

# LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** UNIT 1, THE ACADEMY, BELMONT STREET

## DESCRIPTION

- Extensive refurbishment of premises, extending into adjacent units on either side of the existing premises with a proposed increase in capacity from 134 persons to 550 (internal) and 110 (external)
- Vary the terminal hour to 00:00 hours Sunday to Wednesday and to 01:00 hours Friday and Saturday
- Add bar meals, receptions, club meetings etc. both during and outwith core hours
- Provide facilities for live performances and dance both during and outwith core hours
- The premises will open prior to core licensed hours for the provision of breakfasts, teas, coffees etc.
- Change the terms of access for children and young persons so that they will require to be accompanied by a responsible adult and must leave the premises at 20:00 hours.

## OBJECTIONS/REPRESENTATIONS

- NHS Grampian
- City Centre Community Council
- Environmental Health (late)

## LICENSING POLICY STATEMENT

### 9 OVERPROVISION

9.1 In terms of section 7 of the Act, the Board is under a duty to include in this policy a statement (overprovision statement) of the extent to which it considers there to be overprovision of licensed premises, or overprovision of licensed premises of a particular description, in any locality within the Board's area.

9.2 In order to identify those localities the Board consulted:

- the Chief Constable of Police Scotland
- the Local Licensing Forum
- the relevant Health Board
- persons who appear to the Board to be representative of the interests of holders of premises licences in respect of premises within the locality and
- other persons as the Board thinks fit.

### 9.3 ON SALES:

Police Scotland identified two localities in the city of Aberdeen in which they consider there to be overprovision of liquor licensed premises and these localities are as follows:

a) **the Belmont Street, Locality** which is that area of Belmont Street bordered by Union Street, Back Wynd and Schoolhill. It includes Belmont Street , Union Street (north side) , Back Wynd, Little Belmont Street , Gaelic Lane (both sides) and the south side of Schoolhill between Belmont Street and Back Wynd ....

9.4 The principal evidence that the police used in adopting this view related to the crime statistics for these localities. The views of the Police are supported by NHS Grampian, and the Local Licensing Forum.

9.5 The Board, having regard to the number and capacity of liquor licensed premises in both these localities and, with the supporting evidence provided by consultees, adopted these two localities as having an overprovision of liquor licensed premises for on sales in respect of entertainment, public houses and so called hybrid premises types.

9.6 This overprovision statement does not apply to other types of premises including premises in respect of which an occasional licence in terms of section 56 Act has effect or to members' clubs as defined in paragraph 2 of The Licensing (Clubs) (Scotland) Regulations 2007.

9.7 The effect of the identification and adoption by the Board of the two named localities is that ***there is a presumption against the grant of a premises licence*** in both these areas in respect of public house and entertainment type premises including the so-called "hybrid" type premises. However, the Board will consider each case on its merits and the presumption may be overturned on cause shown.

## **27 LICENSING OBJECTIVE – PROTECTING AND IMPROVING PUBLIC HEALTH**

27.1 The Board supports the Health and Wellbeing Outcome in the Community Planning Aberdeen Single Outcome Agreement 2013 that people in Aberdeen who consume alcohol drink responsibly and within sensible drinking guidelines and negative outcomes are reduced. The Board will have particular regard to the views of the relevant bodies responsible for, and interested in, the protection and improvement of public health in Aberdeen. It will take advice from those relevant bodies represented on Aberdeen City Licensing Forum.

27.2 Applicants will be expected to consider measures designed to protect public health such as making available information with regard to sensible drinking, the effects of excessive alcohol consumption and contact points where assistance is required with problem drinking.

27.3 The Board will expect door supervisors to be particularly vigilant about numbers entering the premises, denying entry to those who are drunk or disorderly on arrival, and ensuring an adequate supervision of the premises at all times.

27.4 The Health Board states that increased access and availability to alcohol through increased numbers of premises and/or opening hours or decreased pricing is linked to increased consumption, which in turn potentially leads to increased harm. Even small reductions in the availability of alcohol can contribute to health gain and reduce violence and harm to the population generally, as well as to the drinker themselves. Alcohol availability is affected by outlet density, outlet distance, opening hours and price. The Board acknowledges this statement and recognises that the Health Board is in the best position to advise on the detrimental effects of alcohol on health. A major concern about excessive alcohol consumption is its impact on health. There is ignorance of the advisable daily and weekly units of alcohol which may be consumed. There is also ignorance of the number of units in commonly consumed drinks. The Board considers that greater awareness of this issue would be achieved by a more overt display of information. It wishes to impress upon licence holders the importance of this issue and will expect prominent informative signage to be displayed in appropriate places within the premises. If necessary, and as the result of a relevant representation, such a requirement may be imposed by way of a condition on a premises licence.

27.5 The measures identified by an applicant may depend on the individual characteristics of the premises. The Board will be receptive to conditions which are proposed by individual applicants in respect of the promotion of this licensing objective. This might include the use of drink mats with sensible drinking messages and the use of posters on areas of circulation and in the toilet areas.

27.6 The Board is very aware of the risk of harm to children's health and this will be of paramount consideration when determining applications. Children may be adequately protected from harm by the action taken to protect adults but they also may need special consideration. It is recognised that no policy can anticipate every situation but applicants will be expected to consider measures designed to protect children's health while in or around their premises.

27.7 Licence holders and their staff must remain vigilant at all times to the risks of excessive consumption of alcohol. There should be established practice within the premises to ensure that a standard approach is taken where patrons' demeanour demonstrates an excessive consumption of alcohol. There should also be a clear understanding of the offences committed in connection with the service of alcohol to children or drunk persons.

27.8 In terms of Schedule 3 of the Act applicants must provide a wide selection of reasonably priced non alcoholic beverages during the whole period the premises are open (including free potable tap water). Applicants are encouraged to provide food on the premises, so that, if they wish, patrons may eat at the same time as consuming alcohol. It is also good practice that licensees ensure that 125 ml glasses for wine are made available as a "harm reduction initiative".