

Jacqui Wallace

From: Graham Cooper <[REDACTED]>
Sent: 17 November 2015 16:46
To: Jacqui Wallace
Cc: {F2722574}.LIVE@lcaberserver10.ledinghamchalmers.com
Subject: FW: John Codona's Pleasure Fairs Limited - Aberdeen Festive Village, Union Terrace, Aberdeen - Applications for Occasional Licences [IWOV-LIVE.FID2722574]

Jacqui

I understand that the special meeting of the Licensing Board to consider the bulk of the Applications for the Occasional Licences will be held on 24th November, 2015 at 9.00 am. I can confirm that my clients will be present at that meeting along with myself.

The bulk of the Applications for Occasional Licences will be considered at the meeting, namely, all Applications with the exception of the Applications for Bar 1 and Bar 2 respectively, between the hours of 2200 hours on Hogmanay and 0200 on New Year's Day.

The Applications for the 2 Marquees which have been submitted on an on-sales basis and which have been notified to the various consultees can be considered for all hours including between 2200 hours on Hogmanay and 0200 on New Year's Day.

The Applications to be considered are as follows:-

- 1) Application for Entertainment and Covered Family Eating Marquee shown on the plan which accompanies the Applications.
- 2) Application for Ice Rink Viewing Marquee, the location of which is shown on the plan attached to the Applications.
- 3) Application in respect of Bar 1, the location of which is shown on the plan accompanying the Applications.
- 4) Application for Bar 2, the location of which is shown on the plan accompanying the Applications.

In line with Police Observations our clients have proposed that Bar 2 is located from beside the fun rides to a position on the slip road leading from H M Theatre into Union Terrace. The remainder of this e-mail will assume that this proposal made by our clients is acceptable and if so, that would also mean that all Applications for Occasional Licences in respect of the Ice Rink Viewing Marquee can be withdrawn. On this basis the drinks sold from Bar 2 can be utilised by the following categories:-

- People drinking at the Bar
- People wishing to take drinks into the Ice Rink Viewing Marquee
- People taking drinks on an off-sales basis along Union Terrace but not outwith Union Terrace.

I now deal with each of the Applications as follows:-

- 1) Entertainment and Family Eating Marquee – These Applications will be considered on the basis that they were submitted. They will be considered on an on-sales basis between 1200 hours and 2200 hours daily and from between 2200 hours on Hogmanay and 0200 hours on New Year's Day.

The drinks which are applied for in respect of this Marquee comprise mulled wine and cider, beers, cider, wine and mainline spirits.

- 2) Bar 1 – This Bar comprises both an on and off-sale element to the Application. There will be an on-sales area around the Bar of 2.5 metres in order to allow customers who wish to enjoy their drink beside the Bar to do so.

Other than that there will be an off-sales element to the Application covering the whole of Union Terrace but customers will not be permitted to take their drinks off that street. In addition there will be no objections to customers purchasing drinks in plastic cups on an off-sales basis.

- 3) Bar 2 – Bar 2 will operate in a similar manner to Bar 1 with an area of 2.5 metres around the Bar dealing with the sale of alcohol on an on-sales basis. There will also be an off-sale element to it but again that off-sale element will be restricted to consuming drinks within Union Terrace.
- 4) Further applications in respect of Bars 1 and 2 covering the period between 2200 hours on Hogmanay and 0200 hours on New Year's Day have been submitted. As it is not possible to have an Off-sales Licence granted beyond 2200 hours, the further Applications will be in respect of On-sales Licences and reference to these Applications are made. These Applications in respect of Hogmanay were made of course at your suggestion and I understand that they are to be considered at the Licensing Board Meeting of 8th December.

The Premises in respect of Bar 1 under this application will extend to the bar and the whole of Union Terrace under exception of the areas licensed under the Marquee and Bar 2.

The Premises in respect of Bar 2 will be the structure comprising the Bar itself and on an area extending to 2.5 metres around the Bar.

Various observations have been received from consultees in respect of the Applications and they can be summarised as follows:-

- 1) Licensing Standards Officer:-
 - (a) Marquee - The observations raised by the Licensing Standards Officer are acceptable. In particular children and young persons should be accompanied by an adult at all times. Children and young persons will also not be permitted to approach the Bar counter located within the Marquee.

Notices detailing these conditions will also be displayed at the entrance to the Marquee.
 - (b) Bar 1 and Bar 2 – The Licensing Standards Officer had no observations to make in relation to these Applications.
- 2) NHS Grampian - NHS Grampian objected to the sale of any alcohol at this event.

Although our clients take on board the comments made by NHS Grampian, they nevertheless believe that these comments do not recognise what is being provided for the general public as part of the Festive Village and our clients believe they have not taken into account the fact that our clients are seeking to replicate what is on offer at other Festive Villages.

Essentially, NHS Grampian are indicating that the sale of alcohol at this event sends the wrong message to children and they also state that if cultural attitudes to alcohol are to be changed, alcohol should stop being regarded as being normal in many aspects of life.

Our clients take the view that the message which is being portrayed by NHS Grampian is important but is nevertheless out of context when it applies to the Festive Village.

Our clients will be organising and running a very responsible source of entertainment for the good and benefit of the wider community and it is expected that there will be a demand for alcoholic drinks, be that mulled wine, beer or the like. In order to ensure that this event is run responsibly and there is no abuse of alcohol, stewarding will be in place to ensure there is no abuse of alcohol and our clients will also ensure that the Licensing Objectives are followed. The Challenge 25 Policy will also be put in place and there will be trained staff and Personal Licence Holders on duty at all times the outlets for the sale of alcoholic products are open.

Only plastic cups and glasses will be available and this again complies with our clients' view that this event has to be run responsibly.

3) Police Scotland

(a) Entertainment and Family Eating Marquee

First of all our clients are pleased to note that Police Scotland are supportive of the concept of the event as a whole.

However, they do not agree with the suggestion that the sale of alcohol should be restricted to mulled alcohol products.

Our clients would wish to retain the ability to sell the alcoholic drinks referred to in the Applications relating to the Entertainment Marquee. Our clients believe that they can do this responsibly whilst at the same time complying with the Licensing Objectives.

(b) Letter in respect of Walk Up Bar 1

Police Scotland have again recommended that the sale of alcohol be restricted to mulled products. For the reasons given above our clients would wish to take issue with this and retain the ability to sell the types of drinks referred to in the Applications which comprise mulled wine and cider, beer, cider and wine.

(c) Walk Up Bar 2

Our clients have taken on board Police Scotland's concern at the proximity of this Bar to some of the rides. As indicated above our clients are proposing that the location of this Bar be relocated to a position away from the fair on the slip road leading from H M Theatre on to Union Terrace.

Again, our clients would wish to retain the ability to sell the alcoholic products referred to in the Applications.

It is important to emphasise that all drinks will be sold in plastic cups and glasses and there is no question of glass containers or bottles being sold.

Key points in regard to our clients' overall philosophy in regard to running this event are as follows:-

- Stewarding will be in place at all times Bars are open.
- Trained Bar staff will operate the various Bars.
- Our clients will operate the Challenge 25 Policy.
- Only plastic cups and glasses will be used.

- There will be at least 1 Personal Licence Holder on duty at all times the Bars are open.

Please also bear in mind that our clients' Policy in respect of these applications was forwarded to you along our letter of 20th October, 2015.

I hope that this summarises the position regarding these Applications and if you have any queries please revert to me. Otherwise, I look forward to attending the Board Meeting at 9.00 am on 24th November. We will also be attending the Special Licensing Committee Meeting to be held that day at 10.30 am.

Regards
Graham

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