

# Public Document Pack



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

Town House,  
ABERDEEN 07 January 2019

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 15 JANUARY 2019 at 10.30 am.**

**FRASER BELL**  
CHIEF OFFICER - GOVERNANCE

### B U S I N E S S

- 1 Minutes of Meeting of 13 November 2018 (Pages 5 - 12)
- 2 List of Applications (Pages 13 - 22)
  - 2.1 Application for a Premises Licence - Figment, 70 Countesswells Road, Aberdeen (Pages 23 - 42)
  - 2.2 Application for Provisional Premises Licence - Simpson Pavillon, Woolmanhill Hospital, Skene Street, Aberdeen (Pages 43 - 60)
  - 2.3 Application for Variation of a Premises Licence - Brewdog Castlegate, 5 Union Street, Aberdeen (Pages 61 - 82)
  - 2.4 Application for Variation of Premises Licence - Cafe Boheme, 23 Windmill Brae, Aberdeen (Pages 83 - 84)
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- 2.6 Application for Variation of Premises Licence - Grampian Bar, 21 Victoria Road, Aberdeen (Pages 105 - 122)
- 2.7 Application for Variation of Premises Licence - Hush (unit 6) and JamJar (unit 10), The Galleria, Bon Accord Street, Aberdeen Pages 123 - 138)
- 2.8 Application for Variation of Premises Licence - Langdkyes, Loirston Avenue, Cove Bay, Aberdeen (Pages 139 - 156)
- 2.9 Application for Variation of Premises Licence - McNasty's, 37 Summer Street, Aberdeen Pages 157 - 178)
- 2.10 Application for Variation of Premises Licence - Paramount Bar, 21 Bon Accord Street, Aberdeen (Pages 179 - 202)
- 2.11 Application for Variation of Premises Licence - The Assembly, 3 Skene Terrace, Aberdeen (Pages 203 - 220)
- 2.12 Application for Variation of Premises Licence - The Chester Hotel, 59 Queens Road, Aberdeen (Pages 221 - 238)
- 2.13 Application for Variation of Premises Licence - The Raj Spice, Zara House, Burnside Drive, Dyce, Aberdeen (Pages 239 - 260)
- 2.14 Application for Variation of Premises Licence - The Spiritualist, 67 Langstane Place, Aberdeen (Pages 261 - 280)
- 2.15 Application for Variation of Premises Licence - Triplekirks (Ground Floor), Schoohill, Aberdeen (Pages 281 - 298)
- 3 Application for Renewal of a Personal Licence - AC0893 (Pages 299 - 302)
- 4 Premises Licence Review in terms of Section 38 of the Licensing (Scotland) Act 2005
  - 4.1 AC0458 - Rosco's, 449 Great Northern Road (Pages 303 - 306)
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  - 4.3 AC0496 - Shanghai Restaurant, 1 Portland Street, Aberdeen (Pages 311 - 314)

- 4.4 AC0697- 1 Albyn Place, Aberdeen (Pages 315 - 318)
- 5 Licensing Board dates - 2019
- 6 Licensing Forum
- 7 LSO Update

Should you require any further information about this agenda, please contact Arlene Dunbar [ardunbar@aberdeencity.gov.uk](mailto:ardunbar@aberdeencity.gov.uk) 523411

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## LICENSING BOARD

ABERDEEN, 13 November 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.

### MINUTES FROM BOARD MEETING 4 SEPTEMBER 2018

1. The Board had before it for its consideration the minute of the meeting of 4 September 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 – 17.

#### **APPLICATION FOR PROVISIONAL PREMISES LICENCE- CITY OF ABERDEEN DISTILLERY, ARCH 10, PALMERSTON ROAD, ABERDEEN**

3. The Board had before it for their consideration a letter dated 24 October 2018 from NHS Grampian.

The Board hear from Janet Hood, Solicitor in support of the application and thereafter heard Heather Wilson speak in support of the letter.

#### **The Board resolved:**

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

#### **APPLICATION FOR PROVISIONAL PREMISES LICENCE- DEBENHAMS, THE TRINITY CENTRE, 155 UNION STREET, 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 but that a final capacity figure had yet to be agreed with Building Standards.

#### **The Licensing Board resolved:**

To grant the application subject to the local condition in respect of Drugs Policy and establishment of an agreed capacity figure.

**LICENSING BOARD**  
13 November 2018

**APPLICATION FOR PROVISIONAL PREMISES LICENCE- HOME BARGAINS, UNIT 3, BERRYDEN RETAIL PARK, ABERDEEN**

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 subject to the local condition in respect of CCTV.

**APPLICATION FOR A PROVISIONAL PREMISES LICENCE- LIDL STORE, 48-50 HUTCHEON STREET, ABERDEEN**

6. The Board had before it for their consideration a letter dated 24 October 2018 from NHS Grampian.

The Board heard from Andrew Hunter, Solicitor in support of the application and thereafter heard Heather Wilson speak in support of the letter.

**The Board resolved:**

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

**APPLICATION FOR PROVISIONAL PREMISES LICENCE - THE GYM, 33 HUNTLY STREET, ABERDEEN**

7. The Board had before them a letter dated 15 October 2018 from Lindsay and Kirk, Solicitors. The Objector was not present at the meeting. The Board heard from Mr Alexander Munro, that a police letter of representation had been withdrawn following amendments made by the applicant.

The Board heard from Amy Christie and Sarah Paterson, the applicants speak in support of the application.

**The Board resolved:**

to grant the application subject to the local condition in respect of drugs policy.

**APPLICATION FOR VARIATION OF PREMISES LICENCE- ALMONDINE, 39-43 THISTLE STREET, ABERDEEN**

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

**LICENSING BOARD**  
13 November 2018

**The Licensing Board resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE- BREWDOG, 17 GALLOWGATE, ABERDEEN**

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 application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE- CHEERS BAR, 2-8 EXCHANGE STREET, ABERDEEN**

10. The Board had before them a letter dated 17 October 2018 from Police Scotland and memo dated 24 October 2018 from Environmental Health.

Thereafter the Board heard from Steven Martin and George Mckenzie on behalf of the applicant in support of the application. The Board heard from Sergeant Gill Flett in support of the Police representation and Andrew Gilchrist in support of the Environmental Health representation.

**The Licensing Board resolved:**

To grant the application subject to the condition in respect of Radio link, CCTV and door supervisors from 01:00.

**APPLICATION FOR VARIATION OF PREMISES LICENCE-COOPERS BAR, 43 JOHN STREET, ABERDEEN**

11. The Board had before them a letter dated 24 October 2018 from NHS Grampian and a memo dated 23 October 2018 from Environmental Health.

Thereafter the Board heard from Stephen McGowan, Solicitor in support of the application. The Board heard from Heather Wilson in support of the NHS representation and Andrew Gilchrist in support of the Environmental Health representation.

**The Board resolved:**

to grant the application

**LICENSING BOARD**

13 November 2018

**APPLICATION FOR VARIATION OF PREMISES LICENCE- JOHN LEWIS DEPARTMENT STORE, 88 GEORGE 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- LANE 7, 1 SHIPROW, 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- MAINS OF SCOTSTOWN, JESMOND SQUARE EAST, BRIDGE OF DON, ABERDEEN**

14. Councillor Grant declared an interest, left the meeting and took no further part in the application.

The Board had before it a letter dated 29 October 2018 from Police Scotland and letter dated 1 November 2018 from NHS Grampian.

Thereafter the Board heard from Stephen McGowan, Solicitor, speak in support of the application and proposed an amendment to the application in respect of children and young persons access.

The Board heard from Sergeant Gill Flett speak in support of the police representation and Heather Wilson in support of the NHS letter.

**The Licensing Board resolved:**

To grant the application as amended.



**LICENSING BOARD**  
13 November 2018

**APPLICATION FOR VARIATION OF PREMISES LICENCE- VOVEM, 254 UNION STREET, ABERDEEN**

15. 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- VUE ENTERTAINMENT LTD, LIGHTHOUSE CINEMA, 10 SHIPROW, ABERDEEN**

16. 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**

17. The Board had before it for their consideration a letter dated 18 July 2018 from Police Scotland. The Board heard from the applicant and from Sergeant Flett in support of the letter from Police Scotland.

**The Board resolved: -**

to grant the application.

**ANNUAL FEE VERBAL UPDATE**

18. The Board heard from Alexander Munro, legal advisor regarding outstanding annual fee payments. Annual fees were due by 1 October 2018 and non-payment is a breach of a mandatory condition.

**The Board resolved:-**

To hold a review hearing for those premises whose fee were still outstanding in January 2019.

**LICENSING BOARD**  
13 November 2018

**ABERDEEN CITY CHIEF CONSTABLE REPORT 2018**

19. The Board had before it the Chief Constable's report 2017/2018

**The Board resolved:-**

To note the report.

**LICENSING POLICY STATEMENT**

20. Councillor Grant declared an interest, left the meeting and took no further part in the discussion.

The Board had before them a report by Alexander Munro, Legal advisor, setting out the final draft Statement of Licensing Policy for approval.

**The Report recommended: -**

That the Licensing Board: -

1. approve the final draft Statement of Licensing Policy for publication.

**The Board resolved: -**

to approve the recommendations.

**FESTIVE GUIDELINES 2018 - FOR DISCUSSION**

21. The Board were asked to consider the Festive Guidelines for 2018.

Alexander Munro, Legal advisor, advised the Board that the views of the trade had been sought through the Night Time Economy Manager and that he had requested feedback by Monday 13 November 2018, to date he had not received a response.

**The Board resolved: -**

to have the suggested dates circulated to Members by e-mail and for officers to publicise the General Extensions once agreement had been reached.

**LICENSING BOARD**  
13 November 2018

**GAMBLING POLICY STATEMENT**

**22.** The Board had before a report which recommended the adoption of the revised Statement of Policy in terms of Section 349(1) of the Gambling Act 2005 ('the Act').

**The Report recommended:-**

That the Licensing Board: -

1. That the Board notes the contents of the report; and
2. approves Appendix 1 for publication in accordance with the statutory timescales.

**The Board resolved: -**

to approve the recommendations.

**MARIE BOULTON – CONVENER**

**LICENSING BOARD**  
13 November 2018

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## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### New Grant(s)

Premises	Applicant	Date Received	Comments
1 FIGMENT 70 COUNTESSWELLS ROAD ABERDEEN AB15 7YJ	FIGMENT COFFEE COMPANY LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	23 November 2018	Ground Floor premises looking onto Countesswells Road at the Eastern end of a parade of shops. Premises providing on sales only with restaurant facilities, receptions, club meetings, recorded music and live performances. Premises will open prior to the commencement of core hours to serve food. Provision of takeaway food.

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## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### Provisional(s)

Premises	Applicant	Date Received	Comments
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2	SIMPSON PAVILION WOOLMANHILL HOSPITAL SKENE STREET ABERDEEN AB25 1LD	G1 GROUP PLC C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW G20 6NB	14 November 2018	Hotel premises with on sales Sunday to Thursday 10:00 - 02:00; Friday and Saturday 10:00 - 03:00 and off sales Monday to Sunday 10:00 - 22:00. Offering accommodation, conference, restaurant, bar meals, receptions, club meetings, recorded music, live performances, dance, theatre, film, gaming, televised sport. Children and young persons aged 0-17 allowed access at all times to public parts under supervision of an adult and at Management's discretion.
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## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
3	BREWDOG CASTLEGATE 5 UNION STREET ABERDEEN AB11 5BU	BREWDOG RETAIL LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	5 December 2018	Amendment to terminal hour on Sunday to Thursday from 00:00 to 02:00 for whole premises. Amendment to terminal hour on Friday and Saturday from 01:00 to 03:00 for whole premises. Amendment to commencement hour on Friday and Saturday from 10:00 to 12:00 for whole premises. Amendment to children and young persons access.
4	CAFE BOHEME 23 WINDMILL BRAE ABERDEEN AB11 6HU	CAFE BOHEME RESTAURANT LIMITED	3 December 2018	Amendment to operating plan to include live performances.
5	CENTRAL BAR 415 GREAT NORTHERN ROAD ABERDEEN AB24 2EU	SPIRIT PUB COMPANY (LEASED) LIMITED C/O TLT LLP SOLICITORS HANOVER STREET EDINBURGH EH2 1EL	29 November 2018	Amendment of commencement hour Monday to Sunday from 11:00 to 10:00 for on and off sales. Amendment of terminal hour on Friday and Saturday from 00:00 to 01:00 for on sales.

## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
6	GRAMPIAN BAR 21 VICTORIA ROAD ABERDEEN AB11 9LS	SPIRIT PUB COMPANY (LEASED) LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	29 November 2018	Amendment to terminal hour on Sunday to Wednesday from 23:00 to 00:00 and on Thursday to Saturday from 00:00 to 01:00
7	HUSH (UNIT 6) AND JAMJAR (UNIT 10) THE GALLERIA BON ACCORD STREET ABERDEEN AB11 6FB	BLU INNS LIMITED	22 November 2018	Variation to operating plan to include conference facilities; Variation to layout plan to increase capacity incorporating empty units 7,8,9,10 into licenced premises; Deletion of requirement at 5(f) of the operating plan to have stewards from 18:00 and. Variation to remove the Significant entertainment condition from licence.
8	LANGDYKES LOIRSTON AVENUE COVE BAY ABERDEEN AB12 3HE	SPIRIT PUB COMPANY (LEASED) LIMITED C/O TLT LLP SOLICITORS HANOVER STREET EDINBURGH EH2 1EL	29 November 2018	Amendment to daily commencement hours from 11:00 to 10:00 for both on sales and off sales. Amendment to terminal hour on Friday and Saturday from 00:00 to 01:00



## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

Premises	Applicant	Date Received	Comments
9 MCNASTY'S 37 SUMMER STREET ABERDEEN AB10 1SB	BOOKTWIN LIMITED C/O RAEBURN CHRISTIE CLARK & WALLACE SOLICITORS 12-16 ALBYN PLACE ABERDEEN AB10 1PS	21 November 2018	Amendment to commencement hour on a Friday and Saturday from 10:00 to 11:00 and amendment to terminal hour on Friday and Saturday from 01:00 to 02:00. Amendment of commencement hour for off sales from 10:00 to 11:00.
PARAMOUNT BAR 21 BON ACCORD STREET ABERDEEN AB11 6EA	SIGNATURE PUBS LIMITED C/O TLT LLP SOLICITORS HANOVER STREET EDINBURGH EH2 1EL	29 November 2018	Amendment to terminal hour on Fridays and Saturdays from 02:00 to 03:00. Amendment to commencement hour Sunday to Thursday from 10:00 to 11:00 for on sales. Amendment to terminal hour Sunday to Thursday from 00:00 to 02:00. Amendment to commencement hour on Sunday from 12:30 to 11:00 for off sales. Removal of significant entertainment condition.

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## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

Premises	Applicant	Date Received	Comments
11 THE ASSEMBLY 3 SKENE TERRACE ABERDEEN AB10 1RN	FORUM BAR AND CLUB LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	17 October 2018	Amendment to operating plan to include club meetings within core hours, films and gaming. Amendment to include a hot food stand for private catering at events. Amendment to live and recorded music to include music exceeding 85dB. Amendment to children and young persons access.
THE CHESTER HOTEL 59 QUEEN'S ROAD ABERDEEN AB15 4YP	THE CHESTER HOTEL LIMITED C/O BURNES PAULL LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	3 December 2018	Renovation of premises with the addition of apartments with mini bars which increases capacity from 1726 to 2398. All food and beverage service will be from main hotel.

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## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

Premises	Applicant	Date Received	Comments
13 THE RAJ SPICE ZARA HOUSE BURNSIDE DRIVE DYCE ABERDEEN AB21 0HW	RAJU AHMED C/O JANET HOOD TRAINING & CONSULTING LTD KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS DD9 7XU	12 October 2018	Amendment of terminal hour on Fridays and Saturdays from 00:00 to 01:00. Amendment to operating plan to include seasonal variations. Amendment to operating plan to include outdoor drinking area. Amendment to children and young persons access. Amendment to include televised sports, theatre, film and dance. Amendment to include other activities to include karaoke, quiz nights, comedians and magicians, childrens entertainers and other entertainment. Ancillary take away facilities for food and drink.

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**ABERDEEN CITY LICENSING BOARD**

**Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
14 THE SPIRITUALIST 67 LANGSTANE PLACE ABERDEEN AB11 6EN	SIGNATURE PUBS LIMITED C/O TLT LLP SOLICITORS HANOVER STREET EDINBURGH EH2 1EL	6 December 2018	Amendment to commencement hour on Friday and Saturday from 11:00 to 12:00 for on sales. Amendment to terminal hour on Sunday to Thursday from 00:00 to 02:00 for on sales. Amendment to terminal hour on Friday and Saturday from 01:00 to 03:00 for on sales. Amendment to commencement hour on Friday and Saturday from 11:00 to 12:00 for off sales. Amendment to commencement hour on Sunday from 12:30 to 11:00 for off sales. Amendment to operating plan to include films. Amendment to children and young persons access.

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## ABERDEEN CITY LICENSING BOARD

Meeting 15 January 2019 at 10:30am in Town House, Broad Street, Aberdeen, AB10 1AQ

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

Premises	Applicant	Date Received	Comments
15 TRIPLE KIRKS (GROUND FLOOR) SCHOOLHILL ABERDEEN AB10 1JT	STONEGATE PUB COMPANY LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	6 December 2018	Amendment to commencement hour Sunday to Thursday from 10:00 to 11:00 for on sales. Amendment to terminal hour Sunday to Thursday from 00:00 to 02:00 for on sales. Amendment to commencement hour on Friday and Saturday from 11:00 to 12:00 for on sales. Amendment to terminal hour on Friday and Saturday from 01:00 to 03:00 for on sales. Amendment to commencement hour Sunday to Thursday from 10:00 to 11:00 for off sales. Amendment to commencement hour Friday and Saturday from 11:00 to 12:00 for off sales.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PREMISES LICENCE

**PREMISES:** FIGMENT, 70 COUNTESSELLS ROAD, ABERDEEN

### DESCRIPTION

- Premises providing on sales only with restaurant facilities, receptions, club meetings, recorded music and live performances.
- Premises will open prior to the commencement of core hours to serve food.
- Provision of takeaway food.

### OBJECTIONS/REPRESENTATIONS

- Building Standards
- Members of the Public x 2 in support

### POLICY

The applicant has accepted the following condition:

“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”

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**ABERDEEN CITY LICENSING BOARD**  
Licensing (Scotland) Act 2005, section 22  
Notice of Objection or Representation

Please provide your name and postal address

Name	
Address	
Tel. No	
E-mail	

Name and address of premises to which the objection or representation refers

Figment Countryside Road Aberdeen
---

Please give details of the objection or representation below (please continue on a separate sheet if necessary)

I fully support & represent the case for Figment & having their license. Think this is a great opportunity for the local area.
--

Signature \_\_\_\_\_

Date 24/12/18

**RETURN TO:**

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College  
Broad Street  
Aberdeen AB10 1AB  
DATA PROTECTION ACT 1988

or e-mail to [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk)

Any person who submits an objection should be aware that it will be disclosed to the applicant and to any other relevant parties. It will be available to members of the Licensing Board, and will form part of the agenda pack which is available on the Council's website. To that extent, however, they are redacted, with e-mail addresses, telephone numbers and signatures removed from this correspondence.

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**ABERDEEN CITY LICENSING BOARD**  
**Licensing (Scotland) Act 2005, section 22**  
**Notice of Objection or Representation**

Please provide your name and postal address

Name	
Address	
Tel. No	
E-mail	

Name and address of premises to which the objection or representation refers

Figment Coffee, 70 Countesswells Road, Aberdeen, AB15 7YJ
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Please give details of the objection or representation below (please continue on a separate sheet if necessary)

<p>I am in support of the application because Figment Coffee has continuously strived to show passion and excitement towards owning an independent locally owned business. They excel at ensuring everyone is welcome and are in the best interests of the people. I believe that the Countesswells location is in need of a licensed establishment that is diverse with opportunity to cater for everyone's needs regardless of the time of day. It is an incredible time for Aberdeen with innovative businesses like Figment Coffee carving new directions, creating a more diverse forward thinking city that boosts moral and cultural awareness. It can only be positive!</p>
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Signature \_\_\_\_\_

Date \_\_\_\_\_

**RETURN TO:**  
Legal and Democratic Services  
**Corporate Governance**  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

or e-mail to [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk)

**DATA PROTECTION ACT 1988**

Any person who submits an objection should be aware that it will be disclosed to the applicant and to any other relevant parties. It will be available to members of the Licensing Board, and will form part of the agenda pack which is available on the Council's website. To that extent, however, they are redacted, with e-mail addresses, telephone numbers and signatures removed from this correspondence.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** SIMPSON PAVILION, WOOLMANHILL HOSPITAL, ABERDEEN

### DESCRIPTION

- Hotel premises with on sales Sunday to Thursday 10:00 to 02:00; Friday and Saturday 10:00 to 03:00; off sales Monday to Sunday 10:00 to 22:00.
- Offering accommodation, conference, restaurant, bar meals, receptions, club meetings, recorded music, live performances, dance, theatre, films, gaming, televised sports.

### OBJECTIONS/REPRESENTATIONS

- Police
- Building Standards

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

#### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

The applicant has accepted the following condition:

“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”

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21 December 2018

Your Ref:

Our Ref: 376572

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A  
PROVISIONAL PREMISES LICENCE  
SIMPSON PAVILION, WOOLMANHILL HOSPITAL, ABERDEEN, AB25 1LD  
APPLICANT: G1 GROUP PLC, HAMILTON HOUSE, 70 HAMILTON DRIVE,  
GLASGOW, G12 8DR**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

It is understood that the premises will be a large hotel with various facilities.

The applicant seeks terminal hours of 0200 on Sunday to Thursday inclusive and 0300 on Friday and Saturday. The premises are not within the city centre as defined in the Board's Policy and therefore would not ordinarily be entitled to such hours.

I therefore recommend that such hours should only be granted if the Board is satisfied that a specific activity to be carried out on the premises, or within a certain part of the premises, merits a departure from the Policy guideline hours.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** BREWDOG CASTLEGATE, 5-9 UNION STREET, ABERDEEN

### DESCRIPTION

- Amendment to terminal hour on Sunday to Thursday from 00:00 to 02:00 for whole premises.
- Amendment to terminal hour on Friday and Saturday from 01:00 to 03:00 for whole premises.
- Amendment to commencement hour on Friday and Saturday from 10:00 to 12:00 for whole premises.
- Amendment to children and young persons access.

### OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health

### POLICY

#### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

**Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

**Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

**On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

## **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

### What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary

Policy on Licensed Hours are the maximum available and will not be suitable for all premises.

- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

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24 December 2018

Your Ref:

Our Ref: 378271

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



**POLICE  
SCOTLAND**

Keeping people safe

Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
BREWD OG, 5-9 UNION STREET, ABERDEEN, AB11 5BU**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following:

- Amend the terminal hour of the ground floor part of the premises to 0200 hours on Sunday to Thursday inclusive;
- Amend the commencement of 'on sales' hours to 1200 and the terminal hour of the ground floor part of the premises to 0300 hours on Friday and Saturday;
- Amend the wording at Q5 and 6 on the operating plan.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of point 3, I have no adverse comment to make.

In respect of points 1 and 2, in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation that in the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, these parts of the application be granted subject to the conditions currently attached to the licence remaining and being in effect for the ground floor part of the premises and the

condition relating to Duty of Care, as specified within the Board's Statement of Licensing Policy November 2018, being applied. I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates after 0100 hours, is similarly applied.

I also note I note that if granted, the trading hours on Sunday to Thursday will exceed 15 hours, contrary to the Board's Statement of Licensing Policy November 2018 in which it states the Board considers 15 hours continuous trading to be reasonable.

This representation is submitted for your attention when considering this application.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department 01224 306468

# FW: January Licensing Board - Variation of Premises Licence - Brewdog Castlegate

04 January 2019 12:53

Subject	<b>FW: January Licensing Board - Variation of Premises Licence - Brewdog Castlegate</b>
From	Andrew Gilchrist
To	LicensingBoard
Cc	Mark Nicholl
Sent	21 December 2018 10:52
Attachments	

Good morning

It is understood that this application includes a proposal to extend the terminal hours for operation until 2am Mon- Fri and 3am Saturday and Sunday. There is no indication that the type or scope of amplified entertainment is to change. As there is no significant history of noise nuisance from these premises I have no substantive evidence to challenge the grant of this application. However I would seek reassurance that a management plan will be provided that effectively addresses the potential impact to neighbouring residents, specifically from amplified music at these later hours and of control of patrons entering/ exiting the premises.

Thank you.



**Andrew Gilchrist** | Principal Environmental Health Officer  
Aberdeen City Council | Commercial Team | Operations and Protective Services  
| Operations | Marischal College | 3<sup>rd</sup> Floor South | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522720

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Do you have any feedback on the Environmental Health Service received? The Service would like to hear about what it is doing right and what could be improved. Feedback can be provided through the attached survey link and does not take more than a few minutes to complete.

[www.surveymonkey.co.uk/r/EnviroProt](http://www.surveymonkey.co.uk/r/EnviroProt)

To view our privacy notice and find out more on how we use your information go to <https://www.aberdeencity.gov.uk/your-data/privacy-notices/your-data-environmental-health-and-trading-standards>

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** CAFÉ BOHEME, 21-23 WINDMILL BRAE, ABERDEEN

### DESCRIPTION

- Amendment to operating plan to include live performances.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** CENTRAL BAR, 415 GREAT NORTHERN ROAD, ABERDEEN

### DESCRIPTION

- Amendment of commencement hour Monday to Sunday from 11:00 to 10:00 for on and off sales.
- Amendment of terminal hour on Friday and Saturday from 00:00 to 01:00 for on sales.

### OBJECTIONS/REPRESENTATIONS

- Environmental Health

### POLICY

#### Supplementary Policy – Licensed Hours

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### Off-Sale Premises

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

#### On-Sale Premises

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to

demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

  

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

## **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed



area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.

- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

#### What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

#### What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

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# MEMO

Environmental Health and Trading Standards  
**Communities, Housing and Infrastructure**

Business Hub 15 ,3<sup>rd</sup> Floor South ,Marischal College



To	Litigation & Licensing , Legal & Democratic Services , Corporate Governance , Business Hub 6, Level 1 South, Marischal College	
From	Barbara Armstrong-Hill	
Email	bahill@aberdeencity.gov.uk	Date 11/12/18
Tel.	01224 522064	Our Ref.
Fax.		Your Ref.

## Licensing (Scotland) Act 2005

**Application for Variation of Premises Licence: change opening hours to 10:00hrs daily and extend hours on Fridays and Saturdays from 00:00 hrs to 01:00 hrs.**

**Central Bar, 415 Great Northern Road, Aberdeen, AB24 2EU**

Dear Sir/Madam,

The above application has been assessed by this Service in relation to any music noise breakout from live music played/performed at the premises. Consideration has been given to the risk of noise impact on local residences at the proposed times listed in the application.

As with any such matter it is naturally desirable to avoid a situation that would result in this Service serving formal notices to abate activities that have caused nuisance.

Having carefully considered the matter I am not objecting to this application. There is however an expectation that Management at the premises would establish and apply suitable and robust noise control measures associated with music noise to protect the amenity of local residences and **reduce the risk** of noise impact and disturbance constituting a statutory nuisance.

I would recommend that these noise control measures are formalised in writing to demonstrate and convey to staff for training purposes the specific detail of the required noise controls.

I trust this information is of use. If you have any queries, please contact me on the number below.

Kind regards

Barbara Armstrong-Hill  
Senior Authorised Officer

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** GRAMPIAN BAR, 21 VICTORIA STREET, ABERDEEN

### DESCRIPTION

- Amendment to terminal hour on Sunday to Wednesday from 23:00 to 00:00 and on Thursday to Saturday from 00:00 to 01:00

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

#### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional

conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

  

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

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21 December 2018

Your Ref:

Our Ref: 376954

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
GRAMPIAN BAR, 21 VICTORIA ROAD, TORRY, ABERDEEN, AB11 9LS**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of amending the core 'on sales hours' from 0900 - 2300 on Monday to Wednesday inclusive, 0900 - midnight on Thursday, Friday and Saturday and 1100 - 2300 on Sunday to 0900 - midnight on Sunday to Wednesday inclusive and 0900 - 0100 on Thursday, Friday and Saturday.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation and make comment that if the application is granted as sought, it would be inconsistent on two counts with the licensed hours contained within Section 7 of the Board's Policy which was published in November 2018, which states that the Board considers 15 hours continuous trading to be reasonable and that the latest terminal hour for premises outwith the city centre on Sunday to Thursday inclusive is midnight.

Particularly in respect of the element of the application which seeks a terminal hour of 0100 on Thursday, I respectfully request that the Board grants the application in accordance with its new Policy and I suggest that granting otherwise will set a precedent which other premises, whether in that locality or elsewhere in the city, may seek to replicate.

This representation is submitted for your attention when considering this application.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** HUSH (UNIT 6) & JAMJAR (UNIT 10) THE GALLERIA, BON ACCORD STREET, ABERDEEN

### DESCRIPTION

- Amendment to operating plan to include conference facilities during core hours. Amendment to increase capacity.
- Significant Entertainment condition deleted.
- Incorporation of empty units 7,8,9,10
- Deletion of requirement at 5(f) of the operating plan to have stewards from 18:00.

### OBJECTIONS/REPRESENTATIONS

- Police
- Building Standards
- LSO

### POLICY

- N/A

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24 December 2018

Your Ref:

Our Ref: 376976

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



**POLICE  
SCOTLAND**

Keeping people safe

Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
JAMJAR/HUSH, UNIT 6 & 10 THE GALLERIA, LANGSTANE PLACE,  
ABERDEEN, AB11 6FB**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of removal of wording at Q5(f) on the operating plan and the inclusion of units 7, 8 and 9 within the development into the existing licence.

In terms of Section 29(5) of the Act this request can be considered a variation.

In relation to the removal of the wording, as requested, I have no objection.

In relation to the inclusion of the additional units, in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

During a visit to the premises and a discussion with the named premises manager, it was learned that the adjoining retail units 7, 8 and 9 within the development will become a new venue with its own identity, albeit licensed under the existing premises licence.

The operating plan which accompanies the application does not provide a description of this new part of the premises.

The current operating plan provides differing terminal hours and children and young persons access in relation to units 6 and 10.

The operating plan which accompanies the application gives no indication of what terminal hour or children and young persons access is sought for units 7, 8 and 9.

The applicant's agent has been contacted but to date has not provided sufficient detail to allow this application to be properly considered by a consultee and I am therefore of the view that the application cannot be considered by the Board in its current state.

This representation is submitted for your attention when considering this application.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468



# Hush/Jam Jar - Variation 15 January 2019 Licensing Board Meeting

07 January 2019 10:09

<b>Subject</b>	<b>Hush/Jam Jar - Variation 15 January 2019 Licensing Board Meeting</b>
<b>From</b>	Diane Sande
<b>To</b>	LicensingBoard
<b>Cc</b>	EHlicence; Arlene Dunbar; Andrew Gilchrist
<b>Sent</b>	20 December 2018 09:59

For the attention of Jennifer Wilson, Team Leader, Legal and Democratic Services, Corporate Governance, Aberdeen City Council.

Licensing Board Meeting 15th January 2019

Hush/Jam Jar The Galleria, Bon Accord Street Variation

With reference to the above variation application to incorporate additional units within The Galleria and amend wording within 5f, amend conference activity and also delete the local condition relating to the significant entertainment requirement – I have no objection, but to respond fully more detail is required. I would recommend that clarification is required before this application can be progressed

Within the description and under 18 access terms on the proposed operating plan, there is no reference to the new units being incorporated, the specific hours or the children and young persons access terms. The premises manager is going to contact his agent, Tony Dawson, to discuss and there may be an amendment or additional information provided to clarify the situation.

Another minor point was that the Off sales for Sundays wer 10am, which does not correspond with the opening hour for Sundays on the operating plan.  
The premises manager also advised that children and young persons have not been allowed access for a substantial period due to the fact that the premises does not offer food and food is part of the access terms for children and young persons access. This may be discussed also with the agent and a decision taken if they are certain that food will not be introduced or actioned.

Regards

Licensing Standards Officer  
Aberdeen City Council

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** LANGDYKES, LOIRSTON AVENUE, COVE BAY, ABERDEEN

### DESCRIPTION

- Amendment to daily commencement hours from 11:00 to 10:00 for both on sales and off sales.
- Amendment to terminal hour on Friday and Saturday from 00:00 to 01:00.

### OBJECTIONS/REPRESENTATIONS

- Community Council

### POLICY

- N/A

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# RE: Application for Variation (Major) - Langdykes, Loirston Avenue, Cove Bay

07 January 2019 10:15

Subject	<b>RE: Application for Variation (Major) - Langdykes, Loirston Avenue, Cove Bay</b>
From	<a href="mailto:secretary@cove-bay.com">secretary@cove-bay.com</a>
To	LicensingBoard
Sent	24 December 2018 15:39

Hi Rachael

thank you for your response and answers to the questions raised which I will feedback to the community council. I can confirm that the Community Council would like to make a formal objection to the later closing time on Fridays and Saturdays based on the increased potential for levels of noise and disturbance at a later hour potentially impacting negatively particularly on residents in the immediate vicinity/neighbourhood. Can you let me know if this email is acceptable as the formal objection.

kind regards

Marlene Westland  
Secretary

On 2018-12-24 14:16, LicensingBoard wrote:

> Good afternoon,  
>  
> Thank you for your email. Neighbours within a five metre radius are  
> directly notified of the variation. A site notice at or near the  
> premises is also displayed for a period of 21 days to allow for other  
> in the neighbourhood to be notified. Police Scotland are consulted on  
> the application and this is made directly to the Board for their  
> consideration and is not distributed.  
>  
> I hope this clarifies the points raised in your email. Could you  
> please confirm by return if the Community Council are to make a formal  
> representation/objection?  
>  
> Kind regards  
>  
> Rachael  
>  
>  
>  
>  
>  
> -----Original Message-----  
> From: secretary@cove-bay.com <secretary@cove-bay.com>

> Sent: 24 December 2018 10:03  
> To: LicensingBoard <licensingboard@aberdeencity.gov.uk>  
> Subject: Re: Application for Variation (Major) - Langdykes, Loirston  
> Avenue, Cove Bay  
>  
> Dear Colleague  
>  
> In response to the application for Variation (Major) - Langdykes,  
> Loirston Avenue, Cove Bay, please find below the comments from the  
> Cove and Altens Community Council.  
>  
> There is consensus among the community councillors that there is no  
> objection to the requested amendment to daily commencement hours.  
> However there are concerns about extending the terminal hour to 01:00  
> on Fridays and Saturdays. This is mainly due to increased potential  
> for levels of noise and disturbance at a later hour potentially  
> impacting negatively particularly on residents in the immediate  
> vicinity/neighbourhood. The Community Council would like to know  
> whether(and if yes how many)local residents, particularly those living  
> closest to the Langdykes have been consulted on this to allow them to  
> have their views taken into account. It would also be helpful to have  
> the views from Police Scotland in this respect.  
>  
> I trust this email will be taken into account by the Licensing Team  
> and the Licensing Board when considering this application for  
> variation of licence.  
>  
> On behalf of the Cove and Altens Community Council, I would like to  
> thank you for the opportunity to make this representation/objection.  
>  
> kind regards  
>  
> Marlene Westland  
> Secretary  
> Cove and Altens Community Council

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** MCNASTY'S 37 SUMMER STREET, ABERDEEN

### DESCRIPTION

- Amendment to commencement hour on a Friday and Saturday from 10:00 to 11:00 and amendment to terminal hour on Friday and Saturday from 01:00 to 02:00.
- Amendment of commencement hour for off sales from 10:00 to 11:00.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

  

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

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21 December 2018

Your Ref:

Our Ref: 376774

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



**POLICE  
SCOTLAND**

Keeping people safe

Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
MCNASTY'S, 37 SUMMER STREET, ABERDEEN, AB10 1SB**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following:

- Amending the 'on sales' hours on Friday and Saturday from 1000 - 0100 to 1100 – 0200;
- Amending the commencement of 'off sales' on Friday and Saturday to 1100;
- Amending part 5(g) of the operating plan.

In terms of Section 29(5) of the Act this request can be considered a variation.

In respect of points 2 and 3 above, I have no objection.

In respect of point 1, in terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, I make the following recommendation and request that in the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, this element of the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy November 2018 in respect Door Stewards, Radiolink, CCTV and Duty of Care being applied. I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates after 0100 hours, is similarly applied.

This representation is submitted for your attention when considering this application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Iain Livingstone', written in a cursive style.

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** PARAMOUNT BAR, 21 BON ACCORD STREET, ABERDEEN

### DESCRIPTION

- Amendment to terminal hour on Fridays and Saturdays from 02:00 to 03:00.
- Amendment to commencement hour Sunday to Thursday from 10:00 to 11:00 for on sales hours.
- Amendment to terminal hour Sunday to Thursday from 00:00 to 02:00 for on sale hours.
- Amendment to the opening hour on Sunday from 12:30 to 11:00 for off sale hours.
- Removal of significant entertainment requirement.

### OBJECTIONS/REPRESENTATIONS

- Police
- Environmental Health

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples

of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100

  

<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

### **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

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21 December 2018

Your Ref:

Our Ref: 376959

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



**POLICE  
SCOTLAND**

Keeping people safe

Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
PARAMOUNT BAR & RESTAURANT, 21 BON ACCORD STREET, ABERDEEN,  
AB11 6EA**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely;

1. Amending the core 'on-sales' hours from 1000-0000 on Monday to Thursday, 1200-0200 hours on Friday and Saturday and 1230-0000 hours on Sunday to between 1100-0200 hours on Sunday to Thursday and 1200-0300 hours on Friday and Saturday;
2. Amending the core 'off-sales' hours on Sunday from 1230-2200 hours to 1100-2200 hours;
3. Removal of the local condition in relation to 'significant entertainment'.

In terms of Section 29(5) this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy November 2018 in respect Door Stewards, Radiolink, CCTV remaining attached and Duty of Care being applied. I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates after 0100 hours, is similarly applied.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Iain Livingstone', written in a cursive style.

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468

# Response regarding amendment to hours at Paramount Bar

04 January 2019 14:45

Subject	<b>Response regarding amendment to hours at Paramount Bar</b>
From	Barbara Armstrong-Hill
To	Diane Sande; LicensingBoard; Andrew Gilchrist
Sent	20 December 2018 12:20

Good afternoon

The above application has been assessed by this Service in relation to any music noise breakout from live music played/performed at the premises. Consideration has been given to the risk of noise impact on local residences at the proposed times listed in the application.

As with any such matter it is naturally desirable to avoid a situation that would result in this Service serving formal notices to abate activities that have caused nuisance.

This application for variation of premises licence will increase the number of hours the premises is open during early morning hours. As a result there is likely to be a significant impact from noise emitting from the premises from live and amplified music on local residences. Complaints concerning loud music breakout from Paramount have previously been investigated by this service. According to the Supplementary Policy - Licensed hours, the licence holder is responsible for demonstrating that the premises are suitable for the hours sought. It is therefore recommended that a noise impact assessment be undertaken to identify what impact, if any, music noise may have on the nearest residents during the hours the premises is open and the identify noise mitigation measures, if required, to ensure that the nearest residences will not be affected by the proposed extension of opening hours.

The methodology that would be required is noted below:

A detailed assessment of noise levels within the flats above the licensed premises should be undertaken when the premises are typically at their noisiest (including any cumulative noise impact). The assessment must consider the LA<sub>max</sub>, LA<sub>eq</sub> over specified measurement periods, 1/3 octave frequency analysis and background levels when the licensed premises are not operational. The assessment should also identify the noise breakout areas.

The noise assessment should demonstrate inaudibility within the residential properties. The scheme must contain noise calculations to demonstrate how this will be achieved.

**Note:** Inaudible is considered to mean the LA<sub>eq</sub> should not exceed 10dB below the existing background noise (LA<sub>90</sub>).

Regards



**Barbara Armstrong-Hill** | Senior Authorised Officer

Aberdeen City Council | Operations and Protective Services | Operations  
3<sup>rd</sup> Floor South | Marischal College | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522064

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[trading-standards](#)

**Do you have any feedback on the Environmental Health Service received? The Service would like to hear about what it is doing right and what could be improved. Feedback can be provided through the attached survey link and does not take more than a few minutes to complete.**

[www.surveymonkey.co.uk/r/EnviroProt](http://www.surveymonkey.co.uk/r/EnviroProt)

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** THE ASSEMBLY, 3 SKENE TERRACE, ABERDEEN

### DESCRIPTION

- Amendment to operating plan to include club meetings within core hours, films and gaming.
- Amendment to include a hot food stand for private catering at events.
- Amendment to live and recorded music to include music exceeding 85dB.
- Amendment to children and young persons access.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.

- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

What the Board Will Expect of Partner Agencies:

- Communication of relevant information.
- Sharing of best practice or initiatives designed to improve standards.
- Participation in mediation in the event of issues or licence review hearings as a last resort.



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21 December 2018

Your Ref:

Our Ref: 376551

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE ASSEMBLY, 3 SKENE TERRACE, ABERDEEN, AB10 1RN**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely;

1. Amend Q4 to include Seasonal Variation;
2. Amend Q5 to include the provision of club meetings, films and gaming during core hours and the wording within Q5 to include the provision of hotdog stands and private catering for events;
3. Amend Q5(g) indicating that music level may exceed 85db;
4. Amend the wording within Q6 relating to Children and Young Persons and clarifying the terms, ages and times in which they are permitted access and the inclusion of Children aged 14 and 15 and Young Persons being permitted accompanied access for the purpose of attending a music event or gig.

In terms of Section 29(5) of the Act this request can be considered a variation.

In relation to points 1-3, I have no adverse comment to make.

In relation to point 4 and in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In support of the Protecting Children and Young Persons from Harm licensing objective, I recommend that operating plan be modified to state that children aged

14 and 15 and young persons are permitted access for the purpose of attending a music event or gig if accompanied by a responsible adult aged 18 years or over and not beyond the conclusion of the performance.

This representation is submitted for your attention when considering this application.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** THE CHESTER HOTEL, 59 QUEENS ROAD, ABERDEEN

### DESCRIPTION

- Renovation of premises with the addition of apartments with mini bars which increases capacity from 1726 to 2398.
- All food and beverage service will be from main hotel.

### OBJECTIONS/REPRESENTATIONS

- Building Standards
- Environmental Health

### POLICY

#### Preventing Public Nuisance

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.

- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.



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# FW: January Licensing Board - Variation of Premises Licence - The Chester Hotel

04 January 2019 15:39

<b>Subject</b>	<b>FW: January Licensing Board - Variation of Premises Licence - The Chester Hotel</b>
<b>From</b>	Andrew Gilchrist
<b>To</b>	LicensingBoard
<b>Sent</b>	24 December 2018 11:41

**Subject:** January Licensing Board - Variation of Premises Licence - The Chester Hotel

## Environmental Noise (Recommended Conditions)

The diagram entitled Proposed Plan – G.A. Plan (Reference. Licence drawings 01.11.18 revision C Drawing 1728lb – 102) indicates a licensed area which includes the external pergola garden area and central garden area at the rear of the extended function suite 59 Queens Road. Additionally, a new ‘Rear External Licensed Terrace Area’ to the rear of 55 – 57 Queens Road is evident.

The Ground floor diagram entitled Proposed Plan – G.A. Plan (Reference. Licence drawings 01.11.18 revision C Drawing 1728lb – 101) indicates a licensed area which includes the ‘External terrace Area (to private dining)’ and the ‘Front External Licenced Terraced Area’.

To protect the amenity of residential property near to the proposed location from noise I recommend a condition prohibiting amplified music on the outdoor areas and that the outdoor areas are not used after 22:00 Hours. The use of bagpipes or harps (or other such unamplified solo instruments), which may be played at weddings or other such functions should not be beyond 22:00 hours.

Additionally, in the course of the expansion project, this Service has been advised a music noise level limiting device is proposed within the extended function suite to help control music noise breakout. This Service would therefore recommend a condition requiring the installation of an effective control system for limiting amplified music noise levels within the function suite to an appropriate maximum level. This should be established through a suitable noise level limit setting exercise and to the satisfaction of the Environmental Health Service.

I hope this information is of use.

Kind regards,



**Mark Nicholl - Environmental Health Officer**

Aberdeen City Council | Protective Services | Operations  
3<sup>rd</sup> Floor South | Marischal College | Broad St | Aberdeen | AB10 1AB

Direct Dial: 01224 522596

Tel: [0300 0200 292](tel:03000200292)

[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk) | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

Do you have any feedback on the Environmental Health Service received? The Service would like to hear about what it is doing right and what could be improved. Feedback can be provided through the attached survey link and does not take more than a few minutes to complete.

[www.surveymonkey.co.uk/r/EnviroProt](http://www.surveymonkey.co.uk/r/EnviroProt)

To view our privacy notice and find out more on how we use your information go to <https://www.aberdeencity.gov.uk/your-data/privacy-notice/your-data-environmental-health-and-trading-standards>

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** THE RAJ SPICE, ZARA HOUSE, BURNSIDE HOUSE, DYCE, ABERDEEN

### DESCRIPTION

- Amendment of terminal hour on Fridays and Saturdays from 00:00 to 01:00. Amendment to operating plan to include seasonal variations.
- Amendment to operating plan to include outdoor drinking area.
- Amendment to children and young persons access
- Amendment to include televised sports, theatre, film and dance.
- Amendment to include other activities to include karaoke, quiz nights, comedians and magicians, children and young persons entertainers and other entertainment.
- Ancillary take away facilities for food and drink.

### OBJECTIONS/REPRESENTATIONS

- Police
- Building Standards

### POLICY

#### **Supplementary Policy – External Drinking Areas**

The Board recognises that the incorporation of outdoor areas within the licensed footprint of premises can enhance the operation of such premises but considers that it also attracts additional responsibilities on the part of the licence holder to uphold the licensing objectives.

Before an application to licence an outdoor area will be considered the area in question must benefit from the necessary planning permission and, if required, a pavement permit from the Roads Department of Aberdeen City Council. All outdoor areas must be delineated on the layout plan forming part of the premises licence and outdoor drinking should be included as an activity within the body of the licence. The Board will expect premises who currently utilise unlicensed outdoor areas to incorporate such areas within the premises licence by way of variation.

Applicants and licence holders must demonstrate that the areas will not contravene the licensing objectives, in particular with regard to noise, litter and antisocial behaviour. The areas must be regularly monitored, and glassware removed. The Board will routinely attach additional conditions where an outdoor area is licensed including but not restricted to:

- Outdoor area to be clearly demarcated onsite.

- Use of the area to cease at 2200 hours.
- No amplified music or entertainment to take place in the outdoor area.

The terminal hour may be further restricted, and drinks may be required to be decanted into alternatives to glassware if appropriate.

### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

#### What the Board Will Expect of Partner Agencies:

- Communication of relevant information.
- Sharing of best practice or initiatives designed to improve standards.
- Participation in mediation in the event of issues or licence review hearings as a last resort.

A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.



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21 December 2018

Your Ref:

Our Ref: 376759

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE RAJ SPICE, BURNSIDE DRIVE, DYCE, ABERDEEN, AB21 0HW**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following requests, namely;

1. Amend the core on-sales hours on Friday and Saturday from 1100-0000 to 1100-0100 hours;
2. Amend Q4 to permit seasonal variations contained within the Board policy;
3. Amend Q5 to include the provision of Dance facilities, Theatre and Film during core hours and the provision of Televised Sport and Outdoor Drinking during and outwith core hours;
4. Amend the wording within Q5 which describes the activities taking place;
5. Amend the times in which Children and Young Persons are permitted access;
6. Amend the layout plan of the premises to include the provision of an outdoor drinking area.

In terms of Section 29(5) of the Act this request can be considered a variation.

In relation to points 1, 2, 3 and 6, I have no adverse comment to make.

In relation to points 4 and 5 and in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In relation the provision of outdoor drinking, the proposed area, whilst well enclosed, is fairly substantial in size and in close proximity to a residential block of flats. I therefore recommend that the outdoor drinking area is subject to a terminal hour of 2200 hours daily.

The application seeks to extend the hours in which Children and Young Persons are permitted access to the premises from 2000 hours on Monday to Saturday to 2200 hours on Monday to Saturday.

During a visit to the premises, Michelle Nichols, who we understand is likely to be named as the premises manager, indicated that dance facilities will be located within the current restaurant area of the premises and that this particular area of the premises would be used to facilitate private functions or family friendly events.

In support of the Protecting Children and Young Persons from Harm licensing objective, I recommend that operating plan be modified to reflect the following:

- Children and Young Persons are permitted access provided they are accompanied by a responsible adult over 18 years of age. Children and Young Persons are permitted access between 0630 to 2200 hours, however between 2000-2200 hours are only permitted access for the purposes of the group/party, with the exception of infants, consuming a meal;
- Children and Young Persons are permitted access until the terminal hour when attending a private, pre-booked function whilst accompanied by a responsible adult over 18 years or over;
- Children and Young Persons are permitted to all parts of the premises except the immediate bar area.

This representation is submitted for your attention when considering this application.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** THE SPIRITUALIST (FORMERLY BOOZY COW) 67 LANGSTANE PLACE,  
ABERDEEN

### DESCRIPTION

- Amendment to commencement hour on Friday and Saturday from 11:00 to 12:00 for on sales.
- Amendment to terminal hour on Sunday to Thursday from 00:00 to 02:00 for on sales.
- Amendment to terminal hour on Friday and Saturday from 01:00 to 03:00 for on sales.
- Amendment to commencement hour on Friday and Saturday from 11:00 to 12:00 for off sales.
- Amendment to commencement hour on Sunday from 12:30 to 11:00 for off sales.
- Amendment to operating plan to include films.
- Amendment to children and young persons access.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100
<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to that the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.



- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

What the Board Will Expect of Partner Agencies:

- Communication of relevant information.
- Sharing of best practice or initiatives designed to improve standards.
- Participation in mediation in the event of issues or licence review hearings as a last resort.

A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

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24 December 2018

Your Ref:

Our Ref: 378266

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE SPIRITUALIST, 67 LANGSTANE PLACE, ABERDEEN, AB11 6EN**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation consists of the following requests, namely:

1. Amend the core 'on' sales hours on Sunday to Thursday inclusive, from 1100 – 0000 hours to 1100 – 0200 hours and on Friday and Saturday from 1100 – 0100 hours to 1200 – 0300 hours;
2. Amend the core 'off' sales hours on Friday – Saturday from 1100 – 2200 hours to 1200 – 2200 hours and on Sunday from 1230 – 2200 hours to 1100 – 2200 hours;
3. Amend Q.5 to include films as an activity both within and out with core hours;
4. Amend Q.6 in respect of the times to which children and young persons are allowed access from 2100 hours to 2200 hours.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In respect of points 2 - 4, I have no adverse comment to make.

In respect of point 1, I request that in the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, this element of the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy November 2018, in relation to Door Stewards, Radiolink, CCTV and Duty of Care being applied.

I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005, is on duty for any time the premises operates after 0100 hours, is similarly applied.

This representation is submitted for your attention when considering this application.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department 01224 306468



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** TRIPLE KIRKS (GROUND FLOOR) SCHOOLHILL, ABERDEEN

### DESCRIPTION

- Amendment to commencement hour Sunday to Thursday from 10:00 to 11:00 for on sales.
- Amendment to terminal hour Sunday to Thursday from 00:00 to 02:00 for on sales.
- Amendment to commencement hour on Friday and Saturday from 11:00 to 12:00 for on sales.
- Amendment to terminal hour on Friday and Saturday from 01:00 to 03:00 for on sales.
- Amendment to commencement hour Sunday to Thursday from 10:00 to 11:00 for off sales.
- Amendment to commencement hour Friday and Saturday from 11:00 to 12:00 for off sales.

### OBJECTIONS/REPRESENTATIONS

- Police

### POLICY

#### **Supplementary Policy – Licensed Hours**

Whilst all applications will be dealt with on their own merits the Board considers it necessary for the promotion of the licensing objectives to set parameters with respect to licensed hours. Any application seeking hours outwith those detailed below will be expected to satisfy the Board that there are legitimate grounds for departing from policy and demonstrate that the granting of such hours would not be contrary to the licensing objectives.

#### **Off-Sale Premises**

Maximum trading hours for off-sale premises are set by statute. The Board have no power to grant off-sales hours prior to 1000 or after 2200 hours. It should be noted that these are the maximum permitted hours and the Board may restrict these hours if it can be shown to be necessary for the promotion of the licensing objectives.

	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
All off-sales premises	1000	2200

#### **On-Sale Premises**

The Board considers it appropriate to distinguish hours within the city centre from outlying areas. The city centre area is that shown delineated on the undernoted map.

The hours stated below are the earliest acceptable opening hour and latest acceptable terminal hour, and not the maximum permissible hours. The terminal hours stated below are the latest permissible and will not be appropriate for all premises. It will be the responsibility of the licence holder or applicant to demonstrate that the premises is suitable for the hours sought. Additional conditions will normally be added to all premises seeking licensed hours after 1am including but not limited to CCTV, door stewards and radiolink. A link to examples of the standard local conditions can be found in the Supplementary Policy on General Licensing Matters.

The Board considers 15 hours continuous trading to be reasonable within any 24-hour period and so the opening or terminal hour should be adjusted accordingly to comply with this requirement.

The opening hours for casinos remains in line with the statutory hours in terms of the Gambling Act 2005, namely 1200 – 0600 daily.

<u>Outwith City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0000
Friday & Saturday	1000	0100
<u>City Centre</u>	<u>Earliest Opening Hour</u>	<u>Latest Terminal Hour</u>
Sunday to Thursday	1000	0200
Friday & Saturday	1000	0300

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24 December 2018

Your Ref:

Our Ref: 378258

Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College, Broad Street  
Aberdeen  
AB10 1AB



**POLICE  
SCOTLAND**

Keeping people safe

Iain Livingstone QPM  
Chief Constable

North East Division  
Queen Street  
Aberdeen  
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
TRIPLEKIRKS, SCHOOLHILL, ABERDEEN, AB10 1JT**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the following amendments to the operating plan:

1. On sales licensed hours to be amended to allow sales Sunday to Thursday from 1100 to 0200 hours and Friday and Saturday from 1200 to 0300 hours.
2. Off sales license hours to be amended to allow sales Sunday to Thursday 1100 to 2200 hours and Friday and Saturday from 1200 to 2200 hours.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

In the event the premises are not considered premises to which the Licensing Conditions (Late Opening Premises)(Scotland) Regulations 2007, Section 3(2) applies, I request the application be granted subject to the conditions specified within the Board's Statement of Licensing Policy November 2018 in respect of Door Stewards, Drugs Policy, Radiolink, CCTV and outdoor drinking facilities remaining attached and Duty of Care being applied.

I also request that a condition which states that a person who is the holder of a Personal Licence under the Licensing (Scotland) Act 2005 is on duty for any time the premises operates after 0100 hours, is similarly applied.

This representation is submitted for your attention when considering this application.

Yours faithfully

Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01224 306468



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** RENEWAL OF PERSONAL LICENCE APPLICATION

**LICENCE HOLDER:** AC0893

### DESCRIPTION

- Held licence since September 2009
- Completed refresher training in 2014
- Renewal application submitted 25 October 2018

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### DETERMINATION

The Board can decide to either:

- Grant or
- refuse the application.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** REVIEW OF PREMISES LICENCE

**LICENCE HOLDER:** ROSCO'S, 449 GREAT NORTHERN ROAD, ABERDEEN

### DESCRIPTION

- Letter issued to all Licence Holders on 7<sup>th</sup> August 2018 advising payment of annual fees were due by 1<sup>st</sup> October 2018.
- At 1<sup>st</sup> October, the fee was outstanding. LSO then contacted all premises whose fees were outstanding.
- Further letter sent 27<sup>th</sup> November 2018.
- As at 7<sup>th</sup> January, fee still outstanding. This is a breach of mandatory condition 10.

### OBJECTIONS/REPRESENTATIONS

- N/A

### DETERMINATION

On review, the Board can:

- Issue a written warning to the licence holder
- Make a variation to the licence
- Suspend the licence for such a period as the Board may determine
- Revoke the licence.

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# Rosco's - 449 Great Northern Road, Aberdeen, AB24 2EH

07 January 2019 10:43

Subject	<b>Rosco's - 449 Great Northern Road, Aberdeen, AB24 2EH</b>
From	Commercial
To	LicensingBoard
Sent	18 December 2018 16:25

For the attention of Jennifer Wilson, Team Leader, Legal and Democratic Services, Corporate Governance, Aberdeen City Council.

-

## **Licensing Board Meeting 15<sup>th</sup> January 2019**

**Premises Licence:** Rosco's - 449 Great Northern Road, Aberdeen, AB24 2EH

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. In October 2018, the Licensing Standards Officers were made aware the Licence holder had not paid their annual fee.

The LSO has spoken to the Licence holder, Mr Edward Ross about the non-payment of the annual fee. Mr Ross informed the LSO that payment would be made the next day.

Mr Ross's legal representative has also advised him to pay the annual fee.

To date, payment of the fee has not been received.

Licensing Standards Officer  
Aberdeen City Council

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** REVIEW OF PREMISES LICENCE  
**LICENCE HOLDER:** SHACK, 57-63 UNION STREET, ABERDEEN

### DESCRIPTION

- Letter issued to all Licence Holders on 7<sup>th</sup> August 2018 advising payment of annual fees were due by 1<sup>st</sup> October 2018.
- At 1<sup>st</sup> October, the fee was outstanding. LSO then contacted all premises whose fees were outstanding.
- Further letter sent 27<sup>th</sup> November 2018.
- As at 7<sup>th</sup> January, fee still outstanding. This is a breach of mandatory condition 10.

### OBJECTIONS/REPRESENTATIONS

- N/A

### DETERMINATION

On review, the Board can:

- Issue a written warning to the licence holder
- Make a variation to the licence
- Suspend the licence for such a period as the Board may determine
- Revoke the licence.

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# Licensing Board Meeting 15 January 2019 - AC857 Shack, 57-63 Union Street, Aberdeen - Premises licence review

07 January 2019 10:53

<b>Subject</b>	<b>Licensing Board Meeting 15 January 2019 - AC857 Shack, 57-63 Union Street, Aberdeen - Premises licence review</b>
<b>From</b>	Diane Sande
<b>To</b>	LicensingBoard
<b>Cc</b>	Rachael Barber; EHlicence
<b>Sent</b>	18 December 2018 14:02

I refer to Section 38 (4) (a) of the Licensing ( Scotland ) Act 2005 in terms of the Premises Licence Review

The Licensing Standards Officers were made aware in October 2018 that the licence holder had not paid the annual fee for the above premises.

This is a breach of section 10 (2) of the mandatory conditions attached to the premises licence – Payment of Annual or Recurring Fees

The Licensing Standards Officer visited the premises – it was closed and had been closed for several months. The licence holder is Busy Busy Ltd and although attempts were made to ascertain a contact telephone number or email, these were unsuccessful.

The named premises manager, Ms Li Xiang, was contacted twice via her mobile telephone number but was either unwilling or unable to assist in notifying the licence holder regarding the outstanding annual fee payment. As Ms Xiang stated that she had no current involvement with the licence holder company, no further contact has been made with her.

The Licensing Standards Officer had no other options regarding resolving this issue and has exhausted all known avenues.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** REVIEW OF PREMISES LICENCE

**LICENCE HOLDER:** SHANGHAI RESTAURANT, 1 PORTLAND STREET, ABERDEEN

### DESCRIPTION

- Letter issued to all Licence Holders on 7<sup>th</sup> August 2018 advising payment of annual fees were due by 1<sup>st</sup> October 2018.
- At 1<sup>st</sup> October, the fee was outstanding. LSO then contacted all premises whose fees were outstanding.
- Further letter sent 27<sup>th</sup> November 2018.
- As at 7<sup>th</sup> January, fee still outstanding. This is a breach of mandatory condition 10.

### OBJECTIONS/REPRESENTATIONS

- N/A

### DETERMINATION

On review, the Board can:

- Issue a written warning to the licence holder
- Make a variation to the licence
- Suspend the licence for such a period as the Board may determine
- Revoke the licence.

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# Shanghai Restaurant, Portland Street, Aberdeen - Premises Licence Review 15 January 2019 Board Meeting

07 January 2019 10:49

<b>Subject</b>	<b>Shanghai Restaurant, Portland Street, Aberdeen - Premises Licence Review 15 January 2019 Board Meeting</b>
<b>From</b>	Diane Sande
<b>To</b>	LicensingBoard
<b>Cc</b>	Rachael Barber; EHlicence
<b>Sent</b>	18 December 2018 14:17

I refer to Section 38 (4) (a) of the Licensing ( Scotland ) Act 2005 in terms of the Premises Licence Review

The Licensing Standards Officers were made aware in October 2018 that the licence holder had not paid the annual fee for the above premises.

This is a breach of section 10 (2) of the mandatory conditions attached to the premises licence – Payment of Annual or Recurring Fees

The Licensing Standards Officer visited the premises – it was closed and had been closed for several months. The licence holder is Shanghai Feast Ltd and although attempts were made to contact the company, this was unsuccessful. The Licensing Standards Officer contacted the son of the premises manager to advise of the situation as previously, the annual fee payment had been actioned after such contact. An email was received which stated that the premises was closed, however there has been no payment of the annual fee.

The Licensing Standards Officer had no other options regarding resolving this issue and has exhausted all known avenues.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** REVIEW OF PREMISES LICENCE

**LICENCE HOLDER:** 1 ALBYN PLACE, ABERDEEN

### DESCRIPTION

- Letter issued to all Licence Holders on 7<sup>th</sup> August 2018 advising payment of annual fees were due by 1<sup>st</sup> October 2018.
- At 1<sup>st</sup> October, the fee was outstanding. LSO then contacted all premises whose fees were outstanding.
- Further letter sent 27<sup>th</sup> November 2018.
- As at 7<sup>th</sup> January, fee still outstanding. This is a breach of mandatory condition 10.

### OBJECTIONS/REPRESENTATIONS

- N/A

### DETERMINATION

On review, the Board can:

- Issue a written warning to the licence holder
- Make a variation to the licence
- Suspend the licence for such a period as the Board may determine
- Revoke the licence.

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# LSO report - 1 Albyn Place ( RBS). Aberdeen, AB10 1YG

07 January 2019 11:35

<b>Subject</b>	<b>LSO report - 1 Albyn Place ( RBS). Aberdeen, AB10 1YG</b>
<b>From</b>	Diane Sande
<b>To</b>	LicensingBoard
<b>Cc</b>	Rachael Barber; EHlicence
<b>Sent</b>	07 January 2019 11:31

I refer to Section 38 (4) (a) of the Licensing ( Scotland ) Act 2005 in terms of the Premises Licence Review

The Licensing Standards Officers were made aware in October 2018 that the licence holder had not paid the annual fee for the above premises.

This is a breach of section 10 (2) of the mandatory conditions attached to the premises licence – Payment of Annual or Recurring Fees

The Licensing Standards Officer contacted the premises and was advised by reception staff that the RBS had now moved location to Marischal Square. Contact details for the licensing team were passed on to the individual. The Licensing Standards Officer then had no further involvement and was made aware that the licence holder intended to surrender the premises licence

Licensing Standards Officer

Email: dsande@aberdeencity.gov.uk

Direct Dial: 01224 522541

Mobile : 07834933084

Direct Fax: 01224 523887

**PLEASE NOTE THAT ON THURSDAY MORNINGS I WORK FROM HOME AND FRIDAY IS MY NON WORK DAY**

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