

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: R S McCOLL'S, PROVOST WATT DRIVE

DESCRIPTION

- Local Convenience Store
- Alcohol to be sold for consumption off the premises 10:00 to 22:00 hours daily
- Capacity 10 square metres
- The application was refused by the Board on 11 November 2014. The applicant appealed the decision in the Sheriff Court and the Sheriff remitted the application back to the Board to consider afresh

OBJECTIONS/REPRESENTATIONS

- Police
- LSO
- NHS Grampian (late)

LICENSING POLICY STATEMENT

Paragraph 6.5 – Conditions Attaching to Licences

The Board has devised a number of local conditions that may be attached to premises licences. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy. (all off-sales are however exempt from 4.2 relating to lip sync capability at entrance and exit doors)

The applicant has agreed to the imposition of the local condition in respect of CCTV.

Extract from paragraph 9.8 Overprovision Off Sales

OFF SALES:

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises. The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.