

31 May 2017

Your Ref:

Our Ref: 232577

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
JAMJAR/HUSH, UNIT 6 & 10 THE GALLERIA, LANGSTANE PLACE,
ABERDEEN, AB11 6FB**

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 a change of the 'on sales' terminal hour on Friday and Saturday from 0100 to 0200.

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

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

Currently, the premises operating hours with are consistent with the guideline operating hours for premises offering 'not significant entertainment' as detailed within Appendix 4 of Aberdeen City Licensing Board Statement of Licensing Policy 2013-2016. Meanwhile, the Operating Plan pertaining to the premises has indicated that the activity of 'live performances' may take place during the core hours. 'Live performances' is not further described in said Plan.

Following contact with the Premises Manager, it is understood that the additional hour on Friday and Saturday is sought for the purpose of allowing patrons to enjoy an extra hour of DJ entertainment and to allow patrons to dance in an area within the larger part of the premises (Unit 10). There is currently a local condition

attached to the licence that the licence holder shall not provide DJ and live performances in Unit 6.

The Operating Plan which accompanies the application does not indicate any change in the activities that may take place. The Plan also indicates that there are no dance facilities.

In March 2017, in connection with very similar applications for other licensed premises within the city centre, Police Scotland objected to such applications in support of the Preventing Crime and Disorder licensing objective and in doing so, provided ample, detailed evidence that demonstrated that the longer and later licensed premises are open, the higher the likelihood of crimes of anti-social behaviour, violence and disorder occurring, particularly the commission of crimes of serious assault.

Police Scotland reserves this position, however, acknowledges that Aberdeen City Licensing Board are entitled to grant such variations if satisfied that premises are offering 'significant entertainment' as defined within said Policy.

To that end, in terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, I make representation that the variation is granted subject to condition that pre booked, significant entertainment, to the satisfaction of the Licensing Board, is to take place during some part of the additional hours sought, that is between 0100 and 0200 on Friday and Saturday.

Additionally, in the event the applicant premises are not considered premises to which the Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007 applies, 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. Conditions in respect of Door Supervisors and Radiolink are already attached to the premises licence.

This representation 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