

26 July 2017

Your Ref:

Our Ref: 248363

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  
REVOLUTION, 25 BELMONT STREET, ABERDEEN, AB10 1JS**

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 1200 - 0100 hours on Friday and Saturday to 1200 - 0200 hours on Friday and Saturday; the inclusion of the provision of dance facilities during core hours and amending the layout plan to reflect such an inclusion.

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 the 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. The Operating Plan which accompanies the application, other than the inclusion of the provision of 'Dance facilities' does not indicate any change in the activities that may take place.

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 live music, in particular, live percussion bands, and an area has been identified to allow for patrons dancing.

The section of the Operating Plan which relates to premises which open after 0100 has been completed with the responses 'N/A'.

In late 2016 and early 2017, in connection with very similar applications for other licensed premises within Aberdeen city centre, Police Scotland objected to such applications in support of the Preventing Crime and Disorder licensing objective. In doing so, detailed evidence was provided 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 serious assaults.

Police Scotland reserves this position and is not supportive in principle to the extension of licensed hours, however, acknowledges that Aberdeen City Licensing Board are entitled to grant such variations if satisfied that premises are offering 'significant entertainment' as is currently 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, if granted, the variation is subject to condition that 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 is granted and the premises are not considered premises to which the Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007 applies, I request it be subject to the conditions specified at 6.5 of the aforementioned Policy, specifically in respect of CCTV, Door Supervisors and Radiolink .

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