

# LICENSING COMMITTEE INFORMATION SHEET

05 JUNE 2024

**TYPE OF APPLICATION:** Variation of Sexual Entertainment Venue Licence

**APPLICANT:** Devana Investments Ltd

## INFORMATION NOTE

Premises- Buggy Browns

## DESCRIPTION

Application submitted 20/03/2024

To be determined by 19/12/2024

An application to vary two standard licence conditions attached to all such licences as per the application attached below.

On the 23/04/2024 an amended letter of objection was submitted by Police Scotland which is also attached.

## CONSULTEES

- Police Scotland

## OBJECTIONS/REPRESENTATIONS

Police Scotland

## GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may

be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

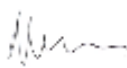
(v) public order or public safety; or

(d) there is other good reason for refusing the application;

**and otherwise shall grant the application.**

**ABERDEEN CITY COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
APPLICATION FOR VARIATION OF A LICENCE**



1. Licence Holder:	<p>Full Name: Devana Investments Limited</p> <p>Address: C/O Kairdson Business Centre, Hospital Road, Ellon, AB41 9AW</p> <p>Tel No: 01358 722593</p>
2. Type of Licence held:	Sexual Entertainment Venue Licence (SEV/0004)
3. Premises:	<p>Name: Buggy Browns</p> <p>Address: 7 Windmill Brae, Aberdeen, AB11 6HU</p> <p>Tel No: 01358 722593</p>
4. Details of Variation	<p>Varying standard condition 12 so that it reads:</p> <p>A person who holds a licence granted under section 8 of the Private Security Act 2001 must be positioned at every entrance to the venue from 10pm (on Friday and Saturday nights only when the venue is open at that time) until whichever is the earlier: The time at which the venue next closes or such other time as the Committee may specify.</p> <p>Varying standard condition 30 so that it reads:</p> <p>There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place in addition to any other member of security staff required by standard condition 12 above, at all times when the venue is open to the public.</p>
5.	
Date <u>4<sup>th</sup> March 2024</u>	
 Signature _____	
<del>Applicant</del> /Agent (delete as appropriate).	
Address of Agent _____	
12-16 Albyn Place, Aberdeen, AB10 1PS	
_____	
DX Number (if any) _____	
_____	
Tel No. _____	
01224 332400	

23 April 2024

Your Ref: SEV/0004

Our Ref: 568552



Licensing Team

Legal Services Governance

Aberdeen City Council

Marischal College

Broad Street

Aberdeen

AB10 1AB

North East Division

Marischal College

Broad Street

Aberdeen

AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005**

**APPLICATION FOR THE VARIATION OF A PREMISES LICENCE**

**BUGSY BROWNS**

**7 WINDMILL BRAE, ABERDEEN, ABERDEEN CITY, AB11 6HU.**

**DEVANA INVESTMENTS LIMITED, KAIRDSON BUSINESS CENTRE, HOSPITAL ROAD,  
ELLON, AB41 9A**

I refer to the above application for the variation of a Sexual Entertainment Licence in terms of the Civic Government (Scotland) Act 1982

The variation requested consists of,

1. Varying standard condition 12 so that it reads "A person who holds a licence granted under section 8 of the Private Security Act 2001 must be positioned at every entrance to the venue from 10pm (on Friday and Saturday nights only when the venue is open at that time) until whichever is the earlier: The time at which the venue next closes or such other time as the Committee may specify"
2. Varying standard condition 30 so that it reads "There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place in addition to any other member of security staff required by standard condition 12 above, at all times when the venue is open to the public"

With regards to the above variation, I make the following objection.

I am of the opinion that the variation should be refused on the grounds that it would be inconsistent with the licensing objectives of:

- preventing crime and disorder
- securing public safety
- preventing public nuisance

It has been discussed with the applicant that the intention of the variation is to allow only one member of security staff to be present during hours of Sexual Entertainment during operations, Sunday through Thursday. The applicant confirms that they intend for two members of security to be present during hours of Sexual Entertainment on Fridays and Saturdays.

Should this be granted, this would set a precedent for other Sexual Entertainment Venues within the city and would increase the risk of incidents towards performers employed at the venue, given the only staff would be positioned at the entrance. It is believed that the variation proposed also goes against the standard conditions imposed by the local authority.

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

Yours faithfully