

22 June 2018

Your Ref:

Our Ref: 330452

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
VOVEM (FORMERLY FILLING STATION), 254A UNION STREET, ABERDEEN,
AB10 1TP**

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. Amending the layout plan to include a bar area within the existing basement of the premises which will be accessed from within the ground floor of the premises and directly from Union Street. This will include increasing amending the capacity of the premises;
2. Amending core licensed hours in respect of both floors of the premises;
3. Amending Children and Young Persons access.

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

Following discussion with a representative of the applicant company, it is understood that the ground floor part of the premises will operate as a restaurant and the basement floor as a themed bar.

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

In relation to point 1, I have no adverse comment to make.

In relation to point 2, I have no adverse comment to make in relation to the hours sought in respect of the ground floor part of the premises.

The applicant seeks core licensed hours for the basement floor as follows: 1900 - 0100 hours on Monday to Wednesday inclusive; 1900 - 0200 hours on Thursday and Sunday; 1900 - 0300 hours on Friday and Saturday and a commencement of core hours at 1300 hours for any private function.

I recommend that the hours sought after 0000 on Sunday to Thursday inclusive and after 0100 on Friday and Saturday are only granted if the Board is satisfied that the premises are offering 'significant entertainment' as defined within Appendix 4 of Aberdeen City Licensing Board's Statement of Licensing Policy 2013 - 2016.

Additionally, it would appear that the premises are not premises to which Section 3 of the Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007 will apply.

In support of the Preventing Crime and Disorder and Securing Public Safety licensing objectives, I therefore recommend the Licensing Board considers imposing the conditions contained within 6.5.1 and 6.5.3 of Aberdeen City Licensing Board's Statement of Licensing Policy 2013 - 2016 in respect of the basement part of the premises at any time it trades after 0100 hours.

In relation to point 3, I recommend that variation in its current form should be modified to reflect that in respect of the basement part of the premises, children (albeit accompanied by an adult and present only for a private function) will not be permitted access after 0100 hours.

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