

**Spiders Web
19-21 Station Road
Dyce
Aberdeen
AB21 7BA**

21/11/20

Application for Occasional Licence

Response to representation made by Police Scotland received by Aberdeen City Licensing Board.

Dear Board Members,

I respectfully ask the Board to approve the application for the occasional licence for the Spiders Web outdoor marquee. I would further ask that it be granted on the same terms as our several prior successful applications, all of which have attracted no adverse comment from the authorities or general public.

Prior to March 2020, the Spiders Web, a family business, traded successfully as a friendly local community public house & restaurant. The Spiders Web has been in existence for more than fifty years, being operated by my family & I for over 30 years of that time. The pub is popular with local residents & commuters and has operated safely throughout this period.

Without doubt the arrival of COVID-19 earlier this year has had a substantial impact on us & the wider hospitality trade. We have worked hard to adapt, not only to keep the business afloat, but to safeguard our 36 employees jobs, all of whom we have retained to date. We are also regarded as an integral part of the community, not only providing a service to the community, but providing one of the few safe spaces for families & friends to meet at present.

Whilst we were on lockdown it became clear that Aberdeen City were keen to encourage businesses to adapt to operate safely within government guidelines.

We sought permission for our marquee, which is on private ground, with the express purpose of being able to offer outdoor social distancing for COVID-19 in order to operate in a safe manner.

We spent the months before reopening in early July researching best practice & both during & after the application process received excellent service, help & advice from Aberdeen City Licensing department, our LSO & Police, which we have followed. The Police advice in particular to “educate & encourage” patrons has become one of our staff mantras.

We have invested heavily, both in the premises, staffing & procedures. We have increased staffing to provide enhanced hygiene procedures. We have a manned reception desk at our entrance where customers have their temperature checked, Track & Trace by using our “QR” Code system or have details taken manually should their mobile not be compatible. This initiative has been positively commented on by Police patrols during their compliance checks throughout the COVID period. All patrons are seated with full table service in operation.

Staff wear face coverings, customers do likewise when moving to use toilet facilities, enter or exit the premises. We have all relevant & clear signage, including signs asking customers to refrain from shouting or singing & advising of the no music & no volume from televisions regulations.

Certainly our additional space has helped us to meet demand safely. It has resulted in food sales increasing with food sales currently exceeding wet sales. Customer feedback has been extremely positive with a common thread of “it’s a lovely setting” & “we feel safe here”. At present, with regulations as they are in relation to social distancing & table layouts, the business would be totally unviable without the additional area which the marquee provides.

We also believe that hospitality does offer a regulated environment in which patrons can enjoy social interaction safely & that offering this service reduces the incidence of unregulated household gatherings, which are claimed to give the virus a greater opportunity to spread.

Police Scotland have brought to the attention of the board that.

“During the evening of Thursday 12th November 2020, the Scotland versus Serbia European Championships qualifying football fixture took place & was televised. Aberdeen City Councils Environmental Health Team has advised Police Scotland of video footage (on Facebook social media) allegedly taken within the applicant premises towards the conclusion of the fixture, during which time customers celebrated by shouting, cheering, jumping & hugging, thus disregarding rules in relation to the current Covid regulations.”

The board will further be aware that on Wednesday 18th November 2020, our premises were served with a notice to remove all Televisions from use for the period of 21 days, both in our marquee (subject of this Occasional Licence Application) & within the public house premises which were closed to the public at the time of the Scotland match.

We have complied with this order, Environmental Health have witnessed compliance & Police Scotland have made spot checks to confirm compliance.

We do not deny that video footage exists, nor that for a brief period at the conclusion of the match customers reacted with a level of excitement which was not anticipated & certainly not witness by myself as a licensee in 30 years.

We regret & apologise that the incident took place and ask that the board take into account the following points.

Thursday the 20th November began as a quite unremarkable day. We were aware the Scotland match was to be televised and planned to show it. There was no suggestion or advice from government or the authorities that the game should not be screened. We have one small 40 inch screen in the marquee, a television that is smaller than those generally in use in the homes of the general public. We have used our televisions without volume & incident since reopening after lockdown. We have shown various sports eg. football, golf & cricket & very often our television shows the news channels.

As would be normal we increased staff numbers & took bookings during the day. Approximately forty fans watched the game which equates to 50% capacity. They arrived, were temperature checked, Tracked & Traced and seated at pre booked tables. My staff & I provided table service. The first half of the game passed without incident. During the second half Scotland who were the underdogs scored to move ahead. There was a brief celebration & the atmosphere calmed. Customers were reminded by staff of the signage in place for COVID-19 advising no shouting or singing. Scotland continued to play well & the atmosphere was happy & enthusiastic until the 89th minute when Serbia equalised. Silence was evident & a muted applause given at the

end of the 90 minute period. The game moved into extra time, as Scotland continued to play well, the atmosphere was hopeful, but calm. As the penalty shootout progressed the atmosphere became tense & as the last penalty was taken fans rose to their feet in passionate celebration, as was the case in households & bars throughout Scotland. The celebrations were brief. The television was immediately switched off on conclusion of the game & the premises cleared of patrons by 10.30pm.

In conclusion we accept that the Board has a representation to consider in relation to our Occasional Licence Application.

The representation pertains to a short & brief moment where passionate individuals celebrated what they considered to be the most important moment in 23 years for Scotland's football team.

Police Scotland have commented that "the board may wish to consider imposing an additional condition to the effect that no high profile televised football fixtures will be shown".

It is unlikely that we will see such a high profile game of football for some time & we have already removed our television from use for 21 days. We believe that such an incident will not happen again.

My staff & I take our responsibilities extremely seriously & have worked tirelessly to maintain & uphold rules & standards. We can assure the Board that we will continue to do so. We have adapted continuously over the past months to update procedures & adhere to advice & legislation as it has changed.

This unusual period of COVID-19 has had a devastating effect not only on our business, but that of the wider hospitality industry & society. We are desperate to survive. To endanger the future of the business & its employees following an isolated incident brought about by a brief outpouring of passion & happiness would appear disproportionate.

We respectfully ask the Board to consider approval of the Occasional Licence Application on the same terms as previous successful applications.

Yours Sincerely,
Mark Milne
The Spiders Web
Dyce
Aberdeen