOL. THEREAFTER FROM 18:01 TO 00:00 CHILDREN AND YOUNG PERSONS WILL REQUIRE TO BE ACCOMPANIED BY A RESPONSIBLE ADULT FOR THE PURPOSES OF PLAYING POOL OR TAKING PART IN COMPETITIONS.</p>
---

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

<p>CHILDREN AGED 11 TO 15 YOUNG PERSONS AGED 16 TO 17</p>
---

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

<p>AS PER TERMS ABOVE.</p>
----------------------------

<p>6(e) ALL PUBLIC PARTS OF THE PREMISES.</p>
---

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

ON SALES - 80

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

MARC FLEMING

8 (b) Date of birth

[REDACTED]

8 (c) Contact address

[REDACTED]

8 (d) Email address

[REDACTED]

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

--	--	--

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION]**

**If signing on behalf of applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature ..... [REDACTED] ..... \*(see note below)

Date ..... 11/06/25 .....

Capacity ..... APPLICANT/~~AGENT~~ (delete as appropriate.)

Telephone number and email address of signatory ..... [REDACTED] .....  
 ..... [REDACTED] .....

Postal Address of Agent (if appropriate) .....  
 .....  
 .....  
 .....

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** APPLICATION FOR MAJOR VARIATION  
**PREMISES:** ST MACHAR BAR, 97 HIGH STREET, OLD ABERDEEN, ABERDEEN,  
AB24 3EN

### DESCRIPTION

- Amendments to the Operating Plan as follows:
  - To change the on sales commencement hour to 10am Monday to Sunday
  - To change the off sales commencement hour to 10am on Sunday
  - To add seasonal variations
  - To add recorded music
  - To add live music
  - To add deliveries
  - To add children and young persons access
- Variation to the layout plan to add an upper floor tasting room and shop

### OBJECTIONS/REPRESENTATIONS

The applicant has agreed to the imposition of delivery driver conditions.

Public Objection X3  
Public Support X1

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# ABERDEEN CITY LICENSING BOARD

## APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, section 29/31

Complete all sections of the application form.

### SECTION 1 - TYPE OF VARIATION

Tick one box only

Is the application for a variation in terms of section 29 (5)?  See note 1

Is the application for a minor variation in terms of section 29 (6)?  See note 2

### SECTION 2 - APPLICANT INFORMATION

a) Name, address and postcode of premises

<b>Name of premises</b>	St Machar Bar
<b>Address of premises (including postcode)</b>	97 High Street Old Aberdeen Aberdeen AB24 3EN

b) Particulars of premises licence holder

<b>Name of premises licence holder</b>	Angus Inn Ltd
<b>Address (including postcode)</b>	Butchers Arms, 443 George Street, Aberdeen, AB25 3YB

c) Premises Licence

<b>I have enclosed the premises Licence</b>	YES <input checked="" type="checkbox"/> NO* <input type="checkbox"/>
<b>*If No please provide reason(s) for failure to produce the premises licence</b>	

**SECTION 3 - DETAILS OF VARIATION**

a) Is the variation to any local condition(s)? YES  NO

If YES, describe below which condition(s) is to be varied and the variation sought

b) Is the variation to the Operating Plan? YES  NO

**If YES attach to this application the proposed operating plan** and describe below the variation sought – continue on a separate page if necessary.

To change the on sales commencement hour to 10am Monday to Sunday  
To change the off sales commencement hour to 10am on Sunday  
To add seasonal variations  
To add recorded music  
To add live music  
To add deliveries  
To add children and young persons access  
To add tasting room and shop upstairs

c) Is the variation to the layout plan? YES  NO

**If YES, submit 6 copies of the proposed plan** and describe below the variation sought – continue on a separate page if necessary.

Adding the upper floor for tastings and shop



- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? YES  NO

If YES please provide details below.

To change the description of the premises to include the tastings and shop.

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) YES  NO

If YES please provide details below.

- f) Are you intimating the substitution of a new premises Manager? YES  NO

Please provide details below:

- (i) Name of proposed premises manager

- (ii) Date of birth of proposed premises manager

- (iii) Postal address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

--

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.**

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature



Print Name Karen Gatherum (see note below)

Date 6 June 2025

Capacity: AGENT (delete as appropriate)

Telephone number and email address of signatory



Postal Address of Agent (if appropriate)



.....

<b>I have enclosed the relevant documents with this application – please tick the relevant boxes</b>	
Application Fee	
Premises Licence	
Operating plan (If appropriate)	
Layout plan (if appropriate)	
Draft Operating Plan (if appropriate)	
Amended Layout plan (if appropriate)	

## OPERATING PLAN

### Licensing (Scotland) Act 2005, section 20(2)(b)(i)

#### **Question 1**

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	NO
1(b) Will alcohol be sold for consumption solely OFF the premises?	NO
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES
*Delete as appropriate	

#### **Question 2**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	23:00

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10:00	22:00
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:00
Saturday	10:00	22:00
Sunday	10:00	22:00

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

\*if YES – provide details

Christmas and New Year extended hours as the Licensing Board permits.

### Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

<b>COL.1 5(a) Activity</b>	<b>COL.2 Please confirm YES/NO</b>	<b>COL.3 To be provided during core licensed hours – please confirm  YES/NO</b>	<b>COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Accommodation	NO	N/A	N/A
Conference facilities	NO	N/A	N/A
Restaurant facilities	NO	N/A	N/A
Bar meals	YES	YES	YES
<b>5 (b) Activity Social functions including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	YES	YES	YES
Club or other group meetings etc	YES	YES	YES
<b>5(c) Activity Entertainment including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Recorded music – <b>see 5(g)</b>	YES	YES	YES
Live performances – <b>see 5(g)</b>	YES	YES	NO
Dance facilities	NO	N/A	N/A
Theatre	NO	N/A	N/A

Films	NO	N/A	N/A
Gaming	YES	YES	YES
Indoor/outdoor sports	YES	YES	NO
Televised sport	YES	YES	YES
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Outdoor drinking facilities	YES	YES	NO
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Adult entertainment	NO	N/A	N/A

Where you have answered YES in respect of any entry in column 4, please provide further details below.

5(a) A demand is anticipated in relation to the provision of light meals and snacks excluding alcoholic refreshments in conjunction with small social functions and gatherings outwith core hours.  
5(b) A demand is anticipated for facilities excluding alcoholic refreshment in support of the social functions and gatherings set out above. These are likely to be occasional rather than regular.  
5(c) A demand is anticipated for facilities excluding alcoholic refreshment in conjunction with darts, dominoes and similar activities and also on occasion where televised sporting events are broadcast, outwith the core hours of the premises.  
5(g) staff may listen to recorded music while preparing to open for the day.

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

Alcohol tastings  
Shop  
Deliveries

5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	N/A
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A
--	-----

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only)**

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES
------	---	-----

	*Delete as appropriate	
--	------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

Children 0-15 will be allowed entry when accompanied by an adult for the purposes of partaking in a meal young persons 16-17 will be allowed entry when accompanied by adult
---

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

Children 0-15 young persons 16-17
--------------------------------------

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

Children will be allowed access until 9pm  
Young persons will be allowed access until 10pm

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

All areas of the bar and garden, children and young persons will not be permitted entry to alcohol tastings

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

Ground floor and Garden- 63  
First floor tasting room-30

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

8 (b) Date of birth

8 (c) Contact address



8 (d) Email address

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION]**

**If signing on behalf of applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature ..... \*(see note below)

Date .....

Capacity .....APPLICANT/AGENT (delete as appropriate.)

Telephone number and email address of signatory .....

.....

Postal Address of Agent (if appropriate) .....

.....

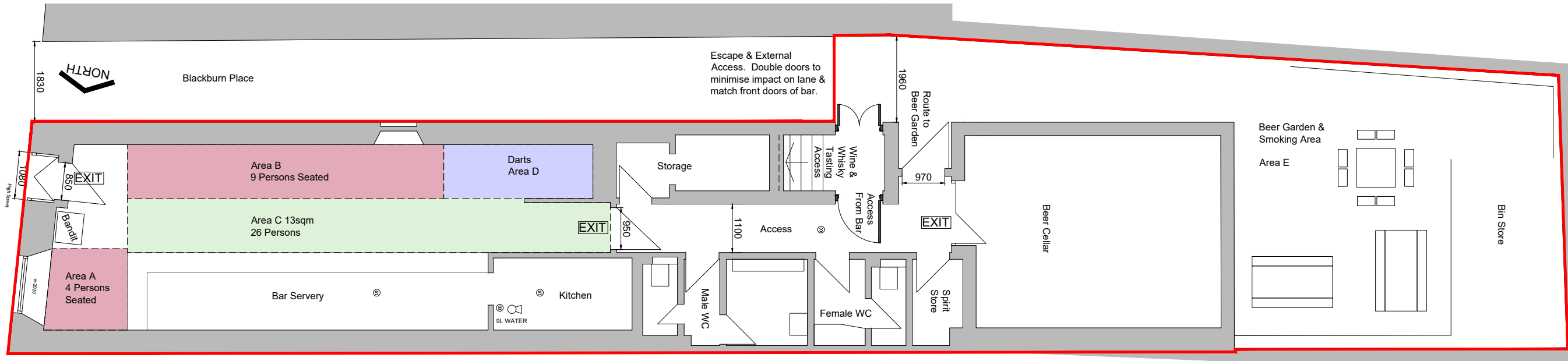
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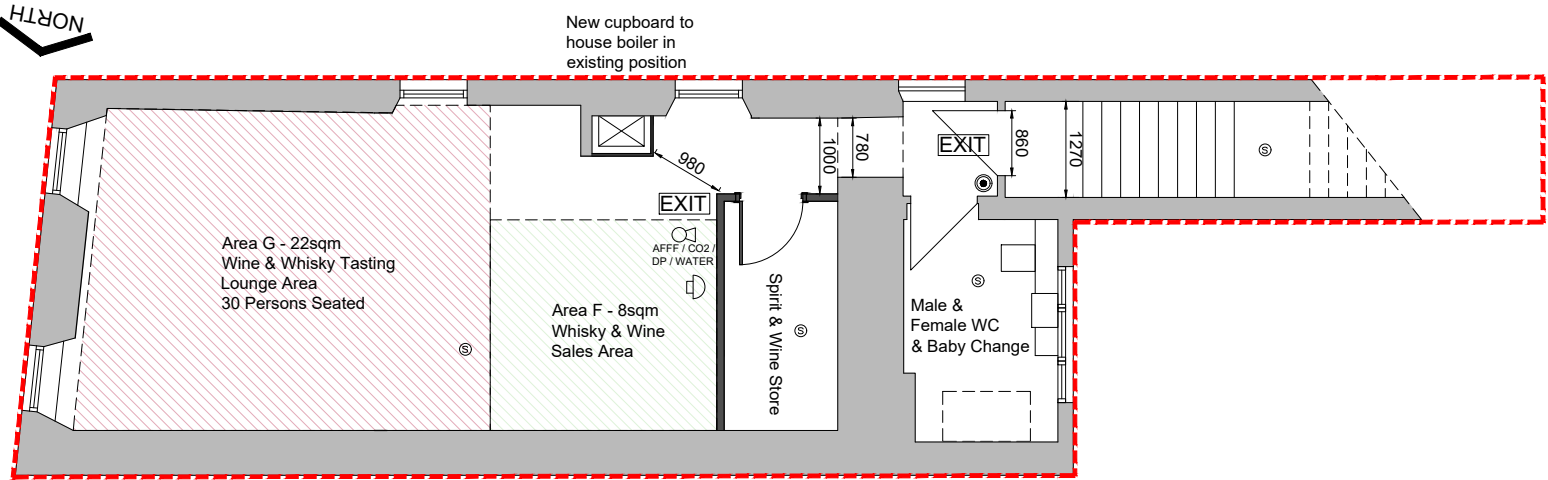
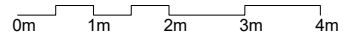
**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

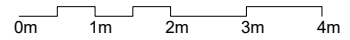
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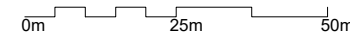
Ground Floor Plan - 1:100



First Floor Plan - 1:100



Site Location Plan



	Licensed Ground Floor Area: 209sqm
	Licensed First Floor Area: 84sqm
	Ground Floor Seated Areas A & B: 13 persons
	Ground Floor Standing Area C: 13sqm 26 persons
	Ground Floor Darts Area D: 4sqm 4 persons
	First Floor Whisky & Wine Tasting Area: 22sqm 25 persons
	First Floor Whisky & Wine Sales Area: 8sqm 5 persons

	Escape route lighting		Fire alarm call point
	Emergency light fitting		Fire alarm sounder
	Smoke detector		Fire extinguisher of size and type indicated on plan
	Fire Blanket		AFFF / CO2 / DP / WATER

**Total Occupancy - 93 persons**  
 Area A - 4 Persons  
 Area B - 9 Persons  
 Area C - 26 Persons  
 Area D - 4 Persons  
 Area E - 20 Persons  
 Area F - 5 Persons  
 Area G - 25 Persons  
 Children Permitted in All Public Areas

**RS  
A+D**

Project  
**St Machar Bar & Tasting Room**  
 High Street  
 Old Aberdeen

Drawing  
**Licensing Plan**

Date **04.06.25** Scales **1:100 & 1250@A3**

Project Nr. **235** Drawing Nr. **040** Rev. **B**

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**Licensing (Scotland) Act 2005, section 22**

**Notice of Objection or Representation**

**If you are completing this form by hand, please write legibly in block capitals using ink.**

**Please refer to Guidance Note for making Objections before completing this form**

**Please return the form by email to:** licensing@aberdeencity.gov.uk

If you are unable to return the form by email, you can post it to:

Depute Clerk to the Licensing Board  
Licensing Team  
Business Hub 6  
Marischal College  
Broad Street, Aberdeen  
AB10 1AB

Your full name & address (include postcode)		DIRECTOR OF ESTATES • FACILITIES UNIVERSITY OF ABERDEEN KING'S COLLEGE ABERDEEN AB 24 3FX	
Your email address		[REDACTED]	
Name & Address of premises		ST. MACHAR BAR 97 HIGH STREET OLD ABERDEEN AB24 3EN	
Applicant's Name (if know)		ANGUS INNS LTD	
The Application is for:	Provisional Premises Licence	<input type="checkbox"/>	
	Premises Licence	<input type="checkbox"/>	
	Variation of Premises Licence	<input checked="" type="checkbox"/>	
	Occasional Licence	<input type="checkbox"/>	
<b>Any person may, by notice to the Licensing Board—</b>			
<b>(a) Object to the application on any ground relevant to one of the grounds for refusal or</b>			
<b>(b) Make representations to the Board concerning the application.</b>			
If you are <b>OBJECTING</b> , please complete Part A of this form.			
If you are <b>MAKING REPRESENTATIONS</b> , please complete Part B of this form.			

**PART A – OBJECTION**

N/A

I object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) ~~The premises are excluded premises.~~

(b) The application must be refused because:

- ~~• the Licensing Board has refused a premises licence application in respect the premises less than a year before this application,~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more or~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10:00, after 22:00 or both.~~

(c) ~~Granting the application would be inconsistent with one or more of the licensing objectives. Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.~~

Objective	Objection
<del>Preventing crime and disorder</del>	
Securing public safety <del>/</del>	

	Preventing public nuisance		
	Protecting and improving public health		
	Protecting children and young persons from harm		
<p>(d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>1</sup>—</p> <ul style="list-style-type: none"> <li>(i) the nature of the activities proposed to be carried on in the subject premises,</li> <li>(ii) the location, character and condition of the premises, and</li> <li>(iii) the persons likely to frequent the premises.</li> </ul> <p>Please explain why</p>			

<sup>1</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

(e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

(i) licensed premises, or

(ii) licensed premises of the same or similar description as the subject premises,

Please explain why:



<b>PART B - REPRESENTATION</b>	
I wish to make these representations to the Board concerning the application: —	
In support of the application.	THE UNIVERSITY OF ABERDEEN ARE IN SUPPORT OF THIS APPLICATION. THE CONTRIBUTION OF THE ST MACHAR BAR IN THE VITALITY OF OLD ABERDEEN IS VALUED. WE SUPPORT THEIR CONTINUED SUCCESS.
As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

N/A

Your Signature



Date

4/9/2025

Please refer to the Privacy Notice for information on how we use your data.

[Your data: Liquor Licence objections and representations | Aberdeen City Council](#)

I write to express my concern that if the above variation is granted as **applied for** it could pose a public nuisance in this Conservation area of Old Aberdeen, by causing a 7 day and night a week disruption to local residents. Not only by noise pollution but the inevitable litter i.e. cigarettes, vapes etc.

Thank you.

Teresa Harwood

Old Aberdeen Community Councillor

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In August 2018 there was a Planning Application submitted by a student group for a student run pub (PPA-100-2091) for 15 High Street Old Aberdeen, which was declined for several reasons, but mainly on the grounds of additional noise and disturbance within a residential area causing distress to the resident.

I believe that the proposed "APPLICATION FOR VARIATION (MAJOR) PREMISES – ST MACHAR BAR, 97 HIGH STREET, OLD ABERDEEN, ABERDEEN, AB24 3EN", may require the same scrutiny as the application seems to have quite far reaching requests, with not a lot of detail. If not properly scrutinised and controlled, could pose the same problem, if not immediately but in the future as the proposed changes open up the possible uses massively without any further control.

I would like to draw your attention to the section below which may have an effect on the granting, or not of the upgrading of the licence for the St Machar Bar.

- LDP Policy T5 notes that; *'There will be a presumption against noise generating developments, as identified by a NIA, being located close to noise sensitive developments, such as existing or proposed housing.'*
  - With the increase in patron there will possibly be an increase in smokers standing outside. It is quite common, particularly with younger smokers, for non-smokers to join them and chat.
  - When leaving the pub, often in groups and, perhaps, somewhat more voluble than when they arrived. This will cause serious disturbance, not just to the immediate neighbours in the Chaplaincy, but along the street also, particularly with a licence to midnight being the aspiration of the Applicant.
- the application does not comply with LDP Policy T5 - Noise, as discussed above.
- Further; the application does not comply with LDP Policy H2 - Mixed Use Areas, which states: *'Applications for development or change of use [...] must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. [...] where new industrial, business or commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.'*

Yours  
Richard Harwood OACC

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Dear Sir/Madam,

I write on behalf of Old Aberdeen Heritage Society to make representation regarding the application for a major variation of the Premises Licence in respect of the St Machar Bar, 97 High Street, Old Aberdeen.

We wish to make it clear at the outset that we do not wish to intimate any concern about the majority of amendments to the Operating Plan. We have no objection to the variation to the layout plan to add an upper floor tasting room and shop; nor to the earlier opening times, seasonal variations, etc.

Our sole concern relates to the proposal to add recorded and live music to the Operating Plan. In this respect, we have been advised that, as the applicant has not specified which specific areas this proposal relates to, the Board will be determining this aspect of the application on the basis of the whole premises.

The applicant seeks permission to have recorded music played both during and outwith core licensing hours, and also to stage live music performances during core licensing hours. Such permission, we understand, would, in principle, extend to all three areas of the premises; the downstairs bar, the upstairs room, and the outdoor area at the rear.

We wish to suggest that conditions be attached to the licence, if granted. It is our view that granting the application without some such conditions would be inconsistent with the Board's Licensing Policy objective of preventing public nuisance.

The premises in question are situated in a predominantly residential road in a quiet historic area a long way from the city centre, where residents have an expectation of the peaceful enjoyment of their homes. The premises are in proximity to noise-sensitive properties in the form of flats and houses, both directly adjacent and nearby, including on the other side of the narrow road. There are flats in directly adjacent properties both to the north and south of the premises.

The flat to the south extends from High Street into Blackburn Place, the very narrow close which separates this building from the St Machar Bar premises. Persistent noise emanating either from the front door, or from the side door in Blackburn Place, could be a particular source of nuisance to inhabitants, present or future, of that home.

Our concern relates to the potential for loud music to be *audible outside* the premises, to the extent that it could have a significant impact on the homes in close proximity, and also on the general ambience of this locality.

It is to be expected that music played within the bar would not normally be audible from outside. It is nevertheless the case that the door to the bar is often propped open, for extended periods, either in warm weather, or when the bar is crowded, or to allow

customers who go outside to smoke, to continue their conversations with friends still seated inside. At such times, there is clearly the potential for music being played inside to be a disturbance to the peace of neighbouring homes, as well as to the traditionally peaceful character of the area.

It is with the above in mind that we would suggest that the Board attach a condition to any grant of the Licence, that neither recorded nor live music should be audible from outside the confines of the building.

We wish to reiterate that we do not have concerns about any other aspects of this application. This representation relates solely to concerns expressed to us about the potential for the addition of recorded and/or live music to be a source of disturbance on a regular basis if permitted to be audible outside the premises.

Yours faithfully,

Ronald Leith

Chairman

Old Aberdeen Heritage Society



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PERSONAL LICENCE APPLICATION

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### DETERMINATION

The Board Must:

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

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## **Proposed Board Dates 2026**

20 January

14 April

30 June

22 September

1 December

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