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To: Councillor Boulton, Convener; Councillors Cameron, Councillor Donnelly, the Depute Provost, Lesley Dunbar, Grant, Greig, Mason, McLellan and Townson.

Town House,
ABERDEEN, 3 October 2017

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 10 OCTOBER 2017 at 10.30 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

- 1 Minute of Previous Meeting of 22 August 2017 - for approval (Pages 5 - 16)
- 2 List of Applications (Pages 17 - 26)
 - 2.1 Gambling Act 2005 - Variation of Premises Licence- William Hill, 23 Scotstoun Road, Bridge Of Don, Aberdeen, AB22 8HH (Pages 27 - 34)
 - 2.2 Variation of Premises Licence - Trinity Hall, Holburn Street, Aberdeen, AB10 6DA (Pages 35 - 50)
 - 2.3 Provisional Licence - Mozza, Unit FS12A, Union Square, Aberdeen, AB11 5RG (Pages 51 - 70)
 - 2.4 Variation of Premises Licence - 74 Urquhart Road, Aberdeen, AB24 5NB (Pages 71 - 86)

- 2.5 Variation of Premises Licence - BP Dyce Filling Station, Wellheads Road, Dyce, Aberdeen, AB21 7HG (Pages 87 - 102)
- 2.6 Variation of Premises Licence - Paramount Bar, 21 Bon Accord Street, Aberdeen, AB11 6EA (Pages 103 - 124)
- 2.7 Variation of Premises Licence - Parkway, Balgownie Road, Bridge Of Don, Aberdeen, AB22 8LX (Pages 125 - 142)
- 2.8 Variation of Premises Licence - Wild Ginger, Basement, 367 Union Street, Aberdeen, AB11 6BT (Pages 143 - 162)
- 2.9 Variation of Premises Licence - Slains Castle, 14-18 Belmont Street, Aberdeen, AB10 1JH (Pages 163 - 188)
- 2.10 Premises Licence Review - Prime Cuts, 21 Crown Terrace, Aberdeen, AB11 6HD (Pages 189 - 190)
- 2.11 Premises Licence Review - Discount UK, Unit 4, Kitttybrewster Retail Park, Aberdeen, AB24 3LW (Pages 191 - 192)
- 2.12 Premises Licence Review - 278 George Street, Aberdeen, AB25 1HL (Pages 193 - 194)
- 2.13 Premises Licence Review - Peterculter Post Office & Shop, 177 North Deeside Road, Peterculter, Aberdeen, AB14 0UJ (Pages 195 - 196)
- 2.14 Premises Licence Review - TPC Conferencing, 19 Crown Terrace, Aberdeen (Pages 197 - 198)
- 3 Application for a Personal Licence (Pages 199 - 206)
- 4 Application for a Personal Licence (Pages 207 - 214)
- 5 Aberdeen City Licensing Board - Scheme of Delegation (Pages 215 - 222)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Gillian Scott, e-mail giscott@aberdeencity.gov.uk or tel. 01224 522867

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LICENSING BOARD

ABERDEEN, 22 August 2017. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Donnelly, Lesley Dunbar, Grant, Greig, Mason, McLellan and Townson.

LIST OF APPLICATIONS

The Board had before it, for its consideration the applications as listed in articles 2-14 of this minute.

APPLICATION FOR TRANSFER OF A PREMISES LICENCE- CO-OPERATIVE GROUP FOOD LIMITED, 219 HOLBURN STREET, ABERDEEN, AB20 6BL

2.1. The Board had before them a Notice of Convictions from Police Scotland dated 26 July 2017.

TLT, Solicitors for the applicant, addressed the Board in support of the application.

Thereafter, The Board heard Sergeant Flett speak to the letter.

The Board resolved:-

To grant the application.

APPLICATION FOR PROVISIONAL PREMISES LICENCE – RESIDENCE INN BY MARRIOTT, GUEST ROW, ABERDEEN

2.2 The Board had before them a letter of representation from Police Scotland dated 26 July 2017.

Mr McIver, Solicitor for the applicant, addressed the Board in support of the application alongside Mr McGuinness a representative of the applicant. Mr McIver accepted the conditions suggested by Police Scotland and the above respondent withdrew their responses

The Board resolved:-

To grant the application as amended with the local condition CCTV.

LICENSING BOARD

20 June 2017

**APPLICATION FOR PROVISIONAL PREMISES LICENCE- MARKS & SPENCER
SIMPLY FOOD, UNIT 2, BRIDGE OF DON RETAIL PARK ABERDEEN**

2.3 Mr Cummings, Solicitor for the applicant, addressed the Board in support of the application.

The Board resolved:-

To grant the application with the local condition drugs policy.

**APPLICATION FOR PROVISIONAL PREMISES LICENCE- MACKIE'S 19.2,
MARISCHAL SQUARE, BROAD STREET, ABERDEEN**

2.4 The Board had before them a letter of Representation from Police Scotland dated 26 July 2017.

Ms Walker, Solicitor for the applicant, addressed the Board in support of the application. Mr Munro, Clerk, advised the Board the letter of representation from Police Scotland had been withdrawn in the time since the agenda was prepared.

The Board resolved:-

To grant the application with the local condition drugs policy.

**APPLICATION FOR PROVISIONAL PREMISES LICENCE-COPPA COFFEE, 40 ST
SWITHIN STREET, ABERDEEN**

2.5 Mr Munro, solicitor for the Board, advised that the agent for the applicant had requested that the application be deferred to the next Board meeting in order to seek clarification on layout plans.

The Board resolved:-

To defer the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE-ANGUS & ALE, 55
SCHOOLHILL, ABERDEEN**

2.6. The Board had before them a letter of representation from Police Scotland dated 19 July 2017.

LICENSING BOARD
20 June 2017

Ms Jackson, applicant, addressed the Board in support of the application.

Thereafter, The Board heard Sergeant Flett speak to the letter.

The Board resolved:

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE- CULTER MILLS
SPORTS CLUB, SCHOOL CRESCENT, PETERCULTER, ABERDEEN**

2.7 Bob Murray, applicant, addressed the Board in support of the application.

The Board resolved:

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE- HILTON CONVINEINCE
STORE, 87 HILTON ROAD, ABERDEEN**

2.8 Mr Dawson, Solicitor for the applicant, addressed the Board in support of the application.

The Board resolved:

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE- MANZIL INDIAN
RESTAURANT, 22-24 KING STREET, ABERDEEN**

2.9. The Board had before them a letter of representation from Police Scotland dated 26 July 2017 and a memo from Mark Nicholl, Environmental Health.

Ms Weir, Solicitor for the applicant, addressed the Board in support of the application.

Thereafter the Board heard Sergeant Gill Flett speak to the letter. Sergeant Flett recommending change to young persons access to which the applicant agreed. Therafter hearing from Andrew Gilchrist , Environmental Health in relation to the environmental health memo. Environmental Health and the applicant agreed to a condition to be added to the licence.

LICENSING BOARD
20 June 2017

The Board resolved:

To grant the application with the amendment and with an environmental health condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE- MCNASTYS, 37 SUMMER STREET, ABERDEEN

2.10. The Board had before it a letter of representation from Police Scotland dated 26 July 2017 a letter of objection from NHS Grampian dated 17 July 2017 and two public objections.

Mr Fraser, solicitor for the applicant, addressed the Board in support of the application.

Thereafter, Sergeant Flett spoke to the letter of representation, Mrs Wilson spoke to the letter of objection and Mr Gordon to his letter of objection, there was no appearance from the second objector.

The Board resolved:

to grant the variation to children's access being a minor variation but to refuse the remainder of the application on the Convenor's casting vote as not consistent with the Licensing Board policy on significant entertainment.

APPLICATION FOR VARIATION OF PROVISIONAL PREMISES LICENCE-LIDL STORE, INVERURIE ROAD, ABERDEEN

2.11. The Board had before them a letter of representation from NHS Grampian dated 25 July 2017.

Mr Hunter, solicitor for the applicant, addressed the Board in support of the application.

Thereafter the Board heard Heather Wilson, NHS Grampian, speak to her letter.

The Board resolved:

To grant the application.

LICENSING BOARD

20 June 2017

APPLICATION FOR VARIATION OF PREMISES LICENCE-SCOTIA BAR, 7-11 SUMMERFIELD TERRACE, ABERDEEN

2.12 The Board had before them a letter of representation from Police Scotland dated 19 July 2017 and 2 letters of objection from members of the public.

Ms Loudon, solicitor for the applicant, addressed the Board in support of the application.

Thereafter the Board heard Sergeant Gill Flett speak to the letter of representation. There was no appearance by the public objectors.

The Board resolved:

To grant the application with amendment.

APPLICATION FOR VARIATION OF PREMISES LICENCE- SING CITY, 74-78 CHAPEL STREET, ABERDEEN

2.13. The Board had before them a letter of objection from Police Scotland dated 26 July 2017, letter of objection from NHS Grampian dated 17 July 2017, Memo from Environmental Health dated 26 July 2017 and letter of objection from a member of the public.

Mr McIver, Solicitor for the applicant, addressed the Board in support of the application.

Thereafter the Board heard Sergeant Gill Flett speak to the letter of objection, Heather Wilson speak to the letter of objection, Andrew Gilchrist advised Environmental Health wished to withdraw their memo, there was no appearance from the public objector.

The Board resolved:

To refuse the application on the Convenor's casting vote as it was inconsistent with the Licensing Board Policy in relation to significant entertainment.

LICENSING BOARD
20 June 2017

APPLICATION FOR VARIATION OF PREMISES LICENCE-STAGE DOOR RESTAURANT, 26 NORTH SILVER STREET, ABERDEEN

2.14. The Board had before it letter of representation from Police Scotland dated 4 August 2017 and Environmental Health Memo dated 3 August 2017.

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

Thereafter the Board heard from Sergeant Gill Flett who advised they wished to withdraw their letter and from Andrew Gilchrist who advised they were now satisfied and wished to withdraw their memo.

The Board resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE- TESCO EXPRESS, HOLBURN STREET, ABERDEEN

2.15. Mr Cummings, Solicitor for the applicant, addressed the Board in support of the application.

The Board resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE- ABERCROMBIE, 224 UNION STREET, ABERDEEN

2.16. The Board had before them a letter of representation from Police Scotland dated 20 July 2017.

Mr Hunter, Solicitor for the applicant, addressed the Board in support of the application.

Thereafter the Board heard from Sergeant Gill Flett speak to the letter of representation.

The Board resolved:

To grant the application.

Councillor Cameron left the meeting.

LICENSING BOARD
20 June 2017

APPLICATION FOR VARIATION OF PREMISES LICENCE- THE CRAFTSMAN COMPANY, 2 GUILD STREET, ABERDEEN

2.17 The Board had before them letter of representation from Police Scotland dated 24 July 2017.

Mr Martin, applicant, addressed the Board in support of the application.

Thereafter Sergeant Gill Flett spoke to the letter of representation.

The Board resolved:

To grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE- THE GRANITE CITY, ABERDEEN AIRPORT, ABERDEEN

2.18 The Board had before them letter of representation dated 18 July 2017.

Applicant addressed the Board in support of the application.

Thereafter Sergeant Gill Flett advised Police Scotland wished to withdraw their letter of representation.

The Board resolved:

To grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE- WILD BOAR, 19 BELMONT STREET, ABERDEEN

2.19 The Board had before them a letter of representation from Police Scotland dated 20 July 2017.

Mr Hunter, Solicitor for the applicant, addressed the Board in support of the application.

Thereafter the Board heard from Sergeant Gill Flett speak to the letter of representation.

The Board resolved:

To grant the application.

LICENSING BOARD

20 June 2017

APPLICATION FOR VARIATION OF PREMISES LICENCE- REVOLUTION, 25 BELMONT STREET, ABERDEEN

2.20 The Board had before it letter of representation from Police Scotland dated 26 July 2017 and memo from Environmental Health dated 26 July 2017.

Mr McIver, Solicitor for the applicant, addressed the Board in support of the application.

Thereafter Sergeant Gill Flett spoke to the letter of representation, Andrew Gilchrist advised Environmental Health were now satisfied with noise control measures.

The Board resolved:

To grant the application

APPLICATION FOR VARIATION ON TRANSFER OF PREMISES LICENCE- THE BROADSWORD/MCCOLLS, 52 HAYTON ROAD, ABERDEEN

2.21 The Board had before it Notice of Convictions from Police Scotland dated 17 July 2017.

Ms Loudon, Solicitor for the applicant, addressed the Board in support of the application.

Thereafter the Board heard from Sergeant Gill Flett speak to the letter.

The Board resolved:

To grant the application

APPLICATION FOR PRESEONAL LICENCE

3. The Board had before it letter of convictions from Police Scotland dated 28 June 2017.

Sergeant Gill Flett spoke to the letter.

Thereafter the Board heard from the applicant in support of the application.

The Board resolved:

To grant the application.

4. The Board had before it letter of convictions from Police Scotland dated 19 July 2017.

Sergeant Flett spoke to the letter.

Thereafter the Board heard from the applicant in support of the application.

LICENSING BOARD
20 June 2017

The Board resolved:

To refuse the application.

ITEMS 5-9 PREMISES LICENCE REVIEW PROPOSALS

The Board resolved to hear the reviews at the next meeting

**OFFSHORE EUROPE GENERAL EXTENSION UNDER SECTION 67 OF THE
LICENSING (SCOTLAND) ACT 2005**

The Board resolved:

To grant a general 1 hour extension between 5-8 September 2017 to all licensed premises.

SCHEME OF DELEGATION

11. Sandy Munro, Solicitor for the Licensing Board, advised the report was merely for noting however he sought approval on points 2.1 and 3.2 of the report.

The Board resolved:

To agree point 2.1 and 3.2 and note the report.

LICENSING BOARD ACCOUNTS

12. Sandy Munro, Solicitor for the Licensing Board, advised the accounts were for noting and these were now available online.

The Board resolved:

To note the accounts

MODEL PUBLICATION SCHEME

LICENSING BOARD

20 June 2017

13. Sandy Munro, Solicitor for the Licensing Board, advised the Board the Model Publication Scheme now required updating in line with Government requirements. This updated version was similar to the existing scheme with some amendments.

The Board resolved:

To approve the Model Publication Scheme.

EQUALITIES OUTCOME & MAINSTREAMING REPORT

14. Sandy Munro, Solicitor for the Board, advised the Board the report was put to them for their approval.

The Board resolved:

To approve the report.

LICENSING BOARD
20 June 2017

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ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Gambling Act 2005

Betting (Other) - Variation(s)

Premises	Applicant	Date Received	Comments
1 WILLIAM HILL 23 SCOTSTOWN ROAD BRIDGE OF DON ABERDEEN AB22 8HS		26 July 2017	Internal refurbishment of premises including reconfiguration of betting area

ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

New Grant(s)

Premises	Applicant	Date Received	Comments
2 TRINITY HALL HOLBURN STREET ABERDEEN AB10 6DA	THE SEVEN INCORPORATED TRADES OF ABERDEEN	15 August 2017	Application for Premises Licence to include on & off sales, conference facilities, receptions, club or group gatherings, recorded music, live music, dance facilities, theatre and children's access at all times when suitable events are being held and when accompanied by an adult

ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Provisional(s)

Premises

Applicant

Date Received

Comments

3	MOZZA UNIT FS12A UNION SQUARE ABERDEEN AB11 5RG	OMOA LTD C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	22 June 2017	Premises offering alcohol for consumption on and off the premises and offering, restaurant facilities, bar meals, receptions such as weddings, funerals, birthdays, retirements etc, club meetings, recorded music, live performances, televised sports.
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ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
4	74 URQUHART ROAD ABERDEEN AB24 5NB	ANGNES KANCHANA SIVAKUMAR	7 July 2017	Variation to layout plan resulting in an increase in capacity from 5.66m2 to 9.65m2
5	BP DYCE FILLING STATION WELLHEADS ROAD DYCE ABERDEEN AB21 7HG	MALTHURST LIMITED C/O HARPER MACLEOD LLP SOLICITORS THE CA'D'ORO 45 GORDON STREET GLASGOW G1 3PE	3 August 2017	Amendment to the commencement of offsales on Sundays from 1230 to 1000
	PARAMOUNT BAR 21 BON ACCORD STREET ABERDEEN AB11 6EA	THE SPERATUS GROUP LIMITED C/O BURNES PAULL LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	15 August 2017	variation to te core hours on a Friday & Saturday to 1200 to 0200 the addition of indoor/outdoor sports as activities the addition of charity events, corporate & private events, fashion shows, quiz nights & any other ancilliary event Amendment to layout plan not affecting capacity

ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Applicant

Date Received

Comments

7

PARKWAY
BALGOWNIE ROAD
BRIDGE OF DON
ABERDEEN
AB22 8LX

PUNCH PARTNERSHIP LIMITED
C/O TLT LLP
140 WEST GEORGE STREET
GLASGOW
G2 2HG

16 August 2017

The addition of outdoor drinking as an activity during core hours to permit children & young persons access to the external area to ammend the layout plan to incorporate an external patio within the licensed foot print

WILD GINGER
BASEMENT
367 UNION STREET
ABERDEEN
AB11 6BT

CARLTON ROCK LIMITED

25 July 2017

Variation to on sales on Sundays to 1200 to 0000 the addition of music as an activity amendment to young persons access to permit entry to the premises unaccompanied for the purpose of dining & consumption of soft drinks

ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Premises Licence Review(s)

Premises		Applicant	Date Received	Comments
9	DISCOUNT UK UNIT 4 KITTTYBREWSTER RETAIL PARK ABERDEEN AB24 3LW	ABERDEEN CITY LICENSING BOARD	24 October 2016	2016 premises annual fee still outstanding
10	THE PRIME CUTS 21 CROWN TERRACE ABERDEEN AB11 6HD	ABERDEEN CITY LICENSING BOARD	24 October 2016	2016 premises annual fee still outstanding
	PIOTR & PAWEL 278 GEORGE STREET ABERDEEN AB25 1HL	ABERDEEN CITY LICENSING BOARD	24 October 2016	2016 premises annual fee still outstanding

ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
12 SLAINS CASTLE 14-18 BELMONT STREET ABERDEEN AB10 1JH	STONEGATE PUB COMPANY LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	22 August 2017	Amendment to commencement of on & off sales on a Sunday to 11am amendment to terminal hour of onsales on Monday-Sunday to 0200 The addition of dance facilities within activities

ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Premises Licence Review(s)

Premises		Applicant	Date Received	Comments
13	PETERCULTER POST OFFICE AND SHOP 177 NORTH DEESIDE ROAD PETERCULTER ABERDEEN AB14 0UJ	ABERDEEN CITY LICENSING BOARD	24 October 2016	2016 premises annual fee still outstanding
	TPC CONFERENCING 19 CROWN TERRACE ABERDEEN AB11 6HD	ABERDEEN CITY LICENSING BOARD	24 October 2016	2016 premises annual fee still outstanding

ABERDEEN CITY LICENSING BOARD

Meeting 10 October 2017 at 10:30am in Committee Room 2 & 3, Broad Street, Aberdeen, AB10 1AQ

Licensing (Scotland) Act 2005

Personal Licence(s)

Applicant	Date Received	Comments
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15 KEVIN GARRY GRANT

1 August 2017

16 FRAZER LEWIS MCLEAN
C/O GNE CONSULTANCY
47 WALLACE BRAE DRIVE
REDDINGMUIRHEAD
FALKIRK
FK2 0FB

11 August 2017

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: GAMBLING ACT 2005-VARIATION OF PREMISES LICENCE

PREMISES: WILLIAM HILL, 23 SCOTSTOWN ROAD, BRIDGE OF DON, ABERDEEN,
AB22 8HH

DESCRIPTION

- Refurbishment of the premises

RELEVANT INFORMATION

The licensing authority's primary obligation under s.153(1) of the Gambling Act 2005 is to permit the use of premises in so far as it thinks that to do so is:

- a) in accordance with any relevant code of practice issued by the Gambling Commission
- b) in accordance with any relevant guidance issued by the Gambling Commission
- c) reasonably consistent with the licensing objectives (subject to a and b above) and
- d) in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

OBJECTIONS/REPRESENTATIONS

- None

GAMBLING LICENSING POLICY STATEMENT

- Not applicable

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PREMISES LICENCE

PREMISES: TRINITY HALL, HOLBURN STREET, ABERDEEN, AB10 6DA

DESCRIPTION

- Application for premises licence to include on and off sales, conference facilities, receptions, club or group meetings, recorded music, live music, dance facilities, theatre and children's access at all times when suitable events are being held and when accompanied by an adult .

OBJECTIONS/REPRESENTATIONS

POLICY

The Board has devised a number of local conditions which may be attached to premises licences.

Drugs Policy

It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises

LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

28.2 Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time as recognising that parents and other adults accompanying children also have responsibilities.

28.4 The following examples of control measures are given to assist applicants.

- effective and responsible premises management
- adoption of best practice guidance
- imitations on the hours when children may be present, in all or parts of the premises

- imitations or exclusions by age when certain activities are taking place
- imposition of requirements for children to be accompanied by an adult
- acceptance of accredited proof of age cards with photographs, or passports
- measures to ensure children do not purchase, acquire or consume alcohol
- measures to ensure children are not exposed to incidences of violence or disorder
- appropriate training and supervision of those employed to secure protection of children from harm.
- Imposition of reasons for children to be present and/ or accompanied by a responsible person / adult who shall have responsibility for, and supervise such children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: MOZZA, UNIT FS12A, UNION SQUARE, ABERDEEN, AB11 5RG

DESCRIPTION

- Premises offering alcohol for consumption on and off the premises and offering restaurant facilities, bar meals, receptions, recorded music, live performances and televised sport.

OBJECTIONS/REPRESENTATIONS

Police Scotland

POLICY

The Board has devised a number of local conditions which may be attached to premises licences.

Drugs Policy

It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises

LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

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premises

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- imposition of requirements for children to be accompanied by an adult
- acceptance of accredited proof of age cards with photographs, or passports
- measures to ensure children do not purchase, acquire or consume alcohol
- measures to ensure children are not exposed to incidences of violence or disorder
- appropriate training and supervision of those employed to secure protection of children from harm.
- Imposition of reasons for children to be present and/ or accompanied by a responsible person / adult who shall have responsibility for, and supervise such children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: 74 URQUHART ROAD, ABERDEEN, AB24 5NB

DESCRIPTION

- Variation to layout plan resulting in an increase in capacity from 5.66m² to 9.65m²

OBJECTIONS/REPRESENTATIONS

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: BP DYCE FILLING STATION, WELLHEADS ROAD, DYCE, ABERDEEN,
AB21 7HG

DESCRIPTION

- Amendment to the commencement off offsales on Sunday's from 1230 to 1000

OBJECTIONS/REPRESENTATIONS

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: PARAMOUNT BAR, 21 BON ACCORD STREET, ABERDEEN, AB11 6EA

DESCRIPTION

- Variation to the core hours on a Friday & Saturday to 1200 to 0200
- The addition of indoor/outdoor sports as activities
- The addition of charity events, corporate & private events, fashion shows, quiz nights & any other ancillary event
- Amendment to layout plan not affecting capacity- minor deemed grant.

OBJECTIONS/REPRESENTATIONS

Police Representation
1x member of public
1 x EH Memo

POLICY

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: PARKWAY, BALGOWNIE ROAD, BRIDGE OF DON, ABERDEEN, AB22
8LX

DESCRIPTION

- The addition of outdoor drinking as an activity during core hours
- To amend the areas to which children are permitted access to and the times.
- To amend the layout plan to incorporate an external patio within the licensed footprint.

OBJECTIONS/REPRESENTATIONS

Police Representation

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: WILD GINGER, BASEMENT, 367 UNION STREET,
ABERDEEN, AB11 6BT

DESCRIPTION

- Variation to on-sales on Sunday's to 1200 to 0000
- The addition of music as an activity
- Amendment to young person's access to permit entry to the premises unaccompanied for the purpose of dining & consumption of soft drinks

OBJECTIONS/REPRESENTATIONS

Police Representation
LSO Memo

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: SLAINS CASTLE, 14-18 BELMONT STREET,
ABERDEEN, AB10 1JH

DESCRIPTION

- Amendment to commencement of on and off sales on a Sunday to 11am
- Amendment to terminal hour of on sales Monday to Sunday to 0200
- The addition of dance facilities within activities

OBJECTIONS/REPRESENTATIONS

Police Representation
NHS objection
LSO Memo

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

BREACH OF MANDATORY CONDITION 10 – PAYMENT OF ANNUAL FEE

PREMISES LICENCE REVIEW

PREMISES: PRIME CUTS, 21 CROWN TERRACE, ABERDEEN, AB11 6HD

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LICENSING BOARD INFORMATION SHEET

BREACH OF MANDATORY CONDITION 10 – PAYMENT OF ANNUAL FEE

PREMISES LICENCE REVIEW

PREMISES: Discount UK, Unit 4, Kitttybrewster Retail Park, Aberdeen, AB24 3LW

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LICENSING BOARD INFORMATION SHEET

BREACH OF MANDATORY CONDITION 10 – PAYMENT OF ANNUAL FEE

PREMISES LICENCE REVIEW

PREMISES: 278 GEORGE STREET, ABERDEEN, AB25 1HL

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LICENSING BOARD INFORMATION SHEET

BREACH OF MANDATORY CONDITION 10 – PAYMENT OF ANNUAL FEE

PREMISES LICENCE REVIEW

PREMISES: PETERCULTER POST OFFICE & SHOP, 177 NORTH DEESIDE ROAD, PETERCULTER, ABERDEEN,
AB14 0UJ

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LICENSING BOARD INFORMATION SHEET

BREACH OF MANDATORY CONDITION 10 – PAYMENT OF ANNUAL FEE

PREMISES LICENCE REVIEW

PREMISES: TPC CONFERENCING, 19 CROWN TERRACE, ABERDEEN

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LICENSING BOARD INFORMATION SHEET

SCHEME OF DELEGATION

DESCRIPTION

- final draft scheme of delegation for discussion and approval.

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ABERDEEN CITY LICENSING BOARD

Licensing (Scotland) Act 2005

SCHEME OF DELEGATION

This Scheme of Delegation details the powers of the Licensing Board for Aberdeen City in terms of the Licensing (Scotland) Act 2005. This Scheme of Delegation was approved by the Board on [XXXX].

The Board recognises that any application should only be determined by the Board where necessary and any straightforward matters should be considered by the Clerk or any member of the Clerk's staff having authority to do so, to save resources and to create as little inconvenience to applicants as possible.

The Board therefore agrees that only those applications and matters which by statute are required to be considered by the Board will be submitted to them for determination and other applications will be determined by the Clerk (or Depute Clerk or persons appointed to assist them) in accordance with the following Scheme of Delegation.

1. MATTERS RESERVED TO THE LICENSING BOARD			
	Nature of Function/ Application	Relevant Provision in Licensing (Scotland) Act 2005	Function
1.1	Determination of Licensing Board Policy	s.6 and Sch.1 para 10(2)(a)	Determining the Board's policy for the purposes of a Licensing Policy Statement or any Supplementary Licensing Policy Statement;
1.2	Determination of Overprovision of Licensed Premises	s.7 and Sch.1 para 10(2)(b)	Determining, for the purposes of any such statement, whether there is overprovision of licensed premises, or licensed premises of any particular description, in any locality;
1.3	Premises Licence Application	s.23 and Sch.1 para 10(2)(c)	Determining a premises licence application;
1.4	Premises Licence Major Variation Application	s.30 and Sch.1 para 10(2)(d)	Determining a premises licence variation application where the variation sought is not a minor variation;

1.5	Premises Licence Transfer Application (Conviction)	s.33, s.34 and Sch.1 para 10(2)(e)	Determining an application for the transfer of a premises licence where the applicant has been convicted of a relevant or foreign offence;
1.6	Provisional Premises Licence Confirmation (Refusal)	s.46 and Sch.1 para 10(2)(i)	Refusing an application for confirmation of a provisional premises licence;
1.7	Temporary Premises Licence	s.47	Determining a temporary premises licence application;
1.8	Personal Licence (Conviction)	s.74 and Sch.1 para 10(2)(f)	Determining a personal licence application, or a personal licence renewal application where the applicant has been convicted of a relevant or foreign offence;
1.9	Conducting a Hearing	s.39, s83(7) s.84 and Sch.1 para 10(2)(g)	Conducting a hearing under the Act, including taking any of the following steps: At a review hearing in respect of a premises licence where necessary in terms of the licensing objectives flowing from the sale of alcohol: (i) Issuing a written warning to the premises licence holder; (ii) Revoking or suspending the premises licence; or (iii) Making a variation of the premises licence; or (iv) Making an order revoking, suspending or endorsing a personal licence.
1.10	Closure Order	s.97 and Sch.1 para 10(2)(h)	Making a Closure Order;

2. MATTERS DELEGATED TO THE CONVENOR/SUB-COMMITTEE			
	Nature of Function/ Application	Relevant Provision in Licensing (Scotland) Act 2005	Function
2.1	Notice of Convictions	s44(7A), s83(7A)	Determining whether to hold a licence review hearing or to take no further action upon receipt of a notice from the Chief Constable which does not contain a recommendation to vary, suspend, revoke or endorse the licence in question
2.2	Occasional Licence or Extended Hours ("Fast Track")	ss.57(4) and 69(4) and Sch.1 para 10(1)	Determining whether an application for an occasional licence or occasional extension requires to be dealt quickly.
2.3	Occasional Licence (Objection/ Contrary to Policy)	s.59 and Sch.1 para 10(1)	Determining whether or not the Licensing Board will hold a hearing to determine an application for an

			occasional licence where an objection, representation or a notice recommending refusal from the Chief Constable or Licensing Standards Officer or where the application is contrary to the terms of the Board's Policy;
2.4	Occasional Licence (Objection)	s.59 and Sch.1 para 10(1)	Where a decision has been taken by the Convenor/Sub-Committee not to hold a hearing in terms of section 59(4) of the Act, the determination of the application following an opportunity for the applicant to comment on the representation in terms of section 59(5);
2.5	Extended Hours Application (Objection/Contrary to Policy)	s.70 and Sch.1 para 10(1)	Determining whether or not the Board will hold a hearing to determine an application for extended hours where an objection, representation or a notice recommending refusal from the Chief Constable or Licensing Standards Officer or where the application is contrary to the terms of the Board's Policy;
2.6	Extended Hours Application (Objection)	s.70 and Sch.1 para 10(1)	Where a decision has been taken by the Convenor/Sub-Committee not to hold a hearing in terms of section 70 (2) of the Act, the determination of the application following an opportunity for the applicant to comment on the representation in terms of section 70(3);
2.7	Personal Licence (Licence Previously Surrendered – Hearing)	s.74(7)	Where the applicant has surrendered a personal licence within the period of 3 years prior to an application for a further personal licence being made by that person to decide whether the reasons for surrender of the previous personal licence warrant consideration of the application by the relevant Board;
2.8	Power to Relieve Procedural Errors	s.135 and Sch.1 para 10(1)	To relieve any applicant or other party to proceedings before the Board of any failure to comply with any procedural provision if the failure is due to a mistake, oversight or other excusable cause, and it is considered appropriate in all of the circumstances to relieve the failure.
2.9	Rejection of Frivolous or Vexatious Objections	s.22(4), s.36(6), s.58(3)	Determining whether to reject a notice of objection or representation or request for a premises licence review received by the Board where they consider it to be frivolous or vexatious;

2.10	Premises Licence Review Proposal	s.37 and Sch.1 para 10(1)	Determining whether to make a premises licence review proposal;
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3. MATTERS DELEGATED TO THE CLERK OR DEPUTE CLERKS TO THE LICENSING BOARD OR ANY PERSONS APPOINTED TO ASSIST THEM			
	Nature of Function/ Application	Relevant Provision in Licensing (Scotland) Act 2005	Function
3.1	Premises Licence Minor Variation Application	s.29 and Sch.1 para 10(1)	Determining any premises licence variation application where the variation sought is a minor variation, including for the avoidance of doubt a change of Designated Premises Manager;
3.2	Premises Licence Application or Variation Application Hearing Attendance	Sch.1 para 10(1)	Determining whether to request an Applicant to attend a hearing for a premises licence application or a variation application where there are no representations or objections and the application is not contrary to the Board's Policy;
3.3	Premises Licence Transfer Application (No Conviction)	s.33, s.34 and Sch.1 para 10(1)	Determining any application for the transfer of a premises licence where the applicant has not been convicted of a relevant or foreign offence;
3.4	Provisional Premises Licence Confirmation	s.46 and Sch.1 para 10(1)	Determining any application for confirmation of a provisional premises licence – where no variation (other than a minor variation) has been made to the operating plan or layout plan for the premises to which the licence relates since the provisional licence was issued or since a variation of the provisional premises licence was granted;
3.5	Obtaining Further Information for the Purposes of a Review Hearing	s.38(5) and (6), and Sch.1 para 10(1)	To exercise the powers under section 38(5) and (6) for the purposes of a review hearing to obtain further information, request any person to attend to provide information and/or request production of any document at a review hearing;
3.6	Premises Licence (Licence Production)	s.49(3) and Sch.1 para 10(1)	To require a premises licence holder to produce the premises licence;
3.7	Occasional Licence (No Objection)	s.59 and Sch.1 para 10(1)	Determining an application for an occasional licence – where no objections or representations have been received, nor a notice recommending refusal from the Chief Constable or any report from the

			Licensing Standards officer recommending refusal;
3.8	Occasional Licence Conditions	s.60 and Sch.1 para 10(1)	To impose conditions under section 60 in respect of an occasional licence as necessary or expedient for the purpose of any licensing objective;
3.9	Extended Hours Application (No Objection)	s.70 and Sch.1 para 10(1)	Determining an application for extended hours where no objections or representations have been received nor a notice recommending refusal from the Chief Constable or any report from the Licensing Standards Officer recommending refusal;
3.10	Personal Licence (No Conviction)	s.74 and Sch.1 para 10(1)	Determining a personal licence application, or a personal licence renewal application where the applicant has not been convicted of a relevant or foreign offence;
3.11	Personal Licence (Licence Previously Surrendered)	s.77(6)	To grant personal licences where the applicant has previously surrendered their personal licence under section 77(6) or their licence has been revoked under s.87(3);
3.12	Revocation of Personal Licence	s.87(3) and Sch.1 para 10(1)	The revocation of a personal licence where the licence holder has not complied with the requirements of Section 87(1) of the Act;

4. Other Matters

Any matters which are not the subject of a specific delegation in terms of this Scheme of Delegation and are not prescribed by the Licensing (Scotland) Act 2005 shall be determined by the Clerk (or any person appointed to assist the Clerk) as appropriate unless the nature of such matter is considered to be appropriate to be determined by the Licensing Board at a meeting arranged by the Clerk in consultation with the Convenor of the Licensing Board.

5. Exercise of Delegated Power

The Clerk, Depute Clerk and any other member of staff appointed to assist them may elect not to use their delegated powers in a particular case, in which case the matter will be referred to the Licensing Board.

6. Legislation

These delegations are subject to any necessary alterations arising from amendments to Legislation, Regulations, Codes of Practice or Government Circulars. In the event of a conflict between the terms of this Scheme of Delegation and the relevant legislation, the Scheme of Delegation shall be deemed amended to accord with the provisions of the said relevant legislation.