

12 July 2021

Your Ref:

Our Ref: 569119

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Marischal College
Broad Street
Aberdeen



North East Division
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THE HOWFF, 365 UNION STREET, ABERDEEN, AB11 6BT
PB DEVELOPMENT COMPANY LIMITED**

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, namely:

1. Amend Q.1 to include both 'on sales' and 'off sales' within the Operating Plan;
2. Amend Q.2 in respect of core 'on sales' hours from 1100 - 0000 on Monday to Thursday and 1100 - 0100 on Friday and Saturday to 1000 - 0000 on Monday to Thursday and 1000 - 0100 on Friday and Saturday;
3. Amend Q.3 in respect of core 'off sales' operating hours to show 1200 to 2200 hours Monday to Saturday and 1230 to 2200 hours Sunday;
4. Amend Q.5(d) to include outdoor drinking facilities to the rear of the premises as indicated in the layout plan;
5. Amend Q.6 with the wording provided in respect of the terms, ages, times and parts of premises for which children and young persons have access;
6. Amend Q.7 to show an increased capacity from 121 to 621 to accommodate the proposed permanent outdoor drinking facilities.

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

In terms of points 1, 2, 3, 5 and 6 above I have no adverse comment to make regarding the variation proposed.

OFFICIAL

In respect of point 4, in terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, I make the following representation.

The area sought is currently licensed under consecutive Occasional Licences as a temporary premises, access to which is on Langstane Place. There is access to the proposed area from the main premises via a stairwell. It is understood that initially, access to and from the area will be remain on Langstane Place.

I therefore recommend the following conditions in respect of the outdoor drinking area sought:

1. The area to be delineated by a physical barrier or similar;
2. The area is subject to a terminal hour of 2200 hours daily;
3. Signage to be displayed indicating that no alcohol is to be removed beyond the delineated area;
4. No amplified music to be played within;
5. Due to the proposed area being somewhat removed from the main premises, a staff member to be on duty within the proposed area, during licensed hours.

This response is subject to government guidance or measures in place at the time of the event, in respect of COVID-19.

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

Yours faithfully

George Macdonald
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 301085