

Public Document Pack



To: Councillor Jaffrey, Convener; and Councillors Boulton, Collie, Cormie, Donnelly, Hunter, Penny, Robertson and John West.

Town House,
ABERDEEN 23 March 2012

LICENSING BOARD

Members of the **LICENSING BOARD** are requested to meet in the Council Chamber on **TUESDAY 3 APRIL 2012 at 09:30 for 10.30 am.**

JANE G MACEACHRAN
CLERK TO THE LICENSING BOARD

B U S I N E S S

1 List of Applications (1-22) (Pages 1 - 10)

- 1.1 Application for a Premises Licence: H1S Store, 66 Sunnybank Road, Aberdeen
- 1.2 Application for a Premises Licence: Jimmy Chung's, 275 Stoneywood Road, Bucksburn, Aberdeen
- 1.3 Application for a Premises Licence: Piotr & Pawel, 278 George Street, Aberdeen
- 1.4 Application for a Premises Licence: Ruth's Corner Cabin, 78 Menzies Road, Aberdeen
- 1.5 Application for a Premises Licence: Woodside Post Office, 439/441 Great Northern Road, Aberdeen
- 1.6 Application for a Provisional Premises Licence: Discount UK, Unit 4, Kittybrewster Retail Park, Aberdeen

- 1.7 Application for a Provisional Premises Licence: Foundation, Carnegies Brae, Aberdeen
- 1.8 Application for a Provisional Premises Licence: Nando's, Unit 10, The Academy, Belmont Street, Aberdeen (Pages 11 - 12)
- 1.9 Application for a Provisional Premises Licence: The Tippling House, Belmont Street, Aberdeen (Pages 13 - 16)
- 1.10 Application for a Provisional Premises Licence: Yatai, 1 Albyn Terrace, Aberdeen
- 1.11 Application for Variation of a Premises Licence: Aberdeenshire Cricket Club, Morningside Road, Aberdeen
- 1.12 Application for Variation of a Premises Licence: Auchmill Golf Club, Bonnyview Road, Aberdeen
- 1.13 Application for Variation of a Premises Licence: Bella Italia, Unit 6 Queen's Links Leisure Park, Aberdeen
- 1.14 Application for Variation of a Premises Licence: Bielside Inn, 37 North Deeside Road, Bielside, Aberdeen (Pages 17 - 30)
- 1.15 Application for Variation of a Premises Licence: Clifton Convenience Store, 104 Clifton Road, Aberdeen
- 1.16 Application for Variation of a Premises Licence: Deeside Golf Club, Golf Road, Bielside, Aberdeen
- 1.17 Application for Variation of a Premises Licence: Illicit Still & Ryans, Netherkirkgate, Aberdeen
- 1.18 Application for Variation of a Premises Licence: La Bamba, 23 Crown Terrace, Aberdeen (Pages 31 - 42)
- 1.19 Application for Variation of a Premises Licence: Masada Bar and Rusty Nail Lounge, 67 Rosemount Viaduct, Aberdeen
- 1.20 Application for Variation of a Premises Licence: Nigg Bay Golf Club, St Fitticks Road, Aberdeen
- 1.21 Application for a Variation on Transfer: Beluga, 492 Union Street, Aberdeen

- 1.22 Application for a Personal Licence: John M A McGhie (Pages 43 - 44)

- 2 **Personal Licence Review Hearing: AC/1455** (Pages 45 - 46)

- 3 **Personal Licence Review Hearing: AC1974** (Pages 47 - 48)

- 4 **Personal Licence Review Hearing: AB-C-0636** (Pages 49 - 50)

- 5 **Premises Licence Review Proposals & Review Hearings in terms of Section 37 and 38 of Licensing (Scotland) Act 2005**
 - 5.1 Jasmin's, 25 Crown Terrace, Aberdeen

 - 5.2 The Moonlight Bar, 690 King Street, Aberdeen

 - 5.3 The Waterwheel Inn, 203 North Deeside Road, Aberdeen

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

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ABERDEEN CITY LICENSING BOARD

Meeting 3 April 2012 at 10:30am in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

New Grant(s)	Premises	Applicant	Date Received	Comments
1	H1S STORE 66 SUNNYBANK ROAD ABERDEEN AB24 3NH	SIVAKUMAR & MRS SELLA CHELLAYA C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	16 January 2012	Off-Sales - Monday - Sunday 10:00 to 22:00. Recorded music. Convenience Store offering groceries, fresh & frozen produce, tobacco, confectionery, toiletries, soft drinks, and associated products.
	JIMMY CHUNG'S 275 STONEYWOOD ROAD DYCE ABERDEEN AB21 9JS	FIRST MANAGEMENT (GB) LIMITED C/O ABERDEEN CONSIDINE & CO SOLICITORS 8-9 BON-ACCORD CRESCENT ABERDEEN AB11 6DN	14 February 2012	Chinese buffet restaurant. Recorded music, televised sport. The premises are to be open from 08:00 every day to server breakfast meals/soft drinks/coffee. On Sales hours: Monday to Sunday 12:00 to 00:00, Off-Sales hours: 12:00 to 22:00
3	PIOTR & PAWEL 278 GEORGE STREET ABERDEEN AB25 1HL	PIOTR SERAFIN LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	6 January 2012	Off-Sales - Monday to Sunday 10:00 - 22:00. Convenience store offering frozen and fresh produce, groceries, tobacco, confectionery, fruit and veg, newspapers, soft drinks, polish products and operation of cash point.

ABERDEEN CITY LICENSING BOARD

Meeting 3 April 2012 at 10:30am in the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

New Grant(s)			
Premises	Applicant	Date Received	Comments
4 RUTH'S CORNER CABIN 78 MENZIES ROAD ABERDEEN AB11 9AJ	RUTHS CORNER CABIN LIMITED C/O GRANT SMITH LAW PRACTICE AMICABLE HOUSE 252 UNION STREET ABERDEEN AB10 1TN	9 February 2012	Off-Sales: Monday to Sunday 10:00 to 18:00
5 WOODSIDE POST OFFICE 439/441 GREAT NORTHERN ROAD ABERDEEN AB24 2EH	WOODSIDE PO AND CONVENIENCE STORE LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	13 February 2012	Ground floor convenience store. Off sales 10:00 - 22:00 Monday - Sunday

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
6	DISCOUNT UK UNIT 4 KITTYBREWSTER RETAIL PARK ABERDEEN AB24 3LW	POUNDWORLD RETAIL LIMITED C/O HILL BROWN SOLICITORS 3 NEWTON PLACE GLASGOW G3 7PU	30 January 2012	Retail store selling a variety of household goods, food items and non food items. Monday to Sunday 10:00 to 22:00. Recorded Music. Capacity 12.5m2
	FOUNDATION CARNEGIES BRAE ABERDEEN AB10 1BF	ERIC MCMILLAN C/O PETERKINS SOLICITORS 100 UNION STREET ABERDEEN AB10 1QR	1 February 2012	On sales - 11:00 - 00:00 Mon to Wed, 12:00 - 02:00 Thurs, 13:00 - 03:00 Friday, Saturday and 12:30 - 00:00 Sunday. Meeting place for family and friends in daytime. Sun - Thurs evenings would host a variety of events including comedy nights, live bands etc. Thurs - Sat evenings the venue will be run as a nightclub. Children age 14 and over permitted entry 11:00 - 22:30 if accompanied by an adult

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Licensing (Scotland) Act 2005

Provisional(s)				
Premises	Applicant	Date Received	Comments	
8 NANDO'S UNIT 10 THE ACADEMY BELMONT STREET ABERDEEN AB10 1LB	NANDO'S CHICKENLAND LTD C/O HILL BROWN SOLICITORS 3 NEWTON PLACE GLASGOW G3 7PU	24 January 2012	Family friendly restaurant with recorded music. On sales Sun - Thursday 11:00-23:00, Fri - Sat 11:00 - 00:00, Off sales 11:00 - 22:00, 7 days. Children and young persons allowed entry at all times. Children must be supervised by an adult.	
THE TIPPLING HOUSE BELMONT STREET ABERDEEN AB10 1JE	10 DOLLAR SHAKE LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	8 February 2012	Premises comprise of a one room late night entertainment venue, cocktail bar, restaurant during core hours and a corporate venue and training centre before core hours commence. Activities: conference facilities, restaurant facilities, bar meals, receptions, recorded music, live performances, films. On Sales: Sunday to Thursday 16:00 to 02:00 and Friday and Saturday 16:00 to 03:00. Off-Sales: Monday to Sunday 16:00 to 22:00.	

ABERDEEN CITY LICENSING BOARD

Meeting 3 April 2012 at 10:30am in the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Provisional(s)			
Premises	Applicant	Date Received	Comments
10 YATAI 1 ALBYN TERRACE ABERDEEN AB10 1YP	IZAKAYA (ABERDEEN) LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	8 February 2012	11:00 to 24:00 Monday to Wednesday, 11:00 to 01:00 Thursday to Saturday. Off-Sales 12:00 to 22:00 Monday to Sunday. Restaurant, Bar meals, Receptions, Club meetings, recorded music, outside catering.

ABERDEEN CITY LICENSING BOARD

Meeting 3 April 2012 at 10:30am in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)			
Premises	Applicant	Date Received	Comments
11 ABERDEENSHIRE CRICKET CLUB MORNINGSIDE ROAD ABERDEEN AB10 7FB	ABERDEENSHIRE CRICKET CLUB C/O LEDINGHAM CHALMERS LLP SOLICITORS JOHNSTONE HOUSE 52-54 ROSE STREET ABERDEEN AB10 1HA	27 February 2012	(1) Children and young persons attending a function at the Club and in the company of either a parent and/or responsible adult would be entitled to remain on the premises until the end of the function. (2) Children and young persons will be allowed access to the members' bar area until 20:00 daily to buy a soft drink for consumption on or off the premises, but away from the Members Bar area.
12 AUCHMILL GOLF CLUB BONNYVIEW ROAD HEATHRYFOLD ABERDEEN AB16 7FQ	AUCHMILL GOLF CLUB C/O RAEBURN CHRISTIE CLARK & WALLACE SOLICITORS 12-16 ALBYN PLACE ABERDEEN AB10 1PS	2 February 2012	Addition of outdoor drinking on the balcony and receptions and club meetings outwith core licensed hours.

ABERDEEN CITY LICENSING BOARD

Meeting 3 April 2012 at 10:30am in the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
13 BELLA ITALIA UNIT 6 QUEENS LINKS LEISURE PARK ABERDEEN AB24 5EN	BELLA ITALIA RESTAURANTS LIMITED C/O BRODIES LLP SOLICITORS 15 ATHOLL CRESCENT EDINBURGH EH3 8HA	30 January 2012	Change to layout plan to include an outdoor drinking area. Terminal hour for external seating will be 22:30. Children and young persons will be allowed access to the outdoor area.
BIELDSIDE INN 37 NORTH DEESIDE ROAD BIELDSIDE ABERDEEN AB15 9DB	PB DEVELOPMENT COMPANY LTD C/O PAULL & WILLIAMSON'S LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	14 November 2011	Vary the commencement hour for on sales on Sundays from 12:30 to 11:00. Vary the terminal hour for each day of the week from 00:00 to 01:00 but only in respect of the function room. Add conference facilities.
15 CLIFTON CONVENIENCE STORE 104 CLIFTON ROAD ABERDEEN AB24 4RD	RUBY THAVAM	17 November 2011	Addition of 1 Shelf (1m by 2.2m high by 30.37m wide x 5 shelves).
16 DEESIDE GOLF CLUB GOLF ROAD BIELDSIDE ABERDEEN AB15 9DL	DEESIDE GOLF CLUB C/O MACKINNON'S SOLICITORS 14 CARDEN PLACE ABERDEEN AB10 1UR	18 January 2012	Conversion of loft area into first floor conference suite, change of terms for children and young persons to allow them access to this area.

ABERDEEN CITY LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
17 ILICIT STILL & RYANS NETHERKIRKGATE ABERDEEN AB10 1AU	THE SPERATUS GROUP LIMITED C/O PAULL & WILLIAMSON'S LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	14 December 2011	Addition of Indoor/outdoor sports within and outwith core licensed hours.
18 LA BAMBA RESTAURANT 23 CROWN TERRACE ABERDEEN AB11 6HD	AJM FUNDING LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	5 January 2012	Inclusion of male adult entertainment for women's hen parties. Amend layout to include three "quiet room" seating areas.
19 MASADA BAR AND RUSTY NAIL LOUNGE 67 ROSEMOUNT VIADUCT ABERDEEN AB25 1NR	COLIN AND HAZEL CAMERON	14 December 2011	addition of Indoor/outdoor sports within core licensed hours. Change the operating plan to allow children and young persons between ages 2 - 17 years entry to private functions in the Rusty Nail Lounge on Friday evenings where accompanied by a parent. Entry will be allowed between 15:00 - 23:00 hours.
20 NIGG BAY GOLF CLUB ST FITTICKS ROAD ABERDEEN AB11 3QT	NIGG BAY GOLF CLUB	14 February 2012	Vary the commencement time on Saturdays from 11:00 to 10:00.

ABERDEEN CITY LICENSING BOARD

Meeting 3 April 2012 at 10:30am in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major) on Transfer(s)

Premises	Applicant	Date Received	Comments
21 BELUGA 492 UNION STREET ABERDEEN AB10 1TS	SAINSBURY'S SUPERMARKETS LTD C/O THE COMMERCIAL LAW PRACTICE SOLICITORS COMMERCIAL HOUSE 2 RUBISLAW TERRACE ABERDEEN AB10 1XE	20 December 2011	Change of use from a premises providing alcohol for consumption both on and off the premises to a Sainsbury's store which provides alcohol for off consumption only.

ABERDEEN CITY LICENSING BOARD

Meeting 3 April 2012 at 10:30am in Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Personal Licence(s)	Applicant	Date Received	Comments
Premises			
	JOHN MICHAEL ALEXANDER MCGHIE C/O WINCKWORTH SHERWOOD LLP SOLICITORS MINERVA HOUSE 5 MONTAGUE CLOSE LONDON SE1 9BB	17 February 2012	



Aberdeen Division
Police Headquarters
Queen Street
Aberdeen
AB10 1ZA

Our Ref: AD/GED/G0518/13643/12

Tel: 01224 306472

Your Ref:

Fax: 01224 306485

Date: 4 March 2012

ServiceCentre@grampian.pnn.police.uk

www.grampian.police.uk

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

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE
NANDO'S CHICKENLAND LIMITED
NANDO'S, UNIT 10, THE ACADEMY, BELMONT STREET, ABERDEEN, AB10
1LB**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

The applicant premises are situated in the 'Belmont Street area', which is within an area of overprovision as detailed within the Aberdeen City Licensing Board Statement of Licensing Policy. The Chief Constable therefore notes the terms of section 23(5)(e) of the 2005 Act.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Chief Constable objects to the provisional premises application specifically in relation to the grounds for refusal at sections 23(5)(e) of the same Act.

2.

This representation is submitted for your attention in considering this application.

Yours faithfully

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Murray Main
Chief Inspector



Aberdeen Division
Police Headquarters
Queen Street
Aberdeen
AB10 1ZA

Our Ref: GED/G0237/13654/12
Your Ref:

Tel: 01224 306472

Fax: 01224 306485

ServiceCentre@grampian.pnn.police.uk

www.grampian.police.uk

Date: 19 March 2012

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

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE
10 DOLLAR SHAKE LTD, 1 EAST CRAIBSTONE STREET, ABERDEEN, AB10
6YQ
THE TIPPLING HOUSE, 4 BELMONT STREET, ABERDEEN, AB10 1JE**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

The applicant premises are situated in the 'Belmont Street area', which is within an area of overprovision as detailed within the Aberdeen City Licensing Board Statement of Licensing Policy. The Chief Constable therefore notes the terms of section 23(5)(e) of the 2005 Act.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Chief Constable objects to the application specifically in relation to the grounds for refusal at section 23(5)(e) of the same Act.

2.

This representation is submitted for your attention in considering this application.

Yours faithfully

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Murray Main
Chief Inspector

Licensing - LSG.JH.DM.A15457.2 - THE TIPPLING HOUSE, BELMONT ST

From: [REDACTED]
To: <licensing@aberdeencity.gov.uk>
Date: 07/03/2012 17:32
Subject: LSG.JH.DM.A15457.2 - THE TIPPLING HOUSE, BELMONT ST
Attachments: ole0.bmp

Hello,

Further to the application I would like to raise an objection to this.


Firstly there are already plenty other bars on Belmont Street and they close at around 1am, this application is til 2 and 3 am which would have a detrimental effect on my quality of life. Already there is plenty of noise from the bars across from my flat and to have it from underneath is really too much. At times when it is too loud I have to resort to staying at my parents' house, which is not convenient. The noise from the front of Belmont street is almost unbearable at times and to have it from the back of my flat would be awful. Also we have issues with patrons from the surrounding bars urinating in our doorstep- which I have actually seen with my own eyes and had to confront a very drunk man on my own. To have yet another bar would increase the possibility of this happening.

I hope you can appreciate my concerns on this matter.

My address is [REDACTED]

Thanks

Alison Wiseman
[REDACTED]

 Picture (Device Independent Bitmap)

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]... 08/03/2012

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Licensing Team
Legal & Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6415
Marischal College
Aberdeen AB10 1AQ.

2-2-2012

Dear Sirs,

Re Bieldside Inn.

Reading the Press and Journal yesterday
1st February was the first I knew about
the request to extend licensing to 1AM each
day.

Surely the present closing time of 1030pm
is correct for locals enjoying a meal
and friendship.

This is a very peaceful area and should
remain so. We have occasional parking
problems outside our house and on the
double yellow lines beside the electric
sub-station.

Yours Faithfully

PS.

37 years here.

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Licensing Team
Legal & Democratic Services
Corporate Governance
Business Hub 6 L 1 S
Marischall College
Aberdeen AB10 1AQ

[REDACTED]
3rd February 2012

For the attention of the Licensing Board; Re Bielside Inn

We wish to make the following points about the proposed licensing hours' extension at the Bielside Inn.

We were not aware until the past few days of these proposed changes to the licensing hours in spite of the fact we regularly visit the Inn to eat and we walk past to the shops every day.

The notices posted on the Bielside premises were inconspicuous to the extreme. Therefore very few residents were aware of the proposals. This resulted in few letters of objection.

The notice had been placed in a window at the back of the premises in what we regarded as an inconspicuous position, as was the notice at the front. There was no notice inside the premises.

We are concerned at the lack of parking at the premises and the overspill which would potentially cause parking problems on nearby private and public roads. Perhaps you may wish to consult the Police and Road departments on this matter.

We are concerned about the future noise disruption as this has been a problem in the past.

In the past, several neighbours have complained to the Inn owners about another problem, namely cooking smells. This has already been reported to environmental health.

We are still concerned at this application and potential escalation of problems in the future in this residential area and lack of parking.

We appreciate this is a late response but would ask you to take it into account, given the fact that, for whatever reason, most potentially affected residents in proximity to the Bielside Inn, were not aware or informed of proposed changes. We are sure many elderly residents of the area would not see these notices, even if they were prominently displayed, as they are not customers of the Bielside Inn. Most customers were not aware of these notices which also says something about their prominence.

Yours faithfully,

[REDACTED]
Stuart Bowler and Shona Bowler [REDACTED]

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Licensing Team
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6 L 1 S
Marischal College
Aberdeen
AB10 1AQ

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
1st February 2012

For the attention of the Licensing Board,

Re. Bielside Inn

Further to my telecom of today with Arlene Dunbar, I wish to make the following points on behalf of myself, my family and many concerned neighbours:

We were not aware until today of proposed changes to the licensing hours

The notices posted on the Bielside premises were inconspicuous to the extreme. Therefore very few residents were aware of the proposals. Thus this resulted in few letters of objection.

Mr Triplett, another concerned neighbour and I met today with the landlord, Bob Calder. He explained that the notice had been placed in a window at the back of the premises in what we regarded as an inconspicuous position. The notice at the front of the building, we believe was also not in a conspicuous position. There was no notice inside the premises. Mr Triplett and I are good and regular customers of the Bielside Inn and are somewhat disappointed that Mr Calder at no time intimated changes which could have a detrimental effect on a predominately residential area.

We are concerned at the lack of parking at the premises and the overspill which would potentially cause parking problems on nearby private and public roads. Perhaps you may wish to consult the Police and Roads Departments on this matter.

We intimated our concern to Mr Calder of past noise disruption. This would be escalated should an extension be granted, e g people leaving the premises after 1am, causing noise pollution at an unacceptable hour in a residential area.

We expressed deep concern to Mr Calder regarding an ongoing environmental pollution problem, namely cooking smells which have already been reported to environmental health.

Mr Calder plausibly explained his point of view and agreed to investigate our complaints and take action to solve these matters. We explained as regulars, we appreciate his actions in controlling youth problems and were reassured by his attitude. Nevertheless we are still concerned at this application and potential escalation of problems in the future in this

residential area with a lack of parking. We were pleased that Mr Calder listened to our point of view and will work with us to resolve the problem of cooking smells.

We appreciate this is a late response but would ask you to take it into account, given the fact that for whatever reason, most potentially affected residents in proximity to the Bielside Inn, were not aware or informed of these proposed changes. You will appreciate, I am sure, many elderly residents of the area would not see these notices, even if they were prominently displayed as they are not customers of the Bielside Inn. Most customers were not aware of these notices which also says something about their prominence.

Yours faithfully

[REDACTED]

Michael M Gillespie

[REDACTED]

Enc. Copy e mail attention, Arlene Dunbar

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

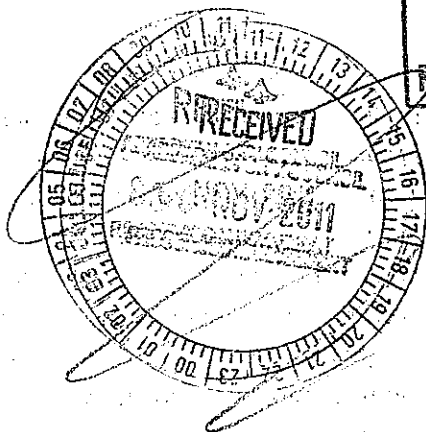
[REDACTED]

[REDACTED]

INPUT ON

- 8 DEC 2011

REF. NO. [REDACTED]



4 Dec 2011

Dear Madam

Ref Bielside Inn , 37 North Deeside Road, AB15 9DB

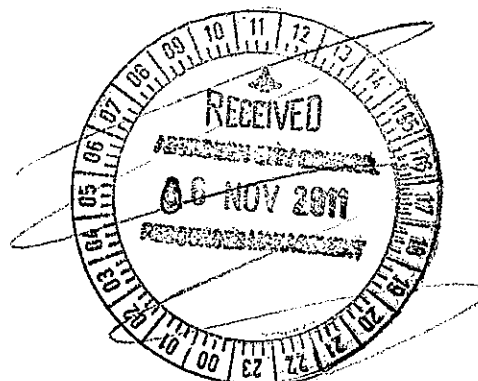
I refer to your letter of 29th Nov referring to the application for earlier commencement and later termination of hours for the function room at the Bielside Inn. We have been resident at the above address for 20 years which is very close to the rear car park (and function room). There have been a range of owners of the Inn over that time focusing on different types of usage and whilst in the main the noise levels have been acceptable there have been occasions with large groups present at the Inn when it can be very disturbing – particularly late at night when the group is leaving and the noise in the car park is high. This was made worse a few years ago when the 'barn' at the rear of the car park was removed and the capacity of the car park increased. Whilst the Sunday midday change is not too much of an issue we do have serious concerns about extending the closing time to 1:00 am which will probably result in cars leaving and staff clearing up well after that time. This is a residential area with low background noise and hence this impact (as we have experienced before) becomes very intrusive, particularly in summer when groups spill to the outside of the premises and resident's windows are open.

We trust you will give our concerns due consideration when reviewing the application.

Yours faithfully

[REDACTED]

David Choat



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Licensing - FW: Bielside Inn

From: Isobel Maughan <[REDACTED]>
To: <licensing@aberdeencity.gov.uk>, [REDACTED]
Date: 22/12/2011 11:40
Subject: FW: Bielside Inn

Arlene, thank you for your response. As we are in line with the Bielside Inn and affected by noise, I thought this would have been brought to our attention. However, I have had the opportunity to discuss the application with my neighbours at numbers [REDACTED] Station Road ([REDACTED]) and we would like to notify you of our objections of this extension on the grounds that,

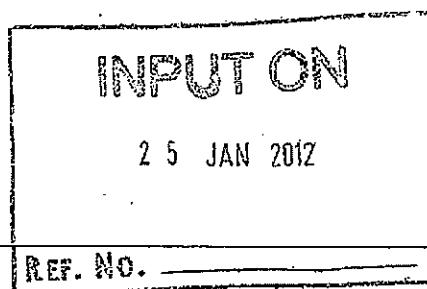
1. Residential area -we are in a residential area and these extended hours during the working week are concerning.
2. Noise and Public Nuisance-in recent weeks, especially at weekends there has been an increase in the noise levels such that it is impossible to sleep on Saturday evenings especially up to 12 midnight, although in fairness, this currently stops at midnight, we are having to close windows/turn up the TV to drown out the noise. Whilst this is mainly on a Saturday the proposed extension for every night is particularly concerning and we believe may result in a public nuisance.
 -in addition to the noise generated by the pub itself, there is increased noise from people leaving late at night.
 -the installation of an outside heater has encouraged more outside noise.
3. Highway and Public safety- over the past few weeks, the increased parking has become a problem. Double yellow lines are ignored and there are problems with adequate room for entering and leaving the pub car park. This is also now causing problems and congestion approaching the traffic lights at the junction of Station Road and North Deeside Road. In addition when the car park is full, which it commonly is at present, there is increased strain on limited parking in the surrounding streets.
4. Litter- in recent weeks there has been an increase in litter around Station Road and outside the pub on North Deeside Road, especially noticeable on Sunday morning when litter and vomit mar the area.

We do not believe it is appropriate to extend the hours as suggested given the above issues have increased greatly since the new owners took over and whilst we understand the need to generate and increase volume of people visiting the pub, we believe these extended hours are detrimental to local residents.

Can you confirm this is acceptable by e mail as an objection? - *Sent email acknowledging*

Many thanks

Isobel.



Date: Fri, 9 Dec 2011 11:59:16 +0000
 From: Licensing@aberdeencity.gov.uk
 To: [REDACTED]
 Subject: Re: Bielside Inn

Dear Ms Maughan

An application has been received to increase the terminal hour (closing time) for the private function suite by one hour to 01:00 and to open on Sundays from 11:00. A display notice should be displayed at the premises between 02 and 23 December. Only neighbours within 4 metres of the premises are notified of applications.

Regards

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INPUT ON

21 DEC 2011

Ref. No. _____

19th December 2011

Clerk to the Licensing Board
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6 L1S
Marischal College
Aberdeen
AB10 1AB



Dear Madam

Aberdeen City Licensing Board
Bieldside Inn, 37 North Deeside Road, Bieldside, Aberdeen

We are the owners of [REDACTED], Bieldside, (the next house but one to the Bieldside Inn) and write to make representations to the Board regarding the application for variation of the premises licence.

We preface our comments by saying that we are glad that Mr. Clarkson's company has bought the premises and wish him well in his venture.

We would prefer that any extension of the "terminal hour" for the function room be on an occasional basis only or, at the least, be restricted to a Friday or Saturday night. There is a good deal of noise caused late at night by smokers gathering on the balcony or in the car park, particularly in the summer, and by customers leaving the premises. This is understandable and acceptable at a weekend but to allow an extension to 1.00 am from Sunday to Thursday will involve a significant increase in noise in the early hours of the working week and is a step too far.

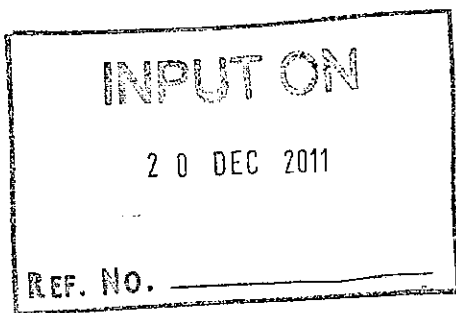
When acknowledging, we should be grateful if you would advise us of the date of the meeting at which this application will be considered.

Yours faithfully

[REDACTED SIGNATURE]

Graeme & Vivien Ogston

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[REDACTED]



11 December 2011

Dear Sir,

Reference Bielside Inn Application For Licence Variation

Thank you for your letter dated 29 November 2011 regarding the application from the Bielside Inn for a variation in premise licence. We have a number of concerns about this application and we object to the variation being approved as it stands. Our property is adjacent to the Inn and we feel the extension of licensing hours to 1 a.m. would lead to excessive noise late at night.

When functions are held at the Inn the participants often congregate outside to smoke and chat and the sound of music can be clearly heard through open doors. While this has not been of concern to us when the sales licence was restricted to 12:00 midnight, if the licence is to be extended to 1 a.m. we believe the noise will keep us and other residents awake beyond 1 a.m., as the noise would actually continue while people leave in their cars for home. Departure is often accompanied by singing and shouting as well as the usual sounds of doors shutting and engines starting.

We have got on well with the various owners of the Bielside Inn over the last 20 years and have had to complain about noise or damage on only a few occasions. We recognise that there will be some disturbance that comes with living next door to a popular Inn. We have tolerated loud music until midnight and glass bottle recycling early on a Sunday morning. We would ask that the Aberdeen City Licensing Board recognise that the Bielside Inn is in a residential area, not a night club in the centre of Aberdeen, and reject the application.

We have no objection to the request to commence sales on Sunday from 11:00 a.m.

The Bielside Inn is a popular establishment, which is well used by local residents including ourselves, and guests from outside the area; we hope that it continues to be successful. We believe it does not need a late hours extension for its function room to achieve that.

Yours faithfully,

[REDACTED]
Peter & Lynn Roberts

cc. Councillors Marie Boulton, Aileen Malone, Alan Milne

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28th February 2012

Licensing Board Office
Marischal College
Aberdeen
AB10 1AQ

Dear Sir/Madam,

I am writing to you regarding the notice of application for variation of premises licence at 23 Crown Terrace, Aberdeen, AB11 6HD, the former La Bamba Restaurant.

I have lived in [REDACTED], directly across from no. 23, since 1984.

I note that there is no requested change to the licensing hours. However, over the past few years the local residents of Crown Terrace have suffered the noise and rowdy outpouring of customers from this restaurant/bar at 9pm and midnight (approximate timings), as the staggered "sittings" are serviced and discharged into the street.

There has never been any responsibility taken by the management of the restaurant/bar to address the issue of Public Nuisance caused by their drunken patrons, who often spend an inappropriate amount of time loitering outside the bar, shouting and arguing, armed with percussion items (provided by the bar). The consequences of binge-drinking are there in the mornings for all to see in the form of vomit and urine in our doorways. Public Health and Safety concerns in quiet side streets such as Crown Terrace should be of paramount consideration by your office.

The only change to the operating licence is for male entertainers for "hen parties" and an amendment to the internal layout plan. This is not my concern. What happens in the restaurant/bar's proposed three quiet rooms is of no interest to me. The problem I have is with the whole application for a licence and the effects upon the residents of the street; i.e., the people who do NOT elect to be thus "entertained".

I am aware that over the years complaints have been sent to police about the behaviour I have described and I did send a letter of objection to the Licensing Board Office with my concerns regarding the original licensing request by La Bamba. It is clear to all who live in its vicinity that all of these menacing scenarios are really happening.

It is within your remit to curb the anti-social practices of this type of business operating in a quiet residential street. Residents who have lived in Crown Terrace as long, and longer than I will be very disappointed if this licence is passed again without due regard to the request for some respect to be given by your board to the people who live close to the city centre.

Yours sincerely,

[REDACTED]
Evelyn Provatos

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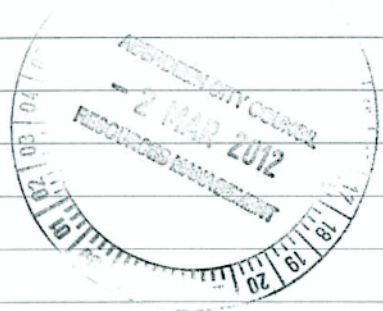
[REDACTED]

To whom it may concern,

We strongly object to the late licence that may be given or has been given to the premises LA Bambo, Grown Terrace.

Persons including myself have to get up for work in mornings, and with the high level of noise our sleep patterns are being disturbed.

I have reason to believe that there is a noise control policy that requires residential areas being 10pm to 7am, this should be considered,



[REDACTED]

[REDACTED]

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Mr I Young
[Redacted]

Cancer - Your Support Matters

Dear Sir/Madam,

Regarding the application for an entertainment licence for the premises at 23 Crown Terrace Aberdeen, I wish to lodge my objection to the granting of this licence on the following grounds.

- As an 83 year old owner/occupier at the above address in a mainly residential street with 3 churches & a mosque I do not think that this is a suitable location for what is basically a strip club.
- Having already endured noise pollution due to Stag / Hen Nights organised by previous occupants of no 23 I can assure you I do not look forward to a repeat of these nights
- In addition it goes without saying that the type of "entertainment" venue proposed will invariably lead to undesirable elements loitering in the streets in and around Crown Terrace.

Yours,

[Redacted Signature]



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Dear Sir or Madam.

1st March 2012.

We are a retired couple, owner/occupier at [REDACTED]. We have lived here since 1970. Entertainment at 23 C.T. has become increasingly noisy over the years. We have put up with stag/hen nights, with loud young people, who have no concern for residence around them. Scantily clad girls, smoking outside, is not what we want to see from our windows directly opposite no 23. So now we strongly object, and oppose the application, for the extended licence for this type of entertainment. I believe it a strip club. Ask those applying for this licence if they would agree to it in their own neighbourhood.

Yours Faithfully

—MR + MRS J J BROWN.
[REDACTED]

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Mike Mackinnon
[REDACTED]

29th February 2012

Licensing Board Office
Marischal College
Aberdeen
AB10 1AQ

Dear Sir/Madam,

I have been a resident of [REDACTED] for almost 30 years.

I am writing to you regarding the notice of application for variation of premises licence at 23 Crown Terrace, Aberdeen, AB11 6HD, the former La Bamba. Restaurant.

If this licence is passed by your board, I look forward in dismay to a continuation of the unpleasant behaviour which has been inflicted on local residents over the years.

We have suffered noise, aggressive drunkenness, the fouling of doorways and random deliberate damage to parked cars. Businesses which sell alcohol to customers, should bear the responsibility of monitoring the behaviour of their customers as they leave. The use of door security staff would help contain the behaviour of large groups or "hen-parties".

This street already has several restaurants and bars which manage to operate without nuisance to local residents. None of these premises advertises "male entertainment for hen parties".

As my flat is on the [REDACTED] of the building directly across from number 23, I have full view of the area to the side of the premises, which has a door and a window. The door, which may be a fire exit, is always completely stacked with debris. The window is used as a door by premises staff, who climb out for a smoke. The pavement at the front of the premises is blocked by wheelie bins and empty cartons. Apart from spoiling the general look of my neighbourhood, this surely is a breach of several Health and Safety regulations.

Please ensure that any continuation of this licence is conditional on the new licensee putting arrangements in place to safeguard the security and peace of this residential area.

Yours sincerely,

[REDACTED]
Mike Mackinnon

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[REDACTED]
[REDACTED]
[REDACTED]
Licensing Board Office,
Marischal College
Aberdeen
AB10 1AQ

Wednesday, 1st of March 2012

To whom it may concern,

We are writing to you in order to object the new proposal for Nirvana, currently at the address of La Bamba Restaurant, 23 Crown Terrace, Aberdeen, AB11 6HD. The reason for this is the fact that the restaurant causes enough problems as it is. We believe this new proposal will only cause more problems for the street. The amount of noise and trouble that their customers will bring is just un-imaginable. We have had to call the police on several occasions due to the nuisance from its customers and loud music already. The fact that they propose to stay open until 1am on week nights is in itself a ridiculous decision. We understand that we live in the city centre of Aberdeen and therefore street noise is un-avoidable however, we believe if such proposal is accepted then the planning department are not taking in consideration the residents of the street.

[REDACTED]
Thais Goncalves Ferreira

[REDACTED]
Henrique Goncalves Ferreira

[REDACTED]
James Yorkston

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GRAMPIAN
P · O · L · I · C · E

Keeping our communities safe

Aberdeen Division
Police Headquarters
Queen Street
Aberdeen
AB10 1ZA

Our Ref: GED/13503/12/0424

Tel: 01224 306472

Your Ref:

Fax: 01224 306485

Date: 4 March 2012

ServiceCentre@grampian.pnn.police.uk

www.grampian.police.uk

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

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PERSONAL LICENCE**

JOHN MICHAEL ALEXANDER MCGHIE, [REDACTED]

I refer to the above application and in terms of Section 73(3)(a) of the Licensing (Scotland) Act 2005, I have to advise you that the applicant, based upon the details provided to Grampian Police, has not been convicted of any relevant offence.

I am also unable to confirm the existence of any foreign offence in respect of the applicant.

Several messages have been left on the applicant's telephone answer machine asking for him to contact Grampian Police to carry out his interview which have not been responded to. Officers have also attempted to trace the applicant at his home address with no success.

As a result, it has not been possible to complete the enquiry into the application within the 21 day notice period.

The Chief Constable therefore notes the terms of Section 74(2)(a), 3(a) and (4) of the Licensing (Scotland) Act 2005, and is of the opinion that all conditions in relation to the applicant have not been met and that the application be refused.

I submit this letter for your consideration.

Yours faithfully

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Murray Main
Chief Inspector

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