

12 April 2018

Your Ref:

Our Ref: 315072

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



Iain Livingstone QPM
Deputy Chief Constable Designate

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
SLAINS CASTLE, BELMONT STREET, ABERDEEN, AB10 1JE**

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 the following:

1. Amend the core 'on sales' hours on Thursday from 1100 - 0000 hours to 1100 - 0200 hours; on Friday and Saturday from 1100 - 0100 hours to 1100 - 0200 hours and on Sunday from 1230 - 0000 to 1100 - 0200 hours;
2. Amend the commencement of 'off sales' on Sunday from 1230 to 1100;
3. Amend Q5 to include the provision of films and dance facilities during core hours;
4. Amend the layout plan to include the provision of dance facilities.

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

In respect of points 2, 3 and 4 I have no adverse comment to make.

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

The requested increase in the terminal hour on Thursday to Sunday inclusive will result in 15 hours continuous trading which exceeds the guideline operating hours of a maximum of 14 hours continuous trading in any 24 hour period, as contained within 20.3 of Aberdeen City Licensing Board's Statement of Licensing Policy

2013 - 2016. The Operating Plan, at question 4, indicates that the premises would wish to take advantage of the general extensions granted by the Board. If the hours sought are granted, in terms of 20.6 of the current Policy, the premises would not be permitted to enjoy such general extensions.

The premises is situated with the Belmont Street locality which is an area of overprovision of entertainment, public house and hybrid 'on sales' licensed premises within the current Policy.

It is understood that the terminal hour of 0200 is sought for the purpose of allowing patrons to enjoy an element of entertainment within the premises and this, it is understood, will normally take the form of a DJ and dance facility.

Should the Board be satisfied that the applicant premises are offering 'significant entertainment' as defined within Appendix 4 of said Policy and in the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007, Section 3(2) applies, I request this element of application be granted subject to the conditions specified at 6.5 of the aforementioned Policy, specifically in respect of CCTV, Door Supervisors and Radiolink and 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 0000 and 0200 on Sunday and Thursday and 0100 to 0200 on Friday and Saturday.

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

Yours faithfully

Iain Livingstone QPM
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01224 306468.