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18 March 2015

Your Ref:

Our Ref: AD/DASU/SID39713/9211/15

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

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
NO 10 WINE BAR, 10 QUEENS TERRACE, ABERDEEN, AB10 1XL**

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 amendments to the operating plan, namely:

1. Extension of the premises into adjoining property at 9 Queens's Terrace, Aberdeen. The bar to remain in the same location and current seating area to be extended to provide additional seating for the serving of food. Current toilet facilities to be extended. Changes to the layout plan to show the reconfiguration of layout.
2. Amend the commencement of 'on' and 'off' sales hours on Sunday from 1230 to 1100 hours.
3. Amend the terminal 'on sales' hour from 0000 to 0100 hours on Friday and Saturday.
4. To operate according to seasonal demand for the Christmas and New Year extended hours as permitted.
5. The addition of the following activities to be provided in addition to the supply of alcohol - conference facilities, receptions, club or group

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meetings, live performances, theatre, films, gaming, indoor/outdoor sports and televised sports.

6. Children and young persons aged 0-17 years to be allowed entry to all public area of the premises, when accompanied by an adult, until 2000 hours for the purpose of consuming a meal or until 2200 hours when attending a function.

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

With regards to points 1, 2, 4, 5, I have no adverse comment to make.

With regards to points 3 and 6 above, in terms of Section 22(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable wishes to make the following representation.

The premises are situated outwith the city centre area, as defined in Appendix 3(a) of the Aberdeen City Licensing Board Statement of Licensing Policy 2013-2016.

The Police Service of Scotland understands that the premises are to operate as a bar/bistro and will retain the current bar area. We have been advised that meals will not be served beyond 2100 or 2130 hours.

In respect of point 3, having regard to Appendix 4 of said Policy, it is the view of the Police Service of Scotland that the facility offered by the premises is that of 'not-significant entertainment', albeit there is the additional facility of the service of food, and as such, is not entitled to enjoy a terminal hour of 0100 hours on Friday and Saturday, as is the current operating hours for such premises within the city centre, as defined.

The Chief Constable requests that the variation in it's current form be amended and the operating plan at Question 2 be modified and the terminal hour of 0000 hours on Friday and Saturday remain unchanged.

In respect of point 6, in terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, and in support of the Protecting Children from Harm licensing objective, the Chief Constable requests that the variation in its current form be amended and the operating plan be modified at part 6(b) so that the terms of children and young person's access is amended to state 'children and young persons will be allowed entry to the premises when accompanied by an adult when both the child or young person and the adult are partaking of a meal, or attending a function' and the wording a part 6(e) be amended to state that 'children and young persons will be allowed entry to the part of the premises in which food is served at a table and not in close proximity to the bar area'.

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

Yours faithfully

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Murray Main
Chief Inspector

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