

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PROVISIONAL PREMISES LICENCE
PREMISES: CAFÉ ANDALUZ, 269-271 UNION STREET

DESCRIPTION

- Vary the terminal hour to 01:00 daily.
- Addition of off-sales.
- Vary the layout and operating plans to allow the provision of restaurant facilities.
- Remove gaming and indoor/outdoor sports from the operating plan.
- Allow children and young persons entry until the end of core hours (currently 22:00 hours).
- Add seasonal variations
- Reduce capacity

OBJECTIONS/REPRESENTATIONS

- Police
- LSO
- NHS Grampian

LICENSING POLICY STATEMENT

Hours of Trading – Paragraph 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.

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.

The Board will not normally grant hours beyond 00:00 hours outwith the city centre. The Board will not normally grant hours beyond 02:00 hours within the city centre on weekdays and 03:00 hours on Fridays and Saturdays. Function rooms, for private functions only, wherever located, will normally have a terminal hour of 01:00 hours. Any private functions taking place after 00:00 hours may only do so in purpose built function suites. Applicants wishing to trade before 10:00 hours and beyond 01:00 hours will have to show that they have taken account of all the factors at 20.10.

Protecting Children From Harm – Paragraph 28

28.1 - The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

28.2 - Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time as recognising that parents and other adults accompanying children also have responsibilities.

28.3 - Children may be adequately protected from harm by the action taken to protect adults but they may also need particular measures to be taken. When addressing the issue of Protecting Children from Harm the applicant must consider those factors which may particularly impact on children.

These include but are not exhaustive:

- the provision of entertainment or services of an adult or sexual nature are provided
- employment of members of staff who have convictions for serving alcohol to children, or convictions against children in premises where families are encouraged.

where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided there

28.4 - The following examples of control measures are given to assist applicants.

- effective and responsible premises management
- adoption of best practice guidance
- limitations on the hours when children may be present, in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirements for children to be accompanied by an adult
- acceptance of accredited proof of age cards with photographs, or passports
- measures to ensure children do not purchase, acquire or consume alcohol
- measures to ensure children are not exposed to incidences of violence or disorder
- Appropriate training and supervision of those employed to secure protection of children from harm.
- Imposition of reasons for children to be present and/ or accompanied by a responsible person adult who shall have responsibility for, and supervise such children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function or event.
- Enforcement of the mandatory Challenge 25 Policy.