

28 February 2019

Your Ref:

Our Ref: 391468

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



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
O'NEILLS (GROUND FLOOR), 9-10 BACK WYND, ABERDEEN, AB10 1JN**

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 modifications to the operating plan:

1. Core licensed hours for on sales to be amended from 1000 - 0000 hours to 1100 - 0200 hours each Sunday to Thursday and from 1100 - 0100 hours to 1200 - 0300 hours each Friday and Saturday;
2. Off sales licensed hours to be amended from 1100 - 2200 hours Sunday to Thursday and 1200 - 2200 hours each Friday And Saturday to 1000 - 2200 each day;
3. Question 6 of the operating plan is also amended to allow entry to children over 5 years of age and young persons, subject to the following terms:

Children and young persons will be allowed access to the premises when accompanied by an adult to have a meal or accompanied by an adult who is having a meal, from the time the premises open until 1900 hours Friday and Saturday and 2100 hours Sunday to Thursday. Children and young persons will be allowed entry to all public parts of the premises except the bar counter.

4. Amendments to the associated layout plan to include:

Fully infill window to left of main entrance door;
Install new raised area to left side of entrance door.

Removal of:

Raised area right side of SCDF;

Two sections of existing fixed seating to both sides of main entrance door;

Fixed poseur tables and drinks shelf to right side of plan in front of windows;

Existing drinks shelf and screen detail in alcove to left side of bar servery;

Section of stud wall in ladies toilet;

Fixed seating to right side of bar servery.

There is a corresponding increase in on sales capacity to 158 persons.

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 Act, I make the following representation.

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 the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy in respect Door Stewards, Radiolink, CCTV and Duty of Care being applied. I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates after 0100 hours, is similarly applied.

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

Yours faithfully

Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468