

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: SALTOUN ARMS, 69 FREDERICK STREET

DESCRIPTION

- Vary the commencement hour on Friday and Saturday from 11:00 to 10:00 hours
- Amend the terminal hour on Sunday to Thursday from 23:00 to 00:00 hours.

OBJECTIONS/REPRESENTATIONS

- 3 neighbours

LICENSING POLICY STATEMENT

20 HOURS OF TRADING – GENERAL & EXTENDED

General

20.9 Applicants will be expected to give due consideration to the impact their patrons may have after leaving their premises, taking into account the likely exits of patrons from the nearby licensed establishments

The following issues should be considered **in relation to the promotion of the licensing objectives:**

- the effect of the grant of a licence before 10:00 hours or after 01:00 hours
- the proposed hours when any music, including incidental music and karaoke, will be played
- the hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises
- whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night
- the capacity of the premises
- the type of use, recognising that premises which sell alcohol, play music, provide late night refreshment or takeaway food, are more likely to be associated with for example crime and disorder and public nuisance than premises where the consumption of alcohol is not the main activity.
- the hours at which noise may occur and the disturbance of nearby residents' rest, relaxation and sleep.

20.10 The Board believes that there may be merit in promoting the licensing objectives whereby applicants give consideration to the principle of winding down periods at the end of the night. By gradually increasing the lighting and winding down entertainment such as loud music before ending the sale of alcohol and the end of trading hours, thereby creating a calmer ambience, patrons leaving the premises may be inclined to behave less boisterously after they have left the premises. In addition patrons may be inclined to leave the premises in small groups on a gradual basis rather than all at once.

26 LICENSING OBJECTIVE - PREVENTING PUBLIC NUISANCE

26.1 The Board believes that licensed premises have the potential to have a significant adverse impact on communities. It wishes to maintain and protect the amenity of occupiers of other businesses and residents from the potential consequence of the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.

26.2 The Board will interpret public nuisance in its widest sense and will take it to include such issues as noise, light, odour, litter and anti-social behaviour. In particular the Board will consider that flyposting is both a public nuisance (litter) and anti-social behaviour in terms of its impact on the community.

26.3 Applicants should be aware that the Board may apply stricter conditions, including restrictions on licensed hours, where the activities may impact on residents or other business premises and where relevant representations have been received.

26.4 The Board believes that the impact of licensed premises on a neighbourhood is significantly influenced by the times when those premises are open. The Board may restrict hours of opening when considering a premises licence application, if it considers this to be appropriate. The Board will consider each case on its merits.

26.5 Applicants will be expected to consider the following

- when addressing the prevention of public nuisance:- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes, schools, nurseries and places of worship
- the licensed hours, especially late at night
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- the design and layout of premises and in particular the presence of noise limiting features and a functioning CCTV system (to a prescribed standard), which complies with relevant legislative requirements
- the occupancy capacity of the premises
- the availability of public transport
- the wind down period
- the last admission time
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26.6 The following examples of control measures are given to assist applicants.

- effective and responsible management of premises
- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, for instance to ensure that customers leave quietly
- control of operating hours for all or parts of the premises, for instance garden areas
- adoption of best practice guidance
- installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices and other mitigation measures
- management of people, including staff, vehicular traffic, queues, and patrons arriving and leaving premises
- liaison with public transport providers

- siting of external lighting, including security lighting and installation of an effective CCTV system (to a prescribed standard) which complies with relevant legislative requirements
- management arrangements for collection and disposal of waste and empty bottles
- effective ventilation systems to prevent nuisance from odour.