

22 December 2016

Your Ref:

Our Ref: 192415

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



**POLICE**  
**SCOTLAND**  
Keeping people safe

Philip Gormley QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005**  
**APPLICATION FOR THE VARIATION OF A PREMISES LICENCE**  
**HANDMADE BURGER COMPANY, UNION SQUARE, UNIT FS 16, GUILD**  
**STREET, ABERDEEN, AB11 5RG**  
**THE SARGEANT PARTNERSHIP, 18 VICTORIA STREET, VICTORIA WORKS,**  
**BIRMINGHAM, B1 3PE**

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 commencement of 'on sales' hours on Sunday from 1130 to 1100 hours and making amendments to the Operating Plan to include 'off sales' as part of a takeaway service.

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

In relation to the first element of this variation, I have no adverse comment to make. In relation to the latter elements regarding the takeaway service, in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

From contact with the applicant's agent, it is understood that a small selection of alcohol will be available as part to a home delivery service. It is further understood that the delivery company whom the applicant has engaged to deliver such orders has advised the applicant that their delivery staff have received basic training regarding the delivery of alcohol and that the delivery company operates a 'Challenge 25' policy.

In terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, the Chief Constable is of the opinion that the variation in its current form should be modified to indicate that alcohol will only be sold as part of a delivery service when it is ordered in conjunction with a food order.

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

Yours faithfully

Philip Gormley QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 304152.