

13 August 2019

Your Ref:

Our Ref: 440792

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



North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

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

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

The variation consists of the following requests, namely:

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

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

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

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

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

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

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

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

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

Yours faithfully

Campbell Thomson
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468