

NOT PROTECTIVELY MARKED

28 July 2014

Your Ref:

Our Ref: AD/DCU/SID33098/9211/14

Mr Eric W J Anderson
Team Leader (Team Three)
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6
Level 1 South
Marischal College
Broad Street
ABERDEEN
AB10 1AB



Sir Stephen House QPM
Chief Constable

Aberdeen City Division
Queen Street
Aberdeen
AB10 1ZA

01224 306472

Aberdeen City
Licensing@scotland.pnn.police.uk

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
MURDO'S, CAIRNCRY ROAD, ABERDEEN, AB16 5DP**

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

The variation requested consists of the following:

1. The variation of the layout plan to show the position of a pool table.
2. The increase in size of the external area.
3. The capacity increased to 710 persons.
4. At question 6(b) of the Operating Plan, removing the wording "for the purpose of consuming a meal"
5. At question 6(d) of the Operating Plan, amending the wording to state, "At all times that the premises are open to the public."

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

In relation to points 1 and 3 above, I have no adverse comment to make.

In relation to points 2, 4 and 5, in terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005 and in support of the Protecting Children from

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

Harm licensing objective, the Chief Constable wishes to make the following representations.

In relation to point 2, the increased external area was the subject of four Occasional Licence applications which cover the period commencing 14 July 2014 to 7 September 2014. All four applications were granted subject to the following conditions:

1. Children and young persons allowed entry to the external area for the purpose of consuming a meal provided they are supervised by a person aged 18 years or older.
2. The external area must be visibly delineated with barriers, ropes or other structures to clearly define the licensed area and create a curtilage which will be easily identified to staff, patrons and the passing general public.
3. Customers are to be prevented from leaving the external area in possession of alcohol and clear signage must be displayed stating that "It is an offence to drink alcohol in public, as per the Aberdeen City Council (Drinking in Public Places) Byelaws 2009".
4. The use of the external area is to cease, and be clear of all patrons and any glassware by 22:00 hours.

The Chief Constable requests that if the variation is granted that the above conditions are imposed in respect of the increased external area.

In respect of point 4 the Chief Constable is of the opinion that the variation in it's current form should be modified and the wording within the Operating Plan at question 6(b) remains unchanged.

In respect of point 5 the Chief Constable is of the opinion that the variation in it's current form should be modified and the wording within the Operating Plan at question 6(b) remain, with the inclusion of a phrase indicting that children and young persons will be allowed on the premises at all times the premises are open to the public only when attending a private function and whilst accompanied by a person aged 18 years or over.

This representation is submitted for your consideration.

Yours faithfully

Murray Main
Chief Inspector

NOT PROTECTIVELY MARKED