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## ADDITIONAL CIRCULATION



To: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Delaney, McRae, Catriona Mackenzie, Sellar and Townson.

Town House,  
ABERDEEN 16 August 2018

## **LICENSING COMMITTEE**

The undernoted item is circulated in connection with the meeting of the **LICENSING COMMITTEE** to be held here in the Town House on **TUESDAY, 21 AUGUST 2018 at 10.00 am.**

FRASER BELL  
CHIEF OFFICER - GOVERNANCE

## **BUSINESS**

### APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 10.15 Application for the Grant of a Late Hours Catering Licence - Marco's, Belmont Street (Pages 3 - 6)

Should you require any further information about this agenda, please contact Allison Swanson, tel 01224 522822 or email [aswanson@aberdeencity.gov.uk](mailto:aswanson@aberdeencity.gov.uk)



**LICENSING COMMITTEE INFORMATION SHEET  
21 AUGUST 2018**

**TYPE OF APPLICATION:** APPLICATION FOR GRANT OF A LATE HOURS CATERING LICENCE

**APPLICANT:** MARCO'S

**PREMISES:** BELMONT STREET

**DESCRIPTION**

- The application requires to be determined by 18 January 2018

**CONSULTEES**

Police Scotland- no objection

Environmental Health

**OBJECTIONS/REPRESENTATIONS**

- EH- Representation

**COMMITTEE GUIDELINES/POLICY**

**GROUND FOR REFUSAL**

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

**and otherwise shall grant the application.**

**From:** EHlicence  
**Sent:** 15 August 2018 12:21  
**To:** LicensingCommittee >; EHlicence  
**Cc:** Andrew Gilchrist Andrea Carson >; Andrew Morrison

**Subject:** RE: Application for Late Hours Catering - Marco's, Belmont Street

The Civic Government (Scotland) Act 1982  
Application for Grant of Licence for Late Hours Catering  
**At:** Marco's Fast Food, 12 Belmont Street, Aberdeen, AB10 1JE  
**Applicant:** Behroz Hamedi, Marcos XX Ltd. 12 Belmont Street, Aberdeen, AB10 1JE

I refer to the application from the above named applicant and comment as follows:

The Committee will be aware that due to concerns regarding continual non-compliance with food hygiene and health and safety requirements by the food business, the previous licence for late hours catering, held in the name of above applicant, was revoked at the Licensing Committee meeting of 5<sup>th</sup> June 2018.

The last inspection visit to the premises by this Service was undertaken on 9<sup>th</sup> May 2018. At this time, improvements were noted in terms of implementing and managing food hygiene and food safety control; although further work was still needed by the business to meet some compliance requirements in respect of health & safety. The applicant has stated in the application for grant of the licence for late hours catering dated 17/07/18 that the 'majority of all requested work by health and safety officers has already been carried out'. Since operating without the licence for late hours catering, no complaints have been received by this Service relating to these premises. This Service is due to visit the premises in the coming weeks to undertake a scheduled inspection, at which time compliance with food hygiene and health and safety requirements will be fully assessed. Therefore, should the Committee be of a mind to approve this application, then we would ask that the licence be granted for a period of six months only to enable this Service to assess compliance by the food business. Should there be significant issues of concern, we will have no hesitation in recommending to the Committee in the strongest possible terms that the licence is not extended beyond this limited period.

Best Regards

Alison

Alison Robertson  
**Environmental Health Officer**

Protective Services  
Operations  
Aberdeen City Council  
Business Hub 15  
Third Floor South  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

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