

Aberdeenshire Licensing Boards
North Aberdeenshire Divisional Licensing Board
Supplementary Statement of Licensing Policy
Excluded Premises
30th November 2007 – 29th November 2010

Excluded Premises - Garages

Some premises are excluded from authorising the sale of alcohol including premises or parts of a premises used as a garage. Such premises are used as a garage if there is (a) sale by retail of petrol or derv(diesel), (b) the sale of motor vehicles, or (c) the maintenance of motor vehicles.

However, where those premises or parts of premises are used for the sale by retail of petrol or derv, alcohol may be authorised to be sold in some circumstances. Alcohol may be sold where the Board determines that in relation to such premises persons resident in the locality are, or are likely to become, reliant to a significant extent on the premises as the principal source of (a) petrol or derv, or (b) groceries.

In determining an application for such a premise, the Board expects the applicant to provide sufficient information to enable the Board to consider –

- The locality in which the premises are situated
- What other sources of (a) petrol or derv and/or (b) groceries are in that locality , and
- The extent to which persons resident in that locality are, or are likely to become, reliant on the premises as the principal source of (a) petrol/derv, or (b) groceries.

Factors the Board may consider include –

- The number of premises selling petrol/derv or groceries in the locality
- The distance to the nearest other premise selling petrol/derv or groceries
- The opening hours of other premises selling petrol/derv or groceries in the locality
- The number and/or percentage of persons resident in the locality who are, or are likely to become, reliant on the premises, and
- To what extent, the premises are relied on as the principal source of (a) petrol/derv or (b) groceries.

Taking in to account the licensing objectives of (a) preventing crime and disorder (b) securing public safety (d) protecting and improving public health and (e) protecting children from harm, and, therefore, the government's message on drinking and driving, the Board will impose conditions in relation to a garage which is not an excluded premises that all payments for fuel will be made separately from payments of alcohol either (i) through the use of different buildings or (ii) by payment of fuel from outside the premises or part of premises through a payment window without fuel customers entering the premises. The Board will also require the premises to have signage, the size, content and location of which it deems appropriate of that payment arrangement. The foregoing conditions will not apply when the Board is satisfied that it is not appropriate to impose such conditions.