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To: Councillors Boulton, Cameron, Carle, Forsyth, Jaffrey, Lawrence, Dickson and Grant.

Town House,
ABERDEEN 14 June 2012

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in the Council Chamber, Town House, Broad Street on **TUESDAY, 26 JUNE 2012 at 9:30am for 10.30 am.**

JANE G MACEACHRAN
CLERK TO THE LICENSING BOARD

B U S I N E S S

1 Appointment of Convener

2 List of Applications (Items 1-26) (Pages 1 - 10)

- 2.1 Application for a Provisional Premises Licence: Gamola Golf, 47-53 Market Street, Aberdeen (no papers)
- 2.2 Application for a Provisional Premises Licence: Nick Nairn Cook School, 15 Back Wynd, Aberdeen (Pages 11 - 12)
- 2.3 Application for a Provisional Premises Licence: Unit FS1, First Floor Mall, Union Square, Aberdeen (no papers)
- 2.4 Application for Variation of a Premises Licence: Bad Apple, 2 Justice Mill Lane, Aberdeen (Pages 13 - 18)

- 2.5 Application for Variation of a Premises Licence: Eljo's, 53 Langstane Place, Aberdeen (Pages 19 - 20)
- 2.6 Application for Variation of a Premises Licence: Frankie & Benny's, Unit 5 Queen's Links Leisure Park, Aberdeen (Pages 21 - 22)
- 2.7 Application for Variation of a Premises Licence: Ghillies Lair, Great Southern Road, Aberdeen (no papers)
- 2.8 Application for Variation of a Premises Licence: Hilton Garden Inn, St Andrew Street, Aberdeen (no papers)
- 2.9 Application for Variation of a Premises Licence: Kirkgate Bar, 18 Upperkirkgate, Aberdeen (no papers)
- 2.10 Application for Variation of a Premises Licence: Konnichi Bar, Unit 8, The Academy, Belmont Street, Aberdeen (Pages 23 - 26)
- 2.11 Application for Variation of a Premises Licence: La Lombarda, 2 King Street, Aberdeen (no papers)
- 2.12 Application for Variation of a Premises Licence: Rendezvous at Nargile, 106 Forest Avenue, Aberdeen (Pages 27 - 44)
- 2.13 Application for Variation of a Premises Licence: Robert Gordon University Student Association (no papers)
- 2.14 Application for Variation of a Premises Licence: Sunny's (Nisa), 36-40 Market Street, Aberdeen (no papers)
- 2.15 Application for Variation of a Premises Licence: Sunny's, 91 Urquhart Road, Aberdeen (Pages 45 - 46)
- 2.16 Application for Variation of a Premises Licence: The Supermarket, 384-386 Great Northern Road, Aberdeen (no papers)
- 2.17 Application for Variation of a Premises Licence: Woodend Bar, 225-227 Stonywood, Aberdeen (no papers)
- 2.18 Application for Variation of a Premises Licence on Transfer: Apertivo, Unit 11 The Galleria, Aberdeen (no papers)
- 2.19 Application for a Personal Licence: AC2911 (Pages 47 - 48)

- 2.20 Application for a Personal Licence: AC2956 (Pages 49 - 50)
- 2.21 Application for a Personal Licence: AC2964 (Pages 51 - 52)
- 2.22 Application for a Personal Licence: AC2968 (Pages 53 - 54)
- 2.23 Application for a Personal Licence: AC2975 (Pages 55 - 56)
- 2.24 Application for a Personal Licence: AC2960 (Pages 57 - 58)
- 2.25 Application for a Personal Licence: AC3000 (Pages 59 - 60)
- 2.26 Application for a Bingo Premises Licence: The Boardwalk, Sea Beach, Aberdeen

- 3 **Personal Licence Review Hearing: AC2753** (Pages 61 - 62)

- 4 **Statement of Principles - Gambling Policy - Report by Depute Clerk** (Pages 63 - 64)

- 5 **Appointment of Membership of Door Supervisors Working Group - Item for discussion**

- 6 **Licensing Board meeting dates 2012; 2013; 2014; 2015; 2016 – Item for discussion**

- 7 **Is It Worth It - Verbal report from Depute Clerk**

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

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ABERDEEN CITY LICENSING BOARD

Meeting 26 June 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	
1 GAMOLA GOLF 47-53 MARKET STREET ABERDEEN AB11 5PZ	GAMOLA GOLF LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	21 March 2012		
NICK NAIRN COOK SCHOOL 15 BACK WYND ABERDEEN AB10 1JN	NICK NAIRN COOK SCHOOL	19 March 2012	A cookery school providing hands-on cooking lessons to the general public. Wine is to be provided to accompany meals created by participants. Bookings are in advance only. Wine is not for sale for non cooking course participants.	
3 UNIT FS1 FIRST FLOOR MALL UNION SQUARE GUILD STREET ABERDEEN	LAS IGUANAS LIMITED C/O BRODIES LLP SOLICITORS 15 ATHOLL CRESCENT EDINBURGH EH3 8HA	2 May 2012		

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 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
4 BAD APPLE 2 JUSTICE MILL LANE ABERDEEN AB11 6EP	G1 GROUP PLC C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	8 May 2012	Change to layout to include new bar areas on ground and first floors, the addition of tiered seating over first and second floors and creation of an external terrace on the first floor for eating and drinking. Children and young persons will no longer be allowed access to the premises.
5 ELJO'S 53 LANGSTANE PLACE ABERDEEN AB11 6EN	BOWDEN DEVELOPMENTS LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	9 May 2012	Vary the terminal hour seven days a week from 23:00 to 01:00. Vary Sunday opening hour to 11:00.
6 FRANKIE & BENNY'S UNIT 5 QUEENS LINKS LEISURE PARK ABERDEEN AB24 5EN	THE RESTAURANT GROUP (UK) LIMITED C/O PINSENT MASONS LLP SOLICITORS 141 BOTHWELL STREET GLASGOW G2 7EQ	11 April 2012	Change to operating and layout plans to allow outdoor drinking facilities.

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Applicant

Date Received

Comments

7 GHILLIES LAIR
GREAT SOUTHERN ROAD
INVERDEE
ABERDEEN
AB12 5XA

MITCHELLS & BUTLERS RETAIL LTD
C/O HILL BROWN
SOLICITORS
3 NEWTON PLACE
GLASGOW
G3 7PU

2 March 2012

Vary the commencement time for on and off sales on Sundays to 11:00. Allow children and young persons access to the premises at all times when open rather than only during core licensed hours.

HILTON GARDEN INN
ST ANDREW STREET
ABERDEEN
AB25 1JA

HILTON UK MANAGE LIMITED
C/O BECKY REISENBUEHLER
HILTON GARDEN INN
31 ST ANDREWS STREET
ABERDEEN
AB25 1JA

12 March 2012

Amend the operating plan to reflect that background music will be played during breakfast times and outwith core licensed hours. Televisions will be on during breakfast and televised sport provided outwith core licensed hours.

9 KIRKGATE BAR
18 UPPERKIRKGATE
ABERDEEN
AB10 1BA

TOWN HOUSES LIMITED

20 January 2012

Amend operating plan to include recorded music to allow for a juke box and also indoor/outdoor sports to take account of a dart board.

10 KONNACHI BAR
UNIT 8 THE ACADEMY
BELMONT STREET
ABERDEEN
AB10 1LB

PETER CHAN
C/O GRANT SMITH LAW PRACTICE
AMICABLE HOUSE
252 UNION STREET
ABERDEEN
AB10 1TN

28 February 2012

Addition of televised sports and change of manager

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Date Received

Comments

11 LA LOMBARDA
2 KING STREET
ABERDEEN
AB24 5AX

LA LOM LTD
C/O ESSELMONT CAMERON GAULD
SOLICITORS
18 CARDEN PLACE
ABERDEEN
AB10 1UQ

3 May 2012

Variation to layout plan to include outdoor drinking, also addition of live performances. Change the areas that children and young person are allowed entry to include the outdoor seating area.

RENDEZVOUS AT NARGILE
RESTAURANT
106 FOREST AVENUE
ABERDEEN
AB15 4UP

KAREN MARY IRIDAG
C/O BRODIES LLP
SOLICITORS
23 CARDEN PLACE
ABERDEEN
AB10 1UQ

30 April 2012

Change of external layout - remove seating from pavement directly adjacent to the premises and create a walled garden area to the rear of the premises for use up to 23:00 hrs.

13 ROBERT GORDON UNIVERSITY
STUDENT ASSOCIATION
60 SCHOOLHILL
ABERDEEN
AB10 1JQ

ROBERT GORDON UNIVERSITY
STUDENT ASSOCIATION
C/O PAULL & WILLIAMSON'S LLP
SOLICITORS
UNION PLAZA
1 UNION WYND
ABERDEEN
AB10 1DQ

26 April 2012

Allow non-members (including children and young persons) limited access on university open days and graduation days. Allow children and young persons, who are the children of students who are members, to be given access to the premises at any time (but not to any bar area) when the facility is open and when accompanied by a parent. Provide background music and receptions outwith core hours.

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Applicant

Date Received

Comments

14 SUNNY'S (NISA)
36-40 MARKET STREET
ABERDEEN
AB11 5PL

THE PARTNERSHIP OF KHURSHID
BHATTI AND ZHUBAIR AHMED
(LAHORE KARAH)

10 February 2012

Change of layout to include
more shelving for the display
of alcohol.

15 SUNNY'S
91 URQUHART ROAD
ABERDEEN
AB24 5ND

KHURSHID AHMAD BHATTI

13 January 2012

Vary commencement time on
Sundays from 12:30 to 10:00

THE SUPERMARKET
384-386 GREAT NORTHERN ROAD
ABERDEEN
AB24 2AX

PIOTR SERAFIN LIMITED
C/O JAMES & GEORGE COLLIE
SOLICITORS
1 EAST CRAIBSTONE STREET
ABERDEEN
AB11 6YQ

3 April 2012

Vary the terminal hour from
20:00 to 22:00

17 WOODEND BAR
225-227 STONEYWOOD ROAD
ABERDEEN
AB21 9JS

RICHARD JEFFREY BLEAKLEY &
ALISON GAIL BLEAKLEY
C/O MR JACK DEMPSTER
OLNADALE
CRAIGDAM
TARVES
ABERDEENSHIRE
AB41 7NR

19 January 2012

Vary the commencement time for
the sale of alcohol both on
and off the premises from
12:30 to 11:00 hrs on Sundays.

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major) on Transfer(s)

Premises	Applicant	Date Received	Comments
18 APERITIVO UNIT 11 THE GALLERIA BON ACCORD STREET ABERDEEN AB11 5EA	ADNER LIMITED C/O PAULL & WILLIAMSONSONS LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	16 February 2012	Vary the commencement hour for on and off sales on Sundays from 12:30 to 11:00. Vary the terminal hour seven days per week from 00:00 to 01:00. Add live performances and televised sport. Make restaurant facilities available outwith core hours to provide a take away facility ancillary to use of premises. Also amendment to the layout.

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Personal Licence(s)	Applicant	Date Received	Comments
Premises			
	WILLIAM MICHAEL MACDONALD C/O WM MORRISON SUPERMARKETS PLC HILMORE HOUSE GAIN LANE BRADFORD WEST YORKSHIRE BD3 7DL	7 March 2012	
	ANTONY DODDS	18 April 2012	
	BLUE JAMIESON C/O BELHAVEN PUBS LICENSING TEAM ATRIUM HOUSE 6 BACK WALK STIRLING FK8 2QA	25 April 2012	
	JUSTIN WARE C/O WINCKWORTH SHERWOOD LLP SOLICITORS MINERVA HOUSE 5 MONTAGUE CLOSE LONDON SE1 9BB	26 April 2012	

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Personal Licence(s)				
Premises	Applicant	Date Received	Comments	
	JACQUELINE HANRATTY C/O C J LANG & SON LTD PAT ADDIE LONGTOWN DISTRIBUTION CENTRE 78 LONGTOWN ROAD DUNDEE DD4 8JU	30 April 2012		

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Personal Licence(s)				
Premises	Applicant	Date Received	Comments	
24	ERIC NEEDHAM	25 April 2012		
25	JANICE MCKAY C/O THE CO-OPERATIVE GROUP LIMITED LICENSING DEPARTMENT 5TH FLOOR DANTZIC/FEDERATION BUILDING DANTZIC STREET MANCHESTER	25 May 2012		

ABERDEEN CITY LICENSING BOARD

Meeting 26 June 2012 at 10:30am in the Council Chamber, Town House, Broad Street, Aberdeen, AB10 1AQ

Gambling Act 2005

Bingo - Full Grant(s)			
Premises	Applicant	Date Received	Comments
26 THE BOARDWALK SEA BEACH ABERDEEN AB24 5NS	THE NOBLE LEISURE COMPANY LIMITED C/O LINDSAYS SOLICITORS 1 ROYAL BANK PLACE BUCHANAN STREET GLASGOW G1 3AA	30 March 2012	



Aberdeen Division
Police Headquarters
Queen Street
Aberdeen
AB10 1ZA

Our Ref: GED/SID14866/0141/12
Your Ref:

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Fax: 01224 306485

ServiceCentre@grampian.pnn.police.uk
www.grampian.police.uk

Date: 28 May 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
PROVISIONAL PREMISES LICENCE
NICK NAIRN COOK SCHOOL, 15 BACKWYND, ABERDEEN, AB10 1JN**

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 Police. 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.

Yours faithfully

Martin Mackay
Chief Inspector

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Agenda Item 2.4

Licensing Team
Corporate Governance
Aberdeen City Council
Business Hub 6 L1S
Marischal College
Aberdeen
AB10 1AB



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
1st June 2012

To the Licensing Team

Re: Aberdeen City Licensing Board, Licensing (Scotland) Act 2005 application for variation (major)-Bad Apple, 2 Langstane place, Aberdeen, AB11 6EP.

As Licensing Officer for Ferryhill Community Council I am writing to object to the above application on behalf of the Community Council. This letter reflects the collected views of the Community Council.

We are concerned that there could be a noise nuisance affecting the surrounding residential properties if the first floor outdoor eating area has music speakers installed or will be served by amplified music from inside the building (doors open etc). It is not clear from the application if this is to be the case and provided the licensing hours are not excessive, the Community Council will withdraw this concern on receipt of written confirmation that no outdoor music will be permitted.

Yours faithfully

[REDACTED]

Susannah Betts (Licensing Officer: Ferryhill Community Council)

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Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6 L1S
Marischal College
Aberdeen
AB10 1AB

Dear Ms MacEachran

I am hereby writing to object to the planned application to change the layout of Bad Apple, 2 Justice Mill Lane, Aberdeen AB11 6EP. As a stakeholder of property 12B Bon Accord Terrace, Aberdeen, AB11 6DP, the application would result in several issues;

Firstly, my bedroom looks out on the back of Bad Apple, which is where the intended roof terrace is to be built. The noise level is bad enough at the moment due to staff taking their breaks outside the rear fire door, the throwing of bottles into the bottle bin, the outdoor smoking area, and people leaving the club at unsociable hours. If a roof terrace was built the noise level would increase to unacceptable levels with people constantly outside meaning that all residents in our block of flats plus surrounding business would be affected. I would also object as the clientele that have been in the nightclub since it has opened is less than favourable and so would not relish the prospect of having to listen to them for extended periods of time into the early hours of the morning. In a recent incident someone was pushed down the stairs at the front of the club resulting in two police vans and an ambulance having to attend, not to mention a crowd of 50 plus onlookers, if this had been from a roof terrace the results could have been tragic.

The proposed roof terrace would severely impede our privacy, as curtains would need to be drawn at all times so the general public could not be looking directly into our flat and the numerous others in the building. I see no reason for the roof terrace as Bad Apple already has an outside smoking area and it isn't open during the day where people could sit outside during the summer months (in fact the vast majority of the time weather conditions would mean it gets no use at all!). Bad Apple's sister bar Amicus Apple is across the road where there is room to sit outside. If this does go ahead my partner and I will be moving out, as I am sure will several of the tenants in our block, the effect on the owners of the flat would be far worse as it would undoubtedly reduce the value of the properties and would hinder their chances of being able to let the flats.

Kind Regards

Laura Anne Munro

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██████████
██████████

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From: Alison Middleton
To: LicensingBoard
CC: Andrew Gilchrist; Diane Sande; Raymond Morrison
Date: 08/06/2012 10:52
Subject: Application for Variation of Premises licence - Bad Apple, 2 Justice mill Lane
Place: LicensingBoard

Licensing (Scotland) Act 2005
Application for Variation of a Premises Licence

I refer to the above and comment as follows.

The Variation Application and operating plan indicate that the applicant proposes to internally alter the premises removing the bar at ground floor level and replacing this with a seating and dancing area. To reduce transfer of noise from this area from customers entering and existing the premises the applicant proposes to install double vestibule doors.

To discourage customers from congregating on the street to smoke and reduce the noise impact from this practice the applicant proposes to create an external terrace on the first floor at the Bon-accord Terrace side of the property. The external terrace would be utilised by smokers and customers eating and drinking. To reduce the potential for noise nuisance the applicant proposes to install an 8ft. screen at the front of the terrace area.

With the aforementioned in mind and whilst not objecting I would ask that if granted that conditions be attached regarding the use of the external terrace area to include.

- 1) no amplified music.
- 2) That no awning or patio heater be installed to encourage customers to remain within the area later in the evening.
- 3) I would recommend that the use of the area be restricted to 10 pm.

Best Regards

Alison

Alison Middleton
Authorised Officer
Environmental Health and Trading Standards
Housing and Environment
Aberdeen City Council
Business Hub 15
Third Floor South
Marischal College
Broad Street
Aberdeen
AB10 1AB

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Agenda Item 2.5

Licensing Team
Corporate Governance
Aberdeen City Council
Business Hub 6 L1S
Marischal College
Aberdeen
AB10 1AB



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

1st June 2012

To the Licensing Team

Re: Aberdeen City Licensing Board, Licensing (Scotland) Act 2005 application for variation (major)-Eljo's, 53 Langstane Place, Aberdeen, AB11 6EP.

As Licensing Officer for Ferryhill Community Council I am writing to object to the above application on behalf of the Community Council. This letter reflects the collected views of the Community Council.

We are concerned that there could be a significant late night noise disturbance from customers leaving the premises which will affect the surrounding residential properties at unreasonable hours on weekdays if the licensing extension until 1am on seven nights of the week is permitted. A survey of the surrounding clubs and bars shows opening until 1am only on Fridays and Saturdays which seems reasonable. We object to the extension of licensing hours beyond 11pm on Sunday through to Thursday.

Yours faithfully

[REDACTED]
[REDACTED]

Susannah Betts (Licensing Officer: Ferryhill Community Council)

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Agenda Item 2.6

From: Alison Middleton
To: LicensingBoard
CC: Andrew Gilchrist; Diane Sande; Raymond Morrison
Date: 08/06/2012 17:17
Subject: Application for Variation of Premises licence - Frankie & Benny's, Unit 5 Queens Links, Aberdeen Beach
Place: LicensingBoard

Licensing (Scotland) Act 2005
Application for Variation of a Premises Licence

I refer to the above and comment as follows.

The Variation Application and operating plan indicates that the applicant proposes to add an external licensed drinking area at the front of the premises.

Whilst not objecting to the applicants proposals this Service have some concerns regarding the health & safety of customers entering the premises to dine in the restaurant. The front doors which customers use to enter the restaurant are the same door which waiting staff would use to deliver trays of food and drinks to customers dining in the external area. As such this may cause some congestion and also creates a risk of collision.

With the aforementioned in mind and whilst not objecting I would ask that if granted that the applicant provides written risk assessments for the use and management of this area to ensure that all risks to health & safety have been assessed and controlled accordingly.

Alison

Alison Middleton
Authorised Officer
Environmental Health and Trading Standards
Housing and Environment
Aberdeen City Council
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Third Floor South
Marischal College
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Aberdeen Division
Police Headquarters
Queen Street
Aberdeen
AB10 1ZA

Our Ref: AD/GED/SID14506/9078/12

Tel: 01224 306472

Your Ref:

Fax: 01224 306485

ServiceCentre@grampian.pnn.police.uk

Date: 29 April 2012

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 VARIATION OF A PREMISES LICENCE
KONNACHI BAR, UNIT 8, THE ACADEMY, BELMONT STREET
ABERDEEN, AB10 1LB**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of a change to the operating hours to 1200 – 1500 hours and 1700 – 0200 hours Sunday to Thursday, 1200 – 1500 hours and 1700 to 0300 hours Friday and Saturday, an additional change to allow the showing of live sporting events on television screens in the bar area, and to change the Designated Premises Manager.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following objection on behalf of the Chief Constable.

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.

The proposed change of operating hours will in effect change the use of the premises from what it is at present to a premises subject to the Mandatory Late Opening Conditions as per The Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007.

2.

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

Should the variation be granted, in terms of section 22(1)(b)(iii), the Chief Constable requests that the Mandatory Late Opening Conditions, along with the local conditions in respect of Door Supervisors, Drugs Policy and Radio Link be applied.

The Chief Constable has no adverse comment to make regarding the request to include televised sport within the operating plan.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Mackay', with a stylized flourish at the end.

Martin Mackay
Chief Inspector

From: Raymond Morrison
To: LicensingBoard@aberdeencity.gov.uk
CC: Andrew Gilchrist; Diane Sande
Date: 06/06/2012 17:28
Subject: Konnichi Bar and Restaurant Variation Application
Place: LicensingBoard@aberdeencity.gov.uk
Attachments: Raymond Morrison.vcf

Licensing (Scotland) Act 2005
Application for Variation of a Premises Licence

I refer to the above and comment as follows.

The Variation Application and operating plan indicate that the premises wish to extend their operating hours till 2am Sunday to Thursday and 3am on a Friday and Saturday thus creating a potential late opening premises which would be subject to late premises Mandatory Conditions.

The application also includes access for children and young persons within the bar area till 8pm, however, it does not appear to have a restriction within the restaurant or outside area which would if this application appear to allow children access till 2am and 3am respectively, if this was the case i would have concerns regarding Children's access at these late hours.

With regards to the use of the Outside area in the early hours of the morning by customers again I have concerns, as this service has previously had noise complaints about loud music from the use of the open courtyard (albeit not from this current premises) and as the balcony area forms part of the courtyard I have concerns that the complaints may manifest themselves once again.

With the aforementioned in mind I could not support the application in its current form.

Raymond Morrison
Senior Authorised
Licensing Standards Officer
Environmental Health and Trading Standards
Housing and Environment
Aberdeen City Council
Business Hub 15
Third Floor South
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Visit Aberdeen City Council's Web Site <http://www.aberdeencity.gov.uk> (
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Aberdeen
AB10 1ZA

Our Ref: AD/GED/SID14875/0141/12

Your Ref:

Tel: 01224 306472

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ServiceCentre@grampian.pnn.police.uk

www.grampian.police.uk

Date: 18 May 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 VARIATION OF A PREMISES LICENCE
RENDEZVOUS AT NARGILE RESTAURANT, 106 FOREST AVENUE,
ABERDEEN, AB15 4UP**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of removing from the current licensed area, the section of pavement directly adjacent to the premises and inclusion of a section of walled garden area to the rear of the premises. As an external area both food and beverages, both alcoholic and none alcoholic will be served. The external seating area is proposed to have terminal hours until 2300 hours Monday to Sunday inclusive.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation on behalf of the Chief Constable.

I have concerns in relation to alcohol being served until 2300 hours Monday to Sunday inclusive. The premises are in a highly populated residential area and by agreeing to the proposed terminal hours it would create an environment of noise pollution which would affect the surrounding area. This is also aggravated by the 30 minute drinking up time for premises when alcohol is taken with a meal and would result in persons being outside the premises drinking until 2330 hours.

2.

In terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, the Chief Constable is of the opinion that the variation in its current form should be modified so that the terminal hour for the outside seating area is 2100 hours, and with the 30 minute drinking up time would extend the terminal hour to 2130 hours, in order that the premises minimise the potential of breaching the Prevent Public Nuisance objective.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Mackay', with a long horizontal stroke extending to the right.

Martin Mackay
Chief Inspector

From: Raymond Morrison
To: LicensingBoard@aberdeencity.gov.uk
CC: Andrew Gilchrist; Diane Sande
Date: 07/06/2012 14:11
Subject: Nargile at Rendezvous Forrest Avenue
Place: LicensingBoard@aberdeencity.gov.uk
Attachments: Raymond Morrison.vcf

Licensing (Scotland) Act 2005
Application for Variation of a Premises Licence

I refer to the above and comment as follows.

The Variation Application and operating plan indicate that the premises wish to amend the area used for outside dining / smoking to an area which at present is also incorporates the route used for disabled access to the premises. The disabled access route would be retained. Within the variation application.

I would say that the description of where the new outside area is to be located is somewhat misleading as it is at the side or adjacent to the frontage rather than at the rear of the premises. The area in question also appears to locate the customers further away from the neighbouring dwellings on Forrest Avenue than is at presently permitted

With regards to the use of the Outside Area I have been in contact with the applicant and I have been assured that if granted the area would be cleared of some small bushes etc and that there would be no awning or patio heaters to encourage customers to stay outside , although it would create a more discreet area for smokers rather than have them outside the main door on the pavement adjacent to Union Grove / Forrest Avenue.

It is also noted that the use of the area would be till 23:00 hrs whilst the premises are open till midnight.

With the aforementioned in mind and whilst not objecting I would ask that if granted that conditions be attached regarding the use of the outdoor area to include.

- 1) no amplified music.
- 2) That no awning or patio heater be installed to encourage customers to remain within the area later in the evening.
- 3) I would recommend that the use of the area be restricted to 10pm.

Regards

Raymond Morrison
Senior Authorised
Licensing Standards Officer
Environmental Health and Trading Standards
Housing and Environment
Aberdeen City Council

Business Hub 15
Third Floor South
Marischal College
Broad Street
Aberdeen
AB10 1AB

Tel (01224) 522168
Internal Tel 2168
Fax (01224) 523887
email: rmorrison@aberdeencity.gov.uk
Visit Aberdeen City Council's Web Site <http://www.aberdeencity.gov.uk> (
<http://www.aberdeencity.gov.uk/>)

(This message is not intended to have contractual effect)
PLEASE DO NOT PRINT THIS E-MAIL UNLESS ABSOLUTELY
NECESSARY

INPUT ON

11 JUN 2012

REF. NO. _____

21st May 2012

Aberdeen City Licensing Board

Application for Variation (Maps)

Rendezvous at Margate, 106 Forest Avenue

Dear Sir at Madam

re the above application - I strongly object
as it will hugely impact on our privacy
e.g. Noise - people talking, laughing, clattering
of crockery etc.
smells - from food being served all day.
food debris - will attract vermin

my husband suffers from Alzheimers
and cannot go out alone Our house + garden
is the only freedom he has to come + go
as he pleases and he enjoys the peace of the
garden. This application will be detrimental
to his well-being.

I am extremely concerned by the lateness
of the hour as we are both elderly and like
to retire to bed early.

Yours Faithfully

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30th May, 2012

Aberdeen City Licensing Board
Application for Variation (Major)
Rendezvous at Natgile, 106 Forest Avenue

Addendum to my previous letter of 21st May

I omitted to mention the issue of traffic. Already there is difficulty regarding deliveries to the above premises. On many occasions vans and lorries park on the zig-zag lines, on the pavement and even across the pedestrian crossing. Even the bins are emptied on the zig-zag lines.

As there is no car park for the restaurant and Forest Avenue has pay + display and residents only parking there is already a problem with availability of spaces. With almost doubling the capacity of the restaurant, this can only exacerbate

the situation.

If possible I would like
councillor Jennifer Stewart to speak
on my behalf at the licensing
board as I am unable to attend

Yours faithfully

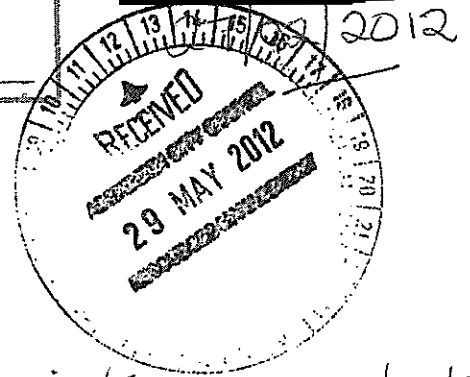
[REDACTED]

INPUT ON

11 JUN 2012

REF. NO.

The Clerk,
Licence Board



Dear Sir,
We wish to register our protest
at the application for a licenced area
in the walled garden at the Nargile
Restaurant. The terminal hour is too
late (this is after all a residential
area) and there is sure to be a
great increase in noise levels.

Yours faithfully,

Christina + Robert Archbold

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23 May 2012

INPUT ON
11 JUN 2012
REF. NO. _____

Nargile Restaurant, 106 Forest Avenue, Aberdeen

I am writing to you to with regards to the above premises and their application for a variation of a premises licence. The application requests permission to use an area of walled garden within the curtilage of the premises as an external dining area where food and beverages may be served until 2300 hours.

As an occupant of a neighboring property I have to raise some concerns regarding this application:

I am concerned about the noise that may emanate from the alfresco dining area which will house approximately 44 people. As this is predominately a residential area many people including myself are anxious that any noise disruption up to that time of night will affect us and our families.

As mentioned previously as this area is predominately residential parking I am concerned about the extra vehicles that will be vying for parking spaces and conflicts may occur between homeowners and patrons.

Personally I would have no objection to the licence on the premise that it be granted up to 2100 hours and no later.

Yours sincerely,



Graham Truscott

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31st May 2012

INPUT ON
1 1 JUN 2012
REF. NO. _____

David Monteith

[REDACTED]

Objection to the increase in the license for the Nargile Restaurant 106 forest Avenue

Dear Sir /Madam

I would like object to the proposal for the Nargile restaurant 106 forest Avenue for extending their license to include an additional 44 outdoor seated area.

I consider Forest Avenue primarily a residential area and at present the Nargile does impacts the street, often there is noise from patrons leaving the restaurant particularly when it closes at night. My daughter is a competitive swimmer and goes to bed early to get up at 5 AM to go swimming; quite often her sleep is broken with this noise in the street.

Although the street is controlled by parking meters there is insufficient parking in the in the evening when the Nargile is open and there is no control on parking, people even park on the zig zags for the pedestrian crossing.

At present also the delivery vans regularly pose a danger to pedestrians by parking on the zig zags or directly across the pedestrian crossing. I would therefore like to object to the proposal on the following grounds.

Taxis often stop outside and beep to alert the person that booked the taxi that it is there.

1. At present all noise from the Nargile restaurant is confined to the street side of the houses, now the nuisance noise will be transferred to the rear gardens of all the houses which include houses with young children.
2. This outdoor area will be suitable for smoking and people will be subject to passive smoking within their own gardens
3. There is insufficient parking at present for the patrons and resident this will just provide a further nuisance to the residents.
4. There will be an increase in noise at closing time due to more patrons frequenting the Nargile if this proposal.

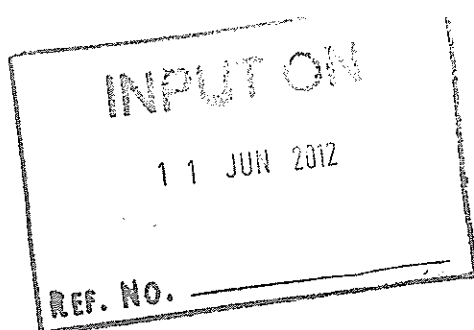
I don't believe this will enhance or benefit the area it will only provide a further nuisance to the resident of a primarily residential area

Yours Faithfully

[REDACTED]

David Monteith

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



Dear Sir,

Nargile Restaurant, 106 Forest Avenue, Aberdeen
Application for Variation of Premises Licence

I write to intimate my objection to this application.

I live close to these premises and I am a customer of the Nargile. I support the presence of this restaurant and the coffee shops that have opened in the area in recent years as a welcome addition to the amenity of this very pleasant residential area.

My concerns are in respect of the proposed increase from 52 to 96 table covers which nearly doubles the number of people likely to be visiting this popular restaurant in the evenings with resulting increased pressure on residential car parking spaces and increased noise levels late in the evening. If meals are to be served in a new outdoor area to the rear of the premises, I can well imagine the sound of customers enjoying a good meal and a few drinks, chatting and laughing, wafting up the back gardens in the evening and intruding on the peace and quiet that we value. There are young children and elderly people living very close to the premises who would be disturbed after their bedtimes and that is not acceptable.

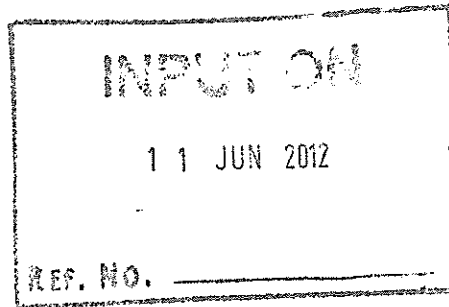
Yours faithfully,


Fiona Thomson

cc Nargile Restaurant, 106 Forest Avenue, Aberdeen AB15 4UP

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The Clerk
Licence Board
Business Hub 6
L1 South
Marischal College
Aberdeen
AB10 1AB



[REDACTED]
[REDACTED]
31ST May 2012

Dear Sirs

Nargile Restaurant 106 Forest Avenue Aberdeen

I wish to lodge an objection to the increase capacity from 52 to 96 cover customers and the extended licensing hours at the above restaurant.

Parking :- It is difficult to gain parking spaces now near to our home in the evening due to the customers parking in the street and this increase in numbers will make the situation worse.

Residential Area :- Noise from the customers and cars leaving the restaurant leaving at a later time.

Yours faithfully

[REDACTED]
[REDACTED]

Kathleen Coghill

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Licensing - Application for Variation.

From: "Alexander, James" [REDACTED]
To: "licensing@aberdeencity.gov.uk" <licensing@aberdeencity.gov.uk>
Date: 15/03/2012 16:50
Subject: Application for Variation.

Dear Sirs

I am in receipt of a communication for an application of variation for the Premises of Sunnys, 91 Urquhart Road, Aberdeen, AB24 5ND

I would object to this change in licence. Living directly behind this premise at Park Road Court which at weekends is being used as a drinking place and urinal for football fans attending the matches at Pittodrie.

Much of this drink is bought from this premise and the empties are left strewn across our Car Park or thrown into shrubs in the garden and having to be cleaned up by residents.

Please accept this communication as my objection to a change in time for off sales from 12.30 to 10.00.

Regards

Jim Alexander CMgr, BSC Hons, MBA, MCMI | [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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Exempt information as described in paragraph(s) 14 of Schedule 7A of the Local Government (Scotland) Act 1973.

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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/SID14679/9078/12

Your Ref:

Tel: 01224 306472

Fax: 01224 306485

ServiceCentre@grampian.pnn.police.uk

www.grampian.police.uk

Date: 9 May 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
PERSONAL LICENCE**

BLUE JAMIESON, [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.

Numerous phone calls have been made to the mobile number provided by the applicant, however there has been no reply and no facility to leave a message. The applicants home address has also been checked and again there was no reply.

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

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GRAMPIAN
P.O.L.I.C.E

Keeping our communities safe

Agenda Item 2.24

Aberdeen Division
Police Headquarters
Queen Street
Aberdeen
AB10 1ZA

Our Ref: GED/SID14668/9078/12

Your Ref:

Tel: 01224 306472

Fax: 01224 306485

ServiceCentre@grampian.pnn.police.uk

www.grampian.police.uk

Date: 9 May 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
PERSONAL LICENCE**

ERIC NEEDHAM, [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.

Messages have been left on the mobile telephone number provided by the applicant but to date, the applicant has failed to respond to the messages. The home address of the applicant has also been checked and there was no reply.

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

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ABERDEEN CITY LICENSING BOARD

DATE : 26 JUNE 2012

TITLE OF REPORT: GAMBLING STATEMENT OF PRINCIPLES 2013 - 2016

REPORT NUMBER: CG/12 / 080

1. PURPOSE OF REPORT

To advise Members that the three year Statement of Policy in terms of Section 349(1) of the Gambling Act 2005 ('the Act') requires to be reviewed and revised.

2. RECOMMENDATION(S)

To note the contents of the report.

3. FINANCIAL IMPLICATIONS

None.

4. OTHER IMPLICATIONS

None.

5. BACKGROUND/MAIN ISSUES

- 5.1 Section 349 (1) of the Act requires all licensing authorities to prepare and publish every three years a statement of the principles that they propose to apply in exercising their function under the Act during the three year period to which the policy applies.

The Licensing Authority Statement of Policy will last for a maximum of three years, but can be reviewed at any time. The Board's current policy runs from January 2010 to January 2013. Members are invited to view the policy on the Board's website at aberdeencity.gov.uk/law/licensing/licences/licensing/lic_gamblingact.asp

The Policy requires to be reviewed, revised and published by 3 January 2013.

- 5.2 Section 349 (3) of the Act requires the licensing authority to consult with the following on the Statement of Policy or any subsequent revision:

- Chief Constable

- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's function under this Act.

The Gambling Commission's Guidance to Licensing Authorities 3rd Edition suggests that licensing authorities may wish to consider consulting with a range of organisations including: faith groups, voluntary and community organisations working with children and young people, organisations working with people who are problem gamblers, medical practices or primary care trusts, and advocacy organisations, other tiers of local government, holders of gambling premises licences and responsible authorities named in the Act.

Officers will conduct a written consultation allowing 8 weeks for responses to it. The results of the consultation will thereafter be reported back to the Board for its consideration.

6. IMPACT

An Equality Impact Assessment will be carried out.

7. BACKGROUND PAPERS

The Gambling Commission's Guidance to Licensing Authorities 3rd Edition May 2009.

8. REPORT AUTHOR DETAILS

Eric WJ Anderson, Depute Clerk to the Licensing Board
eanderson@aberdeencity.gov.uk tel no Ext 2382

Arlene Dunbar, Administration Officer, ardunbar@aberdeencity.gov.uk,
 tel: ext 3411