

LICENSING BOARD

ABERDEEN, 15 May 2018. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Councillor Donnelly, the Depute Provost, Lesley Dunbar, Greig, McLellan, Townson and John.

MINUTE OF PREVIOUS MEETING OF 20 MARCH 2018

1. The Board had before it the minute of meeting of 20 March 2018.

The Board resolved:

To approve the minute.

LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the application as listed in articles 3 to 17 of this minute

APPLICATION FOR PROVISIONAL PREMISES LICENCE - W H SMITH - LANDSIDE, ABERDEEN AIRPORT, DYCE, ABERDEEN, AB21 7DU

3. The Board heard from Mr Alexander Munro, Legal advisor, that there had been no objections or representations received in connection with the application.

The Licensing Board resolved:

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

APPLICATION FOR VARIATION OF PREMISES LICENCE - FOUR MILE INN, INVERURIE ROAD, BUCKSBURN, ABERDEEN, AB21 9BA

4. The Board heard from Mr Alexander Munro, Legal advisor, that there had been no objections or representations received in connection with the application.

The Licensing Board resolved:

To grant the application.

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APPLICATION FOR VARIATION OF A PREMISES LICENCE - LIDL, 739 KING STREET, ABERDEEN, AB24 1XZ

5. The Board heard from Mr Alexander Munro, Legal advisor, that there had been no objections or representations received in connection with the application.

The Licensing Board resolved:

To grant the application.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - NORTHERN BAR, 325 GEORGE STREET, ABERDEEN, AB25 1EE

6. The Board heard from Mr Alexander Munro, Legal advisor, that there had been a representation submitted by Police Scotland however we understood this was to be withdrawn if the applicant confirmed he accepted the recommended amendments.

Sergeant Gill Flett confirmed that the representation would be withdrawn if the amendments were agreed.

Thereafter the Board heard from Andrew Hunter, agent for applicant that the applicant was happy to agree the recommendations and an amended operating plan would be submitted to reflect this.

The Licensing Board resolved:

To grant the application as amended.

APPLICATION FOR VARIATION OF PREMISES LICENCE - OLD BLACKFRIARS, 52 CASTLEGATE, ABERDEEN, AB11 5BB

7. The Board heard from Mr Alexander Munro, Legal advisor, that there had been a representation submitted by Police Scotland and Diane Sande, Licensing Standards Officer however we understood these were to be withdrawn if the applicant confirmed he accepted the recommended amendments.

Sergeant Gill Flett confirmed that the representation would be withdrawn if the amendments were agreed. Mrs Sande confirmed same.

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Thereafter the Board heard from Andrew Hunter, agent for applicant that the applicant was happy to agree the recommendations and an amended operating plan would be submitted to reflect this.

The Licensing Board resolved:

To grant the variation as amended.

APPLICATION FOR VARIATION OF PREMISES LICENCE - PRINCE OF WALES, 7 ST NICHOLAS LANE, ABERDEEN, AB10 1HF

8. The Board heard from Mr Alexander Munro, Legal advisor, that there had been a representation submitted by Police Scotland however we understood this was to be withdrawn if the applicant confirmed he accepted the recommended amendments.

Sergeant Gill Flett confirmed that the representation would be withdrawn if the amendments were agreed.

Thereafter the Board heard from Andrew Hunter, agent for applicant that the applicant was happy to agree the recommendations and an amended operating plan would be submitted to reflect this.

The Licensing Board resolved:

To grant the variation as amended.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - THE ARCHIBALD SIMPSON, 5 CASTLE STREET, ABERDEEN, AB11 5BQ

9. The Board heard from Mr Alexander Munro, Legal advisor, that there had been no objections or representations received in connection with the application.

The Licensing Board resolved:

To grant the amended application

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE INSTITUTE, 5 BRIDGE PLACE, ABERDEEN, AB11 6HZ

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10. The Board heard from Mr Alexander Munro, Legal Advisor, that after consultation with building standards, the change of layout resulted in a reduction of capacity and therefore a minor variation. The application had therefore been granted under delegated powers.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - THE LEMON TREE, 5 WEST NORTH STREET, ABERDEEN, AB24 5AT

11. The Board heard from Mr Alexander Munro, Legal advisor, that there had been no objections or representations received in connection with the application.

The Board resolved:

To grant the application.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - WILD BOAR, 19 BELMONT STREET, ABERDEEN, AB10 1JR

12. The Board heard from Mr Alexander Munro, legal advisor, that there had been no objections or representations received in connection with the application

The Board resolved:

To grant the application.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - SLAINS CASTLE, 14 -18 BELMONT STREET, ABERDEEN, AB10 1JH

13. The Board heard from Mr Alexander Munro, legal advisor, that objections to the application had been received by Police Scotland, NHS Grampian and the City Centre Community Council, Mr Munro advised the Licensing Standards Officer had withdrawn their representation.

Thereafter the Board heard from Jack Cummings, agent for the applicant who appeared alongside Lauren McCarroll, manager of the premises. Mr Cummings advised that the issue appeared to be that the variation would result in the premises operating for more than 14 hours. He accepted the views given by the objectors and advised that they would be happy to amend their application to the effect that the commencement hour Thursday to Sunday would be 12 noon (from the proposed 11am) which would then take them under 14 hours.

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The Board then heard from Sergeant Gill Flett who advised they would be happy to withdraw their letter on the basis of the amended commencement hour.

The Board then heard from Heather Wilson, NHS Grampian, who also advised they would withdraw their letter in light of the amendment.

The Community Council representative confirmed that the amendment suggested taking the premises under 14 hours would be enough and they would therefore withdraw their objection on that basis too.

The Board resolved:

To grant the amended application.

APPLICATION FOR A PERSONAL LICENCE - AC5206

14. The Board heard from Mr Munro, legal advisor, that the application had been deferred from the Board meeting of 20 March 2018, however the applicant was seeking a further deferral as he was abroad at his sister's wedding.

The Board resolved:

To defer the application.

REVIEW OF A PERSONAL LICENCE - AC1686

15. The Board had before it letter from Police Scotland dated 7 March 2018. The licence holder was not present. The Convenor moved that the review be deferred once more to allow appearance from the Licence holder.

The Board Resolved:-

To defer the review.

**SCOTTISH GOVERNMENT CONSULTATION ON LICENSING PROCEDURES -
REPORT BY LICENSING SOLICITOR**

16. The Board had before it the Scottish Government Consultation on Update of The Licensing (Procedure) (Scotland) Regulations 2007.

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The purpose of the report was to note the contents of the consultation exercise and to determine whether or not to instruct officers to submit a response on behalf of the Board.

The Board Resolved:-

For officers to provide further information and circulate this to the members for comment.

INTERIM OVERPROVISION POLICY - REPORT BY LICENSING SOLICITOR

17. The Board had before it a report on the off-sales Overprovision Policy.

The purpose of the report was to provide the Board with responses to the consultation exercise with regard to the Off-Sales Overprovision Policy.

The Board Resolved:-

To defer the report to a further special meeting of the Licensing Board to allow time to fully go over and consider the report.

ESTABLISHMENT OF LICENSING BOARD SUB COMMITTEE - REPORT BY LICENSING SOLICITOR

18. The Board had before it a report to request the Board to appoint a permanent Sub-Committee to deal with application for Extended Hours and Occasional Licences which have attracted representations or are contrary to policy.

The report recommends a permanent Sub Committee be created and the Board appoints a minimum of three members to the Sub-Committee.

The Board Resolved:-

To defer for officers to prepare a report on the options including the implications of setting up a formal sub-committee, updating the current rota system or continuing with the current arrangements.

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