

25 April 2019

Your Ref:

Our Ref:

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
MALONES IRISH SPORTS BAR
90 SHIPROW, ABERDEEN, AB11 5BZ**

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.

In a letter dated 29 March 2019, Police Scotland responded to an application for the variation to the premises licence, with the only change being the commencement of the core hours on Sunday changing from 1230 hours to 1000 hours.

Since this time, the premises have submitted an updated application seeking the following, which appears to supersede the previous application, namely;

The variation requested consists of amending the core on-sales hours from 1000-0000 hours Monday to Wednesday, 1000-0100 hours Friday and Saturday, 1230-0000 hours on Sunday **to** 1100-0200 hours Monday to Saturday and 1000-0200 hours on Sunday.

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

In relation to the operating hours requested from Monday to Saturday, I have no adverse comment to make about this element of the variation.

The premises seek to operate on a Sunday between 1000-0200 hours, which would allow the premises to operate for 16 continuous hours which would be outwith the recommended hours within the Board's Policy.

In terms of Section 22(1)(b)(ii) and (iii) of the same 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 November 2018 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.

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.