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30 December 2014

Your Ref:

Our Ref: AD/DCU/37413/9211/14

Mr Eric W J Anderson
Team Leader (Team Three)
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
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ABERDEEN
AB10 1AB



Sir Stephen House QPM
Chief Constable

Aberdeen City Division
Queen Street
Aberdeen
AB10 1ZA

01224 306472

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THE STAGING POST, 18 OLDMELDRUM ROAD, BUCKSBURN, ABERDEEN,
AB21 9DU**

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

The variation requested consists of the following changes:

1. Change to the terminal hour for sale of alcohol on a Friday and Saturday from 0000 hours to 0100 hours.
2. Change the commencement of 'on sales' to 1100 hours on Sunday.
3. Change the commencement of 'off sales' to 1100 hours on Sunday.
4. Include an outdoor drinking area, as defined the plan which accompanies the application, for use both during and outwith core licensed hours.

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

In relation to points 2 and 3 above, I have no adverse comment to make.

In relation to point 1 above, and in terms of Section 22(1)(a) of the same Act, I make the following objection on behalf of the Chief Constable.

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The applicant currently holds a premises licence allowing the 'on sale' of alcohol between 1100 and 0000 hours Monday to Saturday and between 1230 and 0000 hours on Sunday.

Point 20.3 contained within the Aberdeen City Licensing Board Statement of Licensing Policy 2013 - 2016 states that the Board will not normally grant hours outwith the city centre beyond 0000 hours on Friday and Saturday, unless there are exceptional circumstances.

If the application is granted, this is likely to set a precedent which other premises, which have a terminal hour of 0000 hours, would be likely to follow.

Alcohol fuelled violence remains a problem within Aberdeen, and any extension to the on sales hours for this, or any other premises in Aberdeen, may exacerbate the problem, and it is for this reason, in terms of Section 22(1)(a) of the same Act, and in support of the Prevention of Crime and Disorder licensing objective, that the Chief Constable objects to the grant of this part of the variation request.

In relation to point 4 above, the applicant wishes to use the outdoor area both during and outwith core licensed hours, which will effectively allow it's use for persons consuming alcohol up to 0000 hours daily (and 0100 hours on Friday and Saturday if the request at point 1 above is granted).

The premises is situated within a built-up area, with one residential property within close proximity. In terms of in terms of Section 22(1)(b)(ii) of the Act, and in support of the Preventing Public Nuisance licensing objective, the Chief Constable requests that the application in its current form be modified and the terminal hour for the use of the outdoor drinking area be amended to 2200 hours daily.

This letter is submitted for your attention when considering this application.

Yours faithfully

Murray Main
Chief Inspector

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