

LICENSING BOARD

ABERDEEN, 26 June 2012. Minute of Meeting of the LICENSING BOARD.
Present:- Councillor Boulton, Convener; and Councillors Cameron, Carle, Dickson, Forsyth, Grant, Jaffrey, and Lawrence.

APPOINTMENT OF CONVENER

1. The Board unanimously elected Councillor Boulton to be its Convener.

LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the applications listed in Appendix A to this minute.

The Board resolved:-

that all applications be determined on the basis shown in Appendix A.

PERSONAL LICENCE REVIEW HEARING: AC2753

3. The Board was advised that the applicant was unable to attend the meeting due to a family bereavement.

The Board resolved:-

to defer the hearing to its next appropriate meeting.

STATEMENT OF PRINCIPLES - GAMBLING POLICY

4. The Board had before it a report from the Depute Clerk advising Members that its Statement of Principles required to be reviewed, revised and published by 3 January, 2013. As part of the review, officers will conduct a consultation process allowing eight weeks for responses, the results of which will thereafter be reported back to the Board for its consideration.

The Board resolved:-

to note the position.

APPOINTMENT OF MEMBERSHIP OF DOOR SUPERVISORS WORKING GROUP - I

5. The Board were advised that it was necessary to identify those of its Members who wished to be appointed to its Door Supervisors Working Group. Following discussion, the Members agreed to increase their membership of the group to five and thereafter proceeded to appoint the Convener and Councillors Carle, Dickson, Forsyth and Grant.

LICENSING BOARD MEETING DATES

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6. Members were reminded that it had been agreed that the Board would meet every eight weeks. Some adjustment may be required to prevent meetings taking place during the vacation and a calendar of meeting dates will be provided to the Board in due course for Members' approval.

IS IT WORTH IT -

7. The Board was advised of the recent screening of the film "Is It Worth It?". The film was made locally with the support of a number of local interests including Unignt and Grampian Police and highlighted the dangers of breaching licensing legislation by attempting to purchase alcohol whilst under age.

The Board resolved:-

to request a special screening for its Members on a date to be arranged and in the meantime to support the message which the film was promoting.

- MARIE BOULTON, Convener.

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APPENDIX A

1. **APPLICATION FOR GRANT OF PROVISIONAL PREMISES LICENCE**
Premises – Gamola Golf, 47 – 53 Market Street, Aberdeen

Mrs Hood, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

2. **APPLICATION FOR GRANT OF PROVISIONAL PREMISES LICENCE**
Premises – Nick Nairn Cook School, 15 Back Wynd, Aberdeen

The Board had before it a letter of objection from Grampian Police. Sergeant Skinner addressed the Board in support of the letter of objection. Mrs Hood thereafter addressed the Board in support of the application.

The Board resolved:-
to grant the application.

3. **APPLICATION FOR GRANT OF PROVISIONAL PREMISES LICENCE**
Premises – Unit FS1, First Floor Mall, Union Square, Aberdeen

Mr Wood, Solicitor, addressed the Board in support of the application.

The Board resolved:-
to grant the application.

4. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Bad Apple, 2 Justice Mill Lane, Aberdeen

The Board were advised that part of the application referring to the creation of an external terrace on the first floor for eating and drinking had been withdrawn.

The Board had before it two letters of objection. Neither of the objectors was present.

Mrs Hood, Solicitor, addressed the Board in support of the application.

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The Board resolved:-

to grant the application on the following condition: The licence holder shall ensure that at any time, the number of customers smoking outside the premises shall not exceed a maximum of 20.

5. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Eljo's 53 Langstane Place, Aberdeen

The Board had before it a letter of objection. The objector was not present.

Mrs Hood, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application.

6. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Frankie & Benny's, Unit 5, Queen's Links Leisure Park, Aberdeen

Mr Park, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application on condition that the part of the premises which provides outdoor drinking facilities ceases to operate at 2200 hours.

7. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Ghillies Lair, Great Southern Road, Inverdee, Aberdeen

Mr Wood, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application.

8. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Hilton Garden Inn, St. Andrew Street, Aberdeen

Mr Wood, General Manager of the applicant company, addressed the Board in support of the application.

The Board resolved:-

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to grant the application.

9. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Kirkgate Bar, 18 Upperkirkgate, Aberdeen

The Board were advised that the confirmation of site notice had not been submitted.

The Board resolved:-

to defer consideration of the application to its next appropriate meeting.

10. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Konnichi Bar, Unit 8, The Academy, Belmont Street, Aberdeen

The Board were advised that part of the application to add televised sports had been withdrawn and that the remaining part of the application which referred to a change of the designated premises manager had already been granted as a minor variation under delegated powers.

11. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – La Lombarda, 2 King Street, Aberdeen

The Board heard Mr. Wyatt, on behalf of the applicant company, speak in support of the application.

The Board resolved:-

to grant the application on the following conditions: (i) the area of the premises which provides outdoor drinking facilities shall cease to operate at 22:00; and (ii) music shall not be provided outside at anytime.

12. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Rendezvous at Nargile Restaurant, 106 Forest Avenue, Aberdeen

The Board were advised that this application had been withdrawn.

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13. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Robert Gordon University Student Association, 60 Schoolhill, Aberdeen

Ms Robb, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application subject to an amendment of the operating plan whereby children would be excluded from the premises after 2200 hours.

14. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Sunny's (Nisa), 36 – 40 Market Street, Aberdeen

Mrs Hood, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application.

15. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Sunny's, 91 Urquhart Road, Aberdeen

The Board had before it a letter of objection. The objector was not present.

Mrs Hood, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application.

16. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – The Supermarket, 384 – 386 Great Northern Road, Aberdeen

Mrs Hood, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application.

17. **APPLICATION FOR VARIATION OF PREMISES LICENCE**
Premises – Woodend Bar, 225 – 227 Stoneywood Road, Aberdeen

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The Board heard Mr Dempster, Aberdeen Excise Licence Holders Association speak on behalf of the applicant in support of the application.

The Board resolved:-

to grant the application.

18. APPLICATION FOR VARIATION ON TRANSFER**Premises – Aperitivo, Unit 11, The Galleria, Bon Accord Street, Aberdeen**

Ms Robb, Solicitor, addressed the Board in support of the application.

The Board resolved:-

to grant the application on the following conditions: (i) the outside drinking facilities will cease to operate at 2230 hours; (ii) the takeaway food facility shall operate between the hours of 08:00 to 20:00 only; and (iii) food shall be provided for consumption on the premises between the hours of 08:00 to 00:00 only.

19. APPLICATION FOR PERSONAL LICENCE**Application Ref. No. 2/019**

The Board had before it a notice in terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 submitted by the Chief Constable, Grampian Police who recommended for the purposes of the crime prevention objective that the application be refused.

Mrs Hood, Solicitor, addressed the Board on behalf of the applicant who was present.

The Board resolved:-

to grant the application.

20. APPLICATION FOR PERSONAL LICENCE**Application Ref. No. 2/020**

The Board had before it a notice in terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 submitted by the Chief Constable, Grampian Police who recommended for the purposes of the crime and disorder prevention objective that the application be refused.

Sergeant Skinner addressed the Board on behalf of the Chief Constable.

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The applicant addressed the Board on his own behalf in support of the application.

The Board resolved:-

to grant the application.

21. APPLICATION FOR PERSONAL LICENCE**Application Ref. No. 2/021**

The Board had before it a letter from the Chief Constable, Grampian Police.

The Board resolved:-

to defer consideration of the application to allow the Depute Clerk to write again to the applicant seeking a response and to notify the applicant that, if no response to the letter was forthcoming within 14 days of the date of the letter, the Board would consider that the application had been withdrawn.

22. APPLICATION FOR PERSONAL LICENCE**Application Ref. No. 2/022**

The Board were advised that the applicant had submitted a letter indicating that he was unable to attend the meeting as he was abroad on holiday.

The Board resolved:-

to defer consideration of the application to its next meeting.

23. APPLICATION FOR PERSONAL LICENCE**Application Ref. No. 2/023**

The Board were advised that the application had been withdrawn.

24. APPLICATION FOR PERSONAL LICENCE**Application Ref. No. 2/024**

The Board had before it a letter from the Chief Constable, Grampian Police.

The Board resolved:-

to defer consideration of the application to allow the Depute Clerk to write again to the applicant seeking a response and to notify the applicant that, if no

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response to the letter was forthcoming within 14 days of the date of the letter, the Board would consider that the application had been withdrawn.

25. **APPLICATION FOR PERSONAL LICENCE**
Application Ref. No. 2/025

The Board had before it a letter from the Chief Constable, Grampian Police recommending for the purposes of the crime and disorder objective that the application be refused and heard Sergeant Skinner speak in support of the letter.

The applicant thereafter spoke on her own behalf in support of her application.

The Board resolved:-
to refuse the application.

26. **APPLICATION FOR GRANT OF BINGO PREMISES LICENCE**
Premises – The Boardwalk, Sea Beach, Aberdeen

Mr McGowan, Solicitor, addressed the Board in support of the application. He explained to the Board that the premises were currently licensed as an adult gaming centre and, that if the Board were minded to grant the application, the existing licence would be surrendered upon grant.

The Board resolved:-
to grant the application.