

30 July 2021

Your Ref:

Our Ref: 572535

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
INNOFLATE/BOARDWALK AMUSEMENT CENTRE, 1A ESPLANADE, SEA
BEACH, ABERDEEN, AB24 5NS**

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 Q.1 to show both on and off sales;
2. Amend Q.2 on sale hours to 1000-0200 Sunday to Thursday and 1000-0300 Friday and Saturday;
3. Amend Q.3 to include off sale hours 1000-2200 daily;
4. Amend Q.5 to include conference, restaurant, theatre, films and indoor/outdoor sports both during and outwith core hours and for the existing activities: receptions, club meetings, live music, dance, gaming and outdoor drinking activities to be included outwith core hours. Any other activities to include inflatable obstacle course, fitness classes, disco sessions, nerf war sessions, children's group play events and support classes, axe-throwing, shuffleboard, American pool, crazy pool, electronic darts, ping pong, various private, corporate, networking and training events, product launches and demonstrations;
5. Amend Q.6 with the wording provided in respect of the terms, ages, times and parts of the premises for which children and young persons have access.

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

On 28 July 2021, the applicant's agent advised that the application was being amended to: the downstairs area no longer featuring in the application and remaining unlicensed; amending the core 'on sales' terminal hour to 0000 hours on

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Sunday to Thursday and 0100 hours on Friday and Saturday and Children and Young Person's access amended to no entry to the licensed premises for persons aged under 18s.

This response is made on the basis of the above amendments to the application.

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

In respect of point 4, during a visit to the premises on 20 July 2021, detail regarding control measures was provided verbally by the applicant. The Local Authority Environmental Health Officer present at the meeting requested revised, detailed risk assessments be submitted in respect of several of the activities sought.

On 30 July 2021, updated risk assessments were received. Whilst detailed, with specific regard to the axe throwing activity, no policy appears to be in place which indicates how sobriety of participants is to be assessed. Some other documents made reference to children, but it is understood no person under 18 will access the premises.

In respect of the activity of 'beer pong', the Board may wish to satisfy itself that it would not be considered an irresponsible drinks promotion.

In respect of the activity of axe-throwing, I request the following conditions be considered by Board:

1. Each axe throwing lane to be secured when in use;
2. The above areas to be subject to a terminal hour of 2300 hours daily or earlier if deemed appropriate by the Board;
3. A system to be in place which records assessment of each participant in terms of sobriety/intoxication and no person under the influence of alcohol or any other suspected substance to be permitted to participate in the activity;
4. Signage to be clearly displayed indicating that no alcohol is to be consumed prior to entering the designated activity area or participating in said activity;
5. The equipment to be used and stored in accordance with the relevant risk assessment document;
6. The area to be covered by CCTV.

In support of the licensing objectives, I therefore recommend that the Board hear this application to be satisfied that the control measures proposed are sufficient and appropriate and if necessary, certain measures outlined in the risk assessment documents, or agreed at any hearing, be imposed as a condition of the licence.

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In respect of some of the new activities being added, in particular but not limited to: shows, events and community activities, no additional risk assessments accompany the application. I therefore recommend that the Board might wish to be satisfied with control measures for certain proposed activities.

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

This letter has been submitted for your attention when considering this application.

Yours faithfully

George Macdonald
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 301085