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

Town House,
ABERDEEN 23 November 2020

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Council Chamber - Town House on WEDNESDAY, 25 NOVEMBER 2020 at 2.00 pm.**

Members of the press and public are not permitted to enter the Town House, however applicants and/or their representatives will be able to participate remotely, if they so wish. The meeting will be webcast and a live stream can be viewed on the Council's website [here](#)

JENNI LAWSON
CLERK TO THE BOARD

BUSINESS

- 1 Application for Occasional Licence - The Draft Project, 363 Union Street, Aberdeen
(Pages 3 - 140)

Should you require any further information about this agenda, please contact Arlene Dunbar ardunbar@aberdeencity.gov.uk 523411

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: OCCASIONAL LICENCE

PREMISES: DRAFT PROJECT, 363 UNION STREET, ABERDEEN

DESCRIPTION

Application for Occasional Licence for Saturday 21 November to Friday 04 December 2020

Times for the Sale of alcohol for consumption on the premises: 12:00 to 22:00

OBJECTIONS/REPRESENTATIONS

- Police Scotland
- LSO – Applicant has accepted the proposed conditions
- Environmental Health and Trading Standards
- Public x 134

LEGISLATION

3) In any other case, the Board must consider whether any of the grounds for refusal applies and—
(a) if none of them applies, the Board must grant the application, or
(b) if any of them applies, the Board must refuse the application.
(4) The Board may hold a hearing for the purposes of determining any application which is to be determined in accordance with subsection (3).
(5) Where the Board does not hold a hearing for that purpose, the Board must ensure that, before determining the application, the applicant is given an opportunity to comment on any such notice or report as is referred to in subsection (2).
(6) The grounds for refusal are—
(a) that the premises to which the application relates are excluded premises,
(b) that the application must be refused under [[section 56\(6A\)](#), [64\(2\)](#) or [65\(3\)](#)]³,
(c) that the Licensing Board considers the granting of the application would be inconsistent with one or more of the licensing objectives,
(d) that, having regard to—
(i) the nature of the activities proposed to be carried on in the premises to which the application relates,
(ii) the location, character and condition of the premises, and
(iii) the persons likely to frequent the premises,
the Board considers that the premises are unsuitable for use for the sale of alcohol.

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19 November 2020

Your Ref:

Our Ref: 530481

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



Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
OCCASIONAL LICENCE APPLICATION
PREMISES: DRAFT PROJECT, REAR OF 363 UNION STREET, ABERDEEN,
AB11 6BT
APPLICANT: PB DEVELOPMENT COMPANY LIMITED PER BARRY
CLARKSON**

This response is subject to government guidance or measures in place at the time of the event, in respect of COVID-19.

The area to which this application relates has operated under consecutive Occasional Licences since 1 August 2020. The applicant now seeks an application for the period 21 November to 4 December 2020 inclusive.

In terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005 I make the following representation.

During the evening of Thursday 12 November 2020, the Scotland versus Serbia European Championships qualifying football fixture took place and was televised.

At 2100 hours, same day, a member of public contacted the Police to report having seen a video on social media of a large number so persons not socially distancing at an outdoor premises in Aberdeen however, that caller incorrectly identified the location.

At 2129 hours, three Police Officers attended at the applicant premises. The Officers saw that the football fixture was being shown on television, on mute.

Staff advised the Officers they had issues with controlling customers who celebrated when Scotland scored a goal. The Police Officers walked through the

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premises and customers calmed down with the exception of a few, who were removed from the premises by staff.

Several more patrons were thereafter removed from the premises due to not adhering to Covid Regulations, after being warned by staff.

As the football fixture drew to a close, it is estimated there were approximately 70 customers within.

When Scotland scored the winning penalty, customers celebrated by jumping, hugging, shouting and chanting. Staff attempted to step in and break up the groups of people, however it was unachievable due to the number of people and the jubilant mood. The premises was cleared of customers after the end of the fixture by staff and additional Police units attended to disperse the groups. This was recorded on Police Body Worn Video.

It is understood that fourteen members of staff and four SIA authorised door staff had been on duty within the premises.

If minded to grant the application, I recommend it be granted subject to the following conditions:

1. A terminal hour of 2200 hours on all days requested;
2. No amplified music to be played therein (when or if music is permissible again);
3. Signage to be displayed indicating that alcohol is not to be removed from the licensed area.

In light of the above circumstances, the Board may wish to consider imposing an additional conditional to the effect that no high profile televised football fixtures will be shown.

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

Yours faithfully

George Macdonald
Chief Superintendent

The LSO has the following comments regarding this Occasional licence application.

1. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020. Also, the business will ensure that the layout complies with the current regulations on physical distancing. The business must ensure that the layout complies with the current regulations on physical distancing
 2. Occasional licence to be available for the duration of the event.
 3. Section 110 notice to be on displayed for the duration of the Occasional licence event at the point of sale.
 4. Under 18 access notice to be displayed at the entrance to the area to advise the customer of the children and young persons terms of access.
 5. A notice will be displayed in regards to the 'drinking in public places' Byelaw. This must be displayed where customers can easily view the notice.
 6. The outdoor area is not to be used prior to 1000 hrs or after 22:30 Hours. The 2230 hours terminal hour is to incorporate the 15 minutes 'drink up' time for customers not consuming a meal and 30 minutes for customers who are consuming a meal.
 7. A delineation of the licensed area to be in place, the number of seats remain in line with the numbers proposed. Chalk or tape may be used, as long as this is not a permanent mark on any surface. The delineation must be in place for the duration of the Occasional licence.
 8. There shall be no music or noise emitted from the use of microphones/speakers or other forms of music entertainment within the outdoor drinking area.
 9. The Licensee will have an effective complaints procedure in place for dealing with any noise complaints should they arise.
 10. Any outdoor structure, such as a tent or marquee, to be used for the comfort of customers, must be approved by the appropriate Aberdeen City Council Services where necessary.
- Can these conditions be attached to the Occasional licence

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In relation to the application for an occasional licence for The Draft Project, 363 Union Street I would like to make the following representations on behalf of Environmental Health & Trading Standards.

Officers from the Environmental Health & Trading Standards team have visited the premises on a number of occasions and have found that the business is generally compliant with the requirements of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 and the preceding regulations.

As a result of issues that occurred during the showing of the Scotland v Serbia football match on 12th November 2020 a total of 91 complaints were received by the service – this was from members of the public, councillors and MSPs. A spreadsheet is attached with details of these complaints. I have also attached some video clips that were received from some of the complainers.

As a result of issues seen in the video clips this service issued three directions under the Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Regulations 2020 to remove all television screens and any and any similar receiving equipment from the venue for a period of 21-days. This is to prevent an increased risk to public health during the televising of sporting and any other events, so as to ensure patrons maintain physical distancing from each other whilst on the premises. The directions were identical and were issued to Barry Clarkson, Paul Clarkson and PB Development Company Ltd. The restriction is from 1200 hours on 15/11/2020 and expires at 1159 hours on 06/12/2020.

Another allegation is that on 12th November the marquee at the Draft Project was an indoor venue and therefore should have closed by 2000 hrs. In normal use the gable ends of the marquee are removed which makes the walls 54% open and classifies the premises as 'outdoors'. The allegation is that at least one of the gable ends was covered but examination of the video footage is inconclusive. Investigations will continue into this allegation.

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case id	date created	citizen name	textNameOfBusiness	textAddressOfBusiness	textAreaActivityCausingConcern	dateTimeOfConcern
CBR272620279	14/11/2020 21:33	Anonymous	The Draft Project/Soul	333 Union Street	6 households at one table - rule is 2. No social distancing between households	
CBR272602708	14/11/2020 17:01	Anonymous	Soul Bar (Draft Project)	Bon Accord Street, Aberdeen	Blatant flouting of social distancing. Anti social behaviour esp noise. Blocking off of entire street by marquee.	14/11/2020 17:00
CBR272424915	13/11/2020 20:19	Anonymous	Soul Bar	333 Union St, AB11 6BS	Blatant breach of covid guidelines in the Draft Project outdoor space at the Scotland game. The business should be held heavily accountable. Their lack of care for the rules has inflamed the city in a time where the majority of us are obeying the rules to protect lives.	
CBR272421268	13/11/2020 19:57	Anonymous	Draft Project	Langstane Place	Showing football match which led to inevitable lack of restraint and social distancing	
CBR272408727	13/11/2020 19:02	Anonymous	Soul bar	Union Street	Breaking covid rules on 12/11/2020. Various videos on social media shows the bar over crowded, no social distancing.	12/11/2020 20:02
CBR272407324	13/11/2020 18:54	Anonymous	Soul bar	Langstane place	No masks, multiple households at tables, HAVE YOU SEEN THE VIDEOS!	12/11/2020 20:00
CBR272389081	13/11/2020 17:43	Anonymous	Draft Project	Aberdeen	Hugely disappointing scenes witnessed via social media from the Draft Project. All other premises are adhering to no tv/music in their establishments yet this one venue is causing widespread issues and shame across the nation. Why should we all be punished by one businesses greed and selfishness. Allegedly they also broke licensing rules by staying open with customers beyond 10pm	
CBR272376417	13/11/2020 17:04	Anonymous	The Draft Project	Langstane Place, Aberdeen	Breaking coronavirus guidance. I am extremely disappointed at the numerous videos doing the rounds on social media of clear breaches of coronavirus guidance at The Draft Project on Thursday 12 November. There were no masks being worn, people moving between tables, jumping on tables and shouting in a packed indoor area. Even at the start of the football game, a video shows the patrons standing, singing and shouting along to the national anthem which at that point, should have been shut down immediately by staff and patrons given a warning. For the behaviour to then to continue up until the first goal is totally unacceptable. They knew this was going to happen by showing the football and they chose wealth before public health. I fully think that they should have their license revoked for such an utter disregard of the rules.	
CBR272304209	13/11/2020 14:20	saunderstrish@aol.com	Soul	Union street	People drinking without meals and watching live football in the pub last night.	
CBR272292173	13/11/2020 13:59	Anonymous	Soul bar	333 Union St, Aberdeen AB11 6BS	No social distancing rules observed , before during and at full time result of Serbia vScotland game	
CBR272266811	13/11/2020 13:14	Anonymous	Soul Bar	333 Union Street, AB11 6BS	Blatent disregard of social distance rules. Masks not being worn by public. Images being shown of the football celebrations are show a disgraceful disregard of legislation designed to protect others. They were a cause of spread before, and prompted a second lockdown. This activity has put others in the city at risk again. Images are all across the news so it will be a disgrace if urgent and decisive action is not taken by ACC in revoking the licence of this business.	
CBR272266223	13/11/2020 13:12	Anonymous	Soul Bar - PB Devco	Union Street	Continuous disregard to public safety and breaching of COVID rules - Again seen in videos which I'm sure you have received plenty copies of from 12/11/20	
CBR272263695	13/11/2020 13:05	Anonymous	The Draft Project by Soul Bar	Langstane Place, Aberdeen	Complete lack of control and adherence to covid guidance / laws. All as evidenced by the videos viewable on social media.	
CBR272249275	13/11/2020 12:46	Ann_flanagan@hotmail.co	Soul	Union street	I have been self isolating to a degree since March due to a heart condition. I have only been out twice during that time for my sons wedding and my brothers funeral. Why is it that my son could not have a proper wedding when I see on social media that Soul bar is consistently having crowds with no social distancing and no masks. Why are you allowing this bar to keep its license when it is not abiding by any of the government rules, the photos clearly show that. This pub has consistently given excuse after excuse. The public attending are wrong yes but it's the pub that's supplying the premises and the alcohol purely for financial gain and with absolutely no regard for the wider public health and safety. Please do something about this before Aberdeen ends up in another lockdown. It is your responsibility to ensure that businesses you provide a licence to actually abide by the law and in this present circumstances public safety.	
CBR272251277	13/11/2020 12:41	Anonymous	Soul and draft house	Union Street	Lack of adherence to covid restrictions. Lack of control of patrons within premises.	
CBR272218898	13/11/2020 11:48	adelaine.ingram@gmail.co	Soul Bar (Draft Project)	333 Union Street, Aberdeen, AB11 6BS	Major breach of social distancing rules last night during the Scotland Serbia match. Bars should not even be showing football matches so that's already a breach, but there has been videos all over social media of people hugging, jumping on each other and chanting/screaming in the Draft Project when Scotland won last nights game. Absolutely atrocious.	
CBR272218241	13/11/2020 11:44	Anonymous	The draft project by soul	Langstane place aberdeen	I was shocked to see the blatant disregard for basic covid procedures last night in the draft project during the football. I truly hope their license is revoked and all attending the bar ate contacted through the track and trace system and requested to isolate.	12/11/2020 21:45
CBR272218853	13/11/2020 11:43	Anonymous	Draft Project	AB11 6BT	Complete lack of social distancing with large groups hugging and jumping around. You will have seen the pictures. It's shocking that just because the owners of the group are pally with certain Tory/independent councillors they seem to be allowed to completely flout regulations.	
CBR272215422	13/11/2020 11:37	Anonymous	Soul Bar	Union Street, Aberdeen	The scenes from last night after the Scotland game. This is the second time as you will be well aware. If Aberdeen faces more restrictions because of this there will be a lot of unhappy people. https://twitter.com/fu99ie/status/1327002658994065408	
CBR272206412	13/11/2020 11:27	Anonymous	Soul Bar	Union street	There is video footage from last night (12-11-2020) at Soul Bar showing Scotland football fans clearly violating social distancing measures that should be in place and enforced by the bar. Indeed I wonder also if the curfew has been broken as the game finished well after 20:00. This is the second time soul bar has failed to adhere to advice from the Scottish Government. As an infectious diseases doctor working on the front line it was devastating to see the lack of regard for covid 19 public health measures.	
CBR272208392	13/11/2020 11:26	Anonymous	Draft project	Ab11 6bt	The scenes at the football. Pb devco should have premises shut. They are irresponsible and causing the pandemic to go on far longer than should and putting many many more lives at risk.	
CBR272206038	13/11/2020 11:22	Anonymous	Soul Bar Draft Project	Union Street Aberdeen	Breaking covid restrictions last night.	

CBR272188807	13/11/2020 11:11	Anonymous	Soul bar	Union Street, Aberdeen	I saw online the disgraceful behaviour of the customers at "Soul" ignoring social distancing rules to extreme . I felt I could not ignore this as this bar was a major reason Aberdeen had a lockdown just weeks ago. I have a close relative who I couldn't, and still can't, visit , and he has ended up in hospital, partly because of the isolation from his family he has had to endure. These people, and this bar, are showing a total disregard for society and this deadly virus, and are selfishly either treating the bar like a haven for lawbreakers or are are rubbing their hands at the sound of the tills ringing. The bar has a legal duty to ensure that that environment adheres to the law, and if it continues (which of course it has from the last lockdown) then they should lose their license. Yours A.W	
CBR272190287	13/11/2020 11:07	eleanor2104@hotmail.com	Soul	Union street	We are currently in tier 2 which is better than most parts of the country but after the videos emerging from soul last night during the Scotland game is an absolute disgrace being one of the bars that was involved last time and put us into lock down they clearly haven't learnt a lesson and now we will be put into tier 3 now if not a full lockdown which is extremely unfair to the bar and restaurants that are doing there utmost to keep there business going I sincerely hope that the licencing board do something about this and suspend there licence for someone who lives alone and was looking forward to spending Christmas with family I now doubt this will happen cheers SOUL 😊😊😊	
CBR272195123	13/11/2020 11:07	naw131@aol.com	Draft Project	langstane place aberdeen	A complete disregard for Covid Restrictions.....BBC SCOTLAND has film footage and photos if required-	
CBR272191309	13/11/2020 11:01	Anonymous	Soul Bar - The Draught Project	Union Street		
CBR272171205	13/11/2020 10:30	Anonymous	Soul Bar	333 Union Street, Aberdeen	No strict social distancing practises been enforced during this Covid pandemic.	
CBR272168733	13/11/2020 10:29	Anonymous	Soul Bar	333 Union Street, Aberdeen, AB11 6BS	Showing football Live with sound, allowing many members of the public in and singing & dancing	
CBR272141422	13/11/2020 09:46	Anonymous	Soul Bar	333 Union Street, Aberdeen	Please see the link for footage of activity on Thursday 12th November 2020 in soul bar. This is a disgrace and I am extremely concerned at the blatant flouting of the regulations. https://twitter.com/83Minie/status/1327003616792686594/video/1	
CBR272133410	13/11/2020 09:32	Anonymous	Soul Bar / Draft Project	Union St Aberdeen	Complete and utter breach of license conditions during covid. Again. No social distancing, no attempt from management to get the situation under control. Witnessed the same a couple of Saturdays back with muppets from the asoul Bar tent wandering freely into the tent for diners at CAFE ANDALUZ. Time to do something about a pub group who are clewly more interested in profits	12/11/2020 19:30
CBR272128048	13/11/2020 09:23	Anonymous	The Draft Project - Soul Bar	Aberdeen, AB11 6BT	No social distancing, people dancing, hugging, shouting whilst celebrating Scotland match last night.	
CBR272078494	13/11/2020 06:32	becca1515@hotmail.com	Soul bar	333 union street	I've already completed a form about Soul but after seeing posts from other bars who were told by the licencing board that they would NOT be allowed to show the Scotland game last night due to it being against the government rules for level 2 (which Aberdeen and Shire is currently in), I'd like to know why these rules do not apply to the likes of Soul Bar, the Dutch Mill and others who advertise live sport regularly. All you have to do is look on their social media pages to see that they are not complying with the rules. It's one rule for them and one for everyone else. They were responsible for the city being locked down before and obviously they're still not following the rules.	
CBR272021148	12/11/2020 22:55	Anonymous	Soul Bar	333 Union Street, Aberdeen, AB11 6BS	Videos over social media showing a packed gazebo during the Scotland game. No social distancing in place. People were crowded together hugging and cheering. Clearly were not restricting two households to a table. Also no face masks were being worn.	
CBR272018055	12/11/2020 22:36	Anonymous	Soul Bar	Union Street	Just look all over the Internet to see!!! Scenes tonight are an absolute disgrace. AGAIN!!!! How are these chancers still allowed to be open?? How many times are you going to let them away with making a mockery out of their responsibilities?? PB Devco need stripped of their licences and ALL their premises shut down.	
CBR272016691	12/11/2020 22:32	M_j_fraser@btinternet.co	The Draft Project	Langstane Place	Failure to control customers on their premises resulting in multiple breaches in covid-19 rules. "Face masks are mandatory when waiting for entry and in our venue, unless you are seated at a table." "Observe social distancing." "We will be operating table service only; you should be seated, not standing, dancing or waiting at the bar." "Avoid shouting or singing - this increases the risk of transmission."	
CBR272014566	12/11/2020 22:21	becca1515@hotmail.com	Soul Bar (The Draft Project)	333 Union Street, Aberdeen	There's videos doing the rounds on social media taken at Soul Bar's 'The Draft Project' pop-up bar, showing crowds watching the football and celebrating a goal. Social distancing measures are not being adhered to, and sport is being shown on tv with the sound on which as far as I am aware, is not within the rules of level 2. I am absolutely disgusted and infuriated by this video. Soul were at the centre of the spike in Aberdeen just a few months ago which made national news and was an absolute embarrassment for Aberdeen. Soul apologised at the time, saying they would do better to follow the rules. This video just goes to show that they have learned absolutely nothing, they are not willing to control their customers and are not taking this seriously. Soul Bar was responsible for so many other establishments having to close the last time and they are potentially ruining things for the people of Aberdeen yet again with this latest farce. Please consider revoking their licence until they start following the rules like other establishments which are working so hard to survive in the current restrictions. I know the owner gives 'donations' to the council but please make an example of them, this is ridiculous.	

CBR272013620	12/11/2020 22:05	Anonymous	Soul Bar Draft Project	Union Street	Crowded groups. No social distancing. Tv on sound. Showing live football. Total disregard for any restrictions in place. Pictures and videos widely shared on social media.	
CBR272011431	12/11/2020 21:52	natalieb123@live.co.uk	Soul Bar Draft Project	Union St	Packed to the rafters, football on, sound on tv, allowing people to celebrate wildly. No social distancing. I dont need to uoad pictures or videos they can be widely found on social media.	
CBR272007836	12/11/2020 21:34	Anonymous	Draft Project	Langstane Place	Why is the place allowed to over crowd again? Every week there are pictures online clearly showing over crowding & more than 2 house holds at a table!!	12/11/2020 21:33

Clr's Reference	Date Opened	Summary	Enquiry
FS-Case-272290360	13/11/2020	Soul Bar - physical distancing	<p>I would be grateful if you could log this enquiry, I would really need an update on what has been done prior to the well reported incident last night and since.</p> <p>Many thanks Christian</p> <p>Dear Councillors, As representatives of the Torry/Ferryhill ward I am contacting you to request that Soul Bar is stripped of it's alcohol license immediately due to flagrant breaches of Covid restrictions. I am sure that you will have been sent videos posted on social media filmed last night (12/11/2020). These premises have had incidents relating to social distancing over recent months which should have been addressed but the proprietor's only aim appears to be revenue. This conduct could jeopardise Aberdeen's tier rating being set by The Scottish government. This needs dealt with promptly and also conduct of council officers examined over this issue. There needs to a full transparent investigation.</p> <p>Kind regards,</p>
FS-Case-272530800	14/11/2020	Soul Bar license	<p>Good morning, the constituent below has been in touch as follows:</p> <p>Dear Councillors, As representatives of the Torry/Ferryhill ward I am contacting you to request that Soul Bar is stripped of it's alcohol license immediately due to flagrant breaches of Covid restrictions. I am sure that you will have been sent videos posted on social media filmed last night (12/11/2020). These premises have had incidents relating to social distancing over recent months which should have been addressed but the proprietor's only aim appears to be revenue. This conduct could jeopardise Aberdeen's tier rating being set by The Scottish government. This needs dealt with promptly and also conduct of council officers examined over this issue. There needs to a full transparent investigation.</p> <p>I am aware Officers have already begun enquiries into this incident however I would appreciate a full update on our response, given the strength of feeling this incident has generated across the ward.</p> <p>Thank you, Audrey Nicoll</p>
FS-Case-272786003	16/11/2020	Concerns with PB Devco establishments	<p>It is clear from recent events that the management and/or owners of "Soul Bar", "The Draft Project" and PB Devco are not fit persons to operate licenced premises.</p> <p>They have shown a clear inability to carry out appropriate risk assessments and as a result have endangered the safety of their employees and the general public.</p> <p>I look forward to seeing some action from Aberdeen council to rectify this situation</p> <p>Dear all,</p> <p>A constituent has contacted me to express his concern and frustration with non compliance of social distancing at Soul Bar on the evening of Thursday 12/11/20.</p> <p>He has sent me two films of the behaviour of customers in and around Soul Bar.</p> <p>This shows significant, prolonged and energetic contact (1) within the premises and (2) outside the premises.</p> <p>My constituent says:</p> <p>"Once again the Soul Bar is risking the livelihoods, and possibly even the lives, of of the population in the NE through this reckless behaviour in allowing the football to be watched with little or no evidence of face masks or social distancing. If these repeated breaches of the guidance is allowed to continue the NE could end up in full lockdown again. The Council need to act robustly and swiftly to ensure compliance with the guidelines to limit the ever present real danger from COVID. Unless the necessary action is taken the council will be viewed by the people of the NE, the majority of whom are trying very hard to comply, as silently complicit in these repeated and dangerous breaches."</p> <p>Could you please investigate this issue of non-compliance and consider the appropriate response towards Soul.</p> <p>It is clear that they are not managing conduct within their premises as required.</p> <p>Thank you</p>
FS-Case-272803410	16/11/2020	Social distancing at Soul Bar	<p>Dear all,</p> <p>A constituent has contacted me to express his concern and frustration with non compliance of social distancing at Soul Bar on the evening of Thursday 12/11/20.</p> <p>He has sent me two films of the behaviour of customers in and around Soul Bar.</p> <p>This shows significant, prolonged and energetic contact (1) within the premises and (2) outside the premises.</p> <p>My constituent says:</p> <p>"Once again the Soul Bar is risking the livelihoods, and possibly even the lives, of of the population in the NE through this reckless behaviour in allowing the football to be watched with little or no evidence of face masks or social distancing. If these repeated breaches of the guidance is allowed to continue the NE could end up in full lockdown again. The Council need to act robustly and swiftly to ensure compliance with the guidelines to limit the ever present real danger from COVID. Unless the necessary action is taken the council will be viewed by the people of the NE, the majority of whom are trying very hard to comply, as silently complicit in these repeated and dangerous breaches."</p> <p>Could you please investigate this issue of non-compliance and consider the appropriate response towards Soul.</p> <p>It is clear that they are not managing conduct within their premises as required.</p> <p>Thank you</p> <p>Martin</p>

FS-Case-272805478	16/11/2020	COMPLAINT ABOUT SOUL BAR - THE DRAFT PROJECT	<p>Dear all,</p> <p>COMPLAINT ABOUT SOUL BAR / THE DRAFT PROJECT</p> <p>This is further message on the subject I previously emailed at about 01:00 on 13/11/20</p> <p>xxx has contacted me to complain of the misconduct.</p> <p>He says</p> <p>STARTS</p> <p>I wish to complain in the strongest possible terms about The Draft Project / PB Devco's conduct on the evening of 12th November 2020. As many others have been, judging by the Facebook furore tonight, I have been appalled by the videos shared on social media of Scotland fans in this venue celebrating their team's performance, and the mass singing, hugging and conga dancing these drunken idiots thought fit to indulge in, with no apparent signs of any staff intervening.</p> <p>And this from the company that, thanks to similar ignoring of regulations in Soul Bar, was also highly culpable in Aberdeen being placed under local lockdown in August. Once again we see apparent breaches of various covid-19 regulations, presumably on the get out clause that the Draft Project venue is defined as "outside" despite having a roof and walls.</p> <p>I have no time for any responses from the company that the clientele is solely to blame, which I recall was their excuse the last time - if they can't control the behaviour of those using their premises, they shouldn't be allowed to operate it.</p> <p>It's a slap in the face to all license holders in Aberdeen who are following the rules, all people who haven't been allowed to sing in groups or meet indoors for months, and all who are acting responsibly in the face of this pandemic.</p> <p>I attended a family funeral a few weeks ago where we had to sit there in silence and sing the hymn words in our heads. The behaviour in the videos I have seen tonight is also an insult to all those similarly bereaved but following the rules, quite apart from the health consequences of it.</p> <p>The Draft Project should have its license revoked immediately, or at the very least should be fined / sanctioned, with the money going towards the local NHS who will no doubt end up under Revoking Souls license</p>
FS-Case-272852742	16/11/2020	Revoking Soul's license	<p>Please forward to appropriate Officer I have just been made aware of this incident which took place last night 12/11/2020 please copy Mr McKinlay into response.</p> <p>Regards</p> <p>Bill</p> <p>Dear Councillors,</p> <p>I hope this finds you well,</p> <p>I'm sure you must all be aware of the scenes in Souls outdoor area this evening during the football tonight.</p> <p>It is completely unacceptable and the council must act to punish the owners of Soul for their 2nd breach of covid restrictions. I would hope and expect their licence to be revoked as a minimum to stop them from being able to operate.</p> <p>I hope you will act in the people of Aberdeen best interests and not think of the capital gains you may get from this institution.</p> <p>I look forward to hearing from you in due course</p> <p>Many thanks</p>

FS-Case-272883598	16/11/2020	Last night's incident at the Draft Project	<p>Thanks.</p> <p>I understand the licence is an occasional one therefore will be up for renewal in the next 14 days. I fully expect that not to happen. Any extension will smack of profit over safety at a time when I thought the council were lobbying for Aberdeen to go into Tier 1. Strong leadership from the council just required here.</p> <p>Dave</p> <p>Dear Mr Lynch</p> <p>My personal views are similar to that of yourself. Unfortunately Local Members have to go through this procedure of dealing with Officers from Customer Feedback . And it will be for the Licensing Board Members of which I am not a member of to take into account of that apaling scenes we witnessed last night and what action will be taken after an inquiry is completed from various authorities . I have already submitted concerns of what happened last night and await a response from Officers.</p> <p>Regards Bill</p> <p>Mr Cormie</p> <p>First time I've heard the citizens of Aberdeen referred to as customers.</p> <p>I'd very much like to hear your personal views not a canned response from an internal communications organisation.</p> <p>I look forward to your immediate reply.</p> <p>Mr Cormie,</p>
FS-Case-273405533	17/11/2020	PB Devco operating concerns	<p>It is clear from recent events that the management and/or owners of "Soul Bar", "The Draft Project" and PB Devco are not fit persons to operate licenced premises.</p> <p>They have shown a clear inability to carry out appropriate risk assessments and as a result have endangered the safety of their employees and the general public.</p> <p>I look forward to seeing some action from Aberdeen council to rectify this situation</p> <p>Regards</p>

Customer Ref	Service Ref	Date Received	Function	Cluster	Service Manager	Group Name	Summary	Comment or suggestion details
FS-Case-234708587	FS-Case-234708587	03/08/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	Crowds outside pubs	I'm furious beyond words how some pubs in Aberdeen are being allowed to behave during a pandemic. I'm absolutely certain the council is very aware of the places completely ignoring the COVID guidelines and it beggars belief to me why they are being allowed to even open! I cannot even describe how I feel about this!! It's a disgrace and I want to know how it's being dealt with. These places should be shut down immediately. Please can you tell me why it's being allowed. Picture below is of soul bar last night!!! Shut down pubs behaving in this disgraceful way!!!
FS-Case-235835949	FS-Case-235835949	06/08/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	Businesses in Aberdeen	Dear Aberdeen City Council, As a resident of Union Street for the past 9 years and a resident of the city centre for last 15 years, I'm very used to the city's culture and the various on goings which take place throughout the day and evening on Union Street. I have welcomed the opening of some businesses and the relaxing of rules following the necessary quarantine to ward off Covid-19, but I have been deeply saddened by the snobbery and lack of authority some of the establishments that litter Union Street have shown. As you will already be very aware, we are now in a second lockdown which has forced me to continue to stay within the confines of my flat. This is due to the lack of control, responsibility and safety shown by a few establishments within Aberdeen who believe they are above the law and above the community which they profit off of. I write to you today to show my solidarity with the Scottish Government and their control measures, and their decision to reintroduce a strict lockdown, but also write to you today to ask that the Council ensure those responsible for this cluster be held accountable; both for the spread of the virus and the disregard of basic safety measures which will have worsened the situation. Over the past weekend, we have seen the photos and worrying scenes from Soul Bar, which has been a common state of affairs since they reopened in July but is now under public scrutiny. I was appalled to see first-hand lines of people queued up outside my home at Union Street with blatant disregard of the two-metre rule both from the individuals in the line and Soul Bar members of staff who had no consciousness to uphold the rules and their own pledge to move customers out with their marked queueing area away from their property to prevent dangerous levels of crowding. I truly believe if Soul Bar (and other establishments) within Aberdeen were properly managed and controlled by their owners and held responsible by the Council, we may not be in the situation we are in now. I have proudly called Aberdeen my home for years, but I am disgraced that we have now been demonised by the rest of the country because of the failures of people who could not care less about the spread of Covid. A recent public statement from Paul Clarkson of Soul Bar (05/08/2020) clearly demonstrates that he takes no responsibility for the awful situation which played out over the weekend by encouraging people to queue, but instead laid the blame upon the community of Aberdeen. I feel businesses, like Soul Bar, which engaged in dangerous behaviour owe Aberdeen and its community a genuine apology for their irresponsible actions and publicly promise to do better whenever we come out of lockdown. I call upon Aberdeen City Council to do what is right and hold these establishments accountable, ensuring they follow up on their promised actions when things finally settle down again. Furthermore, I hope the Council will ensure fair action is taken to prevent this kind of behaviour from happening again. I truly believe Aberdeen has suffered from a culture of superiority for many years. When tragedy strikes or dangerous action takes place, we as a community are held accountable. If one person falls, we all fall with them. I truly believe a culture shift needs to happen within Aberdeen to reflect the true nature of our community. We are no longer a city home to just wealthy oil workers, but a diverse collective of creativity, ingenuity and entrepreneurial spirit longing to push past the city's long-held stereotype. I hope Aberdeen Council will take appropriate measures to restore the public's faith and prove that they are willing to stand beside the community instead of protecting a handful of affluent business owners.
FS-Case-266766459	FS-Case-266766459	29/10/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	The Draft Project - open after 6pm and smoking	Why is 'THE DRAFT PROJECT' in Aberdeen being allowed to operate past 6PM with smoking allowed? https://www.eveningexpress.co.uk/fp/news/local/aberdeen-bar-bosses-told-giant-marquee-is-not-an-outdoor-venue/ See this article where yourselves, the council claim it is not classed as an outdoor venue. Surely if not an outdoor venue, they should be closed from 6PM and no smoking either due to the walls? This is very indoor but loopholing around the rules. Please make clear if outdoor or indoor. Very strange to keep changing.
FS-Case-272149625	FS-Case-272149625	12/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	The Draught Project	Was in the draught project tonight and I left it was that unsafe. People on top of tables and shouting and screaming when watching the Scotland game. They had the sound on to which I thought you weren't allowed. It was like a zoo. Why are they allowed to get away with this and my local is shut. They should have never been given permission to build that and I love to know why it classed as an outdoor area. It's always soul that let us down Take their license off them and make a stand
FS-Case-272150342	FS-Case-272150342	12/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	Soul Bar	Soul Bar, Aberdeen allowing current government guidelines to be broken for the second time. I have witnessed a video on social media tonight of a very large group of men watching the Scotland football match, celebrating, hugging each other etc. No masks being worn, no distancing, nothing at all. Absolutely disgusting to watch. Very harsh repercussions for Soul Bar and reviewing their licence. I'd like to put in a complaint regarding The Draft Project located in Aberdeen.
FS-Case-272150660	FS-Case-272150660	12/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	The Draft Project	Tonight I saw that they were showing the Scotland football game, something I believed wasn't allowed during Tier 2 level. On top of that the crowd in the venue was not controlled and unruly with people up from their tables without face masks and no social distancing. This is upsetting to see as Aberdeen has suffered enough and this one company seems to be continuing to ruin it for the majority. I fully support hospitality being open and being able to run as close to normal as possible but they seem to have a disregard for the rules. I would like for the matter to be investigated and the general running of the company to be investigated.
FS-Case-272150998	FS-Case-272150998	12/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	Licensed premises showing Scotland game	I would like to complain about licensed premises in Aberdeen being allowed to show the Scotland game on tv - particularly Soul Bar (draft project I believe) and allowing customers to not socially distance. Videos of this have been widely shared on social media. The bars concerned should be shut down. These bar owners through their lack of care caused our earlier local shut down and allowing this to happen again will likely cause another one. Makes me so angry when I have been following the rules Re covid to try and get back to normal ASAP when others blatantly flout the rules. Shut those bars down that are not complying with the rules.

FS-Case-272151255	FS-Case-272151255	13/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	The Draft Project	After seeing online the behaviour of Draft Project on Social Media and knowing someone who was there is a disgrace. No social distancing, masks, TV / Football on with sound, Singing is a joke, Cant believe with Covid that some pubs are still allowed to be behave like this is totally unacceptable. Then the over split into the street. Look all over Social Media sites for evidence this can't be allowed to go on with punishment or fine. Make sure all hospitality have the same rules so that it's fair for all, Covid is still here and this needs dealt with never moving to lower Tier with this sort of behaviour.
FS-Case-272154145	FS-Case-272154145	13/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	The Draft Project	I wish to make a complaint re the scenes at the draft project last night. No video attached, as I am sure you have seen the scenes on social media. The owners/licences are obviously not running their business in accordance with Covid regulations, and therefore not fit to hold a licence. . Soul bar, who are the same owners, have to take a lot of responsibility for the previous lockdown in Aberdeen. I walked past there several occasions when it first re-opened and it was all hugs and hi fives as the customers were entering. They spoiled it for all the establishments that were following the rules. They are now going to do it again, wreck it for everyone else and put lives in danger.. I would like licensing board/council to investigate how they are running their businesses as they are obviously breaking the Covid trading regulations. Also, why they are still allowed to have a licence to trade? Any businesses contravening the regulations right now should be fined/closed, to allow everyone to move forward. What is the council going to do about this? Investigate and get touch on all businesses not following current regulations
FS-Case-272273127	FS-Case-272273127	13/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	Soul Bar	On social media today it is evident that the Soul bar on Union Street in Aberdeen completely disregarded the current government guidelines as did their customers during the football match last night. This has happened before and should be severally dealt with this time. This not only endangers the people their including the staff it may have a much wider impact in the community in spreading the virus. I work in healthcare and the current situation in ARI is that it is very busy and on amber alert so capacity is limited. We should be protecting the health service as we never know when we might need to access it. Revoke the Soul Bar license and track down all who attended last night and make them self isolate for 14 days as a minimum and fine them.
FS-Case-272406582	FS-Case-272406582	13/11/2020	Governance	Governance	Jenni Wilson	Legal - Licensing	Outdoor alcohol licences and football screenings	Cancel ALL outdoor alcohol licences & football screenings (in/outdoor) in view of the reckless behaviour & total disregard of CV19 rules by football fans on 12/11/20. Aberdeen has already been locked down once before due to the inability of the Hospitality industry to operate responsibly. The City Council cannot afford to let it to happen again.
FS-Case-272836935	FS-Case-272836935	13/11/2020	Governance	Governance	Jenni Wilson	Legal - Licensing	Soul Bar and Draft project's license	Soul Bar and Draft project's license: While I appreciate the statement issue by ACC on the position of disability to revoke their 14 days licence. I trust that ACC shall NOT be providing these establishments with further licences thereafter? Address the repeated breaches and blatant disregard of public safety made by this company. Any refusal to do so will be reported further with demand of a full explanation, breakdown and completely transparency between ACC and this company and their directors..
FS-Case-272838134	FS-Case-272838134	14/11/2020	Operations	Operations and Protective Services	Andrew Morrison	Commercial	Draft project - request to be shut down	You need to shit down the draft project with immediate effect if you care about people's health and well-being Do as the public ask for once

MP / MSP	Customer Reference	Date Received	Enquiry Summary	Enquiry Details
				<p>Dear Angela</p> <p>Yesterday evening, while watching Scotland's European Championship qualifier with Serbia, I was alerted to video footage from within The Draft Project which showed the people in attendance jumping on top of each other, hugging and celebrating in a manner which showed no regard for the regulations around social distancing, and presents a clear risk to Aberdeen's current 'Tier 2' status over the coming weeks. It has also been brought to my attention that premises in Aberdeenshire were notified that live sport was not to be screened in venues within local authorities under Tier 2 restrictions. Can you clarify if this is your understanding of the current regulations. I would be grateful if you would confirm that the council will be investigating the clear breaches of regulations at The Draft Project. This is not the first time that a venue owned by PB Devco has found itself at the centre of controversy regarding social distancing and crowding within its premises.</p> <p>I would be grateful if you could advise whether the council will consider any potential interim measures while these issues are investigated. While individuals are responsible for their own behaviour, I am sure you would agree that it is also incumbent on venues to ensure that the regulations are adhered to within their premises.</p> <p>Many in the city are making huge personal sacrifices to try and keep themselves and others safe. Many establishments are doing sterling work to keep those who visit their premises safe. These efforts risk being completely undermined, and it is important the council shows that such behaviour has consequences.</p>
Mark McDonald MSP	FS-Case-272824226	16/11/2020	Social distancing at The Draft Project	I look forward to your reply which I will share with constituents and other interested parties.
				<p>I have been contacted by a number of constituents with serious concerns about events at the Draft Project on the evening of the Scotland v Serbia European Championships qualifying tournament play-off final.</p> <p>Video footage circulating on social media, apparently taken at the venue, shows dozens of customers cheering and hugging after watching Scotland's victory over Serbia on large screens. It is alleged that those who should have been enforcing requirements such as those on social distancing were instead taking part in these celebrations, in contrast to the responsible behaviour of the great majority of licensees in Aberdeen.</p> <p>Given the sacrifices made by so many this year, my constituents believe that it is simply unacceptable that any licensed premises should operate as if the rules that apply to everyone else did not apply to them.</p> <p>More broadly, I have supported recent calls by the City Council for Aberdeen to be categorised as Tier 1 rather than Tier 2, on the basis of the evidence around virus prevalence and transmission. The Scottish Government may well cite this video footage as evidence that it is not safe to reduce restrictions in Aberdeen because of the behaviour of an irresponsible minority.</p> <p>I'm sure I don't need to remind you that publicity around such venues contributed to the Scottish Government's decision to prolong the local restrictions in Aberdeen in August for a week longer than the local Incident Management Team believed was necessary.</p>
Lewis Macdonald MSP	FS-Case-272831610	16/11/2020	Serious concerns about events at the Draft Project	I would therefore ask the City Council to take firm action in relation to venues which continue to flout existing restrictions in the most flagrant fashion, to the detriment of other businesses and of the city as a whole.

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Draft Project

Complaint 1

I have always been led to believe that as a license holder you have a duty of care to your clients, as we have now seen establishments run by PB Devco flout the regulations I am bemused that they are allowed to trade.

Twice now they have allegedly not adhered to track and trace regulations and if they cannot cope with the amount of people in their establishment perhaps this should be looked into.

The tables clearly showed that they we're holding in my opinion people from more than two households.

I feel that establishments being allowed to flout regulations gives a bad impression to locals and they will want to do the same.

This whole thing is a shame for establishments that are adhering to rules.

Complaint 2

I wish to make a complaint, and request that you investigate as a matter of urgency the events in Soul Bar earlier this evening. A clear breach of the law took place in that

1. people were drinking in an enclosed space
2. they were not wearing masks
3. they were observed hugging each other
4. no social distancing was happening and there is no evidence of staff trying to enforce it

I am appalled to view the footage which you will find on the internet. I am unable to attach the clip as the file size is too big. I am sure by the time this email is read the situation will be clear in any case.

Complaint 3

Good afternoon,

I would like to submit a complaint about a local bar in Aberdeen. You may have already been made aware about what went down in Soul Bar's 'The Draft Project' last night during the football match. As can be seen in the many videos and images from their premises last night, the customers were lacking to uphold daily COVID precautions and the staff failed to ensure the customers upheld them as well as upholding them themselves. It can be clearly seen in some footage that the owner/manager (I'm unaware of his official title) Paul Clarkson can be seen in the centre of the area watching and allowing his customers and staff to do so, as well as

failing to wear a mask himself.

Another member of the Clarkson family, Josh, who also works there began disputing complaints online by solely blaming their customers and taking no responsibility for their actions claiming "what else were we meant to do?".

This is utterly disgusting behaviour and I sincerely hope PB Devco and the customers present will be held accountable for their complete disregard for the rules. This is the second time a PB Devco venue has grossly disregarded the COVID precautions and not enforced them on their customers. They have tainted the name of Aberdeen and embarrassed this city yet again.

There is currently a petition circling social media to have their bar license revoked and is steadily growing with signatures. Although I'm unsure if revoking their license is the way to go, there must be repercussions for their actions. The public is speaking of their concerns and we need reassurance that PB Devco will not get away with what they allowed to happen. All other bars in Aberdeen are doing their part and sticking to the restrictions, also several bars showed the same football game last night and had no issues. PB Devco and the customers in question are not exempt to the rules, and if other bars are managing to uphold the restrictions, they have no excuse not to themselves.

I do hope the correct actions will be taken to deal with this.

Complaint 4 – Video sent separately.

I would like to make a formal complaint regarding the draft project venue in Aberdeen.

As at least 50% of the structure is not exposed to the elements I struggle to see how it can be classed as outdoors.

No social distancing was in place, the license holder did nothing to resolve the breaches and people were standing on tablets etc with no masks on.

Complaint 5

Once again the Soul Bar is risking the livelihoods, and possibly even the lives, of of the population in the NE through this reckless behaviour in allowing the football to be watched with little or no evidence of face masks or social distancing. If these repeated breaches of the guidance is allowed to continue the NE could end up in full lockdown again. The Council need to act robustly and swiftly to ensure compliance with the guidelines to limit the ever present real danger from COVID. Unless the necessary action is taken the council will be viewed by the people of the NE, the majority of whom are trying very hard to comply, as silently complicit in these repeated and dangerous breaches."

Complaint 6

I wish to complain in the strongest possible terms about The Draft Project / PB Devco's conduct on the evening of 12th November 2020. As many others have been, judging by the Facebook furore tonight, I have been appalled by the videos shared on social media of Scotland fans in this venue celebrating their team's performance, and the mass singing, hugging and conga dancing these drunken idiots thought fit to indulge in, with no apparent signs of any staff intervening.

And this from the company that, thanks to similar ignoring of regulations in Soul Bar, was also highly culpable in Aberdeen being placed under local lockdown in August. Once again we see apparent breaches of various covid-19 regulations, presumably on the get out clause that the Draft Project venue is defined as "outside" despite having a roof and walls.

I have no time for any responses from the company that the clientele is solely to blame, which I recall was their excuse the last time - if they can't control the behaviour of those using their premises, they shouldn't be allowed to operate it.

It's a slap in the face to all license holders in Aberdeen who are following the rules, all people who haven't been allowed to sing in groups or meet indoors for months, and all who are acting responsibly in the face of this pandemic.

I attended a family funeral a few weeks ago where we had to sit there in silence and sing the hymn words in our heads. The behaviour in the videos I have seen tonight is also an insult to all those similarly bereaved but following the rules, quite apart from the health consequences of it.

The Draft Project should have its license revoked immediately, or at the very least should be fined / sanctioned, with the money going towards the local NHS who will no doubt end up under further pressure thanks to any spikes in infection caused by the behaviour this venue is apparently sanctioning.

Complaint 7

Dear Owners and management team of soul bar aberdeen. once again you have let the people of aberdeen down . a video circulating social media shows your complete disregard for the goverment guidelines regarding covid 19 procedures. i have attached the video and also ccd in and sent this email to the aberdeen licsnsing board whom i hope will take a big review of your licensing as this is not the first time you have been responsible for something like this, last time it cost many people and buisnesses and added to the strain on the people of aberdeen batteling covid.

Whilst frontline workers and all others are batteling hard and making sacrificss to try and slow the spread of covid 19 you have put profit above all else once again and its disgusting to say the least. tonight you have demonstrated a disregard for the goverments advice and shown you cannot operate a licensed premises in

accordance with local council guidelines. Absolutely appaled and im sure im not the only one .

Complaint 8

Numerous social media accounts are displaying videos of large crowds within the Draft Projects premises on the evening of Thursday 12th November. Contained within those videos, crowds shouting, singing and not adhering to social distancing, or wearing face coverings can be observed whilst watching live football. Furthermore, other video show Police Scotland attempting to disperse large crowds outside the building on Langstane place.

I am absolutely appalled that this occurred in premises owned by the same management as Soul bar, which was a significant contributor to the reason behind Aberdeen's COVID cluster a number of weeks back when a local lockdown was imposed.

Id like to be advised what measures the Licensing authority at Aberdeen City Council intend to impose on the owners of this establishment and see no reason why these premises should be allowed to continue trading.

Complaint 9

Good Evening

I am struggling to comprehend the scenes from Aberdeen tonight. I am utterly disgusted that having been on a ventilator fighting for my life due to Covid back in March, you have allowed for the 2nd time these scenes to be coming from the same bar.

My family live within the city and we can only sit back now and hope there is not a city disaster over the festive period. We have now agreed our parents will be back in lockdown due to you allowing this to happen and one can only hope Nicola Sturgeon has Aberdeen back in a lockdown by the weekend.

Who is going to address the People of Aberdeen tomorrow.

Pray for my family

Complaint 10

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco who was present during the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 11

This license holder isn't fit to hold a license. I believe his second serious offence during this pandemic.

He was in the film which is circulating, openly sitting at a table with people not in his household. What is the penalty for break COVID safe rules?

I believe the video footage on social media proves

Draught Project Aberdeen tonight celebrating Scotland's goal -should be closed with immediate effect.

This is from a shielding Aberdeen city resident.

Shocking behaviour.

Complaint 12

It is with disbelief that I have just seen the images and video taken inside the Draft Project 'outside' bar in Aberdeen during the football this evening.

Whilst most of us continue to follow the rules and make endless sacrifices, the few including the greedy owners of this establishment continue to please themselves. I'm lost for words that we find ourselves back here again. Utterly irresponsible and soul destroying.

I would be grateful if you would consider raising this with the relevant authorities.

Complaint 13

To whom it may concern,

I would officially like to make a complaint about the complete disregard the owners, licence holders and customers of the Draft Project have shown to the guidance and rules currently in place due to COVID-19.

Their behaviour this evening (which is going round social media like wild fire) is completely unacceptable therefore I (along with the rest of Aberdeen who are currently sitting at home this evening) would strongly request that their licence is revoked with immediate effect.

Complaint 14

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco for the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 15 (video circulated separately)

I'd like you to look into goings on at The Draft Project by Soul. I've attached a short video showing scenes from last nights football.

I don't see distancing, face coverings and I'm pretty sure that showing the game live is ill advised. You'll also see attached a photo showing the owner of the bar was present so no excuses.

We often hear Mr Lumsden complaining about how Aberdeen is being picked on, perhaps he should look into this?



Complaint 16

I would be most grateful if a full (further?possibly) investigation can be made into the companies responsible for The Draft Project.

Tonight, 12 November 2021, a screen was playing the international football match between Scotland v Serbia at this venue with full sound on. The scenes filmed and posted to Fubar news on Facebook show a blatant disregard for any measures currently imposed by our first minister.....again.

Aberdeen has already endured an independent total lockdown due to similar failures by one of these premises.

Business's went under, livelihoods were destroyed by selfish practices of the few.

You are responsible for granting these licences, it is your duty to look into this and make substantial changes to stop this happening over and over again.

Revoking a licence, issuing fines are available as options for you. Aberdeen is watching to see what measures you take this time. Do not let this city down again.

Complaint 17

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco for the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 18

Good evening,

I'm in utter disbelief that a heavier penalty has not been placed on the draft project for their actions on Thursday night. Given that this is the second occasion the same establishment has let Aberdeen down, their licensing should be refused when they try to renew it. I'm so disappointed in the councils reaction to the events which put lives and jobs at risk. A disgrace.

Complaint 19

I wish to complain in the strongest possible terms about The Draft Project / PB Devco's conduct on the evening of 12th November 2020. As many others have been, judging by the Facebook furore tonight, I have been appalled by the videos shared on social media of Scotland fans in this venue celebrating their team's performance, and the mass singing, hugging and conga dancing these drunken idiots thought fit to indulge in, with no apparent signs of any staff intervening.

And this from the company that, thanks to similar ignoring of regulations in Soul Bar, was also highly culpable in Aberdeen being placed under local lockdown in August. Once again we see apparent breaches of various covid-19 regulations, presumably

on the get out clause that the Draft Project venue is defined as “outside” despite having a roof and walls.

I have no time for any responses from the company that the clientele is solely to blame, which I recall was their excuse the last time - if they can't control the behaviour of those using their premises, they shouldn't be allowed to operate it.

It's a slap in the face to all license holders in Aberdeen who are following the rules, all people who haven't been allowed to sing in groups or meet indoors for months, and all who are acting responsibly in the face of this pandemic.

I attended a family funeral a few weeks ago where we had to sit there in silence and sing the hymn words in our heads. The behaviour in the videos I have seen tonight is also an insult to all those similarly bereaved but following the rules, quite apart from the health consequences of it.

The Draft Project should have its license revoked immediately, or at the very least should be fined / sanctioned, with the money going towards the local NHS who will no doubt end up under further pressure thanks to any spikes in infection caused by the behaviour this venue is apparently sanctioning.

Complaint 20

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco for the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

I have not been in a hospitality premises since March as I have been suffering from cancer. Am worried about the community spread again Aberdeen to be avoided.

Complaint 21

Dear Sir/Madam,

You may be aware of a video being shared on social media which depicts no less than twenty individuals dancing and being in close proximity. I have included a link to the video here: <https://fb.watch/v/2HayG7raP/> . It is reported that the video was taken at the Draft Project operated by Soul Bar, Union Street last night (Thursday 12/11/20). It would appear that many of the individuals depicted in the video are not wearing face coverings.

I am concerned that offences under the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) Regulations 2020 as amended may have been committed there, namely contraventions of schedule 7, paragraph 2. I am also concerned that in failing to take reasonable measures to minimise the risk of coronavirus exposure the licence holder acted contrary to schedule 3, paragraph 8 of the regulations.

I ask that you investigate this matter and consider taking enforcement action if appropriate.

Complaint 22

I would like to report Draught Project Aberdeen for the blatant breaking of the rules of social distancing. There are many videos on the internet of the pub disregarding the rules that will endanger us all. This is a horrible thing to witness. Please look into their protective measures to ensure this doesn't happen again as I am sure you know this happened only a few months ago.

Complaint 23

Dear Sir/Madam

I wish to issue a complaint regarding the behaviours of PB Devco, their owners and their managers for their continued and flagrant disregard for laws and regulations set down to protect the public during the Covid-19 Pandemic, most recently on 12/11/19 after the Scotland-Serbia game.

They made no attempt to police their venue and ensure that customers were adhering to the regulations set down by Aberdeen City Council and the Scottish and British Governments. One of the owners, Paul Clarkson, and several of the managers were photographed taking part in the breaches personally.

Many other licensed premises within Aberdeen obey the legislation and have made compromised to ensure the safety of their patrons and it is disheartening to see PB Devco continue to avoid any form of sanction for their repeated breaches.

From a licensing standpoint, they are clearly in violation of two of the five Licensing Objectives;

Securing Public Safety
Protecting and Improving Public Health.

They have gone too far and, based upon their responses to the criticism on social media, they believe themselves to be above scrutiny, above the law and not beholden to the same restrictions that other venues are painstakingly obeying.

It is time for the Licensing Board to take action and make an example of PB Devco and their repeated endangering of public health.

Complaint 24

As much as I am delighted with score tonight as a huge football fan no words come to mind of the video circulating social media of the carnage that is Draft Project - please please tell me how anyone thinks this is acceptable. If we are put in Tier 3 you will know who to hold partly responsible.

Unlike previous email sent from a constituent I do expect a reply to this with clarification that these "pop up" bars will be dismantled.

A very concerned Aberdeen citizen

Complaint 25

Dear Licensing Board,

From clear evidence it is obvious that some publicans in Aberdeen are paying no heed to Covid-19 guidelines and are simply trying to make as much profit as they can by allowing as many people into their premises as they can, with no regard to social distancing and the efforts that the Scottish Government and local authorities to contain Covid-19.

Under the circumstances I do not understand why you are not withdrawing the licenses from these premises who are in clear breach of the guidelines. Some reckless publicans are putting the whole hospitality industry under threat in the City and threaten to cause widespread infection of people which could lead to further lockdowns and closure of licensed premises. This will be the fault of the license holders, no-one else.

Please take immediate action against publicans/license holders who are disregarding the guidance and the law. Shut them down. They are being irresponsible and allowing, even encouraging, their customers to be irresponsible.

Complaint 26

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco for the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news.

I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

I would like an official reply in response to what is being done please

Complaint 27

To whom it may concern

I write in my capacity as the founder & director of The House of Botanicals on Palmerston Road, a spirit manufacturer that also operates and on & off licence from our unit in the city centre (*though the on-licence element, in respect of tours & tastings, has been shuttered since March*).

Whilst I'm aware I'll likely be one of many people writing to you today in relation to the videos shared across social media late yesterday evening and today, and understand that this will largely lead to nothing, I wanted to write to express my frustration and anger at all involved with the continued mishandling of specific venues and business owners, in this case PBDevco and their farcical Draft Project pop-up.

Speaking solely about my own operation, we currently stand to lose around 50% of last year's turnover, whilst we'll be down around 75% against our projections for the 2019-20 business year. This of course is not solely related to the effects of the pandemic in Aberdeen and across the wider UK - *with much of our export trade decimated due to its effect overseas* - however we've continually been hamstrung by wider and localised restrictions. Following substantial reinvestment in 2019 we were finally able to open our site to the public to enable tours & tasting sessions however at no point since March have we been able to viably use the space even though we

safely could. In fact, I hazard to guess we have a level of control that supersedes official statutory guidance.

As an independent business owner that's invested their own money into building something the city can be proud of in an area that's under-utilised, from the outset of the pandemic our business has done more than most in putting the city, and the safety of its people, first; namely when we started the production of not-for-profit hand sanitiser and donated vital funds to local food banks. We see a bigger picture behind the here-and-now, however to wake up this morning to the videos from The Draft Project is angering beyond belief.

I appreciate there will undoubtedly be enquiries from all, police, council and government, however I must highlight that every facet should hang their head in shame as to how this is being handled.

Many accounts suggest police were on hand - *although photos and videos don't suggest that* - which makes me question why this wasn't shut down at the first instance of *trouble*. I acknowledge that crowd management is a complicated process although I do wonder if a risk based approach was taken considering the way this was always going to go; I mean it doesn't take a genius to work out what would happen in a venue of that size, with its specific market demographic, showing a game of that importance. Yes, those in attendance undoubtedly have to take some of the blame but this does not overlook the responsibilities of a licensed premises; especially one that already has a shattered reputation from related issues just weeks ago.

The licensing board and local authorities have much to answer for as this venue and their related bars have repeatedly flouted regulations with nothing being done, instead seemingly wishing to instead focus on a tit-for-tat politics sideshow with the SNP.

Speaking of which, the Scottish Government's own advice (<https://www.gov.scot/publications/coronavirus-covid-19-tourism-and-hospitality-sector-guidance/pages/frequently-asked-questions-fags/>) contained within the guidance FAQ makes the suggestion in the *Opening & Closing* section that only venues in Tiers 0&1 are allowed to show sports (*the reason why many in Aberdeenshire were told they can't show live sport*), however this is later contradicted in the *Sports & Entertainment* section where no Tiers are mentioned and it appears to lean toward the risk based approach for venues that are open. So answer this, why are areas in the same Tier being told different things with regards the showing of sport?

I don't expect a response or to hear that anything will come of this problem, but with the mismanagement directly impacting my business and our future, please have it on record that we're ashamed and beyond fed-up of it all and will seriously be considering moving our business operation away from Aberdeen.

Complaint 28

On behalf of my entire family, we write, like many others to tell you how despicable we find the behaviour of the above repeating offender and furthermore, your negligence in not removing the licence of a person who has repeatedly failed to act as a responsible licensee, during this global pandemic. In case you haven't read the press, over one million people have been killed by this virus and the main way it passes is by person to person contact. If you do not remove his licence for all establishments you are failing in your duties by putting lives at risk yet again, making a fool of all of our NHS workers who have to deal with the mess you allow by failing to act and disrespecting every single person who is grieving the loss of a loved one and those who are trying to protect themselves, their families and everyone around them. Do Aberdeen City Council never learn nor respect the will of the people of this city that you continually fail to serve. Ashamed to be citizens of this city.

Complaint 29

Dear Sir/Madam

I am absolutely furious at the behaviour of PBDevco , who were mainly responsible for our last lockdown.

That lockdown prevented me travelling from Drumoak, Aberdeenshire to see family which included my 92 yr old mother !! Dental appointments & being able to play golf at Deeside Golf Club .

Removing their televisions for a short period I am sorry is not enough .

They should never been allowed to have televisions period !!

Staff working across the NHS want to celebrate. We want to return to normal .

That can only happen if we all work together and stick to the quarantine rules .

Complaint 30

Dear Sir/Madam

I'm sure, like many citizens of Aberdeen, I was absolutely disgusted to wake up this morning to see footage of the celebrations taking place at the Outdoor Project (Soul Bar) following the goal last night during the Scotland game.

Whilst the majority of us are doing our utmost to stick to the Tier 2 regulations imposed on us and having to stay away from family and friends, yet again this company break the rules, show the football outdoors and clearly do nothing to maintain social distancing regulations. Paul Clarkson (Owner) was there with a large group of friends sitting at one table (which definitely contains more than 2 households) and was quite happy to let the evening progress as it did.

Like many others, I am sick and tired of watching Soul/PBDEVBO do whatever they want and the rumours of the 'brown envelopes of cash' they give to the council may well appear to be true if they manage to hold on to their licence this time having flouted as many rules as they have.

Action HAS to be taken against them this time. The citizens of Aberdeen have already had to endure an additional 3 weeks of lockdown mainly down to their greed

and lack of social conscience and there's every chance we will suffer again this time, all thanks to their continuing selfish attitude. Many others pub actively chose not to show the game knowing what the outcome would be, PBDEVCO couldn't care less, they know they'll somehow get away with it.

The Clarksons/PBDEVCO have to be held accountable and not let the rest of the City/Shire suffer purely to line their pockets.

Complaint 31

Good evening,

I would like to ask how it is possible for the above company to serve alcohol without main meals under the current covid 19 restrictions? I have seen footage of several people drinking alcohol and sharing tables despite there being no food served. The footage also shows a marquee which clearly has at least 3 enclosed walls so surely cannot be classed as outdoors? Given the previous situation involving PB Devco, I am surprised they have been permitted to operate in this way. It is very disappointing to see when the majority of us are sticking to the regulations and are unable to mix with family and friends but a few inconsiderate people spoil it for the majority of us.

Complaint 32

Dear Board Members,

Having witnessed the scenes at PB Devco's "Draft Project" venue during the Scotland football match on 12th November in today's media, it is apparent that this company is continuing to flout covid regulations.

Given that their previous well publicised breach was a significant contribution to Aberdeen entering a financially damaging lockdown affecting hundreds of businesses across the city & shire as well as affecting the health & well-being of a significant number of people, I feel that this is an outrageous situation that cannot be allowed to continue.

Given the incubation period & spread of this virus it's entirely possible that this disregard for public health may well lead to Aberdeen having to enter a third damaging lockdown just prior to Christmas.

I'm sure I'm not alone in expressing fury that this company is continuing to jeopardise the people of Aberdeen in this way & would request that the board consider revocation or, at the very least, suspension of their licences as a matter of urgency,

Complaint 33

PB Devco need their licenses revoked in all of their sites in Aberdeen.

https://old.reddit.com/r/Aberdeen/comments/jt3svw/shall_we_countdown_to_another_lockdown/

Punters are to blame too obviously... But why would anyone think showing 'the fitbaw' near alcohol would be a good idea right now.

That's twice a PB Devco place has been (Or will be, in this instance) a hotspot for COVID transmissions.

Complaint 34

You need to be revoking the alcohol licences from this business.
Last night's social media footage is all you need

Complaint 35

Good Evening

I write this from my home in which I've spent the majority of this year trying to avoid spreading/catching the covid-19 virus, which is causing a global pandemic and economic crisis.

I'm blown away by the scenes at PB devco's Draft project this evening during the Scotland football game. This company facilitated a breeding ground for the virus back in August when Aberdeen were put into a local lockdown and they have done it again, screening of this game should never have been allowed in the first place.

PB Devco are a disgrace to this city and should have their license taken away. The scenes tonight have put the health of our city in danger again both physically and economically.

Complaint 36

I am seeing videos over and over about the Scotland game lastnight. They where open way past 10pm and the police had to attend the streets after. I am a chef out of work due to restrictions and they are getting away with anything they please? This is insane no matter how you look at it. They are putting us all at risk of higher tiers and everytime they mess up they announce a half hearted apology. You need to step in and stop this at the source which is there complete disregard of the rules!!

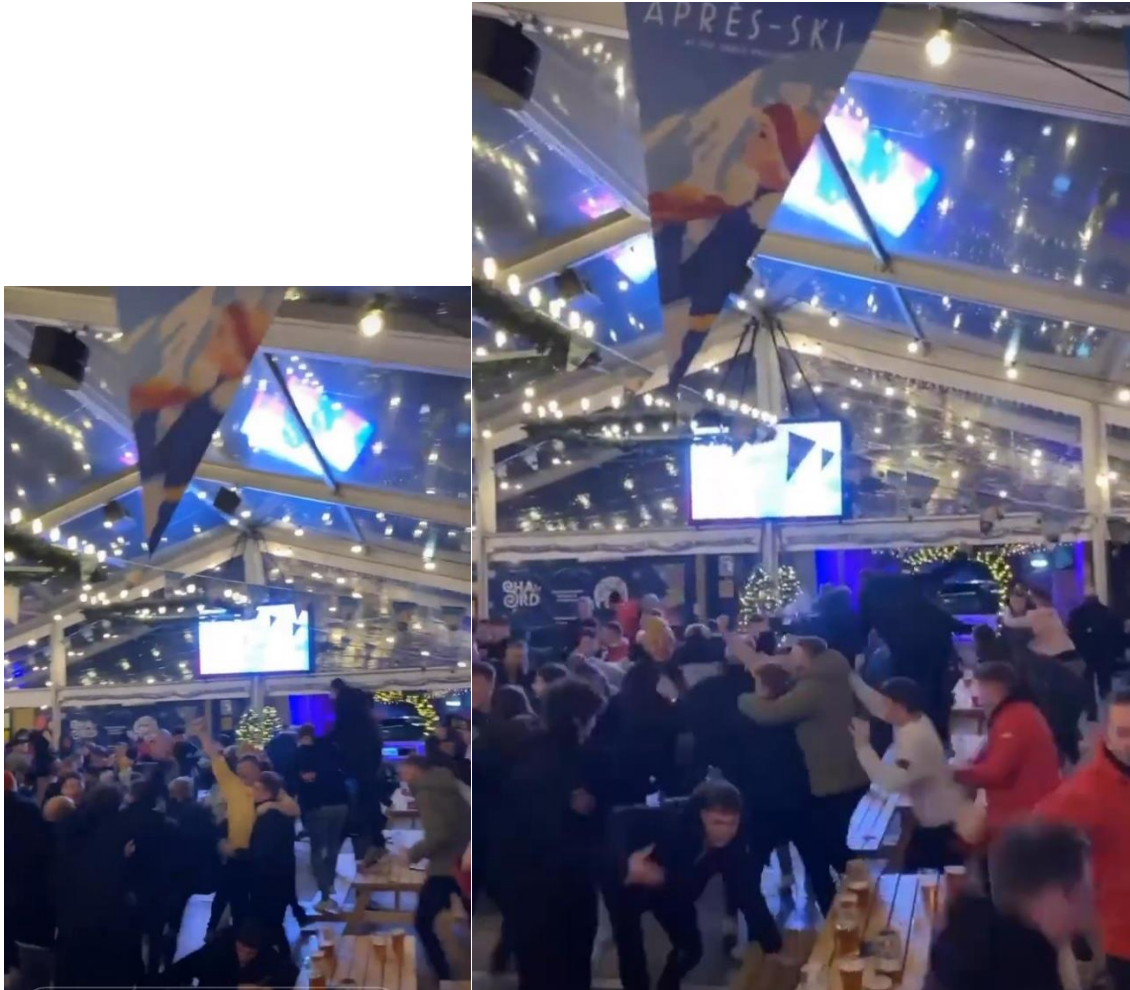
Complaint 37 – Video circulated separately

Please find attached pictures and videos from Soul Bar, Union Street, Aberdeen this evening Thursday 12th November. These are from during/after the Scotland match which was being shown on their outdoor TV's

When there are so many businesses out there trying so hard to abide by the rules and regulations to stay COVID safe and then businesses like this make a laughing stock out of it (not for this first time if I may add)

I along with many other members of the public and businesses do hope that reasonable action is taken regarding this and they are punished and prevented from the likes of this happening again.





Complaint 38

Good evening,

I would like to make a formal complaint regarding the draft project venue in Aberdeen.

As at least 50% of the structure is not exposed to the elements I struggle to see how it can be classed as outdoors.

No social distancing was in place, the license holder did nothing to resolve the breaches and people were standing on tables etc with no masks on.

Not to mention this was a response to penalties in the Scotland game which took place after 10

Complaint 39

Soul bar and Devco group
these people do not appear to be listening. Do you think these people are fit and proper people to run a Bar?

Complaint 40

To the licencing authorities,
I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco who was present during the incident detailed below:
On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable that this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. This first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental effect to many other hospitality venues that did follow the social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen. I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 41

Good afternoon,

I am writing to you to express my frustration at the scenes of the blatant breach of the Covid-19 restrictions displayed at the Draft Project last night. I am furious that despite this venue having been part of the problem in August, yet again there is footage of their patrons' complete disregard for their safety and those of others. Why is live football allowed when music is not? To my mind, the risk profile would be the same, people shouting, singing etc. I would like to know what will be done to ensure this doesn't happen again. Might I suggest that live football should be restricted in the same way that music is or that a venue that is showing live football may not serve alcohol on the same day.

Complaint 42

Yet again soul bar in Aberdeen at it again, why do soul bar get to make there own rules and every other bar and restaurant abides by the rules. The videos on social media from tonight are shocking, no social distancing and it's obvious that there's more than 2 households on each table. Tier 3 here we come. Why on earth are the

licensing board constantly allowing soul bar to get away with this??? I own a small restaurant and souls relaxed attitude to the rules puts my business at threat.

Complaint 43

Please see both attachments below.

I find this disgusting how you let this bar operate after what happened last time.

What are you going to do about this and what is the police going to do about it.

You people need to start doing your job and shut this place down.

I would really like a response to this email as it's going on Facebook.

This is tonight 12/11/2020

<https://www.facebook.com/100000913332149/posts/4906849162688813/?sfnsn=scwspwa>

<https://www.facebook.com/402484413151679/posts/3416514901748600/?sfnsn=scwspwa>

Complaint 44

Hi sir/ madam

I am very disappointed in soul bar went in for a quiet drink to watch Scotland match and no social distancing, no face masks staff and management not able to control crowds totally disappointing

More COVID cases within weeks place and council should be ashamed pubs like this getting away with things like this causing more problems for Aberdeen

Complaint 45

Dear Licensing Team

I wish to make a complaint regarding Soul Bar / Draught Project for their management of social distancing and covid regulations. In videos on social media tonight where the staff have not tried to stop revellers from mixing in different households which itself poses a extreme risk to public health and a rise in Covid-19 cases.

As a worker in an unopened hospitality venue this is extremely frustrating.

Complaint 46

it has been posted on social media the way that Soul bar showed the Scotland football match. I find it very hard to believe that these premises were allowed to shut a road to traffic, and put up a tented area. It is obvious how they conduct their premises, that they have no consideration for the rules and regulations for Scotland's Covid 19. This is not the first time these premises have been involved in a Covid-19 outbreak and therefore I would think that there might be a spike in Aberdeen after watching last night's events, I would suggest if they do not have their license revoked the the Marquee area should be taken down.

Complaint 47

I trust you have seen the footage from Soul Bar last night and hope there are repercussions for their outrageous behaviour that puts the health and welfare of the people there and their friends and family and risks Aberdeen and the Shire where I am being put into full lockdown.

It seems the owners think the rules do not apply to them.

Complaint 48

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco for the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Please be aware of the blatant rule breaches by PBDevco at SOUL BAR this evening. (See link below)

This must be investigated by trading standards, environmental health and licencing staff immediately and swift action taken. I don't see that any of your bodies have any other option to close this venue down, especially as it was linked to previous breaches which led to a Covid cluster and shockingly you took NO ACTION against

it! The venue and its owner should have their licences reviewed and revoked not only at SOUL BAR but at others in the PBDevco company.

Please let me know ASAP as to your actions. I have already contacted my MSP and MP about this and will be contacting Police Scotland too.

<https://www.facebook.com/100000913332149/videos/4906847256022337/>

Hi guys,

I'm confident looking at social media today that I will not be alone in contacting you today. In case you haven't seen it yet please look at this video

<https://fb.watch/1K6xND8945/>

Yet again Soul Bar are flouting COVID-19 restrictions. After the incident in August where they publicly promised to follow guidelines, here we go...again.

To explain my feelings in a personal context – I am at heightened risk of extreme reaction to COVID-19 so have left my house 9 times since March 12th. Two of these times were to arrange and attend a restricted numbers COVID-19 related funeral. I watched this video in stunned disbelief. Action needs to be taken. One mistake by Soul I can partially forgive but two is criminal. Please don't let there be a third.

I appreciate you will be unable to supply me with specifics as to what action will be taken against PB Devco, but I would like an assurance that this will be looked into and dealt with appropriately.

Complaint 50

Good evening,

I wish to complain about the above bars, videos circulating on social media of these premises quite clearly not adhering to the current covid guidelines. I hope they are reprimanded for allowing this behaviour tonight, 12.11.20 during the Scotland match.

I look forward to your response,

Complaint 51

Why oh why are you guys not closing this pub

They've proved they don't give a damn about the rules that are supposed to protect the people

Take action and close them now, no excuses accepted on how they'll change

They've proved they won't

Complaint 52

Hello,

I would like to register a complaint about the failure of the management team of Soul Bar, Union Street, Aberdeen, to maintain required COVID-19 measures on the evening of 12th November.

I was not present, but from publicly available video footage I have seen, it appears that many customers are behaving in ways completely at odds with current requirements: crowding together, hugging others, jumping on tables and singing.

Given Soul Bar's previous role in contributing to the earlier lockdown in Aberdeen, I would ask what action can be taken to prevent future disregards for public health by this establishment. They have clearly not learned from last time, and I would imagine that it is the role of the local authority to take responsibility when owners fail to do so.

Knowing first hand the daily constraints and restrictions schools are working to presently, surely each part of a local authority must demonstrate the same determination and commitment to safety - showing leadership and, where necessary, revoking the licences of those who arrogantly and repeatedly put us all at risk.

I am sorry to add to your workload at this time, but this is as nothing compared to the potential impact on the decent people of City and Shire from the behaviour permitted in this establishment.

I look forward to your response, but I do understand the pressures at this time may affect your customer service response times.

Complaint 53

Dear sirs, I am writing to express my disgust at the appalling scenes (currently circulating on social media) at the Draft Project / Soul bar during the Scotland v Serbia football match last night.

Businesses all over the city and shire are suffering at the moment due to the Pandemic (but still adhering to the guidelines) whilst these idiots who run this establishment along with many others in the city are once again doing exactly what they like !

A clear case of profits over the safety. Its only a few months ago that the city was partially locked down because of the actions that publicans and their punters took but lo and behold they are at it again.

Where were your own offices last night. Where were the police ? Was no one monitoring this situation ?

I like many people I have heard from this morning are calling for this establishment and other in the PB Devco group to be closed down with immediate effect.

Complaint 54

So it's all over Facebook what happened at soul lastnight and I have to ask.... What is gonna be done about this? Is the new city rule that it's better to apologize than ask for permission? Because every other bar restaurant and company seem to be sticking to the rules and some bars can't even open because of them and we have soul just doing what ever the hell they please! This is disgusting and if you don't shut them down you are apart of the problem!! This is so far beyond ridiculous!!

Complaint 55

All I see today is videos of soul, petition's to have the license removed and i have to agree. Cheers can't open because of the music restrictions and that is fair enough but when you have a bar that's already been linked to covid disregard the rules entirely for profit and to hell with the rest of us it demands a powerful response. You are the ones that manage this and you need to act. It's made the local papers it's made national papers and it's everywhere and we are all looking to you to see what actions you will take. We all love a Clarkson generic apology post on Facebook but this is went past any post that can be made. People are struggling and businesses are failing and shutting down trying to maintain the rules and then actions like these from a company that big is just spitting on the rest of us trying. I urge you to take action against this!

Complaint 56

Dear Sir/Madam, I read today of the disgraceful scenes following the Scotland match last night. I can only hope that you make an example of the licence holder. This is clearly a case of money over the counter being more important than the safety of others.

Complaint 57

I write to you as a concerned, very angry and disgusted citizen of Aberdeen.

I am sure that by now you are aware that a significant number of videos are widely available on social media showing the disgraceful behaviour of patrons of Soul Bar during last night's Scotland v Serbia match.

I would be grateful if you could provide clarification as to why ACC has seen fit to allow its licensed premises to show sports events given that the Scottish government said that this was not to happen in order to prevent shouting, singing and other behaviours likely to spread the COVID virus?

I note that the website for Soul promotes its multiple screen sports facility and that it also states that it operates Aberdeen Hospitality Together's 10 Step Assurance Scheme and Last Orders Scheme.

Last night: Rule 3 - observe social distancing clearly breached
Rule 5 - be seated, not standing, dancing, clearly breached
Rule 8 - avoid shouting or singing clearly breached

This is the second time that this owner has failed to manage his premises, ensure the safety of his staff, his customers and the wider public and put the livelihoods of his staff and other licensed premises at risk due to the potential for further lockdown restrictions requiring to be imposed. What exactly does the Licensing Committee intend to do about such cavalier actions by this individual given that he is clearly prepared to put his profits before public health and safety?

Finally, given that social media had these videos circulating before the end of the first half and the public was being alerted to this behaviour can you please advise when the police first became aware of these breaches of behaviour and what steps, if any, they took to rectify the situation?

It is clear to me that the decisions of the licensing committee in respect of allowing sports broadcasting in licensed premises and the granting of a license to Soul Bar in particular along with increased capacity have been very serious mistakes. As such I would ask that you revisit them and that as a matter of public health and safety the license given to Soul Bar be rescinded with immediate effect and the premises closed.

Complaint 58

I am writing to express my anger at the owners of Soul Bar Aberdeen. There have been several well publicised incidents in which this venue has seriously and publically ignored COVID guidelines. There has to be some serious consequences. Please revoke the license and save all Aberdeen from further lockdown.

Complaint 59

Good morning,

I am sure it has already come to light with yourselves, however, this video doing the rounds on social media of Soul Bar, Union Street, Aberdeen highlights how little they think of the current restrictions and the issues caused by them previously.

https://m.facebook.com/story.php?story_fbid=3423459457768372&id=596551023792577&anchor_composer=false

The link is to a video of their 'outdoor' tent - which I struggle to see how can be classed as 'outdoor' apart from the fact it is situated at the front of their property. It is

essentially a sealed building. During the video you see the complete lack of order or distancing within the premises.

To think the owner and licensee is allegedly a participant in the group also.

Surely, after this, PB Devco will have to face some sort of penalty for the behaviour within their bar.

It is infuriating for us who try and stick to the rules/advice etc and want to be in Tier 1 so we can visit and care for elderly family, when businesses and people like this just show utter disregard for the rules.

Complaint 60

Morning,

I hope this email finds you well :)

Was good to awaken to find out Scotland are through to UEFA, good news for us Scots :)

What is disappointing a small minority of people are abusing the Covid rules and the Soul Bar again are permitted to permit this happening within their business.

Months, like so many others in Aberdeen abiding by the rules of Covid and situation of last night plastered over social media of lack of social distancing.

Suggestion, why not - where possible and if applicable with the business licence holders rules, remove the licence for the premises for a month (suspend) and this might show that as a community we can get out of these restrictions safely.

I am angry, upset and well not able to rightfully travel to Fife where I need to be due to my psychological condition.

Complaint 61

Dear Sir/Madam

Last week I sent an e mail complaining about the behaviour exhibited by customers in Soul Bar and the failure of staff to deal with this. I have now been made aware that the premises in question were the Draft Project, which I believe are run by the same group.

The complaints I raised should be referred to this establishment.

I understand that the licensee is claiming that things got out of hand very quickly leaving his staff unable to cope and necessitating intervention by the police.

When considering what action you might take I would ask you to note that the licensee in question has, for many years, owned and run a number of licensed premises across the city. I therefore find his explanation/ excuse unacceptable. It is more than reasonable to assume that his lengthy experience in this area would enable him to predict what might happen, the steps required to deal with it and the number and level of experience of staffing necessary.

The vast majority of Aberdeen citizens who are following the health guidelines in an attempt to move the city to tier 1 and make it possible for us to enjoy some sort of Christmas will not forgive another failure of the board to hold the owner to account for his failure to manage his premises safely and with full regard to current rules and regulations.

I look forward to your response.

Complaint 62

Hi there.

I'm writing to you regarding the behaviour that is currently all over social media at the above named premises. Soul bar were instrumental in bringing the first regional lockdown in Scotland to Aberdeen, by completely failing to implement simple procedures to minimise the risk of Covid transmission. I'm therefore absolutely stunned to find them seemingly completely ignoring the rules again. There are images of the owner, at a table with several other households, and wandering around without a facemask on. There are videos of hundreds of people hugging and dancing, and no effort to control them at all.

I'm a football lover. I'm a beer lover. I enjoyed the game as much as anyone else. I am unsure how this operator still has a licence after the last carry-on, but I've no doubt that more severe restrictions are on their way to Aberdeen because of the videos doing the rounds on social media, and that will be massively harmful for all the other licence holders that have done their best to obey the rules.

What does someone need to do to actually lose their licence?

Complaint 63

Good morning,

I am writing to express my deep concern of the behaviours of patrons and owners of Soul Bar/The Draft Project on Thursday the 12th of November.

The owners flaunted the level 2 COVID restrictions by having more than 2 households sitting at one table, people not remaining seated whilst in the venue,

people not adhering to social distancing and also playing live sport which is prohibited.

I am deeply saddened for the people of Aberdeen and the local businesses who may have to face the repercussions of this by potentially entering into stage 3 of COVID restrictions.

Soul Bar/The Draft Project has already been reprimanded for disregarding COVID rules in August which shows they are a liability and have disregard for the health and well being of the people of Aberdeen.

I sincerely hope that Aberdeen City Council and the licensing board take a firm stance on this matter such as revoking the companies license to operate. If not it shows that businesses and individuals are able to follow their own rules and not adhere to government advice.

Thank you for taking the time to read my email and I look forward to hearing from you.

Complaint 64

Hello,

I am so incredibly disappointed to see the scenes at PV Devco's establishment The Draft Project this evening. Why is it that places are not allowed to play music, but football is allowed? There was clearly a build up to the final video that surfaced on social media, so why was nothing done sooner? Yet again, the majority public will have to deal with the ramifications of a business that just looks out for itself and its pockets.

This particular establishment just encourages and enables thus kind of behaviour and total disregard to the situation we are in. So incredibly selfish.

I have been shielding due to cancer since March and have gone out to restaurants a handful of times since lockdown was lifted, I was so looking forward to dinner at The Chester, an establishment that does so well and take all rules so seriously, but now I'm questioning if its even safe to go out on Saturday night. The anxiety and worry for loved ones this causes so many people, should be reason alone to take away their licence.

I really hope this is taken seriously.

Complaint 65

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco who was present during the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 66

Morning

I am writing to complain about the blatant breaking of rules in The Draft Project last night.

Live football being shown with sound - not allowed in tier 2

No masks being worn when not sat at the table

More than 2 households allowed to sit at a table

No social distancing

Seems to be less than 50% of the marquee open to the elements in the video so therefore not an outdoor setting

The videos that are circulating are very disheartening. I have given birth during this pandemic with scans, triage etc on my own, my baby has hardly seen his family, not attended groups etc. Maternity leave is a very isolating experience just now. People can't visit their lived ones.

The fact that the owners of this project yet again are allowed to break the rules is disgusting. The council wants us in tier 1? Sort out clowns like this then or we will end up in tier 3.

The rest of us who are following the rules are fed up with this

Complaint 67

Hi There,

I would like to raise a formal complaint about the Draft Project, Aberdeen. Excessively loud TV's, no different than music, no social distancing, chanting, cheering and extreme wreckless anti-social behaviour in the midst of a pandemic. I assume you have seen the video now.

Also, what about the smoking? Council claimed it wasnt classed as an outdoor venue but they can smoke in it?

This is not the first offence by PB Devco after causing the local lockdown previously. We want to reach Tier 1 but are going to be put into Tier 3 most likely again because of their behaviour. Why do you let this company ruin the businesses of others in the area complying with the rules?

They know alcohol and sport results in rowdy behaviour so should of had staff on hand to control the situation.

Truly reckless and an embarrassment for Aberdeen when the council are wanting to be considered for Tier 1. Even I think we should be Tier 3 if these people cannot operate safely.

Time and time again, Aberdeen is let down by Soul Bar and it's behaviours. Yet, we do not learn.

Complaint 68

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco for the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 69

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco who was present during the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news. I find it disappointing and unacceptable this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 70

Please be aware of the blatant rule breaches by PBDevco at SOUL BAR this evening. (See link below)

This must be investigated by trading standards, environmental health and licencing staff immediately and swift action taken. I don't see that any of your bodies have any other option to close this venue down, especially as it was linked to previous breaches which led to a Covid cluster and shockingly you took NO ACTION against it! The venue and its owner should have their licences reviewed and revoked not only at SOUL BAR but at others in the PBDevco company.

Please let me know ASAP as to your actions. I have already contacted my MSP and MP about this and will be contacting Police Scotland too.

<https://www.facebook.com/100000913332149/videos/4906847256022337/>

Complaint 71

To whom it may concern,

I would like to raise a complaint against the license holder of 'The Draft Project' (Soul Bar), Aberdeen who I believe to be Stuart Clarkson (The owner and founder of PB

Devco) and also his son Paul Clarkson (Operations Director of PB Devco) with regard to the incident detailed below.

On Thursday 12th November 2020 a large number of individuals were allowed to breach strict social distancing requirements whilst in the premises. This has been shown widely on both Social Media and news channels. I find that the owners allowing this breach of government guidelines to happen is both hugely disappointing and completely unacceptable and more so as this is the second time that this has been allowed to happen by these license holders. The Operations Director (Paul Clarkson) was even seen in both videos and photographs as part of the crowd and did absolutely nothing about it. The initial incident in August helped contribute to a spike in the Covid-19 numbers in Aberdeen which saw the city go into a 3 week lockdown which showed the companies disregard for the health of not only its patrons but also the wider community. This second incident is a slap in the face to every business in Aberdeen, including others in the hospitality sector, who are abiding by the rules while trying to stay afloat. Many have already had to close permanently. Why is it that there seems to be one rule for some businesses and another rule for others?

The removal of the televisions from the premises is on par with grounding a child or taking away their TV privileges! How can this company be allowed to continue like this with impunity. Why has no-one at Aberdeen City Council thought to come out publicly and condemn what they have done? I have my suspicions about the answer to this.

I firmly believe there is only one course of action Aberdeen City Council can take to show fairness to ALL other businesses in the area, that rules are NOT made to be broken and that businesses that do will be made to pay heavily for their actions, and that is to revoke their (PB Devco) license. Anything less than this shows not only that Aberdeen City Council are running scared of these businesses but a total lack of respect of the efforts that government, key and frontline workers and everyday normal people are making to help combat Covid-19.

Complaint 72

Regarding any application to renew I hereby wish my objection noted. This premises has continually flouted the restrictions for coronavirus during their various themed events. The 2 household rule is not adhered to and social distancing is rarely adhered to.

The most recent incident of Thursday 12/11/2020 simply serves as further evidence that this venue and its customers are incapable of being managed to maintain public safety. Police Scotland were called to this premises.

Complaint 73

I wish to object to the upcoming renewal of the occasional licences for The Draft Project, due to their repeated blatant disregard of COVID-19 guidance and restrictions, and causing a public health risk to the people of Aberdeen, as well as their actions having a direct negative impact on smaller independent businesses in the city.

Complaint 74

As law abiding citizens of Aberdeen, who have dutifully paid our council taxes for many years, we are appalled / disgusted at the widely reported incidents at The Draft Project on the evening of Thursday 12th November.

We object to ANY renewal of the temporary licence for the DRAFT PROJECT and serious consideration should be given to any and all licences held by the PB Devco Group.

Also, PB Devco should face repercussions for putting the good people and businesses of Aberdeen in jeopardy not only health wise but commercially. It begs the very important question as to why The Draft Project was granted this licence in the first place after the DISGRACEFUL behaviour of Soul Bar ? Why did ACC allow this to happen?... We feel very strongly that ACC owe the people they represent an explanation for their actions. .

We never thought we would say it, but we thought the city of Aberdeen learnt a very hard lesson during the lockdown in August and that was in our favour now as people in Aberdeen were being sensible and we were all pulling together . The situation on Thursday evening is totally unacceptable and It appears that the actions of ACC and the licensing committee are putting the future of the people who they represent in jeopardy.

We realise that there were similar incidents in other premises and trust that all will be investigated and taken into account when licences are being renewed now and in the future.

Complaint 75

On the night of Thursday 12th November 2020, The Draft Project hosted a live viewing of the Scotland versus Serbia football match. There was clearly a blatant disregard for public safety at this event, allowing shouting, singing, hugging, no wearing of face-coverings while not seated, and absolutely no social-distancing being observed. We are still very much in the midst of a Global pandemic, and the sights witnessed on the night in question are incredibly disappointing, especially when so many people are doing all they can to keep everyone safe. This venue, and other venues owned by the same company, PB Devco, would appear to have very little thought for the health of their staff or customers, but too much thought for their profits.

AK / NL

Complaint 76

Hi

As a resident of Aberdeen city I'd like to register a formal objection to the renewal of any alcohol licences for any and all premises owned or operated by the pb devco organisation on the grounds that the issuing of a licence would have a detriment to public safety in Aberdeen and that the premises are not suitable for the serving of alcohol whilst complying with the required mitigation's to maintain social distancing and prevent the spread of the covid pandemic. Please respond to confirm that this formal objection has been received and lodged.

Complaint 77

I have a general, but real, concern regarding any large outdoor licenses being allocated to premises whose licensees do not appear to have the foresight, the common sense or the intelligence to predict the potential outcomes in given situations. The apology from the owner of Soul Bar on Facebook after this most recent event is, quite frankly insulting to all those who have lost loved ones, been unable to be with them at the time of their passing, being unable to mark their lives at an appropriate funeral. An insult to those who have followed the guidelines and been captive in their homes for months with no physical contact with family or friends who have missed out on or had to cancel celebrations of major milestones and events in their lives.

Consumption of alcohol releases the friendly, tactile and emotional side of most personalities.

How ANYONE could think that adding an important football match into this mix would not

have the potential to create what happened displays either an unquantifiable level of ignorance or a callous indifference to the welfare of the public in order to make a profit.

To adopt a childlike stance thinking that it acceptable or forgiveable if you then apologise

only adds insult to injury.

If this behaviour is shown to have happened in any of these premises, the license should

not be renewed as the licensee has shown they are totally unfit to hold this responsibility.

Complaint 78

I write with regard to the Draft Project and the recent incident which yet again involved the Soul Bar.

Allowing televisions to screen such an important game for Scotland, was always going to invite trouble. And greed. And it was the Soul Bar yet again.

I am very disappointed that there is nothing that can be done, other than remove the televisions. That is not a consequence that is going to make the slightest difference, to anyone.

Is it really not possible to remove the licence from the Soul Bar, Draft Project aside? I am aware of another bar, a small one, which has had its licence taken away for exactly the same offence.

Why different standards for the same offence?

I am therefore objecting, now, to any extensions of the licence for the Draft Project for the Soul Bar, and I object to them currently havign any licence

Complaint 79

Dear Sirs

Like many citizens of Aberdeen, the scenes viewed on social media of customers at the Draft Project frustrated me. I realise that there was elation with Scotland finally reaching a major tournament but I have not been able to hug my Dad for more than 6 months, never mind hug friends I watch football with.

This is the second time that PB Devco have violated regulations in relation to Covid. I will certainly not be visiting any of their establishments, Covid or no Covid, but I do worry that I could be in close contact to someone who has been there, be it in a shop or via a workplace.

Aberdeen City Council have been very vocal towards the Scottish Government regarding being in Tier 2. I admit I was miffed as well, but after the scenes last night, I fully understand the reason behind it. And I feel that should the Draft Project be allowed to continue, we will be in at least Tier 2 for some time.

I realise that a notice of direction has been issued for the venue to remove TV screens. I can see that this will prevent a repeat of the scenes seen last night, but I feel that it's time to pull the plug on this project. Looking at the size of the marquee, I have no idea how this can be classed as an outside area. I realise that photos shared on social media will show the bad side, but it really doesn't look like tables of 2 households.

I really feel for the bars and restaurants doing their utmost to do the right thing.

I am if the understanding that as the Draft Project has a temporary licence, it has to be reapplied for every 14 days. I urge you to reject the next application. I fear that by allowing this, and similar styles of venues, to continue, Aberdeen will be placed into Tier 3 which will not only cost the city money, it will more importantly increase the cases, and sadly deaths, to this horrible pandemic.

Complaint 80

To Whom It May Concern,

I would like to formally object to the renewal of any licence (occasional or otherwise) to DEVCO premises, whether it be Soul Bar, The Draft Project, The Queen Vic or VOVEM. This is on the basis that the management have shown a complete disregard of any of their obligations to adhere to the current regulations and social responsibilities.

They have not only endangered the public, but have shown an arrogance that threatens all businesses in the Aberdeen area, should we be forced into a level 3 or 4 lockdown again.

Complaint 81

I would like to register an objection to granting an occasional license for the rear of 363 Union Street. I believe the licensee has little regard for the citizens of Aberdeen. Not just in terms of sticking to covid rules but also the reputation of Aberdeen is at risk. All he is interested in is making money. I hope the council take necessary action.

Complaint 82

Following footage seen on social media of the complete disregard for following and enforcing current government guidelines in relation to the Covid-19 global pandemic, I do not believe this establishment should be granted a further license. This is in fact the second time that this establishment or its owners/management has been at the heart of a blatant breach of guidelines. The first time of course, along with many other establishments it led to the Aberdeen lockdown which lasted 3 weeks and which had a huge detrimental impact on other businesses who are doing their utmost to follow guidelines not to mention the impact on the mental health of the city's population. The actions of this establishment and its owners/management have once again shown that they have no respect for the guidelines we are all being forced to live by in order to suppress this virus and allow us to get back to some sort of normality. The statement issued by the management of this establishment is pathetic. They knew or could have anticipated full well the possible outcome of allowing this to take place and they should be punished appropriately. Therefore I urge you to revoke their application at this time until they can learn how to adhere to the guidelines like the majority of other businesses and individuals.

Complaint 83

I would like to register my objection to any PB Devco owned establishments but mainly Soul and The Draft Project from having their license renewed upon their next renewal date.

They have shown once again blatant disregard for COVID regulations and have once again put the health of others in danger. The last time there was an incident of this type at their premises it resulted in a devastating local lockdown. This time it will no doubt be the thing that the Scottish Government uses to move us to Tier 3 which will have a catastrophic impact on the local economy.

Please please think about the good of the whole of the city before allowing them to continue operating with a license. If the council really want to do some good for Aberdeen and put this situation right then they will act swiftly to prevent any PV Devco establishment from having an opportunity for a third strike.

Complaint 84

To whom this may concern,

I, like many fellow Aberdonians, were appalled with the footage released online after the Scotland game on Thursday 12th November 2020 of the total disregard of rules brought in by government to protect the safety of the wider public during the COVID-19 pandemic whilst in licensed premises.

I do not believe that PB Devco had no understanding of what would happen during the course of such an emotionally-charged game. Indeed, lessons should have been directly learned after the fiasco involving Soul Bar amongst others that contributed to the Aberdeen lockdown in August of this year.

I don't have issue with people enjoying alcohol responsibly - unfortunately my chosen "local" doesn't have facility for outdoor service or serve food so remains closed during the current Tier 2 restrictions. Small pubs like these are suffering financially the longer it takes us to get to a lower tier and behaviour like that displayed on Thursday doesn't seem to matter to larger concerns like PB Devco (or that is how it appears at moment upon reading the second apology statement in a matter of 3 months).

I also don't have issue with people getting together and celebrating either, but if we are to have any semblance of family time at Christmas, we all, as a community, have to appreciate we need to make sacrifices now.

As one who works in healthcare it has been a difficult time for us all and scenes like those from the Draft Project makes my heart sink. If we are to see a continuing fall in infection numbers and a return to whatever the new "normal" life is to be, it is for all of us in positions of responsibility to follow the rules and maintain the safety of the wider community - something I don't believe the license holder of the Draft Project has adequately shown they are capable of.

Please consider my objection at the next application hearing for a license for the Draft Project.

Complaint 85

Following footage seen on social media of the complete disregard for following and enforcing current government guidelines in relation to the Covid-19 global pandemic, I do not believe this establishment should be granted a further license. This is in fact the second time that this establishment or its owners/management has been at the heart of a blatant breach of guidelines. The first time of course, along with many other establishments it led to the Aberdeen lockdown which lasted 3 weeks and which had a huge detrimental impact on other businesses who are doing their utmost to follow guidelines not to mention the impact on the mental health of the city's population. The actions of this establishment and its owners/management have once again shown that they have no respect for the guidelines we are all being forced to live by in order to suppress this virus and allow us to get back to

some sort of normality. The statement issued by the management of this establishment is pathetic. They knew or could have anticipated full well the possible outcome of allowing this to take place and they should be punished appropriately. Furthermore photographic evidence that the owner was in the premises at the time doesn't wash with their apology. People were seen standing and singing watching the football and at no point was this just a moment of celebration.

This license owner showed blatant disregard for the safety of his staff and customers. I also find it unbelievable that no fine was handed out over such a disgrace to Aberdeen City. Therefore I urge you to revoke their application at this time until they can learn how to adhere to the guidelines like the majority of other businesses and individuals.

Complaint 86

To whom it may concern,

I wish to raise a complaint against the licence holder of "The Draft Project" (Soul Bar Aberdeen) as well as Stuart Clarkson, owner and founder of PB Devco for the incident detailed below:

On Thursday 12th November 2020, several individuals breached social distancing requirements whilst in the premises. This has been widely shared on social media and on TV news.

I find it disappointing and unacceptable that this is the second time this licence holder has been involved in a high profile breach of government guidance, with the first incident occurring in August 2020. In my opinion, this first incident undoubtedly contributed to the increase in positive Coronavirus cases in the Aberdeen area, resulting in the "Aberdeen Lockdown" that had such a detrimental affect to many other hospitality venues that followed social distancing guidelines, as well as having a significant negative impact on the image of Aberdeen.

I believe the only appropriate course of action is the revocation of their licence, anything less than this is detrimental to the efforts of the Governments, citizens and key workers attempting to combat the Coronavirus.

Complaint 86

Dear Sir / Madam

I write to complain that the occasional licence granted for the Draft Project should be suspended pending investigation into the recent breaches.

Future renewal should only be considered following independent investigation and implementation of improvements to meet the rules. Furthermore additional inspections to ensure compliance should be implemented.

In addition this incident along with the one earlier in the year should be considered when their full licence is next reviewed.

It is totally unacceptable that the same company has been involved in two serious breaches and no action has been taken.

Thank you for registering my complaint.

Complaint 87

Dear Licence Board

How many times will this company be allowed to breach the Covid rules and restrictions without any action being taken. It would seem like they are exempt from the rules that the rest of us have to abide to. As an NHS employee recently re-deployed to the PPE hub to ensure our front line staff have the kit they need, I have seen first hand the stress, trauma and fatalities that not abiding to these rules can have.

As a board you have a duty of care to the residents of Aberdeen. Please do the right thing and remove the licence from this serial rule breaker and any other premises who continue to break the rules.

The people of Aberdeen deserve clear decisive leadership during this pandemic please act this time and do not allow this to happen again.

Complaint 88

Good morning,

I am writing to officially complain about the continued issuing of hospitality licences to the PB Devco Group.

I am absolutely astounded that they are still being allowed to trade given their continued, blatant disregard for adherence to the guidelines in regard to the Coronavirus Pandemic.

Not only are they putting lives and livelihoods at risk, but they are also marking Aberdeen as a place to be avoided, which can only have far reaching consequences for all businesses in the city and surrounding shire.

Other hospitality businesses manage to maintain a safe environment for customers and strictly adhere to the guidelines. I don't understand why the PB Devco Group are allowed to continue trading while doing as they please.

I formally request that you do not issue further outside licences to this group and also consider revoking any hospitality licences which they currently

Complaint 89

To whom it may concern

I am writing to formally object to the renewal of the occasional licences for PB Devco premises.

After now twice showing blatant disregard for the safety of the people in this city, by not following Scottish Government guidance for hospitality during the Covid-19 pandemic, I do not believe that they are in any way a responsible business and should not be allowed to operate.

Clearly the mistakes from reopening in July have not been learnt from, as the wide spread video footage from Thursday 12th of November shows. Putting aside the excitement over the football results, it's clear they were not enforcing 2 households, had more than 6 adults per table, there were no face masks at all in evidence when moving around, no social distancing and I do not believe they should have been showing the game at all given we are currently Level 2. All the while the owner was amongst the crowds at The Draft Project witnessing the rules breaking.

Having failed so spectacularly and publicly when first lockdown lifted, and at least in part causing a second, demoralising local lockdown, I would have expect the Licensing board to be more aware of potential failings within this company and therefore to take a more hands on approach to ensure compliance.

If, as member of the public, I can be fined for not following the rules and visiting my parents house, then this company should also have to some sort of consequences to their actions.

Complaint 90

please act sooner rather than later on a company called PB devco who hold licenses for many drinking establishments in Aberdeen. clearly a case must be made to revoke their current and future applications for such licenses after their latest stunt which is all over social media. the covid pandemic is no laughing matter yet companies like PB devco seem to be allowing people into their premises to flout the rules clearly with no measures in place to curb these incidents.....I'm guessing my complaint wont be the only one you shall receive. i along with millions of others would

rather keep safe during covid 19 yet the owners of certain bars in Aberdeen dont seem to give two hoots in order to make money.yes their preventative measures look good on paper but they clearly aren't sticking to the rules.....

Complaint 91

Good afternoon,

I hope this email finds you well. I am sorry to bother you, but I'm emailing regarding PB Devco - more specifically Soul Bar & the Draft Project.

I'm sure you will have been made aware of the mayhem in soul bar in August(pictures attached) and the mayhem in Draft Project last night. Video below.

It's absolutely clear that PB Devco are unsuitable to be licensed premises in the current climate.

They either:

1. Unable to ensure a safe environment for their customers & the wider community
2. Unwilling to ensure a safe environment for their customers & the wider community

In either case, they are not suitable licence holders & they make a mockery of the efforts the vast, vast majority of bars, restaurants & cafes in Aberdeen have went to to minimise the risk of COVID-19.

The licences for PB Devco should be reviewed and the licences for Soul Bar & Draft Project should be immediately revoked. They are a health hazard for the city.

https://m.facebook.com/FubarNews/videos/752790361977523/?refsrc=https%3A%2F%2Fm.facebook.com%2F402484413151679%2Fposts%2F3416514901748600%2F&_rd=1



Complaint 92

This company must have licence revoked breaking all rules and must be stopped.

Complaint 93

Hello there

I feel compelled to email this through to you, even though this is not a complaint - as I hope this is taken into consideration alongside the complaints you have received.

I have seen all of the media coverage regarding the incident at The Draft Project, and while I obviously don't support what happened, I don't think it's fair that the venue is blamed.

I have visited this venue several times since it opened, and every time I have been extremely impressed with the service and the safety measures in place. They have created a fun yet safe place for us to enjoy, and I believe they've done an excellent job - especially as they are being creative to make the limited experience with restrictions as fun and enjoyable as possible. The positive impact this has had on the mental health of me and my friends has been huge.

As far as I can see, all the rules were followed last night. People booked tables, they accepted T&Cs agreeing to no more than 2 households / social distancing, and will have been asked to check in via the QR code. This has happened every time I have visited, and was checked by staff before ordering.

I also saw a video that showed a bouncer trying his best to break up the people who were breaking the rules.

It would be very negative for our city to lose such a fantastic venue that has followed all the rules and is proactively trying to bring new and exciting experiences to Aberdeen during such a tough year.

Complaint 94

Please do not allow the renewal of the licence for this 'open air' (which it's not) facility after having seen the behaviour of customers who watched the Scotland Serbia match. Clearly the establishment had TV's on and were allowing shouting. Although it was something to celebrate for sure, it didn't need to have been done there and in that fashion. The owners are laughing at the Council and doing what they want. Don't be bullied by this owner please, for the sake of the rest of us.

Complaint 95

Hi,

I wish to state my disappointment in the way the above venue is run. The license holder is obviously not a fit and responsible person to hold such a license.

The recent breaking of Covid rules at Draft Project together with the earlier episode at Soul Bar should mean a withdrawal/revoke on all licenses granted to PB Devco.

The Soul Bar contravention was instrumental in the spread of the virus leading to a local lockdown in Aberdeen. The management at PB Devco should have learned a lesson but obviously only care about the coin and not the general health and well being of the local population. Other businesses are being affected by their irresponsible actions and will be in future as we head towards Tier 3. I therefore implore you to refuse and revoke further licenses to PB Devco.

Complaint 96

Good morning,

I am contacting you to register my opposition to The Draft Project being granted a 14 day occasional license when they next apply. I hope you have been made aware of the footage at Soul Bar in Aberdeen on the evening of Thursday 12th November 2020.

There was no social distancing being enforced, no facemasks worn, no limit on how many Households could mix, no control over patrons yelling and hugging, there was plenty of alcohol in view but not a single meal served with it. While the understanding is that alcohol is allowed outside, I am not sure that putting up a insulated structure with heating, televisions and comfy seating really counts as 'being outside'. If I put paving slabs in my kitchen it wouldn't be a garden.

I am very concerned at the way this establishment has been flouting the covid-19 restrictions - not only on this occasion, but also at other times which led to an Aberdeen wide lock down.

I implore you to seriously reconsider granting any more occasional licenses to this irresponsible establishment. While many residents of Aberdeen and Shire have been sacrificing seeing loved ones in the hopes of moving into a lower restriction tier in time for Christmas, The Draft Project through their careless actions of prioritising money over public health, have surely demonstrated that they show complete contempt for the public, their own customers, the already struggling NHS and for the rules that have been implemented to try and protect the most vulnerable in our society.

Complaint 97

Good morning,

I was shocked and saddened to see the various videos & photos circulating on social media, local news and local newspapers of the complete and utter disregard of social distancing and public health rules at The Draft Project and The Bielside Inn on the evening of Thursday 12th November 2020.

It seems to be that certain licensed premises in Aberdeen are putting profits ahead of peoples safety since restrictions were brought in back in March 2020. Which is a great concern to myself and many other people in the Aberdeen area.

I am confident that the large majority of licensed premises in and around Aberdeen are doing the very best in following current Scottish Government guidelines and rules that are in force. However I think that a very small number of licensed premises are not.

As per the Scottish Certificate For Personal Licence Holders Handbook, the following applies :

Acceptance or rejection of an application for an occasional licence : The Licensing Board must consider the application against the above criteria (which, as well as being reasons for objection, are also reasons for refusal). Should one or more then these apply , then application for an occasional licence must be refused.

Reasons for objection to an occasional licence : (d) The application would be inconsistent with one of the licensing objectives.

Licensing Objectives :

No 2 - securing public safety

No 4 - protecting and improving public health

Regarding the above licensing objectives, surely no 2 & no 4 have been broken as follows :

I believe that The Draft Project allowing people to jump on top of chairs and tables are putting public safety at risk, due to the fact that someone could have caused injury to themselves or other people in the area with these actions.

I believe that The Draft Project allowing people to mix with other tables in very large numbers and celebrating out with their own tables have broken the public health objective.

General Concerns :

1). I am led to believe that Aberdeenshire Council sent an email or messages at 5pm on Thursday 12th November 2020 to all licensed premises in that area, asking that any premises openly advertising the match live on tv, ceases plans to do so immediately. Did Aberdeen City Council consider doing this, especially for the larger venues in the city ?

2). I have concerns regarding the statement issued by PB Devco, saying that they misjudged the level of celebrations that might occur if Scotland scored. Surely basic common sense and the fact that the owners and management have had these types of events on other premises in previous times would tell them what was going to happen and the crowd reaction if Scotland scored, in what was the Scotland National Team biggest football match in 22 years. I have serious concerns if the owners of these venues are fit and proper to run such venues and occasions / events.

3). After the outbreak of confirmed COVID19 cases and the breaking of social distancing rules previously at other premises owned or managed by PB Devco, they promised a full investigation and any lessons learned would be implemented at their other venues. Was this just PR talk as on more than one occasion (as above points) venues in the PB Devco group have been shown to break current rules.

4). Aberdeen City Council sent out an email on Saturday 14th November 2020, to remind all licensed premises of the customers rules when screening sports events in hospitality premises. Why did this email only get sent on Saturday, surely it would have been good practice to send this out prior to the game on Thursday 12th November 2020.

Complaint 98

On social media today it is evident that the Soul bar on Union Street in Aberdeen completely disregarded the current government guidelines as did their customers during the football match last night. This has happened before and should be severely dealt with this time. This not only endangers the people their including the staff it may have a much wider impact in the community in spreading the virus. I work in healthcare and the current situation in ARI is that it is very busy and on amber alert so capacity is limited. We should be protecting the health service as we never know when we might need to access it. Revoke the Soul Bar license and track down all who attended last night and make them self isolate for 14 days as a minimum and fine them.

Complaint 99

I wish to make a complaint re the scenes at the draft project last night. No video attached, as I am sure you have seen the scenes on social media. The

owners/licences are obviously not running their business in accordance with Covid regulations, and therefore not fit to hold a licence. . Soul bar, who are the same owners, have to take a lot of responsibility for the previous lockdown in Aberdeen. I walked past there several occasions when it first re-opened and it was all hugs and hi fives as the customers were entering. They spoiled it for all the establishments that were following the rules. They are now going to do it again, wreck it for everyone else and put lives in danger.. I would like licensing board/council to investigate how they are running their businesses as they are obviously breaking the Covid trading regulations. Also, why they are still allowed to have a licence to trade? Any businesses contravening the regulations right now should be fined/closed, to allow everyone to move forward. What is the council going to do about this? Investigate and get touch on all businesses not following current regulations

Complain 100

I would like to complain about licensed premises in Aberdeen being allowed to show the Scotland game on tv - particularly Soul Bar (draft project I believe) and allowing customers to not socially distance. Videos of this have been widely shared on social media. The bars concerned should be shut down. These bar owners through their lack of care caused our earlier local shut down and allowing this to happen again will likely cause another one. Makes me so angry when I have been following the rules Re covid to try and get back to normal ASAP when others blatantly flout the rules. Shut those bars down that are not complying with the rules.

Complaint 101

Was in the draught project tonight and I left it was that unsafe. People on top of tables and shouting and screaming when watching the Scotland game. They had the sound on to which I though you weren't allowed. It was like a zoo. Why are they allowed to get away with this and my local is shut. They should have never been give permission to build that and I love to know why it classes as an outdoor area. It's always soul that let us down Take there license off them and make a stand

Complaint 102

I cannot believe that the Aberdeen Licensing Board has not acted decisively to terminate the license of Soul Bar in particular (or of other bars) after the repeat of previous blatant abuses of the clear rules set out as the basis on which such premises are allowed to operate. The date and the significance of last weeks (Scotland v Serbia) football match were well known in advance and surely the board should have given clear warning to such establishments given their track record of blatantly encouraging their staff to maximise the number of customers and to encourage customers in their own boisterous alcoholic selfishness. This repeat incident may have already been enough to trigger another wave of transmission - one that would put paid to any other efforts by ACC to encourage commercial

recovery. Plenty other establishments have managed their operation responsibly without such nonsense. Please don't hide behind 'our hands are tied' excuses. There were plenty measures that could have been taken beforehand and there had been silence from the Board since. There needs to be clear and unequivocal statement publicly that this will not be tolerated ANY repetition will result in complete and immediate withdrawal of license. The granting of licenses is in the Boards control. This has been a clear failure of the Board. Soul (and others) must not be left alone by the Aberdeen LB to kill off the City to satisfy their own greed. Are the Board going to wring their hands and wait for another wave to hit and then bemoan the fact that 'hospitality is suffering'. Yes these are "unprecedented times" requiring strong and decisive measures. The vast majority of citizens expect no less.

Complaint 103

Soul Bar and Draft project's license: While I appreciate the statement issue by ACC on the position of disability to revoke their 14 days licence. I trust that ACC shall NOT be providing these establishments with further licences thereafter? Address the repeated breaches and blatant disregard of public safety made by this company. Any refusal to do so will be reported further with demand of a full explanation, breakdown and completely transparency between ACC and this company and their directors.

Complaint 104

Cancel ALL outdoor alcohol licences & football screenings (in/outdoor) in view of the reckless behaviour & total disregard of CV19 rules by football fans on 12/11/20. Aberdeen has already been locked down once before due to the inability of the Hospitality industry to operate responsibly. The City Council cannot afford to let it to happen again.

Complaint 105

As the Council will no doubt be aware, alarming footage is being shared on social media of wild celebrations between football supporters who attended the Draft Project. Press reports also report loud singing taking place, and constituents have contacted me complaining of similar incidents at the Bieldside Inn on North Deeside Road.

Of particular concern is the fact that both bars are owned by PB Devco. This is the same business that owns Soul Bar where similar unacceptable incidents took place in August, demonstrating that they have clearly not learned their lesson following the local lockdown during the summer.

Constituents have rightly voiced their frustration that, while they strive to abide by the rules, businesses such as PB Devco continue to allow such unacceptable behaviour to take place. This is also an affront to responsible bars and pubs who will now be worried about potential repercussions not of their own doing.

I wish to know what action the Council plans to take in response to this situation, for instance, would they consider revoking PB Devco's licensing permit, and what will be done to finally ensure such unacceptable events do not occur again in future.

Complaint 106

I understand the licence is an occasional one therefore will be up for renewal in the next 14 days. I fully expect that not to happen. Any extension will smack of profit over safety at a time when I thought the council were lobbying for Aberdeen to go into Tier 1. Strong leadership from the council just required here.

Complaint 107

Dear Councillors,

I hope this finds you well,

I'm sure you must all be aware of the scenes in Souls outdoor area this evening during the football tonight.

It is completely unacceptable and the council must act to punish the owners of Soul for their 2nd breach of covid restrictions. I would hope and expect their licence to be revoked as a minimum to stop them from being able to operate.

I hope you will act in the people of Aberdeen best interests and not think of the capital gains you may get from this institution.

Complaint 108

Dear Councillors,

As representatives of the Torry/Ferryhill ward I am contacting you to request that Soul Bar is stripped of its alcohol license immediately due to flagrant breaches of Covid restrictions. I am sure that you will have been sent videos posted on social media filmed last night (12/11/2020). These premises have had incidents relating to social distancing over recent months which should have been addressed but the proprietor's only aim appears to be revenue. This conduct could jeopardise Aberdeen's tier rating being set by The Scottish government. This needs dealt with promptly and also conduct of council officers examined over this issue. There needs to a full transparent investigation.

Complaint 109

I was aghast to see the social media footage of the scenes at the Draft Project last night. This is the same licensee who was previously criticised when images of non-socially distant behaviour outside, and in the Soul bar, appeared immediately prior to the devastating August lockdown in Aberdeen.

I fully expect the council to take steps to revoke this organisation's licence. It is utterly unacceptable to allow this phenomenally poor leadership to go unpunished. As well as the obvious risk of facilitating Covid transmission, this has placed further risk on the livelihood of other hospitality venues if as a consequence, Aberdeen suffers from another Covid outbreak that causes the city to receive further restrictions.

Compliant 110

I am an Occupational Health Specialist Practitioner who has been involved in Health and Safety in the workplace since 1987.

My role is the health specialist who advises businesses, managers, and employees regarding health issues at work, with a sound knowledge of Health and Safety Law and Regulations.

Anyone owning and managing a workplace is legally responsible for the Health, Safety and Welfare of themselves, their employees, and the general public affected by their work practices. They are also legally and fully accountable. People can delegate responsibility, but they cannot delegate their accountability. Covid is a Public Health issue also, and the failure to follow hazard controls put in place, following risk assessment, can have a serious impact on the health and wellbeing of a widespread population.

There are reasons for such failures: ignorance, incompetence and unsuitability of the person(s). All businesses must have risk assessments undertaken by a competent person, with the full knowledge and skills in health and safety management. This legally requires investment in the provision of information, instruction, training and supervision. That should deal with ignorance and incompetence. The unsuitability of the persons accountable for health and safety is often unrecognised until the damage has been done. Certain personality traits can lead to such persons having no empathy or respect for others, and a sense of feeling that rules don't apply to them. (I am also qualified in psychiatry.)

I cannot say strongly enough how disgusted I was to witness the incompetence of Soul Bar on the recent evening of football celebrations. We all know that this has happened before, followed by apologies and training, and an Aberdeen city-wide covid lockdown. This was an abject failure writ large. The fact that it was allowed to happen again shows a complete disregard for the health and safety of the city's population, and their employees and customers.

The Licensing Board and the city's Councillors are also accountable for the health, safety and wellbeing of our population. That is a legal given. I see that Jessica and John are members of the Audit, Risk and Scrutiny Committee. That is great to know! I hope the Health and Safety Executive (HSE) have been contacted, and are undertaking a full investigation. Please let me know if this is ongoing. Such a serious infraction must be reported to the HSE. Action must also be taken by the City Council.

Hospitality relies on our population and businesses. Hospitality's covid failures only serve to close down the business that they rely upon to survive, with only themselves to blame.

I look forward to hearing your comments on this situation, and what actions are being taken.

I am happy to discuss further, and provide my mobile number if you wish to give me a call.

Many thanks for your time.

Complaint 111

hello. As a personnel licence holder in Aberdeen since the scheme started 10 years ago I am writing to yourself to complain about the absolutely disgusting blatant breaches of the rules regarding the draft project/Pb devco. With all the restrictions that are going on on the licence trade just now it is absolutely shocking that this place was granted a licence in the first place, let alone seating for over 250 people. This tent is not an outdoor venue and it certainly is not an indoor one. As regards the carry on with the football. Why was this premises along with the beildside inn (another Pb devco) outlet showing. The football in the first place. Clear guidelines were that indoor and outdoor venues were not allowed to show live sports orTV with sound. Both have been going on recently at this place. both the licence holder Paul Clarkson and the owner Stuart clarkson were in attendance on the night and clearly new that social distancing/track and trace/showing live events were clearly not beeing followed just concerned on keeping the cash flowing. Since this corona virus guidelines can In soul bar has showed blatant disregard for all the rules and has been allowed to erect a furthe 3 tents at soul, 1 on the road as well as this tent on a building site (the draught project). The Aberdeen licensing board has only 1 option now, which is to refuse the renewal of the licence for the draught project and take the tents down at soul. This way they can concentrate on controlling what the already have , just the same as everyone else. It's about time the Aberdeen licensing board and the police stopped this once and got all. Thank you for your time

Complaint 112

Premises - Marquee to the rear of 363 Union Street, Aberdeen, AB11 6BN

Applicant - Barry Stuart Clarkson

I wish to object to the above occasional licence requested for the Draft Project Bar.

I watched, with horror, the video of scenes at the Draft Project bar which was taken on 12 November 2020 during the Scotland Football match. During this Covid pandemic it is essential that people follow the social distancing rules however the video shows that there was no social distancing between most of the customers on that night. It is also well known that shouting is another way that the virus can be spread, the video provides evidence of much shouting.

When people consume alcohol their behaviour changes and the bar management should know this. It is shocking that the management of the premises misjudged the likely reaction of the fans and were not in a position to manage it, clearly it was out of control. It is obvious to most people that football fans would become excited and disruptive during a game, whether it was because of a goal being scored or the team winning.

Barry Stuart Clarkson has admitted that they misjudged the situation. I think that this is a poor excuse, they have been caught out, their main motivation is to pack people in and make as much profit as possible.

It is likely that this incident will result in a spread of the virus and unfortunately risk the health of innocent people, who were not even there.

It is also disappointing that the lack of preparation and foresight caused the police to spend their valuable time, 40 minutes, trying to calm and control the unruly fans.

This is the second time that the management of the Soul Bar has been implicated with Covid related breaches. The last time resulted in hospitality being closed in Aberdeen during the summer. Due to the video being circulated, this incident has become national news and has brought shame on Aberdeen yet again.

If the management could not foresee this type of disorder, I would suggest that they should not be running such a venue, especially during this Covid crisis.

The applicant is clearly not a fit and proper person to be granted another licence.

I therefore appeal to the committee that, in the interest of public safety, this application is refused.

Granting of this licence would be inconsistent with all the following

1. Preventing crime and disorder
2. Securing public safety
3. Preventing public nuisance
4. Protecting and improving public health

Complaint 113

Good afternoon, with respect to the occasional licence application by PB Devco for the Draft Project I write to express my objection to the granting of such a licence.

This operator has clearly demonstrated a complete disregard for the health & safety of the general public and their own staff over the past months.

Last week's scenes during the Scotland football match were disgraceful and surely any licencing board could not trust this company to safely operate moving forward.

Clearly PB Devco putting profits before safety.

Lots of local businesses are suffering at the moment but are clearly following government guidelines , all for the greater good of the wider community. This cannot be said of PB Devco.

Complaint 114

Hi

As you can see attached is a petition against Soul Bar I strongly object to you renewing there occasional licence.

1. They may try to say they have safety precautions in place but don't . On 2 occasion recently I have went and been sitting when they put other people to sit at my table which is less than 1 metre apart the 2 household rule is meeting people you know not being forced to sit with people you don't know
2. Everyone has saw the video of last week which owners family were at and one was jumping on the tables really is this a good role model.
3. The beer tent is taking up public space which on checking is common good land.

https://www.change.org/p/aberdeen-city-council-close-down-soul-bar-and-all-stuart-clarksons-other-businesses?utm_content=cl_sharecopy_25822426_en-GB%3A0&recruiter=1164189813&utm_source=share_petition&utm_medium=copylink&utm_campaign=tap_basic_share&utm_term=G%3ESearch%3ESAP%3EW-EN%3ENonBrand%3EHow-To%3EAll-Match-Types&fbclid=IwAR16ZHecBXomoRdP_JFCwrAFh49qZ-ndrttyN4XR4Df8WICU8SHB3DNQJII

Complaint 115

Goof Morning

I wish to raise my concerns regarding the license holders blatantly breaches on not 1 occasion but 2 which has been well highlighted over tv & social media I ask how did this owner manage to get outdoor marquee set up when as it states by council licensing committee that standard practice is that application needs to be advertised to public over a period of 1 week but it was authorised in 72hrs which to start with is unacceptable practice by council I would state shambolic Is there money passing hands here from the business licence holder as it seems that license can be obtained in such a short notice period along with tvs in both outdoor marquess We are well aware this mr clarkson has broke the rules along with son whom run the

business which was highlighted on various occasions by snp government on guidelines on coronavirus which this persons have breached This license holder has failed in the licensing laws set do to which most of the license holders in Aberdeen have followed by this license holders needs to face the consequences of his breaches I for myself would like to see this license holders licenses revoked and I'm not just speaking about outdoor marquees for a review over 2 weeks action needs to be taken and it's not just a slap in the wrist For myself action would be at all the above bar's ie license revoked for a period of 3 months until all investigations are complete not only by council but also police Scotland Council need to start listening to the people of the city & most importantly descent publicans that can follow the rules set in place

Complaint 116

To whom it may concern,

I am writing to you today to ask if the following points maybe taken into consideration for any future licence applications being granted to the operators of Soul bar and Draft Project.

The grounds for the objection are based upon the two recent incidents relating to failure to follow Covid restrictions that have taken place at these premises. These incidents have proven to be a risk to the Public health of the citizens of Aberdeen city and also put the hospitality trade at risk. This intern puts the local economy at risk.

The first incident may have been an accident but for a second to happen is utterly unacceptable. Please take into consideration the negative effects this will have on the premises is for the greater good, hopefully meaning other business can stay open and trading.

If the licences are granted I fear yet another incident will happen cause the government to take action and place aberdeen in yet another local lockdown.

Please think carefully on your decision as this may have major repercussions on the people of Aberdeen whom the local authority serve.

Complaint 117

Good Evening

I am writing to voice my objection to Draft Project and PBDevco on their working practices. This is the second time we have seen them breach rules, with the last time with Soul Bar making national news - how much more national embarrassment will this company make on the city and the city council?

When other businesses are trying so hard to adhere and have their livelihoods threatened by closures and health risks to the public - how does this company continue to operate and get licencing - is it because they are friendly with Marie Boulton? Certainly looks that way. Credibility of both them and her position in

licencing must be questioned with repeated breaches by same company and risks to the public health and welfare and many companies survival.

What does it take to have a licence suspended ? Maybe they would finally take notice if it was, before people start dying or businesses closing due to this companies reckless attitude.

I am a supporter of trying to keep businesses afloat - they clearly are supporters of cash in their pockets only and to hell with the rest of us.

Complaint 118

I would formerly like to register my utter disbelief and disgust at the scenes at Draught Project Soul Bar premises during and at the end of the Scotland v Serbia match. I was delighted at the football result but why oh why was a licence issued for the event at project Soul .

During a Corona Virus event we are told to look after each other in a responsible way.

I feel very sorry for the Duty Manager at Project Soul that night. I believe also 4 additional staff were hired for the night. The staffing and organisation was appalling Here are some facts. The number of cases of Covid was and is rising. Many people are dying! We need strategies to keep our schools open, large. TVs were in place with the purpose to get more punters in to spend money. DISGUSTING ! The Scottish Government arranged for SKY TV to show the match live. This company deliberately went contrary to that in the interest of profit. If Aberdeen has to go into further restrictions we all lose. What were they playing at?

Aberdeen city council, I believe, was negligent in issuing a licence. Draught Project was negligent in opening this event and of course the punters (or selfish people) who did not behave also lacked a responsible attitude. That all said, our institutions have a DUTY OF CARE towards the citizens of Aberdeen and Scotland. They were in breach of that duty and as a consequence have put lives at risk. I hope everyone who attended do not get Covid.

I call on the licensing board to suspend any other special licences to Soul and Draught project. I think they should be issued a fine on their failure to keep folks safe last week. I think any official who works for the City Council and recommended this to go ahead should also be disciplined.

Complaint 119

After viewing social media videos of the debacle that occurred in these premises on Thursday 12th November 2020 I would request that this business has it's alcohol license revoked. The proprietor seems to show flagrant disregard for current Covid regulations on social distancing. This kind of attitude could jeopardise Aberdeen's rating in the Scottish government tier system. Removing televisions hardly seems an appropriate solution to the serious breaches of the regulations that occurred. I am sure that I am not the only city resident to contact the board on this matter so please consider a more appropriate punishment as this company is laughing in the face of most Aberdonians and other businesses.

Complaint 120

WHILE MOST ABERDEEN RESIDENTS ARE RESTRICTED FROM VISITING THEIR LOCAL LICENSED ESTABLISHMENTS, "PROJECT DRAFT BY SOUL" CONTINUE TO BLATANTLY DISREGARD CURRENT COVID RESTRICTIONS REQUIREMENTS AS SET BY LOCAL + NATIONAL GOVERNMENT BODIES.

IT IS MY OBJECTION THAT WHILE THE MAJORITY OF US FOLLOW THE RULES, THAT THIS PBDEVCO OWNERS REPEATEDLY PRIORITISE PROFITS ABOVE,

1. PUBLIC SAFETY,
2. PROTECTION OF PUBLIC HEALTH AND
3. POOR MANAGEMENT + SECURITY MEASURES.

I SUPPORT REFUSAL OF THIS APPLICATION -

Complaint 121

WHILE MOST OF US FOLLOW GOVERNMENT GUIDELINE THE ABOVE PREMISES HAVE BEEN ON NATIONAL NEWS TWICE IN SO MANY MONTHS. VERY POOR MANAGEMENT. PROFITS OBVIOUSLY COME BEFORE ANY SAFETY REGULATIONS.

Complaint 122

I write with regard to the Draft Project operated by the owner of the Soul Bar.

I have already written to my elected officials regarding this. I am not alone, I am sure, in registering my complaint at the behaviours displayed on Thursday night, yet again at premises operated by the owner of the Soul Bar.

I do not understand why such minor action was taken at the Draft Project, in response, namely that televisions should be removed. I strongly urge that the license for these premises be removed with immediate effect.

The majority of Aberdonians are trying to comply with Scottish Govt advice and rules, yet these have been flagrantly broken again by a minority and again at premises operated by the owner of the Soul Bar.

I wish to register my objection to these premises having an alcohol licence.

Complaint 123

I find it amazing that your board has seen fit to allow PB Devco to operate a beer garden after last Thursday evening disgraceful scenes at Soul Bar, Scenes that were not just seen in Aberdeen and the surrounding area, but across all the major TV channels. Scenes which has given the totally wrong picture of 99.9% of Aberdeen and the shire.

How can you justify such a decision when law abiding people cannot even go to a church service, but if you want to drink and get drunk and disobey every single Covid rule, and disgrace the city, then it's alright.

This organisation has a past record of pleasing itself, just as long as the money keeps rolling in. Do you honestly think that organisation will stay within the rules? That organisation should have been grateful for being allowed to put up a tent across the whole street, instead they throw it back at you.

Your decision has set a precedence for every licenced premises to break the rules, and get away with doing so, and you will not be able to do anything about it.

Your decision beggar's believe and I hope you can justify someone making wealth over health.

Complaint 124

Objection to Occasional Licence Application

Premises - Marquee to the rear of 363 Union Street, Aberdeen, AB11 6BN ("The Draft Project")

Applicant - Barry Stuart Clarkson

I wish to object to the application by Barry Stuart Clarkson for an occasional licence for a marquee to the rear of 363 Union Street, Aberdeen, AB11 6BN ("The Draft Project").

My grounds for objection are that granting this application would be inconsistent with the following four licensing objectives:

- preventing crime and disorder
- securing public safety
- preventing public nuisance
- protecting and improving public health

Like many others I was shocked by the videos of what happened at The Draft Project during the Scotland-Serbia football match on the evening of Thursday 12th

November. There was a complete absence of social distancing and many customers were singing and shouting – all of which are not permitted in a licenced premises at present as they increase the risk of transmission of Coronavirus. The video evidence shows that many of the customers in The Draft Project were out of control.

It is clear that The Draft Project's management had not anticipated or planned for the entirely predictable reaction of Scotland football fans - especially after consuming alcohol - to the Scottish team scoring a goal or, ultimately, winning the match. Once the situation did arise, The Draft Project's management was not in a position of safely manage it.

This failure by The Draft Project's management led to a considerable amount of police time having to be devoted to what happened both inside and outside the marquee.

On 12th November, The Draft Project's management clearly failed to meet the above four licensing objectives:

- There was disorder and breaches of the Coronavirus regulations for licensed premises.
- The failure to ensure customers maintained social distancing and did not sing / shout was a risk to public safety (most immediately that of customers, The Draft Project's staff and the police officers who had to deal with the incident).
- The disturbances inside and outside The Draft Project were a public nuisance.
- The failure to ensure customers maintained social distancing and did not sing / shout increased the risk of transmission of Coronavirus and was a risk to public health. This was not just a risk to the health of other customers, The Draft Project's staff and the police officers who had to deal with the incident but to the health of the wider community because of the risk of onward transmission from those who may have been infected with Coronavirus at The Draft Project.

For the above reasons, I urge the Licensing Board to refuse this application for an occasional licence.

Complaint 125

I would like to object to the application MARQUEE TO THE REAR OF 363 UNION STREET. Known as Project Draft. My reasons are for previous breaches of the current licencing objectives set by the Aberdeen city council licensing board.

Breaches of note are based on multiple reports and evidence seen widely by the public and include.

preventing crime and disorder - Due to inaction police were forced to attend their venue as they could not control the situation

securing public safety - During a pandemic they failed to eject those breaching laws and rules

preventing public nuisance - This cause a lot of noise and chaos in the streets

protecting and improving public health - They categorically failed to protect people's health by not enforcing their own rules as well as those set out due to current pandemic

These breaches are serious and cannot be overlooked. They should be considered when renewing any licence for this site. They also have at least 1 other location they are seeking occasional licence for and this should also be a worry if they take the same attitude to the board's own licencing objectives.

Complaint 126

Why should the council allow this company to continue to be given occasional licences when on two occasions they have flaunted and broken the council rules putting both peoples lives at stake as well as putting other licensed premises under threat if Aberdeen was to be put up to tier 3 with their actions.

Other licensed premises have behaved themselves and acted properly so why give this selfish company a licence after complaints of noise and bad behaviour by their punters at both Beidside inn and other premises due to the match being shown at the PB Devco premises.

Time for this board to put its foot down and penalise this company by disallowing the current application for temporary occupational licensed for their supposedly outdoor beer gardens .

Many other publicans haven't got place to put a beer tent so have to suffer as part of the present Civid restrictions so don't give this company preferential treatment.

Do Aberdeen proud and don't allow PB Devco their new occasional licence.

Complaint 127

Dear sir/ madam

I object to the draft project being granted any further license, along with soul bar and spiders web on the grounds that the owners have consistently failed to monitor and restrict customers, when under the influence, to maintain social distance and refrain from singing shouting and jumping around (although understandable) in the current climate of covid 19.

This undermines all the work aberdonians have done to maintain our tier2 status

Thank you for considering this appeal

Complaint 128

I'm contacting you as I have witnessed footage on social media tonight showing what I can only describe as insanity on the biggest level. The Draft bar/soul having totally no respect for the rules of Covid-19.

As you are in Administration, please address this issue, I'm beyond furious that this has been allowed to happen as we have all had to sacrifice so many things this year, the footage makes a mockery of us all & the council rules on hospitality.

Complaint 129

I am absolutely appalled at the shocking behaviour of some Aberdeen citizens in the centre of town. I hope this will not lead the city into another lockdown. I am a pensioner and most of the people I know are doing our utmost to adhere to the regulations so that we can get out of this dreadful situation with COVID. What do we see?

First of all when the pubs opened at the end of July there was what amounted to chaos in the centre of town - queues waiting to get into venues and no attempt at social distancing. Then we had a lockdown through most of August.

What happens now? The disgraceful event at the Draft Project (again!!). They screened the Scotland match. This was bound to provoke unacceptable behaviour. I am not a prudish person by any means, but I feel if we are to be working together to defeat this virus then we should be encouraging everyone to participate. I lost my husband to COVID at the end of April.

I feel the owner of the Draft Project is driven by financial gain. He also owns Soul cafe and I note he made a substantial donation to the TORY party. Why not Aberdeen City Council instead? I will certainly never visit any of his premises again.

Why are you not shutting down these premises? They are causing harm to the city. A number of restaurants are behaving correctly and should be applauded for that.

Complaint 130

As one of my local Councillors, I write to you with respect to the recent scenes from Aberdeen's The Draught Project.

While we are all working and living during a global Pandemic, I write to ask what action, motion or other appropriate means you intend to take, with respect to the scenes in from earlier this week.

I note the statement made by PB Devco:

- “This simply is not acceptable and I understand why people are so upset by this”;

- “With hindsight it is easy to understand the scenes of sheer, unbridled joy. Unfortunately, in the current pandemic, that is not acceptable and we were unable to prevent or contain what happened”;; and

- “While we are proud of our venues and the safe environment they provide, it is clear that in this case we misjudged what was likely to happen”;

No apology has been given (presumably as a consequence of legal advice, not to admit liability), and this is the second time that this business has been involved in breaching of regulations. How could “the scenes” not have been anticipated ?

I note the statement that has been made by Aberdeen City Council, whereby you consider it appropriate recourse for the televisions to be removed and that the terms of the temporary licence are such that the licence cannot be revoked.

While I cannot understand why you are unable to revoke a temporary licence, please confirm your intentions with respect to the next natural licencing renewal period.

Will you do all that you can to ensure that the licence for The Draught Project is not renewed ?

Do you consider removal of televisions to be a proportionate response in the circumstances?

Do you consider it acceptable for a business such as The Draught Project is able to continue to be licenced trade ?

In an environment where our friends have had to cancel and re-arrange wedding plans, we have been unable to attend the funeral of a close friend, holidays have been cancelled,

Complaint 131

It is clear from recent events that the management and/or owners of “Soul Bar”, “The Draft Project” and PB Devco are not fit persons to operate licenced premises.

They have shown a clear inability to carry out appropriate risk assessments and as a result have endangered the safety of their employees and the general public.

I look forward to seeing some action from Aberdeen council to rectify this situation

Complaint 132

I am absolutely appalled by the footage of The Draft Project showing the Scotland football match last Thursday night. I sincerely hope that VERY TOUGH action is taken against Devco and Mr Stuart Clarkson who has twice flouted the rules and yet again showed an absolute disregard for the rules and regs regarding the current situation.

His license should be revoked immediately and not given back !

His grovelling apology should be accepted, all hollow words yet again!

This is not the first time , Just interested in taking in the money!

There are so many small businesses in Aberdeen trying so hard and who suffered the consequences the last time this group flouted the rules.

Aberdeen city council should be ashamed of themselves for allowing this bar to continue to operate in this manner when so many are adhering to the rules.

Please, as my councillors note my extreme disgust to the licensing board and recommend that this bar and all in this group be shut from immediate effect.

Complaint 133

Good afternoon Mr Munro

I am instructed by my clients Mor Rioghain Ltd SC642677, 267 Clifton Road, Aberdeen, Scotland, AB24 4HJ and Gavin Stevenson to make objection to the application by BY PB DEVCO'S SENIOR MANAGEMENT TEAM.

The application is listed No 18 on the list of occasional licence applications advertised on the Aberdeen City Licensing Board web site and is due to be heard today.

My clients object for the following reasons:

1. Inconsistency with the 3 of 5 objectives
 - A. Preventing Crime and Disorder
 - B. Securing Public Safety
 - C. Protecting and Improving Public Health

2. The persons likely to frequent the premises

The operators of The Draft Project Soul have in the recent past consistently demonstrated their inability to manage their premises to secure compliance with the above objectives

a. Breach of Prevention of Crime and Disorder, Securing Public Safety, Protecting and Improving Public health

The failure to manage their queuing system at Soul the hub of their premises operating to ensure appropriate social distancing contrary to Covid restrictions thus breaching the then in force The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020

b. Securing Public Safety, Protecting and Improving Public health

Their operating of the marquees at that part of their premises known as The Draft Project and the Marquee situated in Bon Accord Street immediately outside their premises did not comply with the Smoking, Health and Social Care (Scotland) Act 2005(a) under the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006(b), in that they were operating with the sides down in contravention of the then in force The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020

c. Breach of Prevention of Crime and Disorder, Securing Public Safety, Protecting and Improving Public health

Their failure to manage the premises the Draft Project on the occasion of the Scotland football qualifier on 12 November 2020 where blatant breaches of the SSI 2020 No. 344 PUBLIC HEALTH The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels)(Scotland) Regulations 2020 in that the operators permitted dancing, shouting, close personal contact between customers and staff - requiring police intervention

The operators have on several occasions made apologies in the press and on social media stating they will ensure compliance but have consistently failed so to do.

The persons likely to frequent the premises

The patrons of the seem to be unable to understand or are not required to comply with the COVID regulations

The operators of the premises display either

- i. a complete lack of understanding of the requirements for operating safely during this pandemic; or
- ii. contempt for the need to operate with the stated objectives in mind to prevent spread of Covid19

My clients believe these premises operators have consistently demonstrated their failure to comply with the terms of the Licensing (Scotland) Act 2005, the conditions attached to their operating plans and occasional licences and have despite undertakings to improve have failed so to do thus putting their customers and staff and more widely the people with whom those parties interact at risk

My clients believe that the earlier failures by PD Devco to comply with Covid restrictions had a direct bearing on the earlier Aberdeen lockdown imposed by the Scottish Government to the harm of businesses within the City.

The applicants sit on the management team of Aberdeen Hospitality Together and organisation set up to ensure good standards in premises operating in Aberdeen and should therefore - as they hold themselves out as leaders in the hospitality industry - have a sound understanding of the law and the requirements of Covid restrictions.

My clients ask the City of Aberdeen Licensing Board to refuse this application for occasional licence .

Complaint 134

I write to you as I am sure many others have as a plea to revoke the alcohol licence for the draught project.

The footage emerged this week makes it clear where it was filmed and I believe now the second time an establishment run by Stuart Clarkson has clearly broken very easy to follow guidelines.

Its absolutely imperative that you actually do something about this rather than making excuses or taking backhanders from a clearly wealthy man.

This is not about money, it's about safety and that should be the only factor being considered right now.

The first time rules were broken aberdeen was sent into a local lock down due to the speedy transmission rates of the virus, what's to say it doesn't happen again and many more innocent people will be harmed or loose their lives.

Please do the right thing, it's absolutely your responsibility.

The Draft Project

Occasional Licence Application

Response to Comments Received by Aberdeen City Licensing Board

1 Introduction

- 1.1 Members of the Board will hopefully forgive the fact that this response follows a similar format to that presented in respect of the Bielside Inn earlier in the week. That is because many of the concerns which arose in relation to the Bielside Inn apply equally to the Draft Project, and undoubtedly to every other venue which was showing the football on Thursday 12th November.
- 1.2 Covid 19 has brought many challenges to society in 2020, and the hospitality sector has been one of the worst affected, due to the inherent nature of hospitality requiring an element of social interaction.
- 1.3 The challenges that this has brought about have been significant, but the hospitality sector has worked tirelessly to find a way forward. Not just for the sake of retaining jobs and keeping businesses afloat, but providing an essential service to the public, both in terms of fulfilling basic needs of accommodation, and nourishment, and also an element of social interaction that so many people need for their own mental health.
- 1.4 The hospitality sector remains a vital part of society during the pandemic, and Aberdeen City Licensing Board has recognised this throughout, taking a very proactive and supportive approach to enable hospitality businesses to operate in a safe and compliant manner, in order to provide these essential services to members of the public.
- 1.5 The challenges faced by the sector have resulted in a number of excellent initiatives to enable the sector to adapt in line with government guidance, for the best protection of the public. This has included a significant increase in the number of outdoor licensed areas, which are considered to be far safer at containing the spread of the virus than indoor environments.
- 1.6 While not everyone may be on board with bus lanes and pavements being taken over by outdoor licensed areas, the Licensing Board have recognised the advantages of this in terms of providing a safer environment for the public.
- 1.7 Many businesses have invested significantly in adaptations to enable them to provide a far greater outdoor area to serve the needs of the public. This reflects both demand, and also in many cases is the only possible method that any of these premises can remain viable, allowing sufficient turnover to justify the retention of staff, opening of kitchens, etc. Without a doubt, many businesses in the hospitality sector will not survive the pandemic, and those that remain open are, without exception, all struggling to break even.
- 1.8 This sets the scene as to why it is essential to treat all hospitality business fairly when considering applications for occasional licences, especially when faced with complaints from those concerned about the impact of the spread of the virus.

- 1.9 Maintaining the hospitality industry prevents the alternative of people mixing in unregulated (and illegal) private gatherings, which bring a far greater likelihood of the transmission of the virus.

2 Investment

- 2.1 Places like the Draft Project, the Bielside Inn, The Grill and Soul have not only led the way in investing in safer outdoor hospitality spaces, but have also inspired many other hospitality businesses to make similar adaptations, allowing them to re-open in an attempt to survive what is otherwise an incredibly challenging year for the industry.
- 2.2 Inevitably those businesses which make the biggest changes will face the biggest challenges in the court of public opinion. Through social media, everyone gets the opportunity to have their say, particularly when they see snapshots of a situation through a photograph, or a short video.
- 2.3 However it should also be recognised that these are the business which are investing in the city, investing in their own changes, and enabling and encouraging the hospitality sector to adapt and survive, as well as provide an essential service to many people in the city, in a safe and managed environment.
- 2.4 Covid has brought many changes, but by adapting and investing, certain premises have been able to continue to operate safely and effectively, in line with Government and local regulations.

3 Premises

- 3.1 The Draft Project is a new pop-up bar that sits in the open air area to the rear of the former Bruce Millers shop. It was first opened in
- 3.2 The Draft Project is operated by PB Development Company Limited (PB Devco). PB Devco also operate Soul Bar, and there is a tie in between the two properties in terms of catering, however they operate as separate venues. The Board should not confuse complaints against Soul, with complaints raised in relation to the Draft Project.
- 3.3 Some of the complaints even include pictures of Soul taken in August, which we would suggest are not relevant to the current application.

4 Public Comments

- 4.1 We have been provided with copies of the public comments which have been made to the Licensing Board in respect of the Draft Project.
- 4.2 These have all arisen as a result of the social media footage taken in the aftermath of Scotland's goal in the playoff for European Championship qualification.
- 4.3 These complaints can be grouped together under the following headings and we will respond to each of them.

4.4 Mixed Households

- 4.4.1 Aberdeen is currently in Tier 2 of the Government's scale of protection levels. At present, a maximum of six people from two separate households can meet together. This is strictly upheld by the Draft Project.
- 4.4.2 Many people have a perception of one household being parents and children, However that is not the reality, and that is generally not the demographic that the Draft Project attracts. The Draft Project is frequented by many groups of young persons and students, who often share accommodation and therefore constitute one household.
- 4.4.3 Flatmates and siblings can all be members of the same household, even if they come across as a mixed group of youngsters.
- 4.4.4 The Board will appreciate that it is not always easy to identify whether people are from different households.
- 4.4.5 The instructions from Environmental Health were that they only required to question any "questionable groups" however the Draft Project will ensure they check with every group that they comply with the limit on two separate households.
- 4.4.6 This is also contained in the terms and conditions which all customers accept when they make a reservation through the app.
- 4.4.7 Environmental Health have advised licensed premises that they do not at this stage have to ask for proof of address to confirm the number of households. There is no Scottish Government requirement for them to do so, and no powers under regulations for the venue to do so. It is for the individuals to comply with this aspect of the regulations or face the consequences.
- 4.4.8 The Staff Training Procedures Guide, attached as Appendix 7 goes further in confirming to staff as follows:-
- "If customers decline to give their correct details, give false details or they are not the correct booking and household size according to Scottish Government guidance at the time, they will be turned away from the venue."*
- 4.4.9 Therefore the Applicants are doing everything they can to ensure compliance with this aspect of the regulations.
- 4.4.10 Despite the complaints which have been made, these are based purely on speculation and supposition. No actual evidence has been presented to the Board to suggest that the regulations have been breached in any way. It is not sufficient to say that it "looks" like there may be members of more than two households in attendance at a table. This has to be demonstrated and proved. The complaints have not been able to provide any actual evidence to substantiate their suggestion that there has been a breach of the regulations by the individuals involved.

4.5 Lack of Physical Distancing / Customers Hugging Each Other

- 4.5.1 Government guidance is that *“you should stay at least 2 metres apart from people from other households at all times, unless the venue is operating 1 metre distancing due to additional measures being in place to avoid transmission”*
- 4.5.2 In this venue the appropriate “additional measures” were all in place, such that the 1-metre social distancing rule applies.
- 4.5.3 The environmental health officers have had no concerns over the layout of the tables at the premises, which comply in full with the Council’s Guide for Business on Social Distancing.
- 4.5.4 No physical distancing is required between members of the same household, which as stated above, can include groups of students or flatmates who all share the same accommodation.
- 4.5.5 The Draft Project has always taken very seriously the requirements to enforce social distancing. Attached as Appendix 8 is the Customer Code of Conduct which The Draft Project expects its customers to comply with. It is made available via document and pictorial signage and states

“Always observe current social distancing guidance, which we will clearly signpost for you. Remember that you must maintain this distance from people in another household even when you are meeting up as a group”

- 4.5.6 It is very difficult to identify from the short videos shared on social media as to whether any of those individuals hugging each other were from the same household. While the footage taken in the immediate aftermath of a Scotland goal does not look good when viewed in isolation, it is quite possible that those who were seen to be hugging, were from the same household. It is not for members of the public viewing the footage on Fubar News to decide.
- 4.5.7 We should also highlight that one of the public comments was in support of the venue (attached as Appendix 5), stating:

“As far as I can see, all the rules were followed last night. People booked tables, they accepted T&Cs agreeing to no more than 2 households / social distancing, and will have been asked to check in via the QR code. This has happened every time I have visited, and was checked by staff before ordering”.

4.6 Face Masks Not Being Worn

- 4.6.1 Complaints have been raised regarding people not wearing masks. Government guidance states that *“the wearing of face-coverings (unless exempt) when not seated by all customers is mandatory in all hospitality venues.”*
- 4.6.2 Masks are not required when customers are sitting at their tables.
- 4.6.3 In addition, masks are not required when customers are exempt from wearing these for their own personal reasons.

4.6.4 Although the staff will encourage the wearing of masks, their instruction is that they should not challenge or refuse people who do not wear them.

4.6.5 The Customer Code of Conduct advises all customers to:-

“Wear a face covering in the queue and inside premises, except when eating and drinking. You must wear your face covering if you leave your seat for any reason.”

4.6.6 Despite the complaints which have been made, these are based purely on speculation and supposition. No actual evidence has been presented to the Board to suggest that the regulations have been breached in any way. Again, it is not sufficient to say that it “looks” like there has been a breach of regulations by some customers not wearing masks. It has to be demonstrated that even if there were customers not wearing masks, these individuals were not exempt. The complainers have not been able to provide any actual evidence to substantiate their suggestion that there has been a breach of the regulations by the individuals present.

4.6.7 Football on the Television

4.6.7.1 It is acknowledged the football was being shown on the one television screen. This had not been prohibited in terms of the occasional licence or Scottish Government guidance.

4.6.7.2 The only guidance to come from the Scottish Government on this was in the form of an answer to a question on the gov.scot website which stated that pubs and bars in levels 0 – 1 can still offer sport on TV, along with pool, darts and gaming machines. There is nothing elsewhere that expressly prohibits sport on TV in any higher levels.

4.6.7.3 Therefore, the showing of a football game is not, in itself, a breach of any terms of the occasional licence or the regulations.

4.6.7.4 A number of the complaints suggest the sound was on, and the commentary being played. That was not the case. The sound was off for the duration of the game, in line with the conditions of the occasional licence and Government requirements.

4.6.7.5 When the police attended, in terms of their Report attached as Appendix 1, they confirm that the television was on mute. There is no evidence that any sound was being broadcast from the television. Complaints based on a social media post will inevitably include a degree of hypothesising rather than providing any factual evidence.

4.6.7.6 The Board will be aware that the venue has since been served with a formal Notice to remove the screen, which they have done. The Board will also note the comment from Police Scotland, in their response, which we consider would adequately allay any fears that an incident such as this might happen again

“the Board may wish to consider imposing an additional conditional to the effect that no high profile televised football fixtures will be shown”

4.6.8 Lack of Staff Intervention

- 4.6.8.1 This is an interesting argument which has been put forward by certain complainers. The question of the extent to which the staff should have intervened.
- 4.6.8.2 While it is true that the social media footage provides a snapshot of people cheering and celebrating a goal, this was a very brief moment over the course of the evening, the rest of which customers remained compliant, sitting at the benches.
- 4.6.8.3 Attached as Appendix 3 are stills from the internal CCTV showing the layout of the premises that night, and the nature of the customers sitting at their tables.
- 4.6.8.4 Fourteen members of staff and four SIA authorised door staff had been on duty within the premises during the course of the evening. The ratio of staff to customers was entirely appropriate, and yet there remains very little that can be done in the immediate aftermath of such an important goal. In the following moments, the atmosphere returned to its normal level as can be evidenced from the CCTV stills contained in Appendix 3.
- 4.6.8.5 Any customers who were not prepared to comply with the strict regulations over the course of the evening were required to leave the premises, as detailed in the police report contained in Appendix 1.

4.7 Serving Alcohol Without Main Meals

- 4.7.1 As the Board will be aware, in outdoor premises in Tier 2, alcohol can be served without a main meal.

4.8 Premises Open Beyond 10pm

- 4.8.1 The venue is permitted to serve alcohol until 10pm. There follows a 15 minute period for drinking up and thereafter a further 15 minute period for people to leave the venue. This has been confirmed by the LSOs. Under the Tier 2 regulations, all customers must have left by 10.30pm, which is always the case.
- 4.8.2 According to Occasional Licence condition 6 – *“The 2230 hours terminal hour is to incorporate the 15 minutes ‘drink up’ time for customers not consuming a meal and 30 minutes for customers who are consuming a meal.”*

4.9 Premises not Constituting an Outdoor Space

- 4.9.1 The construction of the marquee is in accordance with the Council’s Guide for Business on Social Distancing, which was produced in order to support the reopening of all shops and businesses when it is appropriate to do so, in a way that minimises health risks in terms of limiting further transmission.

- 4.9.2 The premise comprise a marquee frame and roof erected on a timber floor. The far end of the marquee (closest to Bruce Millers) has a marquee wall. The two sides are, however, open. There is a gap between the exposed open sides, and the walls forming the extensions to the neighbouring buildings to the north and south.
- 4.9.3 The front of the marquee is open, and is used as the main entrance.
- 4.9.4 The structure complies with the definition of “Outdoors” in terms of the coronavirus regulations, which requires not less than 50% of the sides to be open. In this case the premises have 54.5% of the sides open to the elements, as confirmed in the email from the marquee supplier attached as Appendix 4.
- 4.9.5 Compliance has been established to the satisfaction of the environmental health team, and is not a matter for the Board.

4.10 Lack of Track and Trace

- 4.10.1 One of the comments states that the venue has not adhered to track and trace requirements. The venue operates a registration app which customers are required to use to upload their personal details using a QR code. The staff will then ask the tables to demonstrate that they have done so, by showing the confirmation on their phone.
- 4.10.2 For those who are unable to use the app, alternative provisions are in place for the manual taking of customer details in order to comply with the test and trace requirements.
- 4.10.3 Log books are maintained by the venue in strict accordance with the government requirements. The effectiveness of the system was tested previously at Soul, with all relevant information held being passed to the track and trace team.

5 Grounds for Refusal of an Occasional Licence

- 5.1 Under Section 59(6) of the Licensing (Scotland) Act 2005 the grant of an Occasional Licence can only be refused by the Board on the following grounds:
- 5.1.1 the premises are excluded premises
- 5.1.2 there are no exceptional circumstances for allowing the sale of alcohol on the premises during a continuous period of 24 hours or more;
- 5.1.3 the application requests the sale of alcohol for consumption off the premises before 10.00, or after 22.00 or both on any day;
- 5.1.4 the granting of the application would be inconsistent with one or more of the licensing objectives; and

- 5.1.5 having regard to: the nature of the activities proposed, the location, character and condition of the premises and the types of people likely to visit the premises, it is decided that the premises are unsuitable for use for the sale of alcohol;
- 5.2 5.1.1 to 5.1.3 do not apply. The application is in line with the permitted operating hours, and the premises has benefited from a series of occasional licences since restrictions on opening were lifted in August.
- 5.3 The only grounds for refusal are therefore that the application is inconsistent with one or more of the licensing objectives, or that the premises are unsuitable for the sale of alcohol.

5.4 Licensing Objectives

- 5.4.1 There is no suggestion that the premises have failed to comply with the objective of **Preventing crime and disorder**. This objective looks at the anti-social behaviour of an individual person, rather than in a wider sense.

No criminal activity took place that evening that warranted any action from the police. Hugging someone who may be from the same household does not constitute criminal behaviour. Cheering a goal does not constitute criminal behaviour.

The only possible ground would be if the board considered the additional noise caused by a specific individual, during a brief moment of celebration during a game of football constituted antisocial behaviour. We would certainly argue that this was not the case, and not to the extent that it justified the refusal of future occasional licences.

- 5.4.2 **Public Safety** is managed better in licensed premises than it is in many other environments due to the fact that it can generally be controlled. This is even more true during the Covid pandemic. The public safety headings in the Board's policy are all supported by the premises, and acted on accordingly. Notwithstanding the comments in some of the complaints, there is no enhanced risk to public safety through the operation of the premises.

Any customers who are unwilling to comply with the regulations are removed from the premises. This happened on the occasion of the Scotland game, and will always be the case. The snapshot of the footage after the goal was an isolated incident caused by people caught up in the excitement of the moment..

Environmental Health have confirmed that during their visits to the Premises, they "have found that the business is generally compliant with the requirements of the [regulations]".

Their response to the incident is contained at Appendix 6, and despite the complaints, raises no concerns other than to state that they issued a notice to remove the screens.

- 5.4.3 When it comes to **Public Nuisance** the board has to weigh up the strength and validity of any objections against the significant benefits in enabling the premises to operate and provide a service in the community. The complaints which the board has received do not relate to public nuisance, but more to concerns in relation to a very brief moment of behaviour in the aftermath of a goal being scored. This is not public nuisance. A brief moment of excitement in the aftermath of a goal, where people hug others who may be members of the same household, is not a public nuisance.
- 5.4.4 The Board's objective on **Protecting and Improving Public Health** relates to the wider concerns over the consumption of alcohol, and not specifically to the public health concerns of a pandemic. However it is relevant here, and therefore important to reiterate that the applicants have put in place all appropriate measures and remained fully compliant with the requirements of the Licensing Board imposed in each of their previous occasional licence applications.

5.5 Premises Unsuitable for the Sale of Alcohol

- 5.5.1 This ground for refusal relates to the physical condition of the premises.
- 5.5.2 The Draft Project erected the outdoor marquee in August in order to enable an outdoor licensed space at a time where the re-opening of indoor licensed areas was still prohibited.
- 5.5.3 An Event Plan was prepared by the applicants in line with the application procedure and submitted to the Licensing Board for approval. Comments were raised by both Police Scotland and the Licensing Standards Officers, in relation to the application, and these were taken on board, and conditions applied to the grant of the Occasional Licence.
- 5.5.4 The latest application also invited comments from Police Scotland, and these are attached as Appendix 1 annexed.
- 5.5.5 These comments and conditions reflect the fact that the Police do not consider the premises to be unsuitable for the sale of alcohol, with the only change to the conditions proposed by the Police as a result of the Scotland v Serbia game being that no high profile televised football fixtures should be shown.
- 5.5.6 The LSOs also provided their response to the application, which is contained at Appendix 2, again confirming the premises are not unsuitable for the sale of alcohol.
- 5.5.7 The fact that multiple occasional licences have previously been granted for the premises, that the premises comply with the Council's layout requirements in terms of the Guidance for Businesses on Social Distancing, and that the application is supported by both the Police and the LSOs all point to the fact that the premises are suitable for the sale of alcohol, and therefore this is not a reasonable ground to refuse the application.

6 Scotland v Serbia

- 6.1 Thursday 12th November saw one of the biggest games of Scottish football in two decades, with a place in the 2021 European Championships at stake. The significance of the game is reflected in the fact that according to Sky, it was the most watched EURO 2020 qualifier on Sky, with a peak of 2.6m viewers on Sky alone.
- 6.2 For many, the chance to watch this game on a big screen, in a social environment, subject to compliance with all covid regulations, was a great opportunity for many. Although the game was shown on terrestrial television, it was inevitable that a number of people would find enjoyment in watching this in a communal environment.
- 6.3 Those members of the public, as with all members of the public, would rightfully expect all covid measures to be in place, in order to maintain their own safety as well as those around them.
- 6.4 This is, after all, the reason why hospitality businesses have been permitted to re-open, when many other businesses have not. Measures can be put in place to keep people as safe as possible.
- 6.5 On the night of the game, the premises had an average of around 130 people present, out of maximum capacity of 180. The staff were eager to ensure that all measures were in place in terms of social distancing, use of sanitiser, restriction on household limits at tables, and use of face masks when not seated.
- 6.6 The conditions of the Occasional Licence under which the premises were operating did not permit amplified noise, and therefore there was no volume on the television. Notwithstanding that, the atmosphere was one of excitement, particularly when it could be seen that Scotland were playing relatively well. When Ryan Christie scored in the 52nd minute, the whole country celebrated, in houses, streets and bars throughout Scotland. This was a monumental occasion, that meant that Scotland may make their first major finals in 23 years.
- 6.7 The celebrations were evident, but they were also very brief. Any suggestion that this was either expected, or continuous throughout the evening is not correct. A sudden boiling over of passion that was over no sooner than it had started.
- 6.8 Part 2 of the Schedule attached contains a number of photos taken from the CCTV on the night, showing the social distancing in place, all in line with the covid regulations.
- 6.9 To jeopardise the potential future of the business based on complaints arising out of one isolated incident, caused by a brief outflow of happiness and celebration would appear to be entirely disproportionate.

7 Conclusion

- 7.1 The applicants appreciate that complaints have been received, and that the Board must therefore give these some consideration in determining future applications for occasional licences.

- 7.2 The content of the complaints has been dealt with in detail above. The complaints are focussed on one brief moment in the immediate aftermath of a goal which has been shared widely on social media, which will not occur again, now the television has been removed.
- 7.3 Police Scotland, the LSOs and Environmental Health have not expressed any concerns with the venue continuing to operate, other than the removal of the screen, and suspending the viewing of “high profile sports”**
- 7.4 The Licensing Board is a separate entity from Aberdeen City Council for good reason. It is entitled to determine licensing matters in accordance with its own Statement of Licensing Policy without political influence.
- 7.5 The applications for determination before the Board can only be refused on the grounds that they are inconsistent with the licensing objectives or the premises are unsuitable for use for the sale of alcohol.
- 7.6 We have established above that the premises are suitable for the sale of alcohol, and therefore the only question before the Board is whether there is enough evidence to demonstrate that the application is inconsistent with the licensing objectives.
- 7.7 The Board has been supportive of new initiatives in the city, where licensed premises maintain the ability to operate in a new environment, taking into account the ever changing regulations imposed for public safety.
- 7.8 The applicants have always taken their responsibilities seriously, and will continue to do so. It is in their interest, as much as the Board’s to operate consistently with the Board’s licensing objectives.
- 7.9 We respectfully ask that the occasional licence application for The Draft Project is therefore once again approved, on the same terms as all previous successful applications, with the addition of the extra condition proposed by Police Scotland.

Ledingham Chalmers LLP

20 November 2020

Appendix 1

Response from Police Scotland to the current application

During the evening of Thursday 12 November 2020, the Scotland versus Serbia European Championships qualifying football fixture took place and was televised.

At 2100 hours, same day, a member of public contacted the Police to report having seen a video on social media of a large number of persons not socially distancing at an outdoor premises in Aberdeen however, that caller incorrectly identified the location.

At 2129 hours, three Police Officers attended at the applicant premises. The Officers saw that the football fixture was being shown on television, on mute. Staff advised the Officers they had issues with controlling customers who celebrated when Scotland scored a goal. The Police Officers walked through the premises and customers calmed down with the exception of a few, who were removed from the premises by staff. Several more patrons were thereafter removed from the premises due to not adhering to Covid Regulations, after being warned by staff.

As the football fixture drew to a close, it is estimated there were approximately 70 customers within. When Scotland scored the winning penalty, customers celebrated by jumping, hugging, shouting and chanting. Staff attempted to step in and break up the groups of people, however it was unachievable due to the number of people and the jubilant mood.

The premises was cleared of customers after the end of the fixture by staff and additional Police units attended to disperse the groups. This was recorded on Police Body Worn Video. It is understood that fourteen members of staff and four SIA authorised door staff had been on duty within the premises.

If minded to grant the application, I recommend it be granted subject to the following conditions:

1. A terminal hour of 2200 hours on all days requested;
2. No amplified music to be played therein (when or if music is permissible again);
3. Signage to be displayed indicating that alcohol is not to be removed from the licensed area.

In light of the above circumstances, the Board may wish to consider imposing an additional conditional to the effect that no high profile televised football fixtures will be shown.

Appendix 2 – Response from the LSOs o the Current Application

From: Diane Sande [mailto:DSande@aberdeencity.gov.uk]

Sent: 19 November 2020 11:33

To: LicensingBoard <licensingboard@aberdeencity.gov.uk>

Subject: LSO OC4742 Occasional Draft project 21 November to 4 December 2020

The LSO has the following comments regarding this Occasional licence application.

1. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020. Also, the business will ensure that the layout complies with the current regulations on physical distancing. The business must ensure that the layout complies with the current regulations on physical distancing
 2. Occasional licence to be available for the duration of the event.
 3. Section 110 notice to be on displayed for the duration of the Occasional licence event at the point of sale.
 4. Under 18 access notice to be displayed at the entrance to the area to advise the customer of the children and young persons terms of access.
 5. A notice will be displayed in regards to the 'drinking in public places' Byelaw. This must be displayed where customers can easily view the notice.
 6. The outdoor area is not to be used prior to 1000 hrs or after 22:30 Hours. The 2230 hours terminal hour is to incorporate the 15 minutes 'drink up' time for customers not consuming a meal and 30 minutes for customers who are consuming a meal.
 7. A delineation of the licensed area to be in place, the number of seats remain in line with the numbers proposed. Chalk or tape may be used, as long is this is not a permanent mark on any surface. The delineation must be in place for the duration of the Occasional licence.
 8. There shall be no music or noise emitted from the use of microphones/speakers or other forms of music entertainment within the outdoor drinking area.
 9. The Licensee will have an effective complaints procedure in place for dealing with any noise complaints should they arise.
 10. Any outdoor structure, such as a tent or marquee, to be used for the comfort of customers, must be approved by the appropriate Aberdeen City Council Services where necessary.
- Can these conditions be attached to the Occasional licence

Appendix 3 - CCTV Stills

20.30pm Thursday 12th November



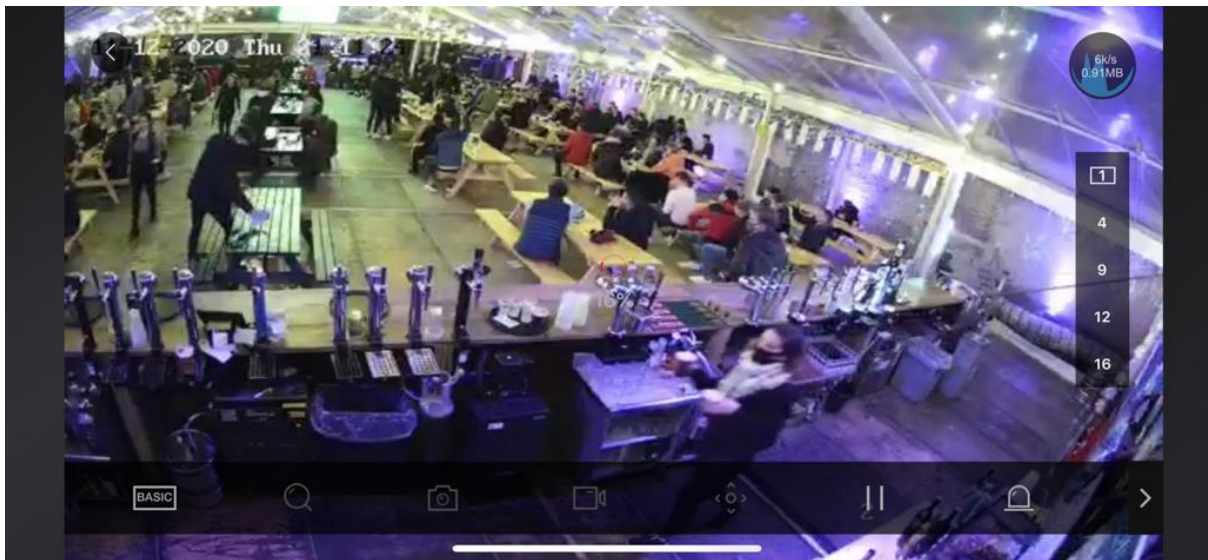
20.31pm Thursday 12th November



21.11 pm Thursday 12th November



21.11pm Thursday 12th November



21.11pm Thursday 12th November



Appendix 4

Email from Esslemont Marquees

From: "Dan Whiteford" <dan@esslemontmarquees.co.uk>
Subject: RE: Draft Project, ventilation concerns
Date: 16 October 2020 at 13:28:05 CEST
To: "Paul Clarkson" <paul@pbdevco.com>
Cc: <stuart@pbdevco.com>

Hi Paul & Stuart

Following on from your recent call regarding compliance of Draft project as an outdoor venue;

Total vertical wall area that is currently **closed** = 10 x 3m x 5m panels = **150 sqm**

Total vertical wall area that is currently **open** = 8 x 3m x 5m panels = **120 sqm**
+ 2 x 30sqm gable panels = **60 sqm**

Total vertical wall area of structure **330sqm**

Total open vertical area = **180 sqm** – which equates to **54.5 % of the total vertical wall area being open.**

If you have any queries regarding the above then please do not hesitate to contact me.

Many thanks
Best regards, Dan
Dan Whiteford
Esslemont Marquees
The Rock,
Westfield,
Contlaw Road,
Milltimber,
Aberdeen.
AB13 0EX
Tel: 01224 739188
Mobile: 07729 875441
Email: dan@esslemontmarquees.co.uk

Appendix 5

Email of Support to Aberdeen City Licensing Board

I have visited this venue several times since it opened, and every time I have been extremely impressed with the service and the safety measures in place. They have created a fun yet safe place for us to enjoy, and I believe they've done an excellent job - especially as they are being creative to make the limited experience with restrictions as fun and enjoyable as possible.

The positive impact this has had on the mental health of me and my friends has been huge.

As far as I can see, all the rules were followed last night. People booked tables, they accepted T&Cs agreeing to no more than 2 households / social distancing, and will have been asked to check in via the QR code. This has happened every time I have visited, and was checked by staff before ordering.

I also saw a video that showed a bouncer trying his best to break up the people who were breaking the rules.

It would be very negative for our city to lose such a fantastic venue that has followed all the rules and is proactively trying to bring new and exciting experiences to Aberdeen during such a tough year.

Appendix 6 – Response From Environmental Health & Trading Standards

From: Del Henderson [mailto:DHenderson@aberdeencity.gov.uk]

Sent: 19 November 2020 20:18

To: Arlene Dunbar <ArDunbar@aberdeencity.gov.uk>

Cc: Andrew Morrison <AndrewMorrison@aberdeencity.gov.uk>; Andrea Carson <ACarson@aberdeencity.gov.uk>; LSO <LSO@aberdeencity.gov.uk>

Subject: ENV/Trading Standards - The Draft Project

Arlene,

In relation to the application for an occasional licence for The Draft Project, 363 Union Street I would like to make the following representations on behalf of Environmental Health & Trading Standards.

Officers from the Environmental Health & Trading Standards team have visited the premises on a number of occasions and have found that the business is generally compliant with the requirements of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 and the preceding regulations.

As a result of issues that occurred during the showing of the Scotland v Serbia football match on 12th November 2020 a total of 91 complaints were received by the service – this was from members of the public, councillors and MSPs. A spreadsheet is attached with details of these complaints. I have also attached some video clips that were received from some of the complainers.

As a result of issues seen in the video clips this service issued three directions under the Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Regulations 2020 to remove all television screens and any and any similar receiving equipment from the venue for a period of 21-days. This is to prevent an increased risk to public health during the televising of sporting and any other events, so as to ensure patrons maintain physical distancing from each other whilst on the premises. The directions were identical and were issued to Barry Clarkson, Paul Clarkson and PB Development Company Ltd. The restriction is from 1200 hours on 15/11/2020 and expires at 1159 hours on 06/12/2020.

Another allegation is that on 12th November the marquee at the Draft Project was an indoor venue and therefore should have closed by 2000 hrs. In normal use the gable ends of the marquee are removed which makes the walls 54% open and classifies the premises as 'outdoors'. The allegation is that at least one of the gable ends was covered but examination of the video footage is inconclusive. Investigations will continue into this allegation.

Any questions please let me know

Regards

Del

Appendix 7 - Staff Training Procedures Guide

Appendix 8 – Customer Code of Conduct

This is made available via document and pictorial signage

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