

Date 28th February 2017
Enquiries to 01224 557047
Our Ref 2017008
Email: grampian.phalcohollicensing@nhs.net

Ms Arlene Dunbar
Acting Team Lead
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms Dunbar

**Licensing (Scotland) Act 2005 – Application for a Variation of Premises Licence
McGinty’s Meat and Ale, 504 Union Street, Aberdeen, AB10 1TT**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following representation under the licensing objective:

Protecting and Improving Public Health.

The applicant seeks to:

- Amend the on sale hours on Fridays and Saturdays from 11:00 - 01:00 to 12:00 noon - 02:00
- Amend the commencement of off sales core hours on Fridays and Saturdays from 11:00 to 12:00
- Add live performances, and dance facilities during core hours.
- Reduce on sales capacity from 422 to 400

The Aberdeen City Licensing Board Statement of Licensing Policy, 2013-2016 states at Section 20.7, paragraph 4:

“Premises in the City that provide significant entertainment (to the satisfaction of the Board) may apply and be granted later hours..” “The Board regards significant entertainment to be entertainment which is of such a nature to be the principal attraction for patrons to attend the premises and where alcohol is served to patrons only as an ancillary accompaniment to their attendance and/or participation in the entertainment provided. The Board considers in these cases that the entertainment is the principal

reason for patrons attending the licensed premises and that the consumption of alcohol would therefore be ancillary to such entertainment.”

I am not aware that this application has identified sufficient activity that would indicate “significant entertainment”. In order to address the significant entertainment issue I would suggest that the following conditions are considered for this application:

1. That the dance floor is cleared of tables and chairs and is available for use from 21:00
2. That the significant entertainment must consist of live performances or at least a live DJ

The Licensing Board may also wish to give consideration to further conditions regarding Door Supervisors or Radiolink as I am not aware of the conditions that may already apply to the premises.

I would request that the application for an extension to the terminal hour of these premises is only granted if the Licensing Board has satisfied themselves that significant entertainment is being provided.

In terms of Section 22(1) (a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian submits this representation to the application requesting that the Licensing Board consider the points raised above to ensure consistency with the licensing objective of Protecting and improving Public Health.

Yours sincerely

Dr Tara Shivaji
Consultant in Public Health

pp Heather Wilson
Health Improvement Officer (Alcohol & Drug