

21 December 2018

Your Ref:

Our Ref: 376759

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

Iain Livingstone 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
THE RAJ SPICE, BURNSIDE DRIVE, DYCE, ABERDEEN, AB21 0HW**

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 requests, namely;

1. Amend the core on-sales hours on Friday and Saturday from 1100-0000 to 1100-0100 hours;
2. Amend Q4 to permit seasonal variations contained within the Board policy;
3. Amend Q5 to include the provision of Dance facilities, Theatre and Film during core hours and the provision of Televised Sport and Outdoor Drinking during and outwith core hours;
4. Amend the wording within Q5 which describes the activities taking place;
5. Amend the times in which Children and Young Persons are permitted access;
6. Amend the layout plan of the premises to include the provision of an outdoor drinking area.

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

In relation to points 1, 2, 3 and 6, I have no adverse comment to make.

In relation to points 4 and 5 and in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In relation the provision of outdoor drinking, the proposed area, whilst well enclosed, is fairly substantial in size and in close proximity to a residential block of flats. I therefore recommend that the outdoor drinking area is subject to a terminal hour of 2200 hours daily.

The application seeks to extend the hours in which Children and Young Persons are permitted access to the premises from 2000 hours on Monday to Saturday to 2200 hours on Monday to Saturday.

During a visit to the premises, Michelle Nichols, who we understand is likely to be named as the premises manager, indicated that dance facilities will be located within the current restaurant area of the premises and that this particular area of the premises would be used to facilitate private functions or family friendly events.

In support of the Protecting Children and Young Persons from Harm licensing objective, I recommend that operating plan be modified to reflect the following:

- Children and Young Persons are permitted access provided they are accompanied by a responsible adult over 18 years of age. Children and Young Persons are permitted access between 0630 to 2200 hours, however between 2000-2200 hours are only permitted access for the purposes of the group/party, with the exception of infants, consuming a meal;
- Children and Young Persons are permitted access until the terminal hour when attending a private, pre-booked function whilst accompanied by a responsible adult over 18 years or over;
- Children and Young Persons are permitted to all parts of the premises except the immediate bar area.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468