Public Document Pack

FIRST ADDITIONAL CIRCULATION



<u>To</u>: Councillor Boulton, <u>Convener</u>; and Councillors Cameron, Carle, Copland, Donnelly, Grant, Lawrence, Townson and Yuill.

Town House, ABERDEEN 4 December 2015

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in Committee Room 2 - Town House on **TUESDAY**, 8 **DECEMBER 2015 at 10.30 am**.

FRASER BELL CLERK TO THE LICENSING BOARD

BUSINESS

- 1.17 <u>Application for Occasional Licence Walk up Bar 1, Festive Village, Union Terrace, Aberdeen</u> (Pages 3 12)
- 1.18 <u>Application for Occasional Licence Walk up Bar 2, Festive Village, Union Terrace, Aberdeen</u> (Pages 13 26)

Should you require any further information about this agenda, please contact Arlene Dunbar, e-mail ardunbar@aberdeencity.gov.uk or tel. 01224 523411 or Jacqui Wallace, e-mail jwallace@aberdeencity.gov.uk or tel. 01224 522985



LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: OCCASIONAL LICENCE LOCATION: WALK UP BAR 1, ABERDEEN WINTER VILLAGE

DESCRIPTION

- The applicant has applied for 2 occasional licences for the 31 December 2015.
 Walk Up Bar 1 is to be located at the southern end of Union Terrace towards Union Street.
- The applicant is seeking On sales hours from 22:00 to 02:00
- The on-sales element of this application is in respect of the whole of Union Terrace with the exception of (a) the Entertainment Marquee (already licensed) and (b) the area licensed in respect of Walk up Bar 2
- It is intended to sell items such as mulled wine, beer, cider and wine
- Children and young persons will not be permitted at the Walk Up Bar

OBJECTIONS/REPRESENTATIONS

- Police
- LSO

LICENSING POLICY STATEMENT

Section 11.3

The Board expects any licensee or organisation catering for an event to have written policies in place, with an understanding to abide by them, which show how the licensing objectives will be met. These policies should relate to and be appropriate to the particular event as follows:

- (a) Adequate and appropriate stewarding to be in place.
- (b) The use of toughened glass or plastic drinking vessels, where appropriate.
- (c) How the Challenge 25 mandatory condition will be met.
- (d) An undertaking that there will be full compliance with any guidance or advice from the Licensing Standards Officer, the Police, The Fire and Rescue Service and any other appropriate authority.
- (e) Details of measures put in place or steps taken to lessen the chance of noise nuisance from any entertainment should be detailed.
- (f) Any further policies relating to the event should be shown under the appropriate licensing objective heading. If children are to be present in licensed areas then particular attention and detail should be given to showing how they will be protected from harm.

This page is intentionally left blank

2353

Aberdeen City Licensing Board Application for Occasional Licence

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish	to kee	p a copy of the comp	pleted form for your recor	us.		Nam.
1. LICENCE	DETAIL	S (see note 1)				
Premises licence number (if applicable) AC2038						
Personal licen	ce num	ber (if applicable)	466			
Name & addre	ess of v	oluntary organisation	n (if applicable)			
2. PERSONA	L DETA	AILS		PERSONAL PROPERTY.		
TITLE (delete as appropriate): Mr Mrsx Missx Msx Otherx (please state)						
Surname	Codor	ıa				
Forenames	John					
				D	8.4 a m tila	Vaar
Date of Birth			Day 12	Month 01	Year 1974	
Address where ordinarily resident to be used for correspondence purposes:						
		- Mo-	sed for correspondence	ourposes		
12 Kingshi	II Koa	d.				
Post town:		Aberdeen	Post code:	AB15	5JY	
TELEPHONE NUMBERS						
Daytime	- INCINIE		01224 597601			
			01224 597601			
Evening			07876 191555			
Mobile						
Fax Number	/'8	٠٠	acreanand with you by	o moil)		
E-mail Address (if you would prefer us to correspond with you by e-mail)						
jcodona@co	donas.	com				



3. THE PREMISES

Description of premises:

The attached plan shows the Walk Up Bar located at the Union Street end of Union Terrace marked "1" on the attached plan. The Bar will sell such items as mulled wine, beer, cider nad wine.

The on-sales element of this application will extend to the whole of Union Terrace with the exception of (a) the Entertainment Marquee; (b) the Ice Rink Viewing Marquee; and (c) the area licenced in respect of Bar 2.

Description of activities to be carried on in the premises;

The Bar is based very much on Bars available at other festive villages and outlets including Edinburgh. There will be a mixture of mulled wine, cider, beer and wine for sale in the Bar and customers will be entitled to consume the drinks within Union Terrace. There will be Stewards at either end of Union Terrace to ensure no-one leaves the designated festive village with drinks.

Full postal address of premises to which this application refers: Not applicable

4. DURATION OF LIGENCE ...

From: 31.12.2015

To: 01.01.2016

5. Is alcohol to be sold on & off the premises YES/AVO* delete as appropriate

Provide relevant details as to hours requested when alcohol will be sold on/off the premises-

Times for sale of alcohol for consumption on premises:

From 2200 hours on 31.12.2015 to 0200 hours on 01.01.2016

Times for sale of alcohol for consumption off premises;

Not applicable

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises:

6. CHILDREN (see note 2)						
This section must be completed where premises	alcohol is for sale for consum	ption on the				
Are children or young persons permitted entry? **MES/NO (if answered yes the remainder of this section must be completed)						
Ages of children or young persons permitted entry:	Times at which children or young persons permitted entry:					
Parts of premises to which children or	voung persons permitted entry					
Children and young persons will not be entitled to approach the Walk Up Bars						
7. CHECKLIST						
I have made or enclosed payment of Please tick	XX					
8. Signature and declaration by applicant (see note 3)						
DECLARATION						
The contents of this Application are true to the best of my knowledge and belief.						
SIGNATURE	DATE					

Graham Cooper, Agent Ledingham Chalmers LLP

16th November, 2015

This page is intentionally left blank

1 December 2015

Your Ref:

Our Ref: AD/DCU/46957/9211/15

Senior Solicitor
(Litigation and Licensing)
Aberdeen City Council
Legal and Democratic Services
Corporate Governance
Business Hub 6
Level 1 South
Marischal College
Broad Street
ABERDEEN
AB10 1AB



Sir Stephen House QPM Chief Constable

Aberdeen City Division Queen Street Aberdeen AB10 1ZA

01224 306472

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF OCCASIONAL LICENCES APPLICANT: JOHN CODONA, C/O LEDINGHAM CHALMERS LLP ABERDEEN FESTIVE VILLAGE, UNION TERRACE, ABERDEEN

I refer to the above applications and in terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, make the following representation on behalf of the Chief Constable.

The applications relate to two walk up bars within the event site of Aberdeen Winter Village, Union Terrace, Aberdeen, where it is intended that alcohol will be sold on an 'on sales' basis between the hours of 2200 on Thursday 31 December 2015 and 0200 on Friday 1 January 2016.

In respect of Walk Up Bar 1, the application indicates that the area to be licensed is the "whole of Union Terrace with the exception of (a) the Entertainment Marquee, (b) the Ice Rink Viewing Marquee and (c) the area licensed in respect of Walk Up Bar 2."

In respect of Walk Up Bar 2, the area to be licensed is described as an area extending to 2.5 meters form the external wall around the bar.

Telephone contact has been made with the applicant's agent in respect of the area described at (b) above, as, if alcohol is to be consumed within that area of the event site, it should perhaps be included in the application relating to Walk Up Bar 1, which effectively covers the event site other than the areas licensed under separate Occasional Licences for Walk Up Bar 2 and the Entertainment Marquee.

The applicant's agent has indicated this is the case and on that basis I am content that the Ice Rink Viewing Marquee is included in the area to be licensed under the Walk Up Bar 1 application.

In terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable makes representation in relation to the applications, and recommends that both be granted subject to the following conditions:

- the sale of alcohol will be limited to beer, wine, cider and mulled wine, as indicated on the application form;
- children are permitted within the licensed areas only when accompanied by a responsible person aged 18 or over;
- children and young persons are not to be allowed within close proximity of Walk Up Bar 1 and Walk Up Bar 2 and
- sufficient staff are to be on duty to prevent alcohol being removed from the licensed areas.

This letter is submitted for your attention when considering these applications.

Yours faithfully

Jackie Craig T/Chief Inspector

Arlene Dunbar

From: Diane Sande

Sent: 27 November 2015 12:45

To: LicensingBoard

Cc: Tara-Erin Gilchrist; Andrew Gilchrist

Subject: Occasional licence application x 2 - Winter Village Walk Up Bars 1 and 2

With reference to the above Occasional licence application, I have no objection but would recommend the following conditions. Tara has discussed these recommendations with John Codona

- 1.Adequate stewarding in place
- 2. Personal licence holders in place various numbers throughout the Event
- 3 Training declarations and Personal licences to be located on site. If personal licence holders work at multi stations then copies of personal licences are acceptable (colour copies).
- 6. Challenge 25 posters guidance provided to have displayed best Practice
- 7. Section 110 displayed at each bar
- 8. Children/Young persons not permitted near the bar counter a sign to inform customers is best practice

Diane Sande
Licensing Standards Officer
Environmental Health and Trading Standards
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 15
Third Floor South
Marischal College
Broad Street
Aberdeen
AB10 1AB

Email - <u>dsande@aberdeencity.gov.uk</u> Direct Dial - (01224) 522541

Direct Fax - (01224) 523887

Main No. - (01224) 523800 www.aberdeencity.gov.uk

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its

attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.							

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: OCCASIONAL LICENCE LOCATION: WALK UP BAR 2, ABERDEEN WINTER VILLAGE

DESCRIPTION

- The applicant has applied for 2 occasional licences for the 31 December 2015.
 Walk Up Bar 2 is to be located at located at the northern end of Union Terrace towards HM Theatre.
- The applicant is seeking On sales hours from 22:00 to 02:00
- The on-sales element of this application will extend to an area extending to 2.5 metres from the external wall around the bar.
- It is intended to sell items such as mulled wine, beer, cider and wine
- · Children and young persons will not be permitted at the Walk Up Bar

OBJECTIONS/REPRESENTATIONS

- Police
- LSO

LICENSING POLICY STATEMENT

Section 11.3

The Board expects any licensee or organisation catering for an event to have written policies in place, with an understanding to abide by them, which show how the licensing objectives will be met. These policies should relate to and be appropriate to the particular event as follows:

- (a) Adequate and appropriate stewarding to be in place.
- (b) The use of toughened glass or plastic drinking vessels, where appropriate.
- (c) How the Challenge 25 mandatory condition will be met.
- (d) An undertaking that there will be full compliance with any guidance or advice from the Licensing Standards Officer, the Police, The Fire and Rescue Service and any other appropriate authority.
- (e) Details of measures put in place or steps taken to lessen the chance of noise nuisance from any entertainment should be detailed.
- (f) Any further policies relating to the event should be shown under the appropriate licensing objective heading. If children are to be present in licensed areas then particular attention and detail should be given to showing how they will be protected from harm.

This page is intentionally left blank

Aberdeen City Licensing Board Application for Occasional Licence

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish	to kee	p a copy of the c	omplete	ed form for you	r record	ds.	to the same	- W
1. LICENCE	ETAIL	S (see note 1)						
Premises licence number (if applicable)			AC2038					
Personal licen	ice num	nber (if applicable	∋)					
Name & addre	ess of v	oluntary organis	ation (if	applicable)				
						the legal labels of the		23,470,000,000
				recorded to the second	Aug entrangement			endo de
2. PERSONA	L DETA	AILS			100			
TITLE (delete as appropriate):				Mr Mrsx Miss Msx Otherx (please state)				
Surname	Codona							
Forenames	renames John							
Andrew and have a sometime		February (International Control	manantos.		ALTIC COLORES			<u> </u>
Date of Birth					Day	Month	Year	
					12	01	1974	
Address where ordinarily resident to be used for correspondence purposes:								
12 Kingshill Road								
		100		海胆管				
Post town:		Aberdeen		Post code:		AB15 5JY		196 (1962)
TELEPHONE	NUME	BERS					To the state of	i i
Daytime			(01224 597601				
Evening			01224 597601					
Mobile		(07876 191555 					
Fax Number							7 (502-50 (Jense)	C254G () TASS
E-mail Address (if you would prefer us to correspond with you by e-mail)								
jcodona@co	donas.	com						



3. THE PREMISES

Description of premises:

The attached plan shows the Walk Up Bar located at the H M Theatre end of Union Terrace marked "2" on the attached plan. The Bar will sell such items as mulled wine, beer, cider nad wine.

The on-sale element of this application will extend to an area extending to 2.5 metres from the external wall around the Bar.

Description of activities to be carried on in the premises;

The Bar is based very much on Bars available at other festive villages and outlets including Edinburgh. There will be a mixture of mulled wine, beer, cider nad wine for sale in the Bar and customers will be entitled to consume the drinks within Union Terrace. There will be Stewards at either end of Union Terrace to ensure no-one leaves the designated village with drinks.

Full postal address of premises to which this application refers: Not applicable

4. DURATION OF LIGENCE

From:

31.12.2015

To:

01.01.2016

5. Is alcohol to be sold on & off the premises YES/NO* delete as appropriate

Provide relevant details as to hours requested when alcoho will be sold on/off the premises-

Times for sale of alcohol for consumption on premises:

From 2200 hours on 31.12.15 to 0200 hours on 01.01.2016

Times for sale of alcohol for consumption off premises;

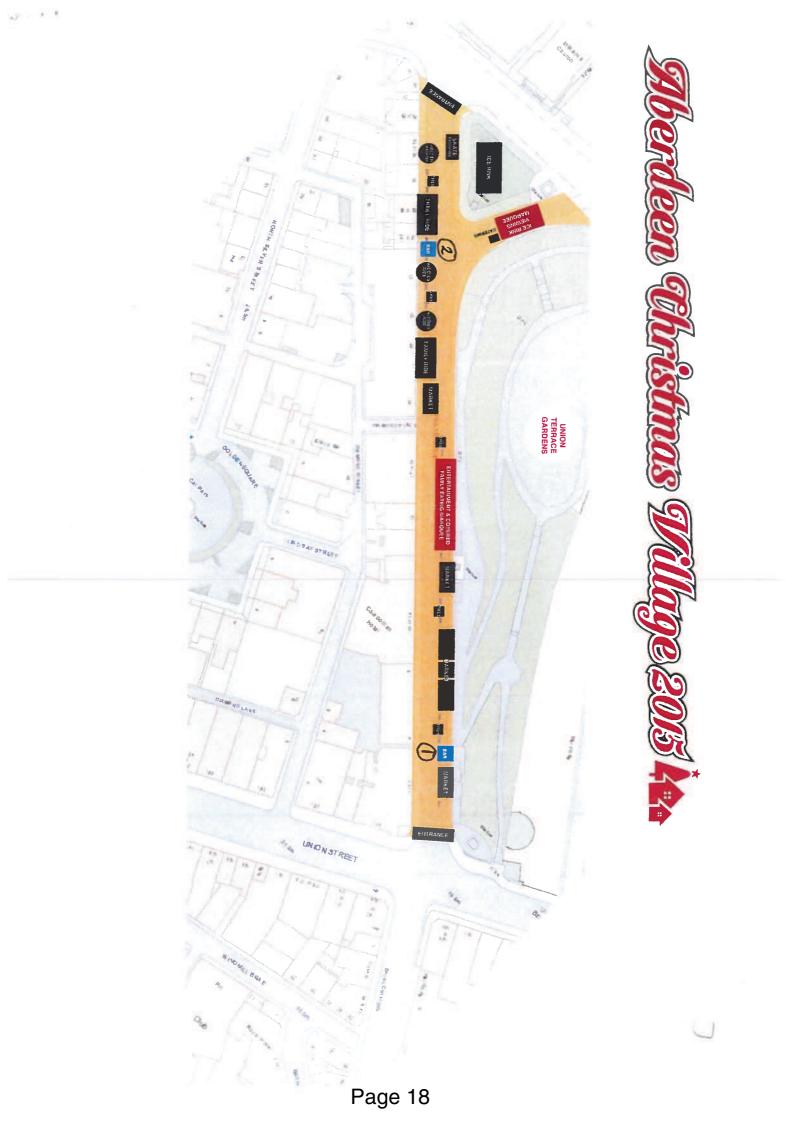
Not applicable

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises:

6. CHILDREN (see note 2)	
This section must be completed where a premises	alcohol is for sale for consumption on the
Are children or young persons permitted en of this section must be completed)	ntry? ¥ESXNO (if answered yes the remainde
Ages of children or young persons permitted entry:	Times at which children or young persons permitted entry:
Parts of premises to which children or y Children and young persons will n Walk Up Bars	
7. CHECKLIST	
I have made or enclosed payment of Please tick	f the fee for the application XX
8. Signature and declaration by applica	nt (see note 3)
DECLARATION	
The contents of this Application are true to	the best of my knowledge and belief.
SIGNATURE	DATE

Graham Cooper, Agent Ledingham Chalmers LLP

16th November, 2015



Xmas Village 2015 (draft programme)

Thursday 26th November (soft launch)

6-10pm

COMEDY

Graham Mackie / Gus Lymburn / Tony Sloan / Chris MacArthur Boyd / Craig Johnstone / Richard Scullie / Josh Dunnn / Asim Ali / Diane Stewart

Friday 27 November

6-10pm

LIVE BANDS - line up tbc

Saturday 28th November

12 - 3pm

ACOUSTIC SESSIONS & OTHER, ie local choires etc

6pm - 10pm

LIVE BANDS - line up tbc

Sunday 29th November

12 - 3pm

ACOUTSIC SESSIONS & OTHER, ie local choires etc

6 – 10pm

MAGIC SHOW - line up tbc

Thursday 3rd December

COMEDY

Gary Meikle / Billy Kirkwood / Jordan Young / Gary Faulds / Chris Rutter / Gregg Wilson / Gregor Wappler / Chrissy Ross / Robbie Dalgetty

Friday 4th December

6-10pm

LIVE BANDS - line up tbc

Saturday 5th December

12-3pm

ACOUSTIC SESSIONS & OTHER, ie local choires etc 6-10pm LIVE BANDS - line up tbc Sunday 6th December 12-3pm ACOUSTIC SESSIONS & OTHER, ie local choires etc 6 - 10pm **COMEDY** Vladimir McTavish / Liam Whitnail / Stephanie Tisdell / Claire Pirie / Desky Lewis / Martin Bearne / Robin Grainger / Graeme Tait / Pablo Serski / Iain Hume Thursday 10th December 6-10pm MAGIC - line up tbc Friday 11th December 6-10pm LIVE BANDS - line up tbc Saturday 12th December 12 - 3pmACOUTSIC SESSIONS & OTHER, ie local choires etc 6 - 10pmLIVE BANDS-line up tbc Sunday 13th December 12 - 3pm**ACOUTSIC SESSIONS** 6 - 10pmCOMEDY Patrick Rolink / Wray Thomson / Lubna Kerr / Scott Redmond / Wis Jantarasorn / Gareth Mutch / Sandy Woods / Scott Forbes / Grant Gallaher

```
Thursday 17<sup>th</sup> December
6-10pm
COMEDY
Chris Henry / Jamie Dalgleish / Allan Lindsay / Davy Mitchell / Jordan Marshall / Jeanette Cousland /
Jonny Thomson / Conor Hunter
Friday 18<sup>th</sup> December
6-10pm
LIVE BANDS - line up tbc
Saturday 19th December
12 - 3pm
ACOUTSIC SESSIONS & OTHER, ie local choires etc
6 - 10pm
LIVE MUSIC - line up tbc
Sunday 20<sup>th</sup> December
12 - 3pm
ACOUTSIC SESSIONS & OTHER, ie local choires etc
6 - 10pm
COMEDY
Bruce Fummey / Bill Dewar / Dave Mclernon / Duncan Guthrie / Obbie / Rob Kane / Rosco
Mcclelland / Chris Iskander / Joseph Goss /
Thursday 24th December (XMAS EVE)
6-10pm
LIVE BANDS line up tbc
Saturday 26<sup>th</sup> December (BOXING DAY)
 12 - 3pm
 ACOUTSIC SESSIONS & OTHER, ie local choires etc
 6 - 10pm
 LIVE BANDS - line up tbc
```

Sunday 27 December
12-3pm
ACOUSTIC SESSIONS & OTHER, ie local choires etc
6-10pm
COMEDY
JellyBean Martinez
Thursday 31 st December (HOGMANY)
6-10pm
COMEDY & LIVE BANDS – line up tbc
Friday 1 st January
6-10pm
LIVE BANDS – line up tbc
Saturday 2 nd January
12 – 3pm
ACOUTSIC SESSIONS & OTHER, ie local choires etc
6 – 10pm
LIVE BANDS — line up tbc
Sunday 3 rd January
12 – 3pm
ACOUTSIC SESSIONS
6 – 10pm
COMEDY
Graham Mackie / Gus Lymburn / Gary Meikle / Liam Withnail / Martin Bearne / Wray Thomson

1 December 2015

Your Ref:

Our Ref: AD/DCU/46957/9211/15

Senior Solicitor
(Litigation and Licensing)
Aberdeen City Council
Legal and Democratic Services
Corporate Governance
Business Hub 6
Level 1 South
Marischal College
Broad Street
ABERDEEN
AB10 1AB



Sir Stephen House QPM Chief Constable

Aberdeen City Division Queen Street Aberdeen AB10 1ZA

01224 306472

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF OCCASIONAL LICENCES APPLICANT: JOHN CODONA, C/O LEDINGHAM CHALMERS LLP ABERDEEN FESTIVE VILLAGE, UNION TERRACE, ABERDEEN

I refer to the above applications and in terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, make the following representation on behalf of the Chief Constable.

The applications relate to two walk up bars within the event site of Aberdeen Winter Village, Union Terrace, Aberdeen, where it is intended that alcohol will be sold on an 'on sales' basis between the hours of 2200 on Thursday 31 December 2015 and 0200 on Friday 1 January 2016.

In respect of Walk Up Bar 1, the application indicates that the area to be licensed is the "whole of Union Terrace with the exception of (a) the Entertainment Marquee, (b) the Ice Rink Viewing Marquee and (c) the area licensed in respect of Walk Up Bar 2."

In respect of Walk Up Bar 2, the area to be licensed is described as an area extending to 2.5 meters form the external wall around the bar.

Telephone contact has been made with the applicant's agent in respect of the area described at (b) above, as, if alcohol is to be consumed within that area of the event site, it should perhaps be included in the application relating to Walk Up Bar 1, which effectively covers the event site other than the areas licensed under separate Occasional Licences for Walk Up Bar 2 and the Entertainment Marquee.

The applicant's agent has indicated this is the case and on that basis I am content that the Ice Rink Viewing Marquee is included in the area to be licensed under the Walk Up Bar 1 application.

In terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable makes representation in relation to the applications, and recommends that both be granted subject to the following conditions:

- the sale of alcohol will be limited to beer, wine, cider and mulled wine, as indicated on the application form;
- children are permitted within the licensed areas only when accompanied by a responsible person aged 18 or over;
- children and young persons are not to be allowed within close proximity of Walk Up Bar 1 and Walk Up Bar 2 and
- sufficient staff are to be on duty to prevent alcohol being removed from the licensed areas.

This letter is submitted for your attention when considering these applications.

Yours faithfully

Jackie Craig
T/Chief Inspector

Arlene Dunbar

From: Diane Sande

Sent: 27 November 2015 12:45

To: LicensingBoard

Cc: Tara-Erin Gilchrist; Andrew Gilchrist

Subject: Occasional licence application x 2 - Winter Village Walk Up Bars 1 and 2

With reference to the above Occasional licence application, I have no objection but would recommend the following conditions. Tara has discussed these recommendations with John Codona

- 1.Adequate stewarding in place
- 2. Personal licence holders in place various numbers throughout the Event
- 3 Training declarations and Personal licences to be located on site. If personal licence holders work at multi stations then copies of personal licences are acceptable (colour copies).
- 6. Challenge 25 posters guidance provided to have displayed best Practice
- 7. Section 110 displayed at each bar
- 8. Children/Young persons not permitted near the bar counter a sign to inform customers is best practice

Diane Sande
Licensing Standards Officer
Environmental Health and Trading Standards
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 15
Third Floor South
Marischal College
Broad Street
Aberdeen
AB10 1AB

Email - dsande@aberdeencity.gov.uk

Direct Dial - (01224) 522541 Direct Fax - (01224) 523887

Main No. - (01224) 523800 www.aberdeencity.gov.uk

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its

achments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's coming and outgoing email is subject to regular monitoring.	i