

Public Document Pack



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

Town House,
ABERDEEN 21 October 2020

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Virtual Teams Meeting on TUESDAY, 27 OCTOBER 2020 at 9.30 am.**

JENNI LAWSON
CLERK TO THE BOARD

BUSINESS

- 1 Minute of Meeting of 28 July 2020 (Pages 3 - 8)
- 2 List of Applications (Pages 9 - 16)
 - 2.1 Application for Provisional Premises Licence - Sainsbury's, Retail Unit 1, Area N12, Countesswells (Pages 17 - 38)
 - 2.2 Application for Premises Licence - authentic Romanian Shop, 427-429 George Street, Aberdeen (Pages 39 - 66)
 - 2.3 Application for Premises Licence - The Collective Aberdeen, 148 Union Street (Pages 67 - 76)
 - 2.4 Application for Variation of Premises Licence - Buzz Bingo, 106 King Street (Pages 77 - 96)
 - 2.5 Application for Variation of Premises Licence - C10 Store, 7 School Road (Pages 97 - 118)

- 2.6 Application for Variation of Premises Licence - Cafe 52, the Green - WITHDRAWN
- 2.7 Application for Variation of Premises Licence - Co-op, Cove Shopping Centre (Pages 119 - 136)
- 2.8 Application for Variation of Premises Licence - Golden Tee, North Balnagask Road (Pages 137 - 158)
- 2.9 Application for Variation of Premises Licence - Grays Inn, Greenfern Road (Pages 159 - 174)
- 2.10 Application for Variation of Premises Licence, Maggie's Grill, 242-244 Holburn Street (Pages 175 - 188)
- 2.11 Application for Variation of Premises Licence - Malmaison Hotel. 51 Queens Road (Pages 189 - 214)
- 2.12 Application for Variation of Premises Licence - Marks and Spencer, Stonewood Park (Pages 215 - 232)
- 2.13 Application for Variation of Premises Licence, The Chester Hotel, 59 Queen's Road (Pages 233 - 326)
- 2.14 Application for Variation of Premises Licence The Queen Vic, 126 Rosemount Place (Pages 327 - 346)
- 3 Outstanding Annual Fee Payments. (Pages 347 - 356)
- 4 Review of the General Direction (Pages 357 - 358)

Should you require any further information about this agenda, please contact Arlene Dunbar ardunbar@aberdeencity.gov.uk

LICENSING BOARD

ABERDEEN, 28 July 2020. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Grant, Greig, McLellan, Townson and Avril MacKenzie.

MINUTES OF MEETING OF 28 JANUARY 2020

1. The Board had before it for its consideration the minutes of the meeting of 28 January 2020,

The Board resolved: -

To approve the minute.

LIST OF APPLICATIONS

2. The Board had before it for its consideration the applications as listed in 4-14.

APPLICATION FOR VARIATION OF PREMISES LICENCE - AUCHMILL GOLF CLUB, BONNYVIEW ROAD, HEATHRYFOLD, ABERDEEN

3. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application subject to the external drinking condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - CO-OP, 21 SCOTSTOWN ROAD, BRIDGE OF DON, ABERDEEN

4. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application subject to the delivery driver condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - CO-OP, 204 UNION STREET, ABERDEEN

LICENSING BOARD

28 July 2020

5. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application subject to the delivery driver condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - DOBRY EXPRESS, 176 KING STREET, ABERDEEN

6. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - MOONFISH CAFE, 9 CORRECTION WYND, ABERDEEN

7. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application subject to the delivery driver condition.

APPLICATION FOR VARIATION OF PREMISES LICENCE - POLDINO'S RESTAURANT, 7 LITTLE BELMONT STREET, ABERDEEN

8. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application subject to the delivery driver condition.

LICENSING BOARD

28 July 2020

APPLICATION FOR VARIATION OF PREMISES LICENCE - RIVER DUCK, 2 ELLON ROAD, ABERDEEN

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

The Board resolved: -

To grant the application.

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

10. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - SIBERIA, 9/11 BELMONT STREET, ABERDEEN

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

The Board resolved: -

To grant the application.

APPLICATION FOR A VARIATION OF PREMISES LICENCE - TONY MACARONI, UNIT F, MARISHCAL SQUARE, ABERDEEN.

LICENSING BOARD

28 July 2020

12. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application subject to the following conditions: delivery driver and external area.

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

13. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application.

The Board resolved: -

To grant the application.

APPLICATION FOR PROVISIONAL PREMISES LICENCE - CO-OP, 1 MOUNTHOOLY WAY, ABERDEEN

14. The Convener advised the Board that the application had been deferred at the request of the applicant.

CHIEF CONSTABLE'S ANNUAL REPORT 2019 -2020

15. The Board had before it for its consideration the Chief Constable's annual report for 2019 -2020. Inspector Neil Campbell spoke to the report.

The Board resolved: -

To note the report.

ANNUAL LICENSING BOARD FUNCTION REPORT - REPORT BY DEPUTE CLERK TO THE BOARD

16. The Board had before it the Annual Licensing Function report by the Depute Clerk to the Board.

LICENSING BOARD
28 July 2020

The report recommended-

That the Board –

1. Approve the report and
2. Authorise the clerk to the publish the report

The Board resolved: -

To approve the recommendations.

ANNUAL LICENSING BOARD - FINANCIAL REPORT - REPORT BY DEPUTE CLERK TO THE BOARD

17. The Board had before it for its consideration the Annual Financial report by the Depute Clerk to the Board.

The report recommended: -

That the Board –

1. Approve the report as set out in appendix 1 and
2. Authorise the Clerk to publish the report.

The Board heard from Alexander Munro, Depute Clerk, that the Board had recorded a surplus. He advised that the surplus was smaller than the surplus recorded last year. Mr Munro suggested to the Board that they may wish to reduce the Premises Annual Fee for on-sale premises given the difficult circumstances that these premises have been operating in, during the COVID pandemic. He advised that the Board could charge $\frac{3}{4}$ of the full fee or $\frac{2}{3}$ of the full fee and this would be absorbed by the recorded surplus.

The Board Resolved: -

1. To approve the recommendations of the report and
2. To reduce the Premises Licence annual fee payment for On-sale premises to $\frac{2}{3}$ of the full fee.

CONDOLENCES

18. Mr Munro advised the Board that Theresa Hunt, Solicitor at Burness Paull had sadly passed away.

LICENSING BOARD

28 July 2020

The Board expressed their condolences to Ms Hunt's family and colleagues.

The Convener spoke of the loss of a colleague whom she has known for a long time. Ms Hunt had appeared before both the Licensing Board and the Planning Committee on many occasions and her input had always been constructive. It gave the Convener great sorrow to hear of Ms Hunt's passing and expressed her sympathies on behalf of the Board to her family, colleagues and the wider legal profession.

ABERDEEN CITY LICENSING BOARD

Meeting 27 October 2020 at 10:30am in

Licensing (Scotland) Act 2005

Provisional(s)

Premises

Applicant

Date Received

Comments

1

RETAIL UNIT 1
AREA N12
COUNTESSWELLS
ABERDEEN

SAINSBURY'S SUPERMARKETS LTD
C/O SHEPHERD & WEDDERBURN LLP
5TH FLOOR
1 EXCHANGE CRESCENT
CONFERENCE SQUARE
EDINBURGH
EH3 8UL

21 August 2020

Sainsbury convenience store
offering off-sales Monday to
Sunday 10:00 to 22:00.

ABERDEEN CITY LICENSING BOARD
Meeting 27 October 2020 at 10:30am in
Licensing (Scotland) Act 2005

New Grant(s)

	Premises	Applicant	Date Received	Comments
2	AUTHENTIC ROMANIAN SHOP 427-429 GEORGE STREET ABERDEEN AB25 1ER	AKM MOTORS LTD	23 March 2020	Convenience store offering off-sales Monday to Sunday 10:00 to 22:00 and recorded music
3	THE COLLECTIVE ABERDEEN 148 UNION STREET ABERDEEN AB10 1QX	JULIE MARGARET HULCUP	9 September 2020	Hairdressing Saloon On-Sales - 8am to 8pm Sunday to Thursday and 8am to midnight Friday and Saturday. Seasonal Variations offering conference facilities, receptions, club meetings, recorded music both in and outwith core hours. 10:00 to 20:00 hours Sunday to Thursday and 10:00 to 00:00 Friday and Saturday

ABERDEEN CITY LICENSING BOARD

Meeting 27 October 2020 at 10:30am in

Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
4	BUZZ BINGO 106 KING STREET ABERDEEN AB24 5BB	BUZZ C/O EVERSHEDS SUTHERLAND (INTERNATIONAL) LLP EVERSHEDS HOUSE 70 GREAT BRIDGEWATER STREET MANCHESTER M1 5ES	3 August 2020	Variation to provide restaurant facilities out with core hours.
5	C 10 STORE 7 SCHOOL ROAD ABERDEEN AB24 1TX	C 10 STORE LIMITED C/O JANET HOOD TRAINING & CONSULTING LTD KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS DD9 7XU	17 March 2020	Amendment to off sale hours to Monday to Sunday 10:00 to 22:00. Increase to the alcohol display area.
6	CAFE 52 52 THE GREEN ABERDEEN AB11 6PE	CRACKLIN ROSIE LIMITED C/O BRODIES LLP SOLICITORS 15 ATHOLL CRESCENT EDINBURGH EH3 8HA	14 July 2020	Amend the terminal hour Monday to Thursday to 02:00 Amend core hours on a Sunday to 11:00 to 02:00 Amend core hours on Friday and Saturday to 12:00 to 03:00 Question 5(c) Include live performances to be provided during core licensed hours.

ABERDEEN CITY LICENSING BOARD

Meeting 27 October 2020 at 10:30am in

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
7 CO-OPERATIVE GROUP FOOD LTD COVE SHOPPING CENTRE EARNSHEUGH ROAD COVE ABERDEEN AB12 3FL	CO-OPERATIVE GROUP FOOD LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	24 June 2020	Variation to the operating plan to include home deliveries
8 GOLDEN TEE NORTH BALNAGASK ROAD TORY ABERDEEN AB11 8LH	HAWTHORN LEISURE SCOTCO LTD C/O TLT LLP SOLICITORS HOBART HOUSE 80 HANOVER STREET EDINBURGH EH2 1EL	16 June 2020	Amend opening time to 11.00 on Friday & Saturdays for on sales Amend terminal hour to 01.00 on Friday & Saturdays for on sales Addition of activities to include Restaurant; Bar Meals and Outdoor Drinking both in and outwith core licensed hours Amend ages of children and young persons to 0-17 years Amend the times for children and young persons from 8pm to 9pm Amend the parts of the premises to allow children & young persons to state both the function room, lounge and outdoor area

ABERDEEN CITY LICENSING BOARD

Meeting 27 October 2020 at 10:30am in

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Applicant

Date Received

Comments

9

GRAYS INN
GREENFERN ROAD
ABERDEEN
AB16 5PY

SPIRIT PUB COMPANY (MANAGED)
LIMITED
C/O BELHAVEN PUBS
LICENSING TEAM
ATRIUM HOUSE
6 BACK WALK
STIRLING
FK8 2QA

2 March 2020

Amend core opening times for on and Off sales to 10:00 Monday to Sunday inclusive; Amend core terminal hour for on sales to 01:00 on Friday and Saturday; Add outdoor drinking facilities to incorporate a external terrace in the licensed area; Amend Terms for Children & Young Persons are permitted access to the premises; Amend the ages for Children and Young persons to 0-15 children and 16 &17 for young persons; Amend Times for Children and Young Persons to 22:00 or until end of match when a member of a sport team; Amend the parts that children and young persons are permitted access to the Lounge Bar, External Terrace, toilets and circulation areas. Amended to the layout plan - major refurbishment of the premises which included changes to the layout of the

ABERDEEN CITY LICENSING BOARD

Meeting 27 October 2020 at 10:30am in

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
10 MAGGIE'S GRILL 242 - 244 HOLBURN STREET ABERDEEN AB10 6DB	CHIPOTLE CATERING LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	4 August 2020	Amendment to the sale of alcohol from on sales to on and off sales Adding off sale hours -Monday to Sunday 11:00 to 22:00
11 MALMAISON HOTEL 51 QUEEN'S ROAD ABERDEEN AB15 4YP	MALMAISON TRADING LIMITED C/O WARD HADAWAY SOLICITORS SANDGATE HOUSE 102 QUAYSIDE NEWCASTLE UPON TYNE NE1 3DX	19 June 2020	vary the times when alcohol sales may take place on Friday and Saturday from 10:00-00:00 to 11:00-01:00. Add the provision of off sales to the Licence. vary the licensed area to include the front and side car parks, as detailed on the attached plan

ABERDEEN CITY LICENSING BOARD

Meeting 27 October 2020 at 10:30am in

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
12 MARKS & SPENCER SIMPLY FOOD STONEWOOD PARK DYCE ABERDEEN AB21 9LA	MARKS & SPENCER SIMPLY FOOD LIMITED C/O JOHN GAUNT & PARTNERS UNITS 39-41 HASLAR MARINE TECHNOLOGY PARK HASLAR ROAD GOSPORT HAMPSHIRE	15 September 2020	The store currently operates under a peak and non-peak trading pattern for off sales, as per Question 7 of the Operating plan: Off sales - 1 February to 30th November 37.2 m2 and 1 December to 31 January 32.7 m2. The store now wishes to operate on the capacity 37.2 m2 all year round. The application therefore seeks to amend the filed licensing plan to show that change.
13 THE CHESTER HOTEL 59 QUEEN'S ROAD ABERDEEN AB15 4YP	THE CHESTER HOTEL LIMITED C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	9 September 2020	Increase in capacity of the premises from 4278 to 6766 persons. The licensing of the 2 areas to the front of the hotel & the licensing of the decked area adjacent to the restaurant & above the banqueting suite.

ABERDEEN CITY LICENSING BOARD

Meeting 27 October 2020 at 10:30am in

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
14 THE QUEEN VIC 126 ROSEMOUNT PLACE ABERDEEN AB25 2YU	PB DEVELOPMENT COMPANY LTD	12 June 2020	Variation to allow the sale of alcohol, both ON and OFF the premises Variation to amend Sundays hours of trading from 12:30 - 00:00 to 11:00 - 00:00 proposed OFF sales (Monday - Saturday 10:00- 22:00 Sunday 11:00 -10:00)

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: SAINSBURY RETAIL UNI 1, AREA 12

DESCRIPTION

Sainsbury convenience store offering off-sales Monday to Sunday 10:00 to 22:00.

OBJECTIONS/REPRESENTATIONS

- None – CCTV condition and Driver Training condition accepted by applicant.

POLICY

Protecting and Improving Public Health

The Board recognise that excessive consumption of alcohol can cause or exacerbate a number of health problems. All applicants will be expected to demonstrate measures to be taken to protect public health, and all licence holders will be expected to maintain those standards and take all necessary steps to prevent excessive consumption.

Whilst licensing is an important tool in the protection of public health it will not be sufficient in isolation and accordingly the Board will be interested in hearing from and working alongside relevant partners and interested parties where appropriate.

Factors to be considered in connection with this particular licensing objective include, but are not limited to:

- Access to alcohol by vulnerable persons
- Excessive consumption
- Irresponsible promotion of alcohol
- Education of unit strength of alcohol

What the Board Will Do:

- Utilise local conditions on licences where appropriate.
- Liaise with public health organisation, the local licensing forum and other relevant parties.
- Monitor the number and capacity of premises, public health data and overprovision policies.
- Contribute to raising awareness of the licensing system.

What the Board Will Expect of Licence Holders/Applicants

- Proactive layout of off-sales premises to discourage impulse buying.
- Adequate staff training, including refusals policy and incident recording.
- Availability of low/non-alcoholic products and soft drinks.

- Licensed hours reflective of operating hours.
- Awareness of irresponsible promotions.

What the Board Will Expect of Partner Agencies:

- Effective communication of relevant trends and information.
- Provision of accurate statistics to assist with Board policy and decision making.
- Participation in efforts to increase public awareness of initiatives to protect and improve public health.

CONDITIONS ATTACHING TO LICENCES

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: Authentic Romanian Shop, 427 George Street

DESCRIPTION

- Convenience store
- Off – Consumption Monday to Sunday 10:00 – 22:00
- Recorded Music

OBJECTIONS/REPRESENTATIONS

None – CCTV Condition accepted.

POLICY

6 CONDITIONS ATTACHING TO LICENCES

6.5 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: The Collective, 148 Union Street

DESCRIPTION

- Hairdressing Saloon
- On-Sales – 10:00 to 20:00 Sunday to Thursday and 10:00 to 00:00 Friday and Saturday.
- conference facilities, receptions, club meetings, recorded music both in and outwith core hours.

OBJECTIONS/REPRESENTATIONS

Drugs Policy and Duty of Care Condition accepted.

POLICY

6 CONDITIONS ATTACHING TO LICENCES

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

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.

Duty of Care It is a condition that the licence holder must have in place a duty of care policy to ensure a standard approach is taken when any patron appears to be displaying signs of excessive intoxication. The purpose of this policy is to reduce vulnerability through intoxication, however attained. All staff must have training in identifying signs of excessive intoxication and an enhanced awareness of vulnerability through intoxication. This should include use of material such as the 'Who are You' video (whoareyou.nz) or similar. All related training should be recorded and such records available for inspection by Police and Licensing Standards Officers.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: BUZZ BINGO, 106 KING STREET

DESCRIPTION

- Variation to provide restaurant facilities out with core hours.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: C10 STORE, 7 SCHOOL ROAD

DESCRIPTION

- Amendment to off sale hours to Monday to Sunday 10:00 to 22:00.
- Increase to the alcohol display area.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: CO-OP, COVE BAY SHOPPING CENTRE

DESCRIPTION

Amend Q5(f) to read: 'The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and compliance with the relevant provisions of the Licensing (Scotland) Act 2005'

OBJECTIONS/REPRESENTATIONS

None - the applicant has accepted – Delivery Driver Training condition.

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: GOLDEN TEE

DESCRIPTION

Amend opening time to 11.00 on Friday & Saturdays for on sales
Amend terminal hour to 01.00 on Friday & Saturdays for on sales
Addition of activities to include Restaurant; Bar Meals and Outdoor
Drinking both in and outwith core licensed hours
Amend ages of children and young persons to 0-17 years
Amend the times for children and young persons from 8pm to 9pm
Amend the parts of the premises to allow children & young persons to state both
the function room, lounge and outdoor area
Addition of an outside area.

OBJECTIONS/REPRESENTATIONS

None - the applicant has accepted – External Drinking Area Condition and a
Complaints procedure and amended Children's access in accordance with the LSO
recommendation.

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.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: GRAY'S INN

DESCRIPTION

Amend opening time to 11.00 on Friday & Saturdays for on sales
Amend terminal hour to 01.00 on Friday & Saturdays for on sales
Addition of activities to include Restaurant; Bar Meals and Outdoor
Drinking both in and outwith core licensed hours
Amend ages of children and young persons to 0-17 years
Amend the times for children and young persons from 8pm to 9pm
Amend the parts of the premises to allow children & young persons to state both
the function room, lounge and outdoor area
Addition of an outside area.

OBJECTIONS/REPRESENTATIONS

Nope - The applicant has accepted – External Drinking Area Condition

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.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: MAGGIE'S GRILL

DESCRIPTION

- Amendment to the sale of alcohol from on sales to on and off sales
- Adding off sale hours -Monday to Sunday 11:00 to 22:00

OBJECTIONS/REPRESENTATIONS

- None – licence holder has accepted the imposition of a delivery driver training condition.

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: MALMASION, 51 QUEENS ROAD

DESCRIPTION

- vary the times when alcohol sales may take place on Friday and Saturday from 10:00-00:00 to 11:00-01:00.
- Add the provision of off sales to the Licence.
- Vary the licensed area to include the front and side car parks,

OBJECTIONS/REPRESENTATIONS

- Community Council
- Building Standards - Scaled plan allowing calculation of area/capacity required

Applicant has accepted the External Areas Conditions.

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.

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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From: Ken Hutcheon
Sent: 15 September 2020 14:43
To: Licensing <Licensing@aberdeencity.gov.uk>
Subject: LICENSING - MALMAISON HOTEL 51 QUEEN'S ROAD ABERDEEN -
Queens Cross Community Council Objection

4. Malmaison License

Queens Cross Community Council wish to support the residents near the above premises and strongly object to the license extension the Hotel have applied for.

We base the objection on the rather obvious impact of more people drinking close to residential properties at an even LATER time.

We are surprised that an extension to 1am in a residential area is applied for especially if some of that activity can be pursued in an outdoor area.

Residents are bound to be affected by more people getting into cars in the rear late at night with the accompanying banging of doors.

These residents are affected not only by cars in the rear car park but also the overflow that can expand into Queens Lane South behind the hotel and even closer to residential property.

Also noisy Hotel revellers can be found wandering down Queens Lane South and to allow this at an even later time is surely unacceptable.

Queens Cross Community Council Strongly Object to any extension of Licensing for the above Hotel

Regards Ken Hutcheon Secretary Queens Cross Community Council



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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: MARKS AND SPENCER STONEYWOOD

DESCRIPTION

The store currently operates under a peak and non-peak trading pattern for off sales, as per Question 7 of the Operating plan:

Off sales – 1 February to 30th November 37.2 m2 and 1 December to 31 January 32.7 m2.

The store now wishes to operate on the capacity 37.2 m2 all year round. The application therefore seeks to amend the filed licensing plan to show that change.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

- N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: THE CHESTER, 59 QUEENS ROAD

DESCRIPTION

- Increase in capacity of the premises from 4278 to 6766 persons.
- The licensing of the 2 areas to the front of the hotel & the licensing of the decked area adjacent to the restaurant & above the banqueting suite.

OBJECTIONS/REPRESENTATIONS

- Community Council
- Public Objections

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.

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.

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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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Chester Hotel

Variation of Current Premises License – Reference No. AC0348

The Chester Hotel has submitted an Application to Aberdeen City Council Licensing Board, a Variation to their existing alcohol licence, to increase the capacity of standing patrons from 4,278 to 6,766.

This Licensing application is not related to Covid and the protection of jobs in this crisis.

The Council has granted the Chester special measures to work within maximum capacity subject to social distancing guidelines. We all support them at this time.

This application is for the future - post Covid. It represents a permanent threat to the neighbourhood.

The application also includes a new High Level Dining Area (Function Suite Roof) for 652 guests. This was previously rejected in 2015 for 286 persons on the grounds that it would have an adverse effect on local amenity - the adverse noise carrying potential of this request was recognised by the Licensing Board.

There is little time to submit an objection. They must be lodged by paper or email by this coming Monday 12th October. Ken Hutcheon, our Queens Cross Council representative requested an extension to this date in order to give residents more time to digest the details of this application and formulate a response. This was not granted.

Numbers of objections are very important. Each adult in a household can submit a separate objection, but it can be a copy i.e. exactly the same wording. It just needs to be signed and submitted separately.

It is difficult to write an objection in such a short time. It is apparent that most people in the neighbourhood have no knowledge of this application. Public information is severely limited.

The application does not appear on the ACC website but can be found on

tellmescotland.gov.uk/notices/Aberdeen-city/licensing-including-processions/00000236017

(a copy is provided on the reverse of this sheet)

If you choose to make an objection the main points should be linked to the huge potential for Public Nuisance. This is an application for 6,766 persons in a hotel in a residential area. This is an increase of 2400 persons – more that 50% over the existing license.

Objections submitted by email should be addressed to: licensing@aberdeencity.gov.uk

Chester – Variation of Current Premises License – Reference No. AC0348

When constructing your objection you should focus on the issues of Public Nuisance and negative impact on the neighbourhood in terms of:

- generated noise
- potential anti-social behaviour due to alcohol
- unsupervised movement of people leaving the hotel on foot after an event
- parking

The sheer numbers in this application would suggest that there are plans for major events beyond normal functions such as weddings and parties. This is completely inappropriate for a hotel in a residential area.

The Chester as a high quality hotel, with function facilities, fine dining and bar is excellent for the community.

However, a large entertainment centre for thousands would severely impact, very negatively, the neighbourhood as we know it.

Objections must be submitted by 12th October.

300 in
ballroom?

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Objection o

Anthony J. Dawson

From: Arlene Dunbar <ArDunbar@aberdeencity.gov.uk>
Sent: 09 October 2020 16:00
To: Anthony J. Dawson
Subject: FW: Objection to variation of licence at the Chester hotel

DOCID: 3062476

Please find below and objection received in connection with the above.

Kind regards

Arlene

Arlene Dunbar | Accredited Paralegal
Aberdeen City Council | Licensing | Governance Level 1 South | Marischal College | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 523411
https://urldefense.proofpoint.com/v2/url?u=http-3A_www.aberdeencity.gov.uk&d=DwIFAw&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=nw6nPY23kaSRT4SEJxY-tjg22CdKtXaaggKgZH4nSHr0&m=np91TGDcwdQXAfYbD6yBxORPZxY3LwbWeuyfHil-3w&s=Q_pihzEwCl0HwgX0MQdavzTcQYP9kXqBqGn_xN9TcTU&e= | Twitter: @AberdeenCC |
https://urldefense.proofpoint.com/v2/url?u=http-3A_Facebook.com_AberdeenCC&d=DwIFAw&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=nw6nPY23kaSRT4SEJxY-tjg22CdKtXaaggKgZH4nSHr0&m=np91TGDcwdQXAfYbD6yBxORPZxY3LwbWeuyfHil-3w&s=z08huU8GrPmQDe_1cWlztunsVeovfAYLR275Dkj5xso&e=

CONFIDENTIAL LEGAL ADVICE

This document (including any attachment(s)) contains legal advice which is privileged information and should not be disclosed to any person outwith Aberdeen City Council, or in connection with a request under the Data Protection Act 2018, the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004, without first contacting the author.

-----Original Message-----



Sent: 09 October 2020 11:27
To: Licensing <Licensing@aberdeencity.gov.uk>
Subject: Objection to variation of licence at the Chester hotel

Sent from my iPad

To the licensing committee.

I am writing to object to the Chester Hotel variation of current premises licence to increase to 6766 persons.

This is excessive and unnecessary. The hotel is within a residential area and already the noise and traffic flow, both trade and Client, is disruptive.

Louise Ottato

OBJECTION 1

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 09:54
To: Anthony J. Dawson
Subject: FW: The Chester Hotel - Alcohol Licence extension -ref AC0348

DOCID: 3066442

Hi Tony,

Please see objection 1 below:

I am writing to object to the above mentioned extension to the alcohol licence.

As a local resident (Forest Avenue) see this as having a negative impact on the neighbourhood. Parking in this area is difficult at the best of times, without even more hotel guests parking in a residential area. Cars are being left overnight.

When events are on, the noise & mess left by the hotel patrons when they leave event is a nuisance.

This is a nice west end residential area, which is gradually being downgraded by the extension of local businesses without any consideration of the local residents.

Regards

OBJECTION 2

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:00
To: Anthony J. Dawson
Subject: FW: CHESTER HOTEL - REF NO AC0348

DOCID: 3066448

Please find Chester obj 3 below

Dear Sirs ,

As residents of a nearby property we hereby object to the application for a Variation to the existing alcohol licence for Chester Hotel Queens Road Aberdeen . Our grounds for objection are as follows :

- 1 This is a substantial increase in the capacity and it is unclear why such an increase is sought . It seems to us to be overdevelopment of the property which is situated in a mainly residential area .
- 2 Such an increase in the numbers allowed to use the premises shall invariably lead to a problem with parking for those attending as well as the local residents . We find that already there is parking in Queens Lane South once the car parks associated with other premises adjacent are full and this leads to difficulty in accessing our garage which is located off the lane .
- 3 There will clearly be a noise issue when a large number of people leave the premises particularly late at night and a potential for anti social behaviour .

There seems to be no need for such a variation as sought and we respectfully suggest that it be rejected .

Regards ,

OBSECTION 3

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:27
To: Anthony J. Dawson
Subject: FW: Chester Hotel Application to extend alcohol licence Ref. ACO348

DOCID: 3066455

Hi Tony,

Here's the next one, this represents the views of 3 residents of one household.

We have been informed today by a neighbour that the Chester Hotel has applied for variation of current premises licence to increase to 6766 persons to be served. I may say that we had no prior knowledge of this application by post or by any other means. This application is completely unacceptable to us as close neighbours to the hotel. To have large numbers of customers drinking alcohol and making a loud noise on the roof of a building literally on the other side of the lane behind our house is outrageous!! Apart from the totally unacceptable noise, there is the question of car parking as there is clearly no facility for any increase in parking spaces. We are aware that an application for 286 persons to be permitted on a rooftop dining area was rejected in 1985. To apply for the same again but with an increase in the numbers to 652 defies belief! We trust that the licensing committee will take heed of the acutely negative feelings of the near neighbours and refuse this incredibly unneighbourly application.

OBJECTION 4

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:28
To: Anthony J. Dawson
Subject: FW: Chester Application

DOCID: 3066465

And the next....

Chester Hotel
Variation of current premises licence - reference no AC0348

I strongly object to the application for a variation of the current premises licence at the Chester Hotel. The application is totally unreasonable, excessive and as usual slipping under the radar.

This is a residential area and increasing the potential client base to 6,766 a 50% increase is a horrific thought. The noise element especially in the evening when we are relaxing at home is very disturbing, people collect outside to smoke and the noise carries. then later at closing time people gather and loiter talking, laughing and generally larking about.

Parking is a nightmare sometimes we cannot get access in or out of our own driveway because of the volume or inconsiderate parking.

I would also like to complain about the less than open way this application has been publicised.

I hope you will take into account the objections of local residents the enlargement of this hotel has had a truly negative effect on myneighbourhood.

OBJECTION 5

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:29
To: Anthony J. Dawson
Subject: FW: The Chester Hotel - Objection

DOCID: 3066470

And the next....

I wish to object to the new application by The Chester Hotel for the following reasons.

1. The existing licence is more than Adequate for a hotel in a residential area.
2. If this is passed this will generate considerable additional noise you must remember this is a residential area.
3. We've now got so many heavy goods vehicles servicing the 2 hotels, reversing up the lane which has become a hazard and a danger to the public. To grant them this vast additional patrons would be irresponsible.
4. Parking - there is not enough parking at the moment. Patrons park in the lane causing obstructions to neighbouring properties. If emergency vehicles needed access they would have great difficulty it's totally unacceptable at present to add to this would be unacceptable.
5. Potential anti-social behaviour could become a big problem due to alcohol.
6. The unsupervised movement of people on this scale would become problematic leaving the hotel.
7. Why do they have to keep pushing the boundaries they have been granted adequate licenses especially in a residential area.

I would hope sense prevails.

OBJECTION 6

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:29
To: Anthony J. Dawson
Subject: FW: The Chester Hotel - Objection

DOCID: 3066476

And the next....

I wish to object to the new application by The Chester Hotel for the following reasons.

1. The existing licence is more than Adequate for a hotel in a residential area.
2. If this is passed this will generate considerable additional noise you must remember this is a residential area.
3. We've now got so many heavy goods vehicles servicing the 2 hotels, reversing up the lane which has become a hazard and a danger to the public. To grant them this vast additional patrons would be irresponsible.
4. Parking - there is not enough parking at the moment. Patrons park in the lane causing obstructions to neighbouring properties. If emergency vehicles needed access they would have great difficulty it's totally unacceptable at present to add to this would be unacceptable.
5. Potential anti-social behaviour could become a big problem due to alcohol.
6. The unsupervised movement of people on this scale would become problematic leaving the hotel.
7. Why do they have to keep pushing the boundaries they have been granted adequate licenses especially in a residential area.

I would hope sense prevails.

OBJECTION 7

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:30
To: Anthony J. Dawson
Subject: FW: Variation of Current PremisesLicense. Ref No bAC0348

DOCID: 3066481

And the next....

Aberdeen City Council
To Whom it May Concern

The Council has decided to proceed to determine the above application. This is regardless of a request from the local member to delay thus allowing residents more time to consider the impact of this very substantial increase on the amenity of this predominantly residential area.

Given the scale of increase (over 50% increase on the existing license capacity) and the very late public notification it seems quite unreasonable of the Licensing Committee to have taken such action.

The Chester Hotel is an asset to the business and community sectors of the city. Nevertheless it borders a long established residential area on its southern boundary and has a responsibility to respect the amenity of these residents and others in this predominantly residential area.

The licensing committee is considering this application which requires the use of a decked area overlooking the properties on Harlaw Road . A planning application for the use of this decked area has already been rejected by Aberdeen City Council and therefore any decision accepting this application would be in direct conflict with the Councils own position. It would provide a significant basis for submitting a successful appeal .

The residents do not seek to limit the Chester Hotels ambitions . However this scale of development has the potential to seriously impact on the surrounding residential properties. Increased parking; noise; service and delivery activity outwith working hours ; privacy and overlooking are all factors which are clearly going to have negative impacts. No decision on such matters should be taken without full consideration of the impact on the wider area. Until that takes place it is irresponsible of any member of the Council to approve this application.

The application includes the south facing decked area which has already been recognised as unacceptable in terms of overlooking and noise impacts on neighbouring properties . On that basis alone and without the justifications required for the wider area this is an unacceptable proposal.

On that basis I therefore most strongly object to this application.

OBJECTION 8

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:31
To: Anthony J. Dawson
Subject: FW: Chester Hotel- Variation of Current Premises License- Reference AC0348
DOCID: 3066490

The next...

I am writing to object to the above application to increase the Chester Hotels's capacity of standing patrons to 6766 persons.

This large (greater than 50%) increase will result in Public Nuisance in several aspects.

1. Generated noise

The proposal will result in a significant number of outdoor guests, including at the rooftop level, who's noise will project into currently quiet households and gardens.

1. Loss of privacy

Similarly our privacy will be impacted by patrons overlooking our property and gardens from the new High Level Dining Facility above the function suite, which currently is not the case.

1. Potential antisocial behaviour due to alcohol

We already experience patrons using our private gardens as a shortcut through to the hotel. This will only increase if this application is approved and also if off sales are permitted.

1. Unsupervised movement of people leaving the hotel on foot after an event

As per 3 above

1. Parking

Already an issue in the area (particularly when functions are taking place) due to limited spaces in the hotel complex. This license change will exponentially impact all adjacent streets (the hotel's parking capacity appears to be reduced through the use of the front parking areas for patrons' dining/ drinking activities) and will result in more patrons taking shortcuts through adjacent properties.

All the above will have a direct negative impact on me and my neighbours.

Events of the size presumably planned are inappropriate for a hotel in a residential area.

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:32
To: Anthony J. Dawson
Subject: FW: Chester Hotel- Variation of Current Premises License- Ref No AC0348

DOCID: 3066497

The next...

I am writing to object to the above application to increase the Chester Hotels's capacity of standing patrons to 6766 persons.

This large (greater than 50%) increase will result in Public Nuisance in several aspects.

1. Generated noise

The proposal will result in a significant number of outdoor guests, including at the rooftop level, who's noise will project into currently quiet households and gardens.

1. Loss of privacy

Similarly our privacy will be impacted by patrons overlooking our property and gardens from the new High Level Dining Facility above the function suite, which currently is not the case.

1. Potential antisocial behaviour due to alcohol

We already experience patrons using our private gardens as a shortcut through to the hotel. This will only increase if this application is approved and also if off sales are permitted.

1. Unsupervised movement of people leaving the hotel on foot after an event

As per 3 above

1. Parking

Already an issue in the area (particularly when functions are taking place) due to limited spaces in the hotel complex. This license change will exponentially impact all adjacent streets (the hotel's parking capacity appears to be reduced through the use of the front parking areas for patrons' dining/ drinking activities) and will result in more patrons taking shortcuts through adjacent properties.

All the above will have a direct negative impact on me and my neighbours.

Events of the size presumably planned are inappropriate for a hotel in a residential area.

OBJECTION 10

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:33
To: Anthony J. Dawson
Subject: FW: Chester - Variation of Current Premises License - Reference AC0348

DOCID: 3066509

The next representing the views of 2 residents of one household

To Whom it May Concern

I am writing with the regard to the proposed increase in customer capacity for Chester Hotel to outline my concerns which are predominantly around the Public Nuisance that is inevitable from a 50% increase in footfall.

Chester Hotel has been an excellent addition to what is a quiet residential area with large numbers of families and older residents. However, the prospect of up to 6,766 customers consuming alcohol, with loud music and the parking and potential for public nuisance late in the evening/early morning that will inevitably entail is NOT something that is appropriate in this locale.

The regularity of events will result in every weekend being a disruption that surely is not in the best interests of anyone in the area other than the Chester Hotel.

Please acknowledge receipt of this email.

Regards

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:33
To: Anthony J. Dawson
Subject: FW: Chester Hotel Application Variation of Current Premises License AC0348
Objection

DOCID: 3066516

The next...

11th October 2020

Subject: Chester Hotel
Variation of Current Premises License – Reference No. AC0348

To whom it may concern

I am writing to Object to the above referenced Application.

The basis of my objection is that by granting the Variations Objectio for a hotel that is located in an established residential area, the residents will be subjected to considerable loss of amenity.

Public Nuisance

The increase of capacity to 6766 persons will only result in **greater** noise and loss of amenity. It will constitute Public Nuisance in an established residential area, due to:

- Generated noise
- Potential anti-social behaviour due to alcohol
- Unsupervised movement of people leaving the hotel after an event
- Parking

From experience we have learned that the Police are unable to respond to complaints of sporadic noise and anti-social behaviour emanating from the Chester. As regards to disturbances emanating from and outwith the Chester, the police unable to respond. A call to 101 results in an issue of an incident number that can be passed on to Environmental Health. This does nothing to address the disruption of our life at the time.

On several occasions we have had to get out of our beds in the early hours of the morning to go to the Chester to register our complaint.

The Sale of Off License Alcohol

Off Sales of Alcohol to either 4278 or up to 6766 persons must certainly constitute an overprovision of alcohol within this neighbourhood. If granted the License would enable the patrons to leave the hotel equipped with alcohol supplies to continue their evening. The potential consequences of this are obvious – more public disturbance and difficulty for the police to control the noise and other aspects of anti-social behaviour.

License of Decked Area

The application to license the elevated and open external area adjacent to the restaurant and above the banqueting suite which overlooks residential properties was already rejected in 2015. It was accepted that there was a real possibility of Noise Nuisance from this area. Although each application is considered on its own merits it is extremely relevant that this identical proposition was put to and rejected by Committee in 2015. This new but identical request has increased the numbers of guests from 286 to 652.

There was ample scope for business and community to thrive in the neighbourhood. However, the request for evermore expansion from the Chester is obscuring the right of residents for amenity in their area. The Chester Hotel has a history of bending the rules to the limits of legality in order to further their expansion plans.

I believe the Licensing Board has a duty to consider and ensure balance for this community. A decision on this application should not be taken without full consideration of the impact of the wider area. If not, then it would be irresponsible for any Council Member to approve this application.

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:36
To: Anthony J. Dawson
Subject: FW: Chester hotel- ref no AC0348

DOCID: 3066522

The next

As a local resident () I wish to protest against the proposed extension of the Chester S alcohol licence.

It already causes a serious increase in traffic and lack of parking with people parking indiscriminately in residents ' spaces.

In the mornings, when I walk my dog, there is broken glass on the pavement at the front and in the back lane. My dog has already had a cut paw as a result.

I have an Indian friend who has twice had racial comments made to him by a man exiting the hotel grounds on his way to visit me, Deplorable!

This is a residential area in what used to be a desirable district. The proximity of the Chester has already downgraded it. Please don t let it go further.

OBJECTION 13

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:37
To: Anthony J. Dawson
Subject: FW: Chester Hotel Application Variation of Current Premises License AC0348
Objection

The next:

11th October 2020

Subject: Chester Hotel
Variation of Current Premises License – Reference No. AC0348

To whom it may concern

I am writing to Object to the above referenced Application.

The basis of my objection is that by granting the Variations for a hotel that is located in an established residential area, the residents will be subjected to considerable loss of amenity.

Public Nuisance

The increase of capacity to 6766 persons will only result in **greater** noise and loss of amenity. It will constitute Public Nuisance in an established residential area, due to:

- Generated noise
- Potential anti-social behaviour due to alcohol
- Unsupervised movement of people leaving the hotel after an event
- Parking

From experience we have learned that the Police are unable to respond to complaints of sporadic noise and anti-social behaviour emanating from the Chester. As regards to disturbances emanating from and outwith the Chester, the police unable to respond. A call to 101 results in an issue of an incident number that can be passed on to Environmental Health. This does nothing to address the disruption of our life at the time.

On several occasions we have had to get out of our beds in the early hours of the morning to go to the Chester to register our complaint.

The Sale of Off License Alcohol

Off Sales of Alcohol to either 4278 or up to 6766 persons must certainly constitute an overprovision of alcohol within this neighbourhood. If granted the License would enable the patrons to leave the hotel equipped with alcohol supplies to continue their evening. The potential consequences of this are obvious – more public disturbance and difficulty for the police to control the noise and other aspects of anti-social behaviour.

License of Decked Area

The application to license the elevated and open external area adjacent to the restaurant and above the banqueting suite which overlooks residential properties was already rejected in 2015. It was accepted that there was a real possibility of Noise Nuisance from this area. Although each application is considered on its own merits it is extremely relevant that this identical proposition

was put to and rejected by Committee in 2015. This new but identical request has increased the numbers of guests from 286 to 652.

There was ample scope for business and community to thrive in the neighbourhood. However, the request for evermore expansion from the Chester is obscuring the right of residents for amenity in their area. The Chester Hotel has a history of bending the rules to the limits of legality in order to further their expansion plans.

I believe the Licensing Board has a duty to consider and ensure balance for this community. A decision on this application should not be taken without full consideration of the impact of the wider area. If not, then it would be irresponsible for any Council Member to approve this application.

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:38
To: Anthony J. Dawson
Subject: FW: Chester Hotel Variation of current premises License Ref AC0348 Objection
DOCID: 3066536

The next:

Dear Sir/Madam

Re Objection to Chester Hotel Variation of current premises License Ref AC0348

I wish to object to the variation in the current alcohol license by increasing capacity of standing patrons from 4278 to 6766 and to the area proposed in relation to where alcohol will be served ie the new high level dining area (function suite roof) for 652 patrons standing.

The License for this area (High Level dining next to the restaurant) was previously rejected in 2015 for 286 patrons as it was deemed to have an adverse effect on local amenity due to the recognition of the noise pollution by the Licensing Board. There have been extensive documents to support evidence for this again highlighted through the WHO Environmental Noise Guidelines for the European Region Executive Summary updated in 2018 showing robust public health advice based on the negative impact on health and well-being due to noise pollution.

My objection is based on the following considerations and the impact this has on the amenity for myself, my family and neighbours in this residential area and how we can protect our community.

Increase in generated noise

The significant increase in number of patrons and the time of night in which they would be leaving the premises would cause a substantial increase in noise. The time proposed for the license is into the small hours of the morning and would have a significant impact on the local residents whose bedrooms and living areas are next to the area. There have already been a significant number of complaints in relation to these issues. In addition the use of the outside areas and especially the higher level dining/drinking area would impact and increase the generated noise during the late evening/early hours of the morning. The height increases the noise projection. This has not taken into account the possibility of music/entertainment/ firework opportunities which may be related to the increase in numbers for functions and should be considered. Gathering to smoke and converse will have an impact on noise generated too as this will be outside and likely close to boundary walls and gardens.

Potential for anti-social behaviour due to alcohol

We are all aware of the noise people can generate when patrons are under the influence of alcohol. The sheer volume of patrons (this number - 6766 -is just short of the population of Banchory or half of Pittodrie Stadium) leaving the premises unsupervised late at night, walking on foot into the local vicinity or along Queens Lane South will have a negative impact.

Parking

Where are the volume of patrons going to park? There does not appear to be enough spaces for the number of people. The area considered for serving alcohol to the front of the property are car parking areas. Where will the cars go instead - into the local area?Already there is impact on the locality when there are functions on and even just now when patrons are using the hotel. Cars are often left overnight and can cause challenges when people are trying to use the sports facilities at the fields the following day.

Patron Safety

In the event of a fire where do all of the patrons muster? Where do the emergency services go to attend? We would hope this would never happen but there does need to be consideration for this.

Off Licence Sales

Providing the ability for patrons to buy alcohol to 'take away' would not be appropriate as it would lead to an increase in issues with all the objections as outlined above. There are plenty businesses in the surrounding area who can provide this requirement and we should be supporting them.

The reluctance of the Chester Hotel to be supportive when contacted at times of disturbance causes increased anxiety for the local residents. The non transparent practice and opportunities used to put through a variation knowing full well the previous objections, lack of planning and retrospective applications concerns local residents. This shows non engagement with the local community to help conserve our quiet residential area.

We know the Chester Hotel is a high quality hotel and we want to support our local business especially during these challenging times with the Covid pandemic. We know the short-term special measures were needed to allow them to survive and we want to commend them and their range of facilities which our community have enjoyed. However they are part of our community and we would be grateful if they could realise the importance of this and work with their neighbours.

OBJECTION 15

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:39
To: Anthony J. Dawson
Subject: FW: Objection to the Chester licensing extension

And the next....

Hi there,

I live on Harlaw Road and am emailing to object to the extension of the licence for the Chester hotel.

The noise is already at times unbearable and increasing capacity will only make it worse. Along with that there could be anti social behaviour due to alcohol and there could be problems as people leave an event and could cause problems late at night on the road.

The parking situation could also be a problem, generally their carpark is already at capacity so where will all the additional cars park? Our road is residential and don't want extra cars taking up spaces which belong to residents.

Larger events should not be allowed in a hotel in a residential area, it's not fair.

Kind regards

OBJECTION 16

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:40
To: Anthony J. Dawson
Subject: FW: Chester - Variation of current premises license - reference No. AC0348

The below objection represents the view of 2 residents of one household:

Dear sirs,

I would like to object to the above Chester variation of current premises license.

The increase of 2400 persons to 6766 persons will cause issues of Public Nuisance and have a significant negative impact on the surrounding neighbourhood in terms of:

- Additional generated noise
- Potential anti-social behaviour due to alcohol
- Unsupervised movement of people leaving the hotel on foot after an event
- Additional cars parking in an already restricted residential area

The sheer numbers in this application would suggest that there are plans for major events beyond normal functions such as weddings and parties. This is completely inappropriate for a hotel in a residential area.

Such a large entertainment centre for thousands would severely impact, very negatively, the neighbourhood as we know it

OBJECTION 17

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:41
To: Anthony J. Dawson
Subject: FW: Chester - Variation of Current Premises License - Reference AC0348

DOCID: 3066550

The below objection represents the views of 2 residents of one household:

>
> To Whom it May Concern
>
> I am writing with the regard to the proposed increase in customer capacity for Chester Hotel to outline my concerns which are predominantly around the Public Nuisance that is inevitable from a 50% increase in footfall.
>
> Chester Hotel has been an excellent addition to what is a quiet residential area with large numbers of families and older residents. However, the prospect of up to 6,766 customers consuming alcohol, with loud music and the parking and potential for public nuisance late in the evening/early morning that will inevitably entail is NOT something that is appropriate in this locale.
>
> The regularity of events will result in every weekend being a disruption that surely is not in the best interests of anyone in the area other than the Chester Hotel.
>
> Please acknowledge receipt of this email.
>
> Regards
>

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:42
To: Anthony J. Dawson
Subject: FW: REF NO AC0348 Aberdeen City. CHESTER HOTEL

DOCID: 3066556

The following objection reflects the views of 2 residents of one household.

I OBJECT TO THE APPLICATION TO CHANGE THE ALCOHO LICENCE TO ALLOW SERVING 6766 PEOPLE.

THE REASONS ARE 1 : AN INCREASE IN NUMBERS BY 50% IS EXCESSIVE.

2: AN ALL-READY CONGESTED LANE IS NOT SUITABLE TO COPE WITH INCREASED VOLUME .

3 : EMERGENCY SERVICES ACCESS WILL BE SEVERELY REDUCED.

4: THE EXTRA NOISE WILL BE INTOLERABLE.

5: ANTI SOCIAL BEHAVIOUR DUE TO ALCOHOL

6: UNSUPERVISED MOVEMENT OF PEOPLE LEAVING HOTEL AFTER AN EVENT IN THE LATE

HOURS.

7 PARKING IS ALREADY A PROBLEM .THIS ON TOP OF ALBYN SCHOOL EVENTS WILL BRING

THE AREA TO STANDSTILL.

THE COUNCIL SHOULD

CONSIDER. THE IMPACT ON RESIDENTS AND NEGATIVE EFFECTS IN PROPERTY VALUES.

OBJECTION 19

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:42
To: Anthony J. Dawson
Subject: FW: Chester Hotel - Application for Variation of Licence

The next.....

I wish to object to the above application to allow Chester Hotel to serve even more people in their Hotel.

I think this will lead to more traffic and noise in the area which will impact in particular upon the residents in houses near the Hotel.

It will likely cause more of a public nuisance with so many people leaving the hotel having been drinking, especially when there is off licence to be available under this licence application

Yours sincerely

OBJECTION 20

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:44
To: Anthony J. Dawson
Subject: FW: Objection to AC0348 Chester Hotel Variation of Current Premises Licence to Increase to 6766 Persons

DOCID: 3066567

The next:

To whom it may concern,

I am emailing to note an objection to the above.

Namely: Objection to Chester Hotel Variation of Current Premises Licence to increase to 6766 persons.

This volume of drinkers in a quiet residential area is not acceptable. A raised outside terrace will significantly increase noise pollution levels. IT will also lead to increased anti-social behaviour and an increase in traffic and footfall across the area including late at night, from events when people are most likely to be drunk and likely disorderly.

The numbers they are applying for on this license far exceeds the needs of a hotel in a residential area and will significantly alter the safety and quiet of a residential neighbourhood.

I strongly object to this variation of license for the Chester hotel and the damage this massive increase in number of numbers of persons drinking alcohol. Why would a hotel in a quiet residential neighbourhood need to serve alcohol to almost 7000 patrons?

Thank you for noting my objection to variation: AC0348

OBJECTION 21

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:45
To: Anthony J. Dawson
Subject: FW: Objection against application AC0348 for a variation of current Premises License by the Chester Hotel, 59 Queens Road, AB15 4YP

DOCID: 3066571

The next:

To Aberdeen City Council Licensing Board

Reference No' AC0348

I wish to raise my objection against application AC0348 for a variation of current Premises License by the Chester Hotel, 59 Queens Road, AB15 4YP.

The application to raise the capacity to 6766 persons (one third of the capacity of Pittodrie Stadium) at a venue in a residential area is excessive.

With the potential to create the following public nuisance over and above that already witnessed by local residents:-

Noise levels already excessive at times, well into the night.

Thoughtless parking on Queens Lane South is not infrequent adjacent to the Chester Hotel, with potential to block emergency vehicles.

Another example is the residential parking bays often occupied during the day by cars not displaying residential permits.

The potential for alcohol fuelled anti-social behaviour is completely unacceptable, given the large movement of unsupervised individuals to and from the Chester Hotel.

The smoking area at the Chester Hotel is approximately ***redacted*** from my property, meaning that noise, and residue of stale smoke drifting to my garden is not unusual and completely abhorrent to me.

All the above nuisance would only be exacerbated, were this application granted to the Chester Hotel allowing them to operate as a large entertainment centre in a quiet residential area.

I would therefor ask that Aberdeen City Council Licensing Board reject application AC0348 from Chester Hotel.

Regards

OBJECTION 22

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:46
To: Anthony J. Dawson
Subject: FW: Objection to Variation of Current Premises License - # AC0348

Importance: High

The next:

Dear Licensing Team

I wish to register an objection to an application by The Chester Hotel Ltd, specifically a Variation of Current Premises License, Reference # AC0348

My status: My home is near to the Chester Hotel. I have lived here for 20 years and indeed this area has been a harmonious residential district of character for 120 years, upholding a cherished personification of the Victorian granite built environment for which Aberdeen is famous and which requires the utmost care and protection of the City Council.

Consequently, I am affected by public nuisance stemming from the Chester Hotel from noise, human behaviour, vehicle movement and parking; *also* the unique residential character of the neighbourhood in which the Chester Hotel is fortunate to be situated is profoundly sensitive to the same public nuisance caused by activity at the Chester Hotel.

Currently the Chester Hotel has a Premises License to serve a combined total of 4,278 people which is already an unfeasible load on the neighbourhood should such a crowd be discharged into our neighbourhood. It is noted that the Chester Hotel has continued to serve food and alcohol to substantial numbers of people during the current Covid social restrictions by creating a massive transparent structure at the front of the hotel that some observers would call a masquerade of an outside venue. Clearly the owners of the Chester Hotel Ltd are adept at executing ambitious plans for their business at the stretch point of planning and safety regulations. There can be no doubt the owners have plans in place for new, high volume events above and beyond anything currently experienced in our neighbourhood.

Therefore, in every conceivable context, the plan of the owners of the Chester Hotel to increase the capacity of the venue by almost 2,500 people, almost 60% above the present license capacity, infringes reasonable boundaries of a food and alcohol business trading in a quiet and well established residential district in our city. I profoundly object to this planning application.

Please confirm the timeous receipt of this statement of objection.

Yours faithfully

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:47
To: Anthony J. Dawson
Subject: FW: Variation of Current Premises License – Reference No. AC0348 - Chester Hotel - SENT on Behalf of Jennifer West

The below email represents the views of 2 residents of one household.

To whom it may concern

I am writing to object to the above referenced Application.

The basis of my objection is that by granting the requested variations for the Chester Hotel which is located in a designated residential (and office) area, the residents of that area will be subjected to considerable further loss of amenity.

Public Nuisance

The increase of capacity to 6766 persons is bound to result in a substantial and sustained increase in noise and consequent loss of amenity. It will cause a public nuisance to residents in the area due to:

- Generated noise - in relation to the Chester Hotel we at this household have lodged over 2 dozen noise complaints regarding noise emanating from the hotel. Some have involved the police and the environmental health department. In many cases the noise was confirmed as breaching regulations but despite this the hotel management have persisted in repeating the breaches. No apology has ever been issued by the hotel management even on the occasions when their glass bin was emptied at 6AM or thereabouts in clear contravention of noise guidelines. Instead of taking responsibility they blamed their contractor, not themselves.

On several occasions we have had to get out of our beds in the early hours of the morning to go to the Chester to register our complaint directly and the management were uncooperative in resolving the issue. On one occasion for instance it transpired later that there had been windows open in their function suite in clear contravention of the rules which was causing the noise. This demonstrates the failure of Chester management to manage their hotel.

From direct experience we have learned that the Police are unable to respond to complaints of sporadic noise and anti-social behaviour emanating from the Chester. A call to 101 results in the issue of an incident number that can be passed on to Environmental Health. This does nothing to address the disruption of our life at the time

- Potential anti-social behaviour due to alcohol. My son has witnessed an altercation in the rear car park on a Saturday afternoon. How could the hotel manage such incidents when there are 6766 people later on in the evening? It would also be very frightening for the local residents in the locality.
- Unsupervised movement of people leaving the hotel after an event. At one stage the hotel was restricted to using the rear entrance (Queen's Lane South) for deliveries only but now it is the main access to their rear

car park. This has led to a significant increase in traffic in the lane at certain times (early evening for instance). This is an erosion of amenity and a serious safety concern both in the lane, Harlaw Road and adjoining roads generally. I do not know if it is still the case but the lane was a designated cycling route for Aberdeen.

- Parking - where are all these people going to park 2 to 3,000 cars? Or if arriving / departing by taxi 2,500 taxis (twice) - this will create unbelievable congestion in a narrow lane with a blind corner at one end.

The Sale of Off License Alcohol

Off Sales of Alcohol to either 4278 or up to 6766 persons must certainly constitute an over-provision of alcohol within this neighbourhood. If granted the License would enable patrons to leave the hotel equipped with alcohol supplies to continue their evening. The potential consequences of this are obvious – more public disturbance and difficulty for the police to control the noise and other aspects of anti-social behaviour. There are already plenty of places to buy alcohol in this area.

License of Decked Area

We would like to remind people that at one stage the hotel opened the decked area to patrons before they had a licence to do so or indeed planning permission. They then tried to obtain retrospective planning permission and licencing for this elevated and open external area adjacent to the restaurant and above the banqueting suite which overlooks residential properties without success. This area was demonstrated at the time (as a result of the unauthorised opening by the hotel) to generate a lot of noise that travelled all over the neighbourhood. There have been no changes in the present application which would be likely to mitigate the noise nuisance (quite the contrary as the proposed guest numbers have been increased from 286 to 652) and so the previous licencing decision should not be altered. Although each application is considered on its own merits it is extremely relevant that this identical proposition was put to and rejected by committee in 2015.

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:49
To: Anthony J. Dawson
Subject: FW: Chester Hotel Application for Variation of Current Premises License Ref AC0348

DOCID: 3066582

The next:

Dear Sir/Madam

I am a neighbour to the Chester Hotel living in ----- and I am very concerned with this Variation application. I wish to object to the application for this Variation of the Current Premises Licence, for the sale of alcohol both On and Off Sales.

This Licensing application and my objections are not related to Covid and the protection of jobs in this crisis.

WE support the manner in which ACC has granted the Chester special measures to work within maximum capacity subject to social distancing guidelines. We all support them at this time.

This application is for the future - post Covid. It represents a permanent threat to the neighbourhood.

The Proposed Variation includes:

1. The increase in the current capacity of standing patrons from 4278 to 6766 by
2. The licensing of the two areas to the front of the hotel on Queens Road and licensing of a new high level dining area (function suite roof).

Firstly, I have some questions on the fundamental basis of licensing of the 2 areas.

1. The two front external areas on Queens Road are principally the two new marquees. The Chester applied for retrospective Planning Approval for the the structure and ACC gave TEMPORARY approval with the timescale that "The structure hereby approved shall be wholly removed from the site by 28th August 2021."

How can these temporary marquees be the basis of calculations for what I understand is permanent capacity increase?

These two marquees are shown in the calculations to be the increase in the front external areas from the existing 548 to the increased capacity of 2,384 standing persons, thereby increasing capacity by 1,836!

2. The licensing of the decked area adjacent to the restaurant and above the banqueting suite. This area is a new licensing area. However previous planning applications to use the elevated / upper level in 2015 were rejected by ACC due to noise pollution.

Why is this same area now returning to ACC under a licensing variation to application?

Furthermore the new licensing variation of the elevated area is expanded from the 2015 area to now include the roof of the function suite. If the noise levels for the smaller area with capacity 286, that was rejected, were considered excessive then the additional roof space with capacity 652 would create twice as much noise disturbance and pollution.

The above two areas amount to a total increase of $1,836 + 652 = 2,488$ standing patrons. BUT it appears that this application to vary the current licensing is calculated on a false and incorrect basis.

My objection is based on various considerations and the impact they have on the community at large in this residential area. This directly effects myself, my family and neighbours. We will emerge from this Covid era involving all residents, the local hotels and amenities in this area BUT WE all need to work together. We are never consulted by Chester and Chester is always unavailable to discuss. Very poor and unreasonable!

Increase in generated noise

The noise pollution and subsequent noise disturbance caused by a High Level Dining Area (Function Suite Roof) was proven during the process of the 2015 Planning Application such that ACC rejected the Application.

This licensing variation is worse by a factor of two. Why are Chester even considering this application? Why are the residents going through this again? The noise pollution that will be created is unacceptable!

Potential for anti-social behaviour due to alcohol

People generate noise that increases as time passes into the evening, especially after alcohol consumption. The licence capacity numbers involved at 6,766, even at 4,368, are simply beyond understanding. Why does the Chester require such a capacity? Is there a hidden future agenda?

Parking

The numbers of patrons entering and leaving (how? Buses or taxis or cars) and worse still, when leaving the premises late at night, into the local vicinity.

These potential numbers whether 4,368 and worse 6,766 are simply impossible to accommodate on Queens Road with Queens Lane South realistically unable to help.

The front area considered for serving alcohol are car parking areas. You can't have licence application areas doubling up as car parking. One or the other!

Where will the cars go instead - into the local area? Already there is impact on the locality when there are Chester functions. Cars are often left overnight or worse over the weekend that causes challenges to the community trying to use the Harlaw sports facilities the following day.

Patron Safety

The huge numbers of people, in the event of a fire or explosion, where do all of the patrons muster? How and where do the emergency services attend?

Off Licence Sales

The application to vary the licence to include Off Sales is encouraging and worsening all the above considerations, especially when available at the close of business at 1a.m.

General Rubbish

The increase in rubbish and waste has increased in the area, especially Queens Lane South. Previous hoteliers kept the Lane clean and tidied the Lane from their patrons' rubbish in the early morning. This no longer happens!

The Chester Hotel has proven to be NON supportive of the residents and the community in general. The Chester:

- Is NOT supportive when contacted at times of disturbance;
- Fails to share planning, licensing and general development plans with local residents;
- Is not compliant with ACC best practices with planning and licensing;
- Fails to engage with any West End residents with local issues.

This all causes unnecessary and enhanced anxiety and stress for all the local residents. What is the Chester planning next?

The Chester Hotel aims to be a high quality hotel and we wish to support our local businesses especially during these challenging times with the Covid pandemic. We know the short-term special measures were needed to allow them to survive and we want to commend them and their range of facilities which our community have enjoyed.

The Chester must engage with their local residents!!

Lastly, the manner and timing of this latest Chester application during Covid and the busy school holidays once again demonstrates Chester's lack of care or empathy for the community or residents.

Regards

OBJECTION 25

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:50
To: Anthony J. Dawson
Subject: FW: Chester Hotel - Variation of Current Premises License Ref AC0348

Please note the below represents the views of 3 members of one household;

Dear Sir / Madam,

Please take this email as my objection to the Chester Hotel application for variation to their license to increase the capacity of standing patrons from 4278 to 6766.

The Chester is a hotel in a residential area and the number of additional patrons is wholly inappropriate for such a location.

1. The additional noise generated by this number of people and the fact that a percentage of these will be on a roof terrace would make this totally unacceptable for the residents
2. The potential for anti-social behaviour due to alcohol consumption is high and there are already examples of empty beer bottles being left in Queens Lane South
3. The sheer volume of unsupervised people leaving the hotel after an event would be unacceptable
4. There are currently issues with parking in and around the hotel some of which is illegal and much of it is disrespectful to the local residents to increase this further would make parking for locals unacceptable.
5. The increase of thousands of additional patrons at such an entertainment centre would severely impact in a negative manner the neighbourhood as we know it.
6. The proposed area for patrons will remove off street parking at the front of the hotel which will only increase the disruption to local parking for residents.

Best Regards

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:51
To: Anthony J. Dawson
Subject: FW: Chester Hotel Application for Variation of Current Premises License Ref AC0348
DOCID: 3066589

Another member of a household whom's objection has already been sent to you.

Dear Sir/Madam

I am a neighbour to the Chester Hotel living in [REDACTED] and I am very concerned with this Variation application. I object to the application for this Variation of the Current Premises Licence for the On and Off Sales of alcohol.

Frankly, I fail to see any reason why there is a need for a standing patrons' licence for 4,368. This capacity was approved in January 2019 after application during Christmas with minimal visibility, discussion with any local residents.

My objection is based on various considerations and the impact they have on the community at large in this residential area. This directly effects myself, my family and neighbours. We will emerge from this Covid era involving all Residents, the local hotels and amenities in this area BUT WE all need to work together. We are never consulted by Chester and Chester is always unavailable to discuss. Very poor and unreasonable!

Increase in generated noise

The noise pollution and subsequent noise disturbance caused by a High Level Dining Area (Function Suite Roof) was proven to be excessive and unhealthy during the process of the 2015 Planning Application such that ACC rejected the Application.

This licensing variation is worse by a factor of two. Why are Chester even considering this application? Why are the residents going through this again? The noise pollution that will be created is unacceptable!

Potential for anti-social behaviour due to alcohol

People generate noise that increases as time passes into the evening, especially after alcohol consumption. The licence capacity numbers involved at 6,766, even at 4,368, are simply beyond understanding. Why does the Chester require such a capacity?

Parking

The numbers of patrons entering and leaving (how? Buses or taxis or cars) and worse still, when leaving the premises late at night, into the local vicinity.

These potential numbers whether 4,368 and worse 6,766 are simply impossible to accommodate on Queens Road with Queens Lane South realistically unable to help.

The front area considered for serving alcohol are car parking areas. You can't have licence application areas doubling up as car parking. One or the other!

Where will the cars go instead - into the local area? Already there is impact on the locality when there are Chester functions. Cars are often left overnight or worse over the weekend that causes challenges to the community trying to use the Harlaw sports facilities the following day.

Patron Safety

The huge numbers of people, in the event of a fire or explosion, where do all of the patrons muster? How and where do the emergency services attend?

Off Licence Sales

The application to vary the licence to include Off Sales is encouraging and worsening all the above considerations, especially when available at the close of business at 1a.m.

General Rubbish

The increase in rubbish and waste has increased in the area, especially Queens Lane South. Previous hoteliers kept the Lane tidy clean and tidied the Lane from their patrons' rubbish in the early morning. This no longer happens!

The Chester Hotel has proven to be NON supportive of the residents and the community in general. The Chester:

- Is NOT supportive when contacted at times of disturbance;
- Fails to share planning, licensing and general development plans with local residents;
- Is not compliant with ACC best practices with planning and licensing; • Fails to engage with any West End residents with local issues.

This all causes unnecessary and enhanced anxiety and stress for all the local residents. What is the Chester planning next?

The Chester Hotel aims to be a high quality hotel and we wish to support our local businesses especially during these challenging times with the Covid pandemic. We know the short-term special measures were needed to allow them to survive and we want to commend them and their range of facilities which our community have enjoyed.

The Chester must engage with their local residents!!

Lastly, the manner and timing of this latest Chester application during Covid and the busy school holidays once again demonstrates Chester's lack of care or empathy for the community or residents.

Regards,

OBSJECTION 27

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:52
To: Anthony J. Dawson
Subject: FW: Reference No AC0348 Submission of Objection

The next:

Dear Sirs

I hereby lodge my objection on the issues of public nuisance and negative impact on the neighbourhood in terms of

- General noise
- Potential anti-social behaviour due to alcohol
- Unsupervised movement of people leaving the hotel on foot after an event
- Parking

Present license already sees the aforementioned with noise carried from terraces and function suite roof of rivalry during functions and unable to park due both staff and clientele using and disregard of the residential parking restriction permit holders only on Royal Court.

The increase of more than 50% will make the aforementioned intolerable

Regards

OBSJECTION 28

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:52
To: Anthony J. Dawson
Subject: FW: Chester Hotel - ref AC0348

The next:

I wish to record my objection to the Hotel's application to increase its number of standing patrons by over 50-%.

1. This extension would involve intense traffic at times; parking overflow; and difficulty of access to local premises.
2. Noise levels would constitute a nuisance - my wife and I are immediate neighbours on the west of the hotel.
3. There is a likelihood of uninhibited and careless behaviour.

OBJECTION 29

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:53
To: Anthony J. Dawson
Subject: FW: Chester Hotel variation of current premises license - ref AC0348

The next representing the views of 2 people from the same household:

Subject: Chester Hotel variation of current premises license - ref AC0348

For the attention of the licensing committee

I am writing to state my objection in the strongest terms to the application by the Chester Hotel to vary their current premises license.

The application is for more than 6,700 persons. This is a ridiculous amount for a hotel with limited grounds which sits in a normally quiet residential area. There is already insufficient parking for the hotel to accommodate its current numbers. There have been problems in the past with noise and anti-social behaviour emanating from the Chester. This application is likely to greatly exacerbate such problems.

As a near neighbour of the Chester, I earnestly entreat members of the licensing board to consider whether you would wish such an establishment catering for such numbers in proximity to your own homes. I respectfully urge you to firmly reject this application.

Yours faithfully,

OBJECTION 30

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:53
To: Anthony J. Dawson
Subject: FW: Chester – Variation of Current Premises License – Reference No. AC0348

The next:

Dear Sir/Madam

I wish to object to the above application by the Chester Hotel.

The basis of my objection is that there is already a considerable amount of noise created late at night and in the early morning by customers of the hotel leaving by the back access to the hotel which opens onto Queens Lane South and ultimately onto Harlaw Road. This added to the fact that many of the Hotel's clientele park their cars on the Queens Lane South or Harlaw Road, adds to the noise disturbance late at night and the very early hours of the morning.

If this application were granted it would represent an increase of over 50% in the number of customers allowed on the premises which would only exacerbate an already disturbing noise issue in the residential area behind the hotel.

Furthermore, if the High Level Dining Area, part of the application, was granted the noise from the outdoor area would be clearly heard in the residential area to the rear of the Hotel.

Yours faithfully

OBJECTION 3)

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:54
To: Anthony J. Dawson
Subject: FW: Chester Hotel

Another member of a household who's objection has already been sent to you:

Please note my objection to the Chester Hotel's application to extend its licenced number of standing patrons hugely.

I consider that this would involve unacceptable levels of noise;
traffic and parking problems;
and likely antisocial conduct by drinkers.

OBJECTION 32

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:55
To: Anthony J. Dawson
Subject: FW: Objection for Chester variation of current premises license ref AC0348

The next:

Note of objection to application by The Chester Hotel Limited to vary the existing premises licence [AC0348](#).

I am the co-owner of -----, Aberdeen which is situated immediately to the south of Chesters Hotel and wish to lodge objections to the application lodged based on two of the licensing objectives:-

Securing public safety,
Preventing public nuisance,

1. The application would result in an increase in the maximum capacity of the premises. I have endeavoured to locate a copy of the application on the Board's website without success. The information provided on the "tell me [Scotland.gov.uk](#)" website states that the capacity of the premises would increase from 4278 to 6766. Whilst I accept that these figures are based on the Buildings (Scotland) Regulations and are somewhat "theoretical" any increase in capacity would pose a threat to public safety and would result in a public nuisance. I note that in a previous application to vary the premises licence the licence holder agreed to operate on a voluntary capacity basis of 1040. No Information has been provided as to whether the applicants are prepared to agree to continue to operate on a voluntary capacity basis.
2. The application if granted would fundamentally alter the nature of the premises with the external areas exceeding the existing internal areas.
3. The applicants seek to extend the licensed area to the front of the premises to include the existing car parking area. If granted this would mean that the only parking facilities for the hotel would be the existing car park to the rear of the hotel. The car park to the rear is totally inadequate to serve the premises. Queen's Lane South is a very narrow road serving both the commercial properties fronting Queens Road and the residential properties in Harlaw Road. There are no footpaths and the roadway is used by both pedestrians and vehicles. My property is immediately opposite the existing exit and the boundary wall has in the past been damaged by a vehicle exiting the premises. Any increase in vehicular traffic using the rear car park will increase congestion and pose a threat to residents and other pedestrians using Queens Lane South.
4. The Board's Policy refers to "the Agent of Change principle" and that "applicants and licence holders must demonstrate that the areas will not contravene the licensing objectives in particular with regard to noise.....". There is no information given on how the area " adjacent to the restaurant and above the banqueting suite" will be used. But no matter how this will be used it will result in increased noise and disturbance to surrounding properties. The Board will note from the location plan attached to the application that the surrounding properties which will be affected by noise and nuisance if this application is granted are residential properties in Harlaw Road, Harlaw Terrace and Harlaw Place. I note that a previous application In 2015 to include this area within the licensed area was rejected by the Board on the basis that it would have an adverse effect on the local amenity.
I concede that the area to the front of the hotel, subject to my comments regarding the car parking area, can be treated separately from the area to the rear of the premises given that it is surrounded by commercial properties.

OBJECTION 33

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:56
To: Anthony J. Dawson
Subject: FW: Chester Hotel Variation of current premises license - Ref AC0348

The next:

Hi,

I've come to the notice of this application ref AC0348 for Chester hotel. I would like to make some objections on the variation license. Chester Hotel is a good hotel in a residential area and family neighbourhood. The current capacity of the hotel is sufficient for the traffic load, parking, noise etc. However increasing the capacity by 50% will put an extra load on the surrounding areas. As you are aware that due to the Covid situation, most of the families are working from home and use the surrounding areas for daily walk and dog walks. Increasing the capacity will put a restriction on the movement of the people of the neighbourhood.

Changing the status of Chester hotel to more of a bar would also create anti-social behaviour affecting the families living around the hotel. This will also impact the value of the expansive houses around the hotel when it is changed to a bigger capacity for bar.

Best wishes,

OBJECTION 34

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:57
To: Anthony J. Dawson
Subject: FW: Note of objection to application by The Chester Hotel ref AC0348

The next being the co owner of an already submitted objection:

Note of objection to application by The Chester Hotel Limited to vary the existing premises licence AC0348.

I am the co-owner of -----, Aberdeen which is situated immediately to the south of Chesters Hotel and wish to lodge objections to the application lodged based on two of the licensing objectives:-

Securing public safety,
Preventing public nuisance,

1. The application would result in an increase in the maximum capacity of the premises. I have endeavoured to locate a copy of the application on the Board's website without success. The information provided on the "tell me Scotland.gov.uk" website states that the capacity of the premises would increase from 4278 to 6766. Whilst I accept that these figures are based on the Buildings (Scotland) Regulations and are somewhat "theoretical" any increase in capacity would pose a threat to public safety and would result in a public nuisance. I note that in a previous application to vary the premises licence the licence holder agreed to operate on a voluntary capacity basis of 1040. No Information has been provided as to whether the applicants are prepared to agree to continue to operate on a voluntary capacity basis.
2. The application if granted would fundamentally alter the nature of the premises with the external areas exceeding the existing internal areas.
3. The applicants seek to extend the licensed area to the front of the premises to include the existing car parking area. If granted this would mean that the only parking facilities for the hotel would be the existing car park to the rear of the hotel. The car park to the rear is totally inadequate to serve the premises. Queen's Lane South is a very narrow road serving both the commercial properties fronting Queens Road and the residential properties in Harlaw Road. There are no footpaths and the roadway is used by both pedestrians and vehicles. My property is immediately opposite the existing exit and the boundary wall has in the past been damaged by a vehicle exiting the premises. Any increase in vehicular traffic using the rear car park will increase congestion and pose a threat to residents and other pedestrians using Queens Lane South.
4. The Board's Policy refers to "the Agent of Change principle" and that "applicants and licence holders must demonstrate that the areas will not contravene the licensing objectives in particular with regard to noise.....". There is no information given on how the area " adjacent to the restaurant and above the banqueting suite" will be used. But no matter how this will be used it will result in increased noise and disturbance to surrounding properties. The Board will note from the location plan attached to the application that the surrounding properties which will be affected by noise and nuisance if this application is granted are residential properties in Harlaw Road, Harlaw Terrace and Harlaw Place. I note that a previous application In 2015 to include this area within the licensed area was rejected by the Board on the basis that it would have an adverse effect on the local amenity.
I concede that the area to the front of the hotel, subject to my comments regarding the car parking area, can be treated separately from the area to the rear of the premises given that it is surrounded by commercial properties.

OBJECTION 35

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:57
To: Anthony J. Dawson
Subject: FW: Objection to the Chester Hotel Variation of Current Premises Licence to Increase Persons to 6,766

The next:

Good Afternoon,

REFERENCE NUMBER AC0348 – ABERDEEN CITY

My objection to the above mentioned increase in persons to 6,766 is that this will undoubtedly cause a public nuisance. It will have a serious negative impact on the neighbourhood in terms of increased noise, the potential for anti-social behaviour due to alcohol consumption, and the unsupervised movement of people leaving the hotel after events and parking in the surrounding area, both during daylight and night time hours.

The sheer numbers in this application are baffling and would suggest that there are plans for major events beyond normal social functions such as weddings etc. This would be completely inappropriate for a hotel in a residential area. Another serious concern would be the noise carrying potential from the high level balcony area which I understand was previously rejected a few years ago.

Best Regards,

OBJECTION 36

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:58
To: Anthony J. Dawson
Subject: FW: Objection to Application for Variation of Premises Licence - Chester Hotel - Reference AC0348

The next:

Hello,

I wish to register my objection to the application for a Premises Licence variation by the Chester Hotel (Ref. AC0348).

The basis for my objection is the resulting increase in noise and disturbance impacting on the surrounding residential areas, in particular due to the large increase in the number of guests requested and the additional areas for serving guests, especially the elevated areas (with external music, etc). In addition, there will be noise/disturbance created by the number of people arriving and departing – whether on foot, by car or by taxi, late into the night, with clear potential for uncontrolled anti-social behaviour. It is unclear what type of function or event is planned for such a large number of people (whether 4000 or 6000) but it is very concerning.

The current circumstances, with reduced guests, a 10pm (or earlier) limit and no music, cannot be used to judge any future situation. I am disappointed that the Chester Hotel persist with applications that are clearly to the detriment of their neighbours, and I am concerned about the potential for reduction in residents amenity due to ongoing gradual licence variations.

Regards,

OBJECTION 37

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:59
To: Anthony J. Dawson
Subject: FW: Reference number AC0348 - Aberdeen City - Objection to the Chester Hotel
Variation of Current Premises Licence to Increase Persons to 6,766

The next:

To Whom It May Concern -

I wish to register my objection to the above. My objection is that the proposed increase in numbers to 6,766 will without a doubt cause a public nuisance. It will have a serious negative impact on the neighbourhood in terms of increased noise, the potential for anti-social behaviour due to alcohol consumption, and the unsupervised movement of people leaving the hotel after events, together with parking issues in the surrounding area, both during day light and night time hours.

The numbers in this application are astonishing and would suggest that there are plans for major events beyond normal social functions such as weddings etc. This would be completely inappropriate for a hotel in a residential area. Another serious concern is the noise carrying potential from the high level balcony area which I understand was previously rejected some time ago.

OBJECTION 38

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 10:59
To: Anthony J. Dawson
Subject: FW: Objection to Chester Hotel variation to their licence

The next:

I wish to object to the application by Chester Hotel to their application for a variation to their license. The main reason is that this hotel is wrongly sited in what was a quiet residential area. The noise and increase in traffic is significant and detrimental to our environment. You just need to look at the FOUR LARGE marquees plus 8 igloos they have just put up to get an immediate understanding how our residential area has been affected.
Regards

OBJECTION 39

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 11:00
To: Anthony J. Dawson
Subject: FW: Chester Hotel - Variation of Current Premises License - Ref No, AC0348
DOCID: 3066645

The next:

To whom it may concern,

With reference to the above I would like to 'Object' to the licensing application for the Chester hotel, ref AC0348. My reasons are listed below,

- This will create various issues of public nuisance and negative impact on the surrounding neighbourhood which I currently reside
- Excessive noise generated (which pre covid was already an issue)
- Potential anti-social behaviour due to excessive alcohol consumption
- Unsupervised movement of people leaving the hotel on foot after an event
- Parking

I hope you will take the above points into consideration and decline the application.

Regards

OBJECTION 40

Anthony J. Dawson

From: Licensing <Licensing@aberdeencity.gov.uk>
Sent: 15 October 2020 13:52
To: Anthony J. Dawson
Subject: FW: Planning application AC 0348 Chester Hotel

And another

Dear Sirs,

I write regarding the application from Chester Hotel for increase in numbers relating to their alcohol licence. I wish to **strongly object** to this application. I can't believe the numbers being suggested, given that this location is in a prime residential west end location and not an exhibition centre on the outskirts of town!

My key points of objection:

- Access to and from: Queens Road, busy main road with limited parking. Queens Lane South is already far too busy with traffic to Albyn School, Mal Maison and many business offices as well as being access routes to residential garages and gardens (which is what the lane was designed for!)
- Increase in noise.
- Potential anti-social behaviour due to alcohol.
- Unsupervised movement of people to and from functions.
- Parking issues.

The numbers discussed are **ridiculous** for a hotel located in a residential area.

I trust you will note my strong objection and take the only sensible decision which is to decline this crazy application.

Regards

OBSECTION 41

11th October 2020

Aberdeen City Council
Marischal College
Broad Street
ABERDEEN

FAO — The Licensing Board (applications for variation)

The Chester Hotel — License Variation AC0348

I have become aware of the recent application made by The Chester Hotel to increase the capacity within their venue from 4278 to 6766 persons. As a local resident sharing the lane at Queens Lane South (to the back of the hotel) I am concerned for a number of reasons:

- Noise levels and potential anti-social behaviour due to alcohol from patrons attending the venue, particularly within the outdoor balcony area and also when leaving the premises via the back lane.
- This lane is also shared by patrons at Malmaison Hotel and as The Chester will not be the only hotel where people are leaving from this is an additional concern for congestion in a short, narrow lane at a time when many residents are settled for the night or even sleeping.
- Parking — this area currently provides largely private resident parking for which we pay an annual fee. This is already a challenge with people frequently ignoring the "residents only/" signs during the day. As the resident only parking ceases at 5pm there is concern that we will not be able to park in our own street with such a potential increase in potential attendees at The Chester. As many will be drinking, I would expect that they leave their cars and collect at a later date, again reducing parking available for local residents. It is also worth remembering that Harlaw Road also hosts traffic for school sports activities at both Rubislaw & Harlaw playing fields and Aberdeen Grammar Rugby games. All of these already bringing in additional traffic and parking. Can the area also cope with additional hotel parking too?

In the past I have been very happily accepting of both The Chester and Malmaison, recognising their contribution to the city of Aberdeen. However, I just cannot accept that there is a need for such a significant increase in capacity going forward and am particularly concerned about what type of events they are considering that might need such an increase. Whilst The Chester is a quality hotel this is also predominantly a residential area and this needs to be protected.

Yours sincerely

OBJECTION 42

Objection to Chester Hotel Variation of Current Premises Licence - Ref AC0348

To : Aberdeen City Council Licensing Dept

Date: 10/10/2020

I object to the above referenced application from the Chester Hotel to increase their premises licence capacity to 6766 persons.

The Chester Hotel is situated in a quiet, residential area in the west end of Aberdeen. The increase in capacity would have a negative impact to the area as follows:-

- There would be increased noise generated as this variation is for outdoor areas.
- Potential for anti-social behaviour due to alcohol consumption by large number of people. - Unsupervised movement of large numbers of people leaving on foot after events held at the hotel which would most likely be late in the evening or at weekends.
- Increase in parking required, leading to on street parking in the residential area. - Potential increase in waste & rubbish

The Chester Hotel has already got a large capacity on its current licence and there is no justification to increase that further. There are 2 Hotels (The Chester and Malmaison) next door to each other on Queens Road, which already can negatively impact the residential area. This is another reason not to grant this application for increased capacity from the Chester.

Please confirm receipt of this objection.

OBJECTION 43

11th October 2020

Aberdeen City Council
Marischal College
Broad Street
ABERDEEN

FAO — The Licensing Board (applications for variation)

The Chester Hotel — License Variation

I have seen information on the above under reference number AC0348. My residence is directly behind Malmaison Hotel and The Chester Hotel and have always retained an open mind on these establishments, I have never felt strongly enough in the past to raise any objections on planning issues.

I understand that the Council Licensing Board has been asked to allow up to 6,766 individuals as "standing patrons". I must object to such a request, there are already parking issues in this area, how could the neighbourhood cope with the potential traffic which would arise given the potential numbers? Surely granting this approval is totally inappropriate for a hotel in a residential area.

I would also be interested to learn of the planned events at the hotel where they felt they need to accommodate close to 7,000 "patrons". Has the Licensing Board asked this question?

As a resident therefore please note my objection to this proposal.

Chester Objection 45 letter

Chester Objection Queens Cross Community Council wish to strongly object to the Chester Application for variation of their Licence to increase the number of people they can serve. Firstly we would ask The Licensing Board to think about what they are being asked to agree to which is to increase the numbers for a part of the Hotel which according to the Hotels own map given to me by Licensing includes a section they do not even have permission to use to serve customers, namely the area above the ballroom. I checked with Planning and the restriction is still in place. This has been a contentious issue since 2014 (See various correspondence 27/28th Oct 2014 regarding Planning Application 140990). We have complained before about the logic of requesting a licence for an area they are not allowed to use especially when the former Licensing Regulation suggested that Planning Permission should be sought before Licensing. However Licensing responded that the rule was not legally binding. Nevertheless I would ask the Board to consider the logic of what they are being asked to do, especially when Building Standards are part of the consideration the Board has to take into account (See minutes and papers to Licensing Board meeting of Tuesday 15th January 2019. Secondly before we consider detailed aspects of this Application (see below) it has to be noted the difficulties that the Community Council for the area have had in getting the FACTS pertinent to the application. We did write to Licensing to get access to the "consultee" reports (eg Police) but were only given the address on ACC website of the previous application by Chester Hotel for a Variation on its Licence but even there the pages are RESTRICTED ie we can't see the information. Hence residents and neighbours do not have access to all the relevant facts relating to this application. Also this was a complicated application with a need to research a number of past records, ask consultees of their views (none replied), consult our own members (difficult under COVID rules) so the Community Council asked for an extension to the cut off date. It was refused. I will follow below the order which was given to Board members in the papers they received at the meeting dated 15th January 2019. Building Standards - as noted above we don't have access to any information Building Standards have input in a consultee report but what we do know is that I have asked Licensing and Building Standards to check that Chester is abiding by their present License in using Marquees at the rear of the hotel to attend to customers after 10pm. To date it is my understanding that no permission was sought to put up the Marquees at the rear of the hotel. Issues relating to "Preventing Public Nuisance" Location of Premises - we believe the Location of the Hotel is at odds with the needs of the local residents because of noise and traffic created. Indeed I wrote to Mr Gow Manager of the Hotel on 14 3 18 after a meeting with him stating that it was a useful meeting and stated then "I think we have a different perspective on the place of a Hotel running functions in a residential area." Hours of Operation - It would appear that the Chester will be operating to the #. \$. %. &. '. (.). *. \$. maximum hours permitted to premises outwith the city centre. We think this is excessive for a Hotel in a residential area and suggest the latest time should be limited to 11pm at night for internal areas (10pm for external) so that noise with departing guests is limited to those hours. Detrimental to the ambience of the area - we believe a large hotel with large functions is detrimental to the ambience of the area in what was previously to 2014 much quieter for residents and families. Outdoor areas and

preventing public nuisance - The Police consultee report would have been of value in relation to this but unfortunately we do not have access to that information. I did ask the Police if they could let me know of any incidents of late but they only asked why I wanted the information and since I told them I have heard nothing more. What I do know is that in the past that parties have indulged in Conga dancing in the local lanes. I hope, but can't confirm that the Chester has managed to stop that sort of activity. Noise from patrons entering and exiting the premises. What I do know is that when I () went round past the rear of the Chester Hotel after 10pm on 10th Oct 2020 there were people standing in the back lane at the rear exit of the Chester waiting for a taxi. So when it arrived there was a banging of car doors close to residents property on Harlaw Road. There was no evidence of any organised departure procedures from the Hotel. Licensing Hours to be appropriate - We do not think they are - see my comments in 2.2 above. Improved communication between partners and communities - I attach below an email from Mr Gow the manager of the Chester - note he seems to be referring to a note I DID NOT WRITE. You can decide for yourselves if communications have improved. Highlight best practice - unfortunately this does NOT seem to be being pursued - For example the previous Licensing Procedures suggested best practice was to have the Licensing application FOLLOW the Planning application - this is not being done now. The Chester Hotel appear to have a habit of asking for RETROSPECTIVE Planning Applications to be accepted. This has happened on several important applications eg application to use the balcony area for meals etc (refused) which is still in THIS licensing application. RETROSPECTIVE application for a Pergola use which is close to the back lane and a source of noise. We seemed to have missed that application and so it is unfortunately still in use. I quote from a PREVIOUS Councillor "The Chester have ridden rough shod over the planning process". The Planning Dept itself wrote to the Chester regarding its conduct regarding RETROSPECTIVE application. I was only able to see this letter (redacted) after a FOI to ACC. Adequate supervision of patrons entering/exiting the premises. I personally saw none on the back lane at the rear of the Hotel after 10pm on Saturday 10th Oct. January 2018 Board decision - there were restrictions placed on the Chester regarding Noise - see email sent 24 December 2018. Chester appear to have been allowed to change their application and said they were implementing a noise limiting device. We hope and assume this has been done. It is disappointing the Community Council were \$. not kept informed fo these changes to the application (or I have no record of them apart from what I see NOW in the previous Licensing Board meeting). The above is the objection from Queens Cross Community Council to Chester Hotel Application to Vary a Premises Licence Regards Ken Hutcheon Secretary Queens Cross Community Council EMAIL JUST RECEIVED (10.25 12th Oct 2020) FROM MR GOW MANAGER OF THE CHESTER HE SEEMS TO BE REFERRING TO A PAPER I DID NOT WRITE. Good morning It has come to my attention that there is a document circulating that appears to come from or is being endorsed by Queen's Cross Community Council with regards to The Chester Hotel's application for a variation to our Licence. I am disappointed, although not surprised, that you have not contacted me directly to discuss; had you done this you would have been able to put forward a balance view of our application not the sensationalist one that you have portrayed. Your first statement that this is not Covid related is in fact incorrect. You will note that we are looking to license the two areas to the front of the hotel, these areas have been licensed using a system of Occasional Licences, two weeks at a time during the pandemic. We are seeking

to formalise this Licence arrangement to allow us to continue to operate in the manner we have for the last four months and also to offer a Christmas experience to the people of Aberdeen. The science points to it being safer to use external hospitality, this being confirmed by the First Minister in the new measures introduced last week, however you are actively encouraging objections to people being able to sit outside and enjoy a meal with a glass of wine, we believe this is hugely short sighted. Our “al fresco dining” has been very successful and has allowed us to bring back a large number of our employees from furlough, your objections put these jobs at risk - is this a responsible approach from Queen’s Cross Community Council? You have sensationalised the numbers; as I am sure you are aware there are two sets of numbers-the technical standards which you have quoted and the management restrictions. You have conveniently omitted the management restrictions that we have put in place and that have been supported by the LSO – put this in full - a copy of which I have attached but are: Marquee 1 – 72 seated Marquee 2 – 52 seated High level -76 seated It is completely irresponsible for you to distribute misleading information and indeed not to even have the courtesy to contact me for comment. I have always been open with QXCC and have indeed invited you to hold your meeting here or to view anything that we are doing here at the hotel, a hotel that is locally owned, managed and has tried to adapt in these very difficult times to offer the people of the area quality food and beverage against a hugely difficult background. In short, you have wholly misrepresented the maximum capacity figures in the application. You have ignored the blatantly obvious jobs crisis which all hospitality businesses face currently and stated that this variation is “not related to Covid ” - an unashamed untruth. You confidently state that there is a “future Post Covid” – I would be grateful if you could explain your confidence in this statement. No hospitality business currently faces a future post Covid – we are all learning how to live and operate with Covid. I would also be keen to know how, when we have served over 400 people alfresco most days over this summer without a single complaint, you can assert that there will be a negative impact in terms of ‘generating noise’? Similarly, your evidence that serving over 400 people a day has resulted in anti-social behavior due to alcohol and might do in future is keenly awaited by us. You also seem to have conveniently ignore that the fact that we have a significant amount of parking to the rear of the hotel which was created in 2019. You state – wrongly – that this application suggests plans for major events beyond normal functions such as weddings and parties is wholly inaccurate and designed to inflame local residents. We have no plans for such events – and indeed anyone with a modicum of understanding of the havoc the pandemic has wreaked on events – an impact which will continue for years – would understand this. Your statement that we aim to ‘create a large entertainment centre for thousands’ is a falsehood and I await your formal response on how you intend to rectify this lie to the people you have distributed your letter to. .Regards Stephen Stephen Gow General Manager

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Chester - variation of Current Premises License - Reference No AC0348

SUPPORT of APPLICATION

With regard to the above application I wish to register my support for the application.

The Chester Hotel is a local area establishment and as such always had behaved in a a responsible way.

It is well frequented by the local people and is very well thought of.

Any application will be made with the local community in mind.

I fully support the application.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF A PREMISES LICENCE

PREMISES: THE QUEEN VIC

DESCRIPTION

- Variation to allow the sale of alcohol, both ON and OFF the premises
- Variation to amend Sundays hours of trading from 12:30 - 00:00 to 11:00 - 00:00
- proposed OFF sales (Monday - Saturday 10:00- 22:00 Sunday 11:00 -10:00)

OBJECTIONS/REPRESENTATIONS

None

POLICY

N/A

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ABERDEEN CITY LICENSING BOARD

GENERAL EXTENSIONS 2020

On 28 January 2020 Aberdeen City Licensing Board made a determination under section 67 of the Licensing (Scotland) Act 2005 to the effect that: -

All “on consumption” premises with the exception of casinos, whose regular licensed hours adhere to the maximum of 15 hours continuous trading in any 24 hour period, as per the Licensing Board’s Statement of Licensing Policy, may extend the licensed hours by 1 hour beyond the terminal hour on the following trading dates:-

Friday	8 May 2020
Saturday	31 October 2020
Friday	4 December 2020
Saturday	5 December 2020
Friday	11 December 2020
Saturday	12 December 2020
Friday	18 December 2020
Saturday	19 December 2020
Thursday	24 December 2020
Saturday	26 December 2020
Thursday	31 December 2020

Premises licence holders who meet the terms of the policy need not make an extended hours application for these dates.

There is no obligation placed on licence holders to take advantage of these extensions should they not wish to do so.

Alexander Munro
Solicitor
Licensing Team

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