

MEMO

Environmental Health and Trading Standards
Communities, Housing and Infrastructure
3rd Floor, Marischal College



To	Eric Anderson, Team Leader, Legal and Democratic Services		
From	Diane Sande, Licensing Standards Officer, Environmental Services		
Email	Commercial@aberdeencity.gov.uk	Date	14 October 2014
Tel.	Ext. 2541	Our Ref.	
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Licensing (Scotland) Act 2005

Application for a Variation to Provisional Premises Licence

Address: Café Andaluz, 269 – 271 Union Street, Aberdeen, AB11 6BR

Applicant: Café Andaluz Restaurants Limited, c/o Consilium Chartered Accountants, 169 West George Street, Glasgow, G2 2LB

I refer to the above variation application of a provisional premises licence and would like to make the following representation to the Licensing Board.

The variation consists of the following:

1. To amend on sales terminal hour to 1am each day
2. To add Seasonal variations
3. To add Restaurant Facilities
4. To delete Gaming and Indoor/Outdoor Sports
5. To permit children and young persons entry until the end of core hours
6. To reduce capacity to 218

With regard to points 2, 3, 4 and 6 I have no comments.

With regard to point 1, if this variation is granted, I would like to highlight to the Licensing Board that this would result in the premises operating for a 15 hour period Mondays to Thursdays inclusive. This would be inconsistent with the Licensing Board's Policy – Section 20.3 which states that

"20.3 In determining the hours of trading, the Board will give full consideration to the Scottish Government guidance under the Act and to the provisions of the Act itself. 21 each case will be dealt with according to its individual circumstances. The Board will deem up to a maximum of 14 hours continuous trading in any 24 hour period to be reasonable. This is in accordance with the aforementioned Government Guidance

which further states that any application for licensed hours for more than 14 hours should require further consideration to the effect of granting extra operating hours.”

With regard to point 5, if this application is granted, this would allow unaccompanied access by Children and Young Persons until 1am. My view would be that this may be inconsistent with the licensing objective Protecting Children from harm. Therefore my recommendation would be to limit unaccompanied access by children and young persons to 22:00 hours.

This representation is submitted for your consideration

[REDACTED]

Diane Sande
Licensing Standards Officer
