

## LICENSING BOARD

ABERDEEN, 4 September 2018. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Boulton, Convener and Councillors Cameron, Councillor Donnelly, the Depute Provost, Lesley Dunbar, Grant, Greig, McLellan, Townson and John.

### MINUTE OF PREVIOUS MEETING OF 3 JULY 2018

1. The Board had before it for its consideration the minute of the meeting of 3 July 2018

**The Board resolved:-**

To approve the minute.

### LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the applications as listed in 3 - 18

#### **APPLICATION FOR PROVISIONAL PREMISES LICENCE - SHELL COCKET HAT SOUTH, NORTH ANDERSON DRIVE, ABERDEEN**

3. Andrew Hunter, Solicitor, addressed the Board in support of the application.

**The Board resolved:**

to grant the application subject to the local condition relating to CCTV.

#### **APPLICATION FOR PREMISES LICENCE - LINX ICE ARENA BEACH ESPLANADE, ABERDEEN**

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 subject to the local condition relating to Drugs Policy

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**APPLICATION FOR VARIATION OF PREMISES LICENCE - BANKHEAD INN, 165 BANKHEAD ROAD, BUCKSBURN, ABERDEEN**

5. The Board heard from Mr Alexander Munro, that a Police letter for representation had been withdrawn following amendments by the applicant.

**The Licensing Board resolved:**

To grant the application as amended.

**APPLICATION FOR VARIATION OF A PREMISES LICENCE - CAFE BOHEME, 23 WINDMILL BRAE, ABERDEEN**

6. 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 - COGNITO THE DELI, 245/247 UNION GROVE, ABERDEEN**

7. 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 TRANSFER OF A PREMISES LICENCE - DIZZY'S, 70 CARDEN PLACE, ABERDEEN**

8. Mr Alexander Munro, Legal advisor, informed the Board that the application for transfer had been granted by Officers using delegated powers.

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**APPLICATION FOR VARIATION OF A PREMISES LICENCE - DIZZY'S, 70 CARDEN PLACE, ABERDEEN**

9. The Board had before them for their consideration undated letter of representation/objection from a member of the public and a letter dated 22 August 2018 from a member of the public. The Objectors were not present at the meeting.

Thereafter the Board heard from Janet Hood, Solicitor speak in support of application. Ms hood advised that the applicant had agreed to the following conditions for the use of the balcony;

**Hours of operation**

1. Monday- Fridays 6 pm - 10 pm
2. Saturdays and Sundays 12 noon - 10 pm

**Use**

The balcony will be used only as a seating area - food and drinks may be served to the public on the balcony from the current licensed part of the premises - no cooking will take place on the terrace, no bar will be set up on the terrace unless and until appropriate local authority and licensing board consents are sought and obtained.

**Staffing**

The balcony will be staffed at all times with at least one member of staff to ensure proper monitoring and control of customers.

**Music**

No music to be played or streamed on the balcony.

**The Board resolved:**

To grant the application subject to the conditions noted above.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - HAZLEHEAD STORES, 1 HAZLEHEAD CRESCENT, ABERDEEN**

10. The Board had before it for their consideration a letter of objection dated 15 August 2018 from a Member of the public. The Objector was not present at the meeting.

The Board heard from Janet Hood, Solicitor speak in support of the application.

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**The Board resolved:**

to grant the application.

**APPLICATION FOR VARIATION OF A PREMISES LICENCE - MORRISONS, 215 KING STREET, ABERDEEN**

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 Licensing Board resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF A PREMISES - THE KINGS BAR, 97 KINGS STREET, ABERDEEN**

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 Licensing Board resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE MUSIC HALL, UNION STREET, ABERDEEN**

13. 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 PREMISES LICENCE - THE TOWN HOUSE, 1 GOLDEN SQUARE, ABERDEEN**

14. The Board heard from Mr Alexander Munro, that a police letter of representation had been withdrawn following amendments made by the applicant.

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**The Licensing Board resolved:**

To grant the application as amended and with a restricted capacity as requested by the applicant.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - REVOLUCION DE CUBA, UNIT 1, THE ACADEMY, ABERDEEN**

**15.** The Board had before it for their consideration a letter dated 7 August 2018 from Police Scotland.

The Board heard from Janet Hood, Solicitor speak in support of the application and thereafter heard from. Sergeant Gill Flett speak in support of the letter.

**The Board resolved:**

To grant the application subject to late night conditions and a condition that entertainment be provided between the hours of 01:00 and 02:00.

**APPLICATION FOR VARIATION OF A PREMISES LICENCE - WHITE COCKADE, 2 OSCAR ROAD, ABERDEEN**

**16.** The Board had before it for their consideration a letter of representation dated 17 August 2018 from Police Scotland.

The Board heard from Janet Hood speak in support of the application and thereafter heard from Sergeant Gill Flett speak in support of the letter.

Councillor Cameron moved: -

to grant the application subject to a condition that entertainment is provided during the hours 23:00 to 00:00 Sundays to Tuesdays and from 00:00 to 01:00 on Fridays and Saturdays.

Councillor Townson moved as an amendment:

to refuse the Friday and Saturday hours.

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on a division there voted: for the motion (6) The Convener and Councillors Cameron, John, Donnelly, McLellan and Dunbar and for the amendment (3) Councillors Greig, Grant and Townson.

**The Board resolved:**

to adopt the motion.

**APPLICATION FOR VARIATION OF A PREMISES LICENCE - FIERCE BEER, 4-6 EXCHEQUER ROW, ABERDEEN**

17. The Board heard from Mr Alexander Munro, Legal advisor, that a letter of representation from the LSO and Police Scotland had been withdrawn following amendments from the applicant.

**The Licensing Board resolved:**

To grant the application as amended.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - DOUBLETREE BY HILTON ABERDEEN TREETOPS, 161 SPRINGFIELD ROAD, ABERDEEN**

18. 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 PERSONAL LICENCE - AC5356**

19. The Board had before it for their consideration a letter dated 18 July 2018 from Police Scotland.

**The Board resolved: -**

to defer consideration of the application to its meeting to be held on Tuesday 13 November 2018.

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**APPLICATION FOR PERSONAL LICENCE - AC5359**

20. The Board had before it a letter dated 4 July 2018 from Police Scotland. The Board heard from the applicant and thereafter heard from Sergeant Gill Flett who spoke in support of the letter.

**The Board resolved:-**

To grant the application.

**APPLICATION FOR PERSONAL LICENCE - AC5352**

21. The Board had before it a letter dated 21 June 2018 from Police Scotland. The Board heard from the applicant and thereafter heard from Sergeant Gill Flett who spoke in support of the letter.

**The Board resolved:-**

To grant the application.

**AC3467 - REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVE**

22. The Board had before it a letter dated 23 April 2018 from Police Scotland.

In the absence of the applicant,

**The Board resolved:**

to revoke the licence.

**PROCEDURE FOR DETERMINATION OF OCCASIONAL LICENCE OR EXTENDED HOURS APPLICATIONS**

22.1. The Board had before a report by Alexander Munro, Solicitor which sought to establish a procedure for the determination of Occasional Licences or Extended Hours applications that require to be considered by a Sub-Committee of the Board in accordance with the Scheme of Delegation.

**The Report recommended: -**

That the Board agree on either Option ONE, Option TWO or Option THREE as detailed in the report as the procedure for the determination of applications.

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Councillor Cameron moved: -

To adopt option 2

Councillor Donnelly moved as an amendment: -

To adopt option 1

On a division there voted: - for the motion (6) The Convener and Councillors Cameron, Greig, Grant McLellan and Townson, for the amendment (3) Councillors Donnelly, Dunbar and John.

**The Board resolved:**

To adopt the motion.

**GAMBLING POLICY STATEMENT**

**23.** The Board had before it a report which advised them that the three-year Statement of Policy in terms of Section 349(1) of the Gambling Act 2005 ('the Act') requires to be reviewed, revised and consulted upon.

**The report recommended: -**

- 1) That the Board notes the contents of the report; and
- 2) Approves the policy statement for public consultation.

**The Board resolved: -**

To approve the recommendations.

**LICENSING POLICY STATEMENT - LICENSING (SCOTLAND) ACT 2005**

**24.** The Board had before it a report which provide information on the procedures for the statutory triennial review of the Licensing Board's Statement of Licensing Policy and sought approval of the draft Policy to be issued for consultation.

**The Report recommended:-**

That the Licensing Board: -

1. notes the contents of this report;



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2. approves the terms of the draft Statement of Policy (Appendix One);
3. allows Appendix One to be issued for consultation with interested parties until 31 October 2018;
4. agrees the locality or localities on which to consult in terms of the on-sales overprovision supplementary policy and instruct the Chief Officer of Governance to undertake the necessary consultation exercise; and
5. schedules a special meeting in the week beginning 5 November 2018 to analyse consultation responses in respect of items 2.3 and 2.4 and prepare a final draft Statement of Licensing Policy for approval at the Board Meeting on 13 November 2018.

**The Board resolved: -**

to approve the recommendations.

**MARIE BOULTON – CONVENER**

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