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

Town House,
ABERDEEN 31 October 2019

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 5 NOVEMBER 2019 at 10.30 am.**

JENNI LAWSON
CLERK TO THE BOARD

BUSINESS

- 1 Minute of Meeting of 10 September 2019
- 2 List of Applications (Pages 3 - 8)
 - 2.1 Application for Provisional Premises Licence - 104/106 Rosemount Place
(Pages 9 - 24)
 - 2.2 Application for Premises Licence - Haar Rock Coffee, 81 Charleston Road North, Cove, Aberdeen (Pages 25 - 46)
 - 2.3 Application for Premises Licence - Meet the Meat Limited, 79 Charleston Road, Cove, Aberdeen (Pages 47 - 60)
 - 2.4 Application for Premises Licence - Rohaan Cafe Bar, Zara House, Burnside Drive, Dyce, Aberdeen (Pages 61 - 76)
 - 2.5 Application for Variation of Premises Licence - Mill of Mundurno, Murcar, Bridge of Don, Aberdeen (Pages 77 - 94)

- 2.6 Application for Variation of Premises Licence - Number 1, 1 Queens Terrace, Aberdeen (Pages 95 - 118)
- 2.7 Application for Variation of Premises Licence - The Aberdeen Marriott Hotel, Overton Circle, Dyce, Aberdeen (Pages 119 - 138)
- 2.8 Application for Variation of Premises Licence - The Old Bank Bar, 220 North Deeside Road, Peterculter, Aberdeen (Pages 139 - 158)
- 2.9 Application for Variation of Premises Licence - Turkish Kitchen Bar & Grill, Unit 1, Sea Beach Esplanade, Aberdeen (Pages 159 - 180)
- 3 Application for Personal Licence - Application A (Pages 181 - 184)
- 4 Application for Personal Licence - Application B (Pages 185 - 188)
- 5 Report of conduct inconsistent with Licensing Objectives - Personal License Holder A (Pages 189 - 192)
- 6 Report of conduct inconsistent with Licensing Board - Personal License Holder B (Pages 193 - 196)
- 7 Invitation to the Board from Police Scotland to carry out midnight Licensing Patrol Visits during the festive period
- 8 Licensing Forum
- 9 LSO Update

Should you require any further information about this agenda, please contact Benedict Kpohraror Bkpohraror@aberdeencity.gov.uk Tel 01224 522464

ABERDEEN CITY LICENSING BOARD

Meeting 5 November 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

Licensing (Scotland) Act 2005

Provisional(s)

Premises	Applicant	Date Received	Comments
1 104/106 ROSEMOUNT PLACE 104/106 ROSEMOUNT PLACE ABERDEEN AB25 2XN	THAI SEASONS LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	9 August 2019	On sales consumption. Offering restaurant facilities, social functions, recorded music, dance facilities and take away service for food.

ABERDEEN CITY LICENSING BOARD

Meeting 5 November 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

Licensing (Scotland) Act 2005

New Grant(s)

Premises	Applicant	Date Received	Comments
2 HAAR ROCK COFFEE 81 CHARLESTON ROAD NORTH COVE ABERDEEN AB12 3SZ	GCK2L LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	20 September 2019	On and Off sales consumption. Offering restuarant facilities, social functions, recorded music, live performances, take away services and outdoor drinking facilities.
MEET THE MEAT LIMITED 79 CHARLESTON ROAD COVE ABERDEEN AB12 3SZ	MEET THE MEAT LIMITED C/O LEDINGHAM CHALMERS LLP SOLICITORS JOHNSTONE HOUSE 52-54 ROSE STREET ABERDEEN AB10 1HA	30 September 2019	Off sales consumption. Offering butchery and fine food retail services.
4 ROHAAN CAFE BAR ZARA HOUSE BURNSIDE DRIVE DYCE ABERDEEN AB21 0HW	MICHELLE MARIE NICHOLS	9 October 2019	On and Off sales consumption. Offering restuarant facilities, bar meals, recorded music, theatre, films, indoor/outdoor sports, and televised sport during and outwith licensed core hours. Social functions, live performances, dance facilities and gaming during core licensed hours. Outdoor drinking facilities during and outwith core licensed hours.

ABERDEEN CITY LICENSING BOARD

Meeting 5 November 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
5	MILL OF MUNDURNO MURCAR BRIDGE OF DON ABERDEEN AB23 8BP	WHITBREAD GROUP PLC C/O JOHN GAUNT & PARTNERS OMEGA COURT 372-374 CEMETERY ROAD SHEFFIELD S11 8FT	24 September 2019	Variation to include outdoor drinking facilities during and outwith core licensed hours under section 5(d). To amend the description under section 5 to reflect the inclusion of bar area and bar dining area as that used for gaming. To amend the description under section 5(f) to reflect 'Quiz Nights in the bar area and bar dining area. Amendment to the times in which children and young persons are permitted access. Change to layout plan.
6	NUMBER 1 1 QUEENS TERRACE ABERDEEN AB10 1XL	SLLP 251 LIMITED C/O STRONACHS SOLICITORS 28 ALBYN PLACE ABERDEEN AB10 1YL	29 August 2019	Variation to on consumption terminal hour on Friday and Saturday to 01:00. Variation to allow seasonal variation. To include live performance and outdoor drinking facilities. Amendment to the times in which children and young persons are permitted access. Variation to layout plan.

ABERDEEN CITY LICENSING BOARD

Meeting 5 November 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
7	THE ABERDEEN MARRIOTT HOTEL OVERTON CIRCLE DYCE ABERDEEN AB21 7AZ	MARRIOTT HOTELS LIMITED	25 September 2019	Variation to terminal hour on Sunday from 23.00 to 00.00. Amendment to the times in which children and young persons are permitted access.
8	THE OLD BANK BAR 220 NORTH DEESIDE ROAD PETERCULTER ABERDEEN AB14 0UQ	KENNETH RAYMOND PRATT	8 August 2019	Variation to on consumption terminal hours to 01.00AM on Friday and Saturday. Include the provision of bar meals during and outwith core licensed hours.

ABERDEEN CITY LICENSING BOARD

Meeting 5 November 2019 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
9 TURKISH KITCHEN BAR & GRILL UNIT 1 SEA BEACH ESPLANADE ABERDEEN AB24 5NS	ILHAN GORUR C/O JANET HOOD TRAINING & CONSULTING LTD KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS DD9 7XU	28 August 2019	Variation to on consumption opening hour to 12.00 and terminal hour to 01.00 Monday to Sunday. Include off sales consumption Monday to Sunday from 12.00 to 22.00. Incorporate the front external area into licensed area. To include conference facilities, restaurant facilities, social functions, recorded music & outdoor drinking facilities during and outwith core licensed hours. Inclusion of recorded music during core licensed hours. To include live performances, dance facilities, theatre & gaming during core licensed hours. Amendment to the times in which children and young persons are permitted access. Include alcohol delivery with takeaway food. Proposed increase in capacity. Change to Layout Plan.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: 104-106 ROSEMOUNT PLACE, ABERDEEN

DESCRIPTION

- Premises providing on sales only from 12.00 to 00.00 with restaurant facilities, social functions, recorded music and dance facilities.
- Provision of takeaway service for food.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PREMISES LICENCE

PREMISES: HAAR ROCK COFFEE, 81 CHARLESTON ROAD NORTH, COVE
ABERDEEN

DESCRIPTION

- Premises providing on and off sales with restaurant facilities, social functions, recorded music and live performances.
- Provision of outdoor drinking facilities
- Provision of takeaway services.

OBJECTIONS/REPRESENTATIONS

- Member of the Public

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.

Preventing Crime & Disorder

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness

- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

What the Board Will Do:

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all policies are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.

- Co-operation with police and Licensing Standards Officers.

What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

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.

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Benedict Kpohrator

From:
Sent: 15 October 2019 11:18
To: Licensing
Subject: On and Off Sales licence, Haar Rock Coffee, 81 Charleston Road North, Cove, Aberdeen

Dear Sir/Madam,

On and Off Sales licence, Haar Rock Coffee, 81 Charleston Road North, Cove, Aberdeen.

Thank you for your letter dated 3rd October 2019 regarding the above application for an On and Off Sales licence

I wish to object to the application and in particular the Off Sales section of the licence. I have several concerns that I would like to be considered.

My first concern is the increase in noise that an outdoor alcohol licence would inevitably create. Although Charleston Road North can be busy during the day and has several retail shopping units, the area also has a large amount of residential flats and houses in close proximity. In the evening, after the retail units have closed the area is relatively quiet and any noise tends to travel far. An outdoor drinking area, especially at night until 10.00 pm would create a huge disturbance to our flats above the cafe and to other properties, many of which have young families residing. There is also no 'quieter area' that might be used as a drinking area, such as at the back. The cafe is surrounded on all sides by residential properties.

In the past the cafe has offered several 'themed evenings' where there has certainly been an increase in noise from both customers and increased traffic. If an outside alcohol licence were to be granted would the cafe take steps to ensure that the increase in noise, especially during the evening, would be kept to a minimum?

My second concern would be the increase in smokers around the premises due to an alcohol licence. Many people smoke more whilst they are drinking alcohol. As my property is directly above the premises I would be concerned that there would be an increase of smoke coming in through any open windows of our flats, especially during the summer months, therefore causing a nuisance.

Also the increase in litter from cigarettes. Currently there is no bin provided by the cafe and there are often cigarette ends discarded, especially round the back of the cafe. I can confirm that there are no smokers resident in any of the four flats above the cafe.

I would be concerned that an outdoor drinking area would lead more of this litter. Would the cafe be able to provide a dedicated smoking area, away from residential properties and also provide a cigarette bin?

In the past the cafe has had daytime outdoor seating and at times has erected a barrier around this area. Whilst this caused no issues during the day unfortunately this barrier was left out overnight, for 24 hours, without the seats and tables. Although this blocked part of the pavement and generally looked very untidy my main concern was that it could be a security issue. The barrier, although heavy, can be moved and this is concerning since there are shops with glass frontages and residential properties so close by.

Would the cafe remove any outdoor seating and barriers at the end of trading each day?

Another concern that I would ask to be considered is that of the bin store at the back of the property. This bin store is currently shared by four residential flats and the two retail premises attached to the building. As the store is already overcrowded with bins would there be enough room for any more increase in litter and the potential requirement for another recycling bin, for example for glass bottles? Any increase in bins and litter could potentially create a health and safety hazard as there is no other place for bins to be stored safely.

I would like to add that I am not against any local business and I obviously want to see the area thrive, however I am concerned that an outdoor alcohol drinking area, especially in the evening until 10.00 pm, would not be suitable in this residential area and that it would have an adverse effect on the residents living so close by.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PREMISES LICENCE

PREMISES: MEET THE MEAT LIMITED, 79 CHARLESTON ROAD, COVE,
ABERDEEN

DESCRIPTION

- Premises offering butchery and fine food retail services.
- Off Consumption Monday to Saturday 10.00 – 20.00 and Sunday 10.30 – 20.00.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

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

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PREMISES LICENCE

PREMISES: ROHAAN CAFÉ BAR, ZARA HOUSE, BURNSIDE DRIVE, DYCE,
ABERDEEN

DESCRIPTION

- Premises providing on and off sales with restaurant facilities, bar meals, social functions, theatre, films, indoor/outdoor sports, televised sports, recorded music, gaming, dance facilities and live performances.
- Provision of outdoor drinking facilities.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: MILL OF MUNDURNO, MURCAR, BRIDGE OF DON, ABERDEEN

DESCRIPTION

- Variation to include outdoor drinking facilities during and outwith core licensed hours under section 5(d).
- To amend the description under section 5 to reflect the inclusion of bar area and bar dining area as that used for gaming.
- To amend the description under section 5(f) to reflect 'Quiz Nights in the bar area and bar dining area.
- Amendment to the times in which children and young persons are permitted access.
- Change to layout plan.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: NUMBER 1, 1 QUEENS TERRACE, ABERDEEN

DESCRIPTION

- Variation to on consumption terminal hour on Friday and Saturday to 01:00.
- Variation to allow seasonal variation.
- To include live performance and outdoor drinking facilities.
- Amendment to the times in which children and young persons are permitted access.
- Variation to layout plan.

OBJECTIONS/REPRESENTATIONS

- Member of the Public

POLICY

Preventing Crime & Disorder

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

What the Board Will Do:

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all licences are up to date and fit for purpose.

- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

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.

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24th October 2019

Legal Services
Governance
Aberdeen City Council
Business Hub 6 L 1S
Marischal College
Aberdeen AB10 1AB

Dear Sirs,

No 1, 1 Queens Terrace, Aberdeen AB10 1XL, Licensing (Scotland) Act 2005, Application for Variation (Major)

We are in receipt of the application to vary the conditions of licence for the above.

We occupy the neighbouring property and have a concern with regards to the inclusion of live performances and outdoor drinking facilities. If such facilities were in operation during normal office hours, 9.00am ~ 5.00pm, we feel they could have an adverse effect on our business operations.

Noise is the primary concern as we have office space and meeting rooms at both the front and rear of the building overlooking the bar curtilage and, obviously, share a party wall.

Trusting these concerns will be considered when dealing with the application.

Yours faithfully,

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Benedict Kpohraror

From: Benedict Kpohraror
Sent: 25 October 2019 16:46
To: Licensing
Cc:
Subject: 1 Queens Terrace, Aberdeen

D

Further to your letter of 3rd October, I have the following comments:

1. Variation to No Live Performance other than Friday and Saturday nights after 6pm.
2. Variation to Consumption but not allowed at any time on the Car Parking to the rear of the building.
3. There should be no variation to the layout plan.

Regards

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: THE ABERDEEN MARRIOT HOTEL, OVERTON CIRCLE, DYCE,
ABERDEEN

DESCRIPTION

- Variation to terminal hour on Sunday from 23.00 to 00.00.
- Amendment to the times in which children and young persons are permitted 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.

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 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.

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22 October 2019

Your Ref:

Our Ref: 458304

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

North East Division
Queen Street
Aberdeen
AB10 1ZA

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ABERDEEN MARRIOTT HOTEL, OVERTON CIRCLE, ABERDEEN, AB21 7AZ.
MARRIOTT HOTEL LIMITED**

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

The variation consists of the following requests, namely:

1. Amend Q.2 in respect of core 'on sales' hours to 0000 hours Monday-Sunday and for functions to 0100 hours Monday to Sunday;
2. Amend Q.6 with the wording provided in respect of the terms, ages, times and parts of premises for which children and young persons have access.

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

In respect of point 2 I have no adverse comment to make.

In terms of Section 22(1)(b)(i) and (ii) of the same Act, I make the following representation in respect of point 1 and recommend that the terminal hour of 0100 hours for functions is included in the operating plan.

Yours faithfully



Campbell Thomson

Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: THE OLD BANK BAR, 220 NORTH DEESIDE ROAD, PETERCULTER,
ABERDEEN

DESCRIPTION

- Variation to on consumption terminal hours to 01.00AM on Friday and Saturday.
- Include the provision of bar meals during and outwith core licensed hours.

OBJECTIONS/REPRESENTATIONS

- Member of the Public

POLICY

Preventing Crime & Disorder

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

What the Board Will Do:

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all licences are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.

- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

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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Benedict Kpohraror

From: Benedict Kpohraror
Sent: 07 October 2019 16:46
To: Licensing
Subject: Objection to The Bank Bar Licensing Application (AC0448)

Dear Sir/Madam,

07.10.19

I reside at [redacted] when I moved in the Old Bank Bar was the Old (Clydesdale bank) - Peterculter branch - this was one of it's buying points - Quteness. I live in the building next door to the Old Bank Bar.

I have resided here since November 2003 when I retired for a peaceful life.

I object to the extension of hours on a number of points.

1) Already people are here in the beer garden to 1am presently still partying. Even tho 'last call' for last orders is at 11.45pm and they stop serving at midnight.

2) Noise, the drunks as a breed are not quiet.

3) Destruction of plants/shrubbery. I have a car parking space third over from the barrier and often find cans, broken bottles and other rubbish in my space or on my car.

4) The people from the bar use my private car space as a car park. This is paid for private parking space. But patrons of the bar use it as if it was open to the public.

5) Unruly behaviour, swearing, glass smashing and antisocial behaviour.

We already have 3 bars on North Deeside Road and another 2 for the use of Golfers and the Mill Side and Maryculter golf club.

I feel midnight is a good enough time for the heavier drinkers to aim for a night club in the city, rather than party in a small village, where most households are now younger families or retiree's who would prefer: the peace and quite and not to much broken glass which affects children, buggies, disability scooters, pets. I even have an older lady in my block who uses a Zimmer frame and has issues getting out the car park with the clutter left from the patrons of the Bar.

I would've thought with all the new health information, the Government would be trying to reduce the amount of people with drink problems. Rather than encouraging them.

That's 5 public houses, 3 shops (Co-op, Spar and Maliks) and the BP Garage. That is 9 outlets for drink already in a small village. Surely that is enough. We never knew the small business next door which changed to a Bar was going to become not the family friendly business we were led to believe. We have coaches blocking the road, creating obstructions and making my car park very hard to exit. After a fun day at the races these patrons do not dismount the bus and go into the bar. They start running across the road to the co-op etc. Creating numerous near-miss's for innocent drivers - who can not see around these parked buses, which are on double yellow lines. etc.

I feel it is already at capacity and we do not need more people coming to the area and falling asleep in other gardens on the way home.

Yours faithfully.

All contents of this email are confidential and intended for the recipient only. They are not to be reproduced or forwards without the sender's written permission.

Out of Ref. AC 6448

22.10.19.

Dear Sir/Madam:

I wish to give my objection to the opening hrs to 1am on a Fri/Sat at the Old Bank Bar. I feel 10pm is long enough as no Sound Proffing & Music from jumbotron which I can hear in my bedroom. I'm sure opening hrs to 1am would reflect in selling of flat.

Yours Faithfully

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: TURKISH KITCHEN BAR & GRILL, UNIT 1, SEA BEACH ESPLANADE,
ABERDEEN

DESCRIPTION

- Variation to on consumption opening hour to 12.00 and terminal hour to 01.00 Monday to Sunday.
- Include off sales consumption Monday to Sunday from 12.00 to 22.00.
- Incorporate the front external area into licensed area.
- To include conference facilities, restaurant facilities, social functions, recorded music & outdoor drinking facilities during and outwith core licensed hours.
- Inclusion of recorded music during core licensed hours.
- To include live performances, dance facilities, theatre & gaming during core licensed hours.
- Amendment to the times in which children and young persons are permitted access.
- Include alcohol delivery with takeaway food.
- Proposed increase in capacity.
- Change to Layout Plan.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PERSONAL LICENCE APPLICATION

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

- (a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- (b) If not so satisfied, grant the application.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PERSONAL LICENCE APPLICATION

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

- (a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- (b) If not so satisfied, grant the application.

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LICENSING BOARD INFORMATION SHEET

NOTICE OF CONVICTION LICENCE HOLDER

DESCRIPTION

- Held licence since 23 January 2013

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

- After having regard to the report and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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LICENSING BOARD INFORMATION SHEET

NOTICE OF CONVICTION LICENCE HOLDER

DESCRIPTION

- Held licence since 15 November 2017

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

- After having regard to the report and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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