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13 November 2015

Your Ref:

Our Ref: AD/DASU/SID46176/9898/15

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Team Leader (Team Three)  
Legal and Democratic Services  
Corporate Governance  
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Level 1 South  
Marischal College  
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ABERDEEN  
AB10 1AB



Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

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Dear Sir

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE PRIORY, 27 BELMONT STREET, ABERDEEN, AB10 1JS**

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 amending the premises' core hours to 2100 hours until 0300 hours Sunday to Thursday inclusive, and 2100 hours until 0400 hours on Friday and Saturday.

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

In terms of Section 22(1)(a) of the same Act, and in support of the Preventing Crime and Disorder and the Preventing Public Nuisance licensing objectives, I make the following objection on behalf of the Chief Constable regarding the application.

Currently the premises operates with core on-sales hours of 1400 hours to 0200 hours, Sunday to Thursday inclusive, and 1500 hours until 0300 hours on Friday and Saturday. It is also noted that the applicant premises are situated within the Belmont Street Locality, which is an area of overprovision, as defined within the Aberdeen City Licensing Board Statement of Licensing Policy November 2013 - November 2016.

Aberdeen City Licensing Board Statement of Licensing Policy states at point 20.3, "The Board will not normally grant hours beyond 02:00 hours within the

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city centre on weekdays and 03:00 hours on Fridays and Saturdays". At point 20.4, the policy continues, stating, "The Board further considers that it would be extremely difficult for any applicant to justify the sale of alcohol prior to 10:00 hours and after 03:00 hours unless there are exceptional circumstances... The Board considers therefore that there should be a presumption against the supply of alcohol and the granting therefore of any extended hours after 0300".

The application form submitted by the applicant details no rationale whatsoever for the proposed variation to trading hours, and demonstrates no exceptional circumstances in relation to the application.

The Chief Constable notes that implicit in the application is a reduction in the overall number of trading hours; however notwithstanding this reduction, the premises seeks to trade out-with the recognised trading hours for this type of premises in Aberdeen City Centre. Were the Board to grant this application, it would set a precedent for other similar premises to seek similar variations to their own trading hours.

Currently within Aberdeen City Centre, late opening premises, including the applicant premises, close at 0300 hours on Friday and Saturday, except when a General Extension of one hour is granted by the Board by virtue of Section 67 of the Licensing (Scotland) Act 2005; or an extended hours application to cater for a special occasion or an event of local or national significance is applied for and granted.

A number of establishments continue to offer food until 0400 hours under the terms of the Civic Government (Scotland) Act 1982. This status quo allows for patrons to egress licensed premises, purchase food should they desire, and make their way out of the city centre via late night buses, taxis or on foot. Key to the transition from night-time economy to daytime economy, this allows the city centre to "reset" itself for the new day.

If granted, given that the applicant premises has a capacity of 943, this could conceivably result in nearly a thousand patrons seeking the facilities of food outlets and transport after 0400 hours on Saturday and Sunday mornings, and 0300 hours all other days of the week. This is an hour later than all other similar licensed premises, and an hour after the main dispersal from the city centre has begun. Should this application be granted, and other premises follow suit, having seen a precedent set, the established end time to the night-time economy will be materially altered.

Police Scotland regularly deploys in excess of 30 additional officers on Fridays and Saturday nights to police the City Centre and wider night time economy. Generally the Police patrols cease around 0400 hours when the streets are quieter. Any change to the operating hours for the applicant, or any similar premises, to beyond this time would impact upon the deployment of Police resources which will in turn have logistical and financial implications.

Similar demands are placed on various partners, including the Scottish Ambulance Service, Street Pastors who volunteer their services on Fridays and Saturdays in support of revellers having a safe and enjoyable city centre

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experience, Taxi Marshalls, who typically work until 0400 hours at weekends and late night bus services, whose final bus leaves before the proposed 0400 hours terminal hour.

The lack of public transport and facilities after 0400 hours increases the risk to a significant number of patrons who are vulnerable through intoxication of becoming either a perpetrator or victim of crime, or victim of misadventure either of their own making, or of others.

Alcohol fuelled violence and disorder continues to be a problem in Aberdeen city centre, particularly in the late evening and the early hours and is, on almost every occasion, directly associated with persons who are under the influence of alcohol and who have come from licensed premises. Key to this application is the fact that despite it being a comparatively small area of the city centre, Belmont Street has the second highest incidences of antisocial behaviour, violence and disorder within Aberdeen City Centre after Union Street.

The Chief Constable recommends that the grant of the licence be refused in terms of Section 23(5)(c) of the Licensing Act (Scotland) Act 2005 as if granted, for the reasons stated above, it will be inconsistent with the licensing objectives of Preventing Crime and Disorder and Preventing Public Nuisance.

This objection is submitted for your attention in considering this application.

Yours faithfully

Jackie Craig  
T/Chief Inspector

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