

**NOT PROTECTIVELY MARKED**

9 June 2015

Your Ref:

Our  
Ref:AD/DCU/SID41861/9211/15

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**POLICE  
SCOTLAND**  
Keeping people safe

Sir Stephen House QPM  
Chief Constable

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Dear Sir

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
O'NEILL'S, GROUND FLOOR, 9-10 BACK WYND, ABERDEEN, AB10 1JP**

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 amendments to Question 6 (a) to (e) of the Operating Plan and layout plan to allow access by children and young persons (aged 0 -17 years) to all public parts of the premises, for the purpose of consuming a meal, provided they are supervised by a person aged 18 years or over, from the commencement of core 'on sales' hours until 2000 hours.

In terms of Section 22(1)(a) of the Act, the Chief Constable objects to the granting of the licence for the following reasons.

On Wednesday 3 June 2015, Sergeant Flett of the Divisional Co-ordination Unit, accompanied by a Licensing Standards Officer, visited the premises, the primary purpose of which was to consider whether the premises, or part thereof, may be suitable for children and young persons to be within.

It is the Police's observation that the premises are quite small with maximum capacity set at 131 and it has a very traditional 'public house' ambiance.

The premises management furnished information to the effect that at the end of office working hours, the premises enjoy custom by patrons who are drawn to the

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traditional pub feel of the premises and who participate more in what can be described as 'vertical' drinking.

There are a number of tables within the premises at which food is served, however it was the view of the Police Officer who visited the premises that only about four tables could be considered far enough removed from the bar as to be considered 'not in close proximity to the bar', and of these, two were high tables situated at either side of the door of the premises, and unsuitable for young children. One other table, whilst enjoying the furthest distance from the bar, is positioned upon a small stage or platform, and also would be a physical hazard for any young child.

In support of the Protecting Children from Harm licensing objective, the Chief Constable objects to the grant of the variation on the basis that, for the reasons stated above in relation to nature, character and layout of the premises, the premises are unsuitable for children.

The Chief Constable acknowledges that the Protecting Children from Harm licensing objective relates only to children, i.e. 0 - 15 year olds, however, with regard to young persons aged 16 and 17 years being within the premises under the terms of the application, the Chief Constable requests that the comments made in relation to the premises be borne in mind when considering the application.

Yours faithfully

Murray Main  
Chief Inspector

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