

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

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

DESCRIPTION

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

OBJECTIONS/REPRESENTATIONS

- Police

POLICY

Preventing Crime & Disorder

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

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

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

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

What the Board Will Do:

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

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

What the Board Will Expect of Licence Holders

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

What the Board Will Expect of Partner Agencies

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

Preventing Public Nuisance

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

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

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

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

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

What the Board Will Do:

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

What the Board Will Expect of Licence Holders/Applicants:

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

