

LICENSING BOARD

ABERDEEN, 12 March 2019. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Donnelly, Greig, McLellan and Townson.

MINUTES OF MEETING OF 15 JANUARY 2019

1. The Board had before it for its consideration the minutes of meeting of 15 January 2019.

The Board resolved:-

To approve the minute.

LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the applications as listed in 3-14.

APPLICATION FOR PREMISES LICENCE - WOODSIDE POST OFFICE, 429 GREAT NORTHERN ROAD

3. The Board heard from Mr Alexander Munro, Legal advisor, that the letter of representation dated 26 February 2019 from NHS Scotland had been withdrawn.

The Board resolved:

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

APPLICATION FOR PROVISIONAL PREMISES LICENCE - THE EVENT COMPLEX ABERDEEN (TECA), BUCKSBURN

4. The Board had before them a letter dated 26 February 2019 from NHS Grampian and a memo dated 28 February 2018 from Environmental Health.

The Board heard from Kevin Clancy, Solicitor in support of the application and thereafter from Andrew Gilchrist, Environmental Health in support of their Memo.

There was no representative from NHS Grampian present at the meeting.

The Board resolved:

To grant the application subject to the following local conditions: Drugs policy, duty of care and outdoor drinking facilities.

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APPLICATION FOR VARIATION OF A PREMISES LICENCE - BALMORAL STADIUM, ALTENS NIGG, ABERDEEN

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

The Board Resolved:

To grant the application .

APPLICATION FOR VARIATION OF PREMISES LICENCE - CASC, 7 STIRLING STREET, ABERDEEN

6. The Board heard from Alexander Munro, Legal advisor that it was his understanding that all representations received in connection with the application had been withdrawn as the applicant had amended the application to removed the variation in term of the local condition in respect of the outdoor area. This left the variation in terms of the hours only.

Andrew Gilchrist, Environmental Health confirmed that he was seeking clarification from the applicant that a Noise Management Plan would be provided to his service.

Mr Tony Dawson, Solicitor, on behalf of the applicant confirmed that such a plan would be provided.

The Board resolved:

To grant the application as amended.

APPLICATION FOR VARIATION OF PREMISES LICENCE - KRAKATOA, 2 TRINITY QUAY, ABERDEEN

7. The Board had before them a letter of representation dated 28 February 2019 from Police Scotland, a memo dated 28 February 2019 from Environmental Health and a memo dated 28 February 2018 from the LSO.

The Board heard from Tony Dawson, Solicitor that the applicant had agreed to the recommendations as contained in the Police and LSO representations and had accepted the amendments to the terms and times during which Children and Young persons are permitted. Mr Dawson further advised that his client had noise management plans in place.

The Board resolved:

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To grant the application as amended.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - O'NEILLS (GROUND FLOOR), 9 BACK WYND, ABERDEEN

8. The Board had before it a letter for representation dated 28 February 2019 from Police Scotland.

The Board heard from Audrey Junner, Solicitor, in support of the application who advised that the applicant accept the police conditions. Ms Junner suggest that the following door supervisor condition be applied:

'It is a condition that the licence holder will ensure that where the premises will be open after 12 midnight they shall employ or use suitably licensed door supervisors from 11pm onwards'

The Board resolved: -

to grant the application subject to the late the Radio link, CCTV, duty of care and Door steward condition as amended.

APPLICAITON FOR VARIATION OF PREMISES LICENCE - O'NEILLS (UPPER FLOOR), 9 BACK WYND, ABERDEEN

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

The Board resolved: -

To grant the application subject to the duty of care condition.

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

10. The Board heard from Alexander Munro, Legal advisor that the applicant had requested that the application be continued to the next meeting of the Board.

The Board resolved: -

To defer consideration of the application to its next meeting to be held on 14 May 2019.

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APPLICATION FOR VARIATION OF PREMISES LICENCE - SANDMAN SIGNATURE HOTEL, ABERDEEN

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

The Board resolved:-

To grant the application subject to the duty of care condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE FOUNDRY, 43 HOLBURN STREET, ABERDEEN

12. The Board heard from Alexander Munro, Legal advisor, that the representation from NHS Grampian had been withdrawn.

The Board had before it a memo from Environmental Health dated 28 February 2019.

The Board heard from Audrey Junner, Solicitor speak in support of the application and from Andrew Gilchrist speak in support of the Environmental Health memo.

Ms Junner advised that the applicant was willing to work with Environmental Health on a noise management plan.

The Board resolved: -

To grant the licence subject to the duty of care condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE HAWTHORN BAR AND ADAM LOUNGE

13. The Board had before a memo from Environmental Health dated 28 February 2019 and a letter of objection from Mr David Lakin.

The Board heard from Tony Dawson, Solicitor in support of the application and from Mr Lakin in support of his objection.

The Convenor moved, seconded by Councillor Greig to refuse the application on the grounds that the application was inconsistent with the licensing objection preventing public nuisance.

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Councillor McLellan, seconded by Councillor Townson moved as an amendment to grant the application.

On a division there voted for the motion (2) The Convener and Councillor Greig for the amendment (4) Councillors Cameron, Donnelly, McLellan and Townson

The Board resolved:

To adopt the amendment and grant the application subject to the duty of care condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - UNIT 1, THE ACADEMY, ABERDEEN

14. The Board heard from Alexander Munro, Legal advisor that the applicant had requested that the application be continued to the next meeting of the Board.

The Board resolved: -

To defer consideration of the application to its next meeting to be held on 14 May 2019.

APPLICATION FOR RENEWAL OF PERSONAL LICENCE

15. The Board had before it a letter dated 29 November 2018 from Police Scotland.

The Board heard from Alexander Munro, Legal advisor, that the applicant had verbally advised that she wished to withdraw the application but had not followed this up in writing.

In the absence of the applicant;

The Board resolved:

to refuse the application.

NOTICE OF CONVICTIONS - PERSONAL LICENCE HOLDER

16. The Board heard from Alexander Munro, Legal advisor that the Licensing Team had recently become aware that the licence holder had moved address and that it would be he may not have recent correspondence inviting him to attend the meeting, in the circumstances Mr Munro suggested that consideration of the matter be deferred.

The Board resolved: -

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To defer consideration of the application to the next meeting of the Board to be held on 14 May 2019.

LICENSING FORUM

17. The Board heard an update on matters from the Licensing Forum from Alexander Munro Legal advisor:

1. Joint Meeting of the Board and Licensing Forum

It has been suggested that the annual meeting of the Board and forum could be held following a scheduled Board meeting, the meeting of the Board in September has been suggested.

2. The Forum are keen to be tasked by the Board. Mr Munro suggested that the Forum could examine the impact of the new policy statement over the period of a year particularly the policy area of hours.
3. Conference

The feedback on the last Licensing Conference held by the Board was that it was well received and useful and it was been suggested that this should be repeated this year focusing on the implementation of the new policy. The date is to be confirmed.

LSO UPDATE

18. The Board were advised that there is no update for this meeting.

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