

LICENSING BOARD

ABERDEEN, 6 September 2016. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Carle, Lawrence, Cameron, Copland and Yuill.

LIST OF APPLICATIONS

1. The Board had before it, for its consideration, the applications as listed in articles 2 to 12 of this minute.

APPLICATION FOR PROVISIONAL PREMISES LICENCE - THE TIVOLI THEATRE, 34-38 GUILD STREET, ABERDEEN

2. The Board had before it a letter of representation dated 18 August 2016 from Police Scotland, a letter of representation dated 18 August from NHS Grampian and memo of representation dated 17 August from the LSO.

By way of a preliminary point Mr Dawson, Solicitor, on behalf of the applicant confirmed to the Board that they had amended the application. The terminal hour was to be 00:00, adult entertainment had been removed from the operating plan and the Children and Young Persons terms had been amended to the satisfaction of the LSO.

Police Scotland, NHS Grampian and the LSO subsequently withdrew their letters of representation.

Thereafter, Mr Dawson addressed in support of the application.

The Board resolved:

To grant the application as amended and subject to the local condition in respect of the Drugs Policy.

APPLICATION FOR PROVISIONAL PREMISES LICENCE - GROUND FLOOR 244 KING STREET, ABERDEEN

3. The Board had before it a letter of representation from NHS Grampian and three letters of objection from members of the Public.

By way of preliminary point Mr Dawson, Solicitor, on behalf of the applicant confirmed that he accepted the proposed condition as set out in the NHS representation with the addition of specialist spirits.

Mrs Wilson confirmed that this was acceptable and withdrew her letter of representation.

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Thereafter Mr Dawson addressed the Board in support of the application.

The Board Resolved:

To grant the application subject to the following conditions:

- (1) local condition in respect of CCTV and
- (2) That the sale of alcohol is restricted to the sale of specialist whiskies, craft beers and other specialist spirits.

FIVE GUYS, UNIT 2, 1-7 ST NICHOLAS STREET, ABERDEEN

4. The Board had before it a letter of representation dated 17 August 2016 from Police Scotland.

The Board heard Sergeant Flett speak to the police letter of representation.

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

The Board resolved:

To grant the application subject to the local condition in respect of the Drugs Policy.

APPLICATION FOR PREMISES LICENCE - HAIGS FOOD HALL, 45-51 SCHOOLHILL, ABERDEEN

5. DECLARATION OF INTEREST

Councillor Cameron declared an interest in article 5. He left the meeting room and took no further part in the determination of the application.

The Board had before them a letter of objection dated 18 August 2016 from NHS Grampian.

The Board heard Ms Wilson speak to the letter of objection from NHS Grampian. Thereafter Mr Haig, addressed the Board in support of the application.

The Board resolved:

To grant the application subject to the local condition in respect of CCTV.

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APPLICATION FOR PREMISES LICENCE - THE HUB, (GROUND FLOOR) UNIVERSITY OF ABERDEEN, ELPHINSTONE ROAD ABERDEEN

6. The Board had before it a letter of representation dated 18 August 2016 from NHS Grampian and an email dated 26 August 2016 from Mr Maclachlan in response to the NHS letter.

The Board heard Ms Wilson speak to the letter from NHS Grampian.

Thereafter the Board heard from Mr Maclachlan speak in support of the application.

Councillor Yuill moved to grant the application subject to the following condition:

- (1) That the premises stock and promote a range of “no” and “low” alcohol products.

Councillor Boulton moved as an amendment to grant the application subject to the following conditions:

- (1) That the premises stock and promote a range of “no” and “low” alcohol products and
- (2) The stock of “no” and “low” alcohol products is equal to or greater than 5% of the entire drinks stocked by the premises.

On a division there voted for the motion (5) Councillors Carle, Lawrence, Cameron, Copland and Yuill; for the amendment (1): - The Convener

The Board resolved:-

to adopt the amendment

APPLICATION FOR VARIATION OF A PREMISES LICENCE - ABERGELDIE BAR, 504 HOLBURN STREET, ABERDEEN

7. Mr McGowan, Solicitor, addressed the Board in support of the application.

The Board resolved:-

To grant the application.

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**APPLICATION FOR VARIATION OF A PREMISES LICENCE - CENTRAL BAR, 415
GREAT NORTH ROAD, ABERDEEN**

8. Mr McGowan, Solicitor, addressed the Board in support of the application.

The Board resolved:-

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - CLUB TROPICANA, 74
CHAPEL STREET, ABERDEEN**

9. Mrs O'Hare, Legal advisor, advised the Board that the application had been withdrawn.

**APPLICATION FOR VARIATION OF A PREMISES LICENCE - HOLIDAY INN,
CLAYMORE DRIVE, BRIDGE OF DON, ABERDEEN**

10. Mr Dawson, Solicitor, addressed the Board in support of the application.

The Board resolved: -

To grant the application.

**APPLICATION FOR VARIATION OF A PREMISES LICENCE - NEWHILLS
BOWLING CLUB, WATERON ROAD, ABERDEEN**

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

The Board resolved: -

To grant the application.

**APPLICATION FOR VARIATION OF A PREMISES LICENCE - THE FOUNDRY, 43
HOLBURN STREET, ABERDEEN**

12. The Board had before it a letter of objection dated 19 August 2016 from Police Scotland and an analytical data report.

The Board heard from Sergeant Gill Flett speak to the police letter and to the analytical data report.

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Thereafter Mr Cummins, Solicitor, addressed the Board in support of the application.

The Board resolved; -

To grant the application subject to the following conditions:

- (1) The local condition in respect of Door supervisors on a Friday and Saturday;
- (2) The local condition in respect of Radiolink;
- (3) That the dance floor is cleared of tables and chairs and available for use from 21:00 and
- (4) That the significant entertainment must consist of a live DJ.

APPLICATION FOR A PERSONAL LICENCE: AC4679

13. DECLARATION OF INTEREST

Councillor Carle declared an interest in article 13. He left the meeting room and took no further part in the determination of the application.

Police Scotland withdrew their letter dated 17 August 2016.

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

The Board resolved:-

To grant the application

PERSONAL LICENCE REVIEW HEARING: AC3016

14. The Board had before it a notice in terms of Section 83 (4) (b) of the Licensing (Scotland) Act 2005 dated 07 April 2016 submitted by the Chief Constable, Police Scotland.

In the absence of the applicant;

The Board resolved: -

to make an order revoking the licence for the purpose of the crime prevention objective.

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PREMISES LICENCE REVIEW PROPOSAL AND REVIEW HEARING - TESCO STORES LTD

15. The Board had before the a letter dated 31 August from Police Scotland in terms of Section 44(4)(b) of the Licensing (Scotland) Act 2005, confirming the existence of a conviction for a relevant or foreign offence. The Board is therefore obliged to make a premises licence review proposal in respect of the premises licences held by the applicant.

The Board resolved

to hold a review hearing.

Thereafter Mr Cummins, Solicitor, addressed the Board.

The Board resolved: -

To take no further action in respect of the licences held by Tesco Stores Ltd.

- **COUNCILLOR MARIE BOULTON**, Convener