

28 February 2017

Your Ref:

Our Ref:

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



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  
SOUL BAR, 333 UNION STREET, ABERDEEN, AB11 6BS**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of amending the core on sales hours from 1100 to 0000 hours on Monday to Thursday; 1100 to 0100 hours on Friday and Saturday and 1230 to 0000 hours on Sunday to 1100 to 0100 hours Sunday to Thursday and 1100 to 0200 hours on Friday and Saturday.

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

If granted, the terminal hour for the premises on a Friday and Saturday would be outwith the guidelines contained within the Licensing Board's Statement of Licensing Policy 2013 - 2016 for premises offering 'not significant entertainment' and would result in the premises trading for a continuous period of 15 hours. The operating plan in its current form also indicates that that the premises seek to enjoy the additional hours of trading granted by virtue of the general direction under Section 67 of the Act, however, if granted, these premises, in accordance with 20.6 of the Board's policy, would no longer be so entitled.

In respect of the operating plan which accompanies the application, insufficient detail has been appended to Question 5(g) to establish whether the premises, should the variation be granted, will fall within the description of premises contained at Section 3 of The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007, to which mandatory conditions must be attached.

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

Alcohol fuelled violence and disorder continues to be a problem in Aberdeen city centre, particularly in the late evening and the early hours.

Enclosed with this letter is an Anti-Social Behaviour Report prepared by an analyst within the Community Safety Partnership, which focusses on crimes of disorder and violence. The data contained within clearly demonstrates that the longer and later licensed premises operate, the higher the incidence of crimes of violence and disorder. Most notable is the high incidence of serious assaults which occur not just within licensed premises, but in public spaces during the first hour after the later opening licensed premises have closed.

The key contributory factor in almost every recorded crime of violence during the weekend night time economy hours is the consumption of alcohol, which, in relation to the offences that have occurred within the city centre, will have been consumed, by those involved, on licensed premises.

In April 2013, the Scottish Community Safety Network published a report, in conjunction with several supporting documents, entitled 'Measuring Preventative Spend - A Cost Toolkit for Community Safety'. Although dated April 2013, the Community Safety Partnership considers this document to still be accurate and relevant. On that date, the estimated average cost of a minor assault was £6,700 and £24,719 for a serious assault.

In terms of Section 22(1)(a) of the same Act, and in support of the Preventing Crime and Disorder and Preventing Public Nuisance licensing objectives, for the reasons provided, I object to the grant of the variation.

In the event the applicant premises are not considered premises to which the aforementioned mandatory conditions must be attached and in the event the Licensing Board is minded to grant the later terminal hour, in terms of Section 22(1)(b)(ii) and (iii) of the same Act and in support of the Preventing Crime and Disorder licensing objective, I recommend that the variation be granted subject to the conditions specified at 6.5 of Aberdeen City Licensing Board's Statement of Licensing Policy 2013 - 2016, specifically in respect of CCTV (in addition to the Door Supervisors and Radio Link conditions currently in place).

This letter is submitted for your attention when considering this application.

Yours faithfully

Philip Gormley QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468