

# Public Document Pack



To: Councillor Boulton, Convener; and Councillors Cameron, Carle, Copland, Donnelly, Grant, Lawrence, Townson and Yuill.

Town House,  
ABERDEEN 09 November 2015

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in Committee Room 2 - Town House on **WEDNESDAY, 11 NOVEMBER 2015 at 10.00 am.**

FRASER BELL  
CLERK TO THE LICENSING BOARD

### **BUSINESS**

- 1 Premises Licence Review Hearing - 42 Below, Windmill Brae (Pages 3 - 4)
- 2 Premises Licence Review Hearing - Jimmy Chung's Restaurant, Beach Esplanade (Pages 5 - 6)
- 3 Premises Licence Review Hearing - The Larches, 12 Queen Street, Woodside (Pages 7 - 8)
- 4 Premises Licence Review Hearing 446 - 450 Union Street (Pages 9 - 10)
- 5 Premises Licence Review Hearing - The Beautiful Mountain, 11 - 13 Belmont Street (Pages 11 - 12)
- 6 Premises Licence Review Hearing - Unit 3, Kittybrewster Shopping Centre, Clifton Road (Pages 13 - 14)

Should you require any further information about this agenda, please contact Jacqui Wallace, e-mail [jwallace@aberdeencity.gov.uk](mailto:jwallace@aberdeencity.gov.uk) or tel. 01224 522985



# MEMO

Environmental Health and Trading Standards  
**Communities, Housing and Infrastructure**  
 3<sup>rd</sup> Floor, Marischal College

To	Eric Anderson Team Leader, Legal and Democratic Services		
From	Tara-Erin Gilchrist, Licensing Standards Officer, Environmental Services		
Email	Commercial@aberdeencity.gov.uk	Date	2 <sup>nd</sup> November 2015
Tel.	01224 522185	Our Ref.	TAE/AMM
Fax.	01224 523887	Your Ref.	

**Licensing (Scotland) Act 2005**  
**Premises Licence: 42below, Windmill Brae, Aberdeen**  
**Personal Licence Holder: Mr John Snelling**

In my capacity as a Licensing Standards officer, I was notified by the Litigation and Licensing section of Aberdeen City Council that the above named Premises had not paid their annual fee by the 1<sup>st</sup> October 2015.

On making contact with the Personal Licence Holder, Mr John Snelling, he advised that the premises are currently closed for refurbishment. He assured me that the annual fee would be paid imminently.

**Tara-Erin Gilchrist**  
 Licensing Standards Officer

This page is intentionally left blank

# MEMO

Environmental Health and Trading Standards  
**Communities, Housing and Infrastructure**  
 3<sup>rd</sup> Floor, Marischal College



To	Eric Anderson Team Leader, Legal and Democratic Services		
From	Tara-Erin Gilchrist, Licensing Standards Officer, Environmental Services		
Email	Commercial@aberdeencity.gov.uk	Date	2 <sup>nd</sup> November 2015
Tel.	01224 522185	Our Ref.	TAE/AMM
Fax.	01224 523887	Your Ref.	

## Licensing (Scotland) Act 2005

### Premises Licence Review

#### Premises Licence: Jimmy Chung's Restaurant, Beach Esplanade, Aberdeen

In my capacity as a Licensing Standards officer, I was notified by the Litigation and Licensing section of Aberdeen City Council that the above named Premises had not paid their annual fee by the 1<sup>st</sup> October 2015.

On the 22<sup>nd</sup> October, I contacted Aberdein Considine and Co, who represents the Licence holder, First Management (GB) Limited. I was informed by the Commercial Team of Aberdein Considine and Co, that they would email one of the business partners, Mr Chung Man Wong to inform him of the situation.

Aberdein Considine and Co also advised Mr Wong to contact the Licensing Board with regard to the Premise Licence.

I contacted Mr Wong on the 27<sup>th</sup> October to advise him about the forthcoming Licensing Board meeting. Mr Wong informed me that the annual fee was being negotiated with his landlord to determine who would be paying the fee. At the time of the call, Mr Wong was in Hong Kong and added that he would be back in Aberdeen on the 29<sup>th</sup> October.

**Tara-Erin Gilchrist**  
 Licensing Standards Officer

This page is intentionally left blank

# MEMO

Environmental Health and Trading Standards  
**Communities, Housing and Infrastructure**  
 3<sup>rd</sup> Floor, Marischal College



To	Eric Anderson Team Leader, Legal and Democratic Services		
From	Tara-Erin Gilchrist, Licensing Standards Officer, Environmental Services		
Email	Commercial@aberdeencity.gov.uk	Date	2 <sup>nd</sup> November 2015
Tel.	01224 522185	Our Ref.	TAE/AMM
Fax.	01224 523887	Your Ref.	

**Licensing (Scotland) Act 2005**  
**Premises Licence Review**  
**Premises Licence: The Larches, 10 Queen Street, Woodside Aberdeen**

In my capacity as a Licensing Standards officer, I was notified by the Litigation and Licensing section of Aberdeen City Council that the above named Premises had not paid their annual fee by the 1<sup>st</sup> October 2015.

I called the Premises and found that the hotel telephone number was no longer in use. A visit was made by an Environmental Health Officer on the 21<sup>st</sup> October this year, the officer advised me on her return that the Premises was closed. I viewed their website and noted that it had not been updated for some time. I have also left a telephone message on the Premises manager's mobile, to which I have not had a response.

I spoke with Pete Littlejohn from Raeburn Christie Clark and Wallace, who informed me that the business had been sold and he provided me with contact details of the new owner.

I then contacted the new owner by email. The new owner informed me that the business was sold to him on the 18<sup>th</sup> September this year. He added that he does not intend to run this as a hotel and does not require the Liquor licence. He intends to convert the property into residential HMO, for which he is awaiting planning permission.

There has been no correspondence between the Licence Holder, Aberdeen Larches Hotel Ltd and myself with regards to their Premises Licence or the non payment of the annual fee.

**Tara-Erin Gilchrist**  
 Licensing Standards Officer

This page is intentionally left blank





**ABERDEEN**  
CITY COUNCIL

# MEMO

Environmental Health and Trading Standards  
Communities, Housing and Infrastructure  
3<sup>rd</sup> Floor, Marischal College

To	Eric Anderson Team Leader, Legal and Democratic Services		
From	Tara-Erin Gilchrist, Licensing Standards Officer, Environmental Services		
Email	Commercial@aberdeencity.gov.uk	Date	2 <sup>nd</sup> November 2015
Tel.	01224 522185	Our Ref.	TAE/AMM
Fax.	01224 523887	Your Ref.	

**Licensing (Scotland) Act 2005**  
**Premises Licence Review**  
**Premises Licence: 446-450 Union Street, Aberdeen**

In my capacity as a Licensing Standards officer, I was notified by the Litigation and Licensing section of Aberdeen City Council that the above named Premises had not paid their annual fee by the 1<sup>st</sup> October 2015.

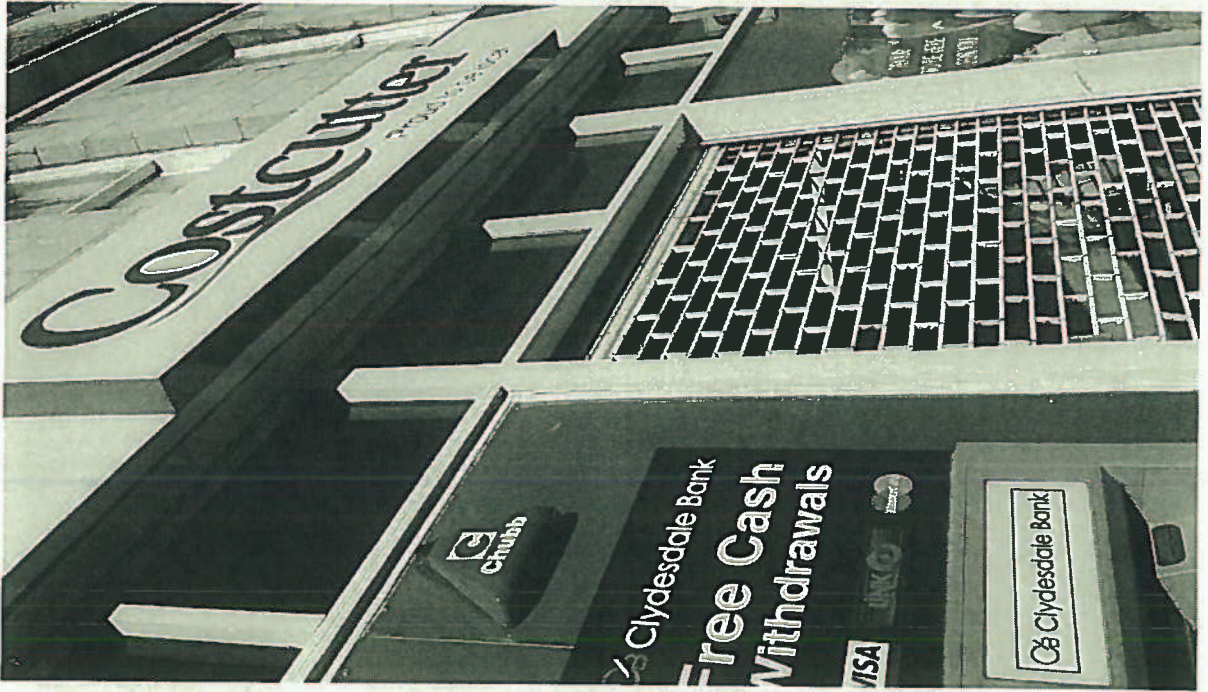
I contacted the Licence Holder, Eirzum Choudhary by email to which I have not received a response. I then contacted both BMK Wilson and McDonald Licensing, who advised me that they do not act on behalf of the Premises. BMK Wilson, who dealt with the section 34 transfer in December 2014, had referred me to McDonald Licensing.

I visited the Premises on the 21<sup>st</sup> October and noted that the Premises was locked up with about 20-30 leaflets/flyers and mail lying on the ground. I took photographs at the time of my visit, which I have attached to the memo. I have enclosed a photograph of the notice displayed at the entrance stating that the Premises was closed for refit and that it was opening shortly. I also left a visit sheet with instructions to contact Aberdeen City Council regarding the annual fee.

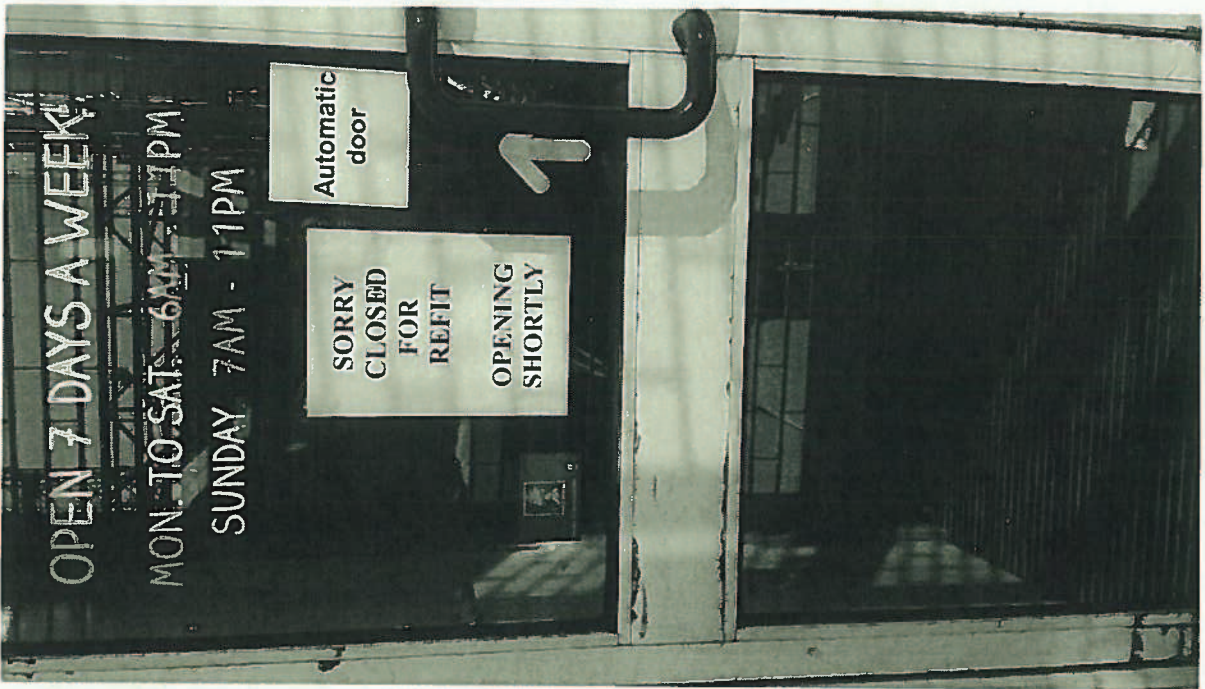
Mr Choudhary has not contacted me to discuss the matter further.

**Tara-Erin Gilchrist**  
Licensing Standards Officer

Enc.



446-450 Union Street



446-450 Union Street





**ABERDEEN**  
CITY COUNCIL

# MEMO

Environmental Health and Trading Standards  
Communities, Housing and Infrastructure  
3<sup>rd</sup> Floor, Marischal College

To	Eric Anderson Team Leader, Legal and Democratic Services		
From	Tara-Erin Gilchrist, Licensing Standards Officer, Environmental Services		
Email	Commercial@aberdeencity.gov.uk	Date	2 <sup>nd</sup> November 2015
Tel.	01224 522185	Our Ref.	TAE/AMM
Fax.	01224 523887	Your Ref.	

## Licensing (Scotland) Act 2005

**Premises Licence: The Beautiful Mountain, 11-13 Belmont Street, Aberdeen**  
**Personal Licence Holder: Mr Gordon Shepherd**

In my capacity as a Licensing Standards officer, I was notified by the Litigation and Licensing section of Aberdeen City Council that the above named Premises had not paid their annual fee by the 1<sup>st</sup> October 2015.

Gordon Shepherd, who is the named premises manager also, had his Personal licence revoked on 19 December 2014. I visited The Beautiful Mountain Premises in March 2015 in order to speak with the Licence Holder regarding the situation. During my visit the Licence holder Mr Gordon Shepherd informed me that he was closing the Premises at the end of the month. I then notified the Licensing team of Mr Shepherd's intention to close the Premises.

I visited again in April 2015 to find the business had closed down. At the time of my visit, a notice was displayed to advise the public that the business had closed. Jacqui Wallace sent a letter to Mr Shepherd at his home address on the 22 May to enquire about his intentions with regard to the Premises Licence.

In October 2015, I left a message at the home of Mr Gordon Shepherd and requested he calls me in regards to the above matter.

We have received no further information from Mr Shepherd.

**Tara-Erin Gilchrist**  
Licensing Standards Officer

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank