

# Public Document Pack



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

Town House,  
ABERDEEN 1 December 2020

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Microsoft Teams on TUESDAY, 8 DECEMBER 2020 at 10.30 am.**

JENNI LAWSON  
CLERK TO THE BOARD

### BUSINESS

- 1 Minutes of Meeting of 27 October 2020 (Pages 3 - 10)
- 2 List of Applications (Pages 11 - 14)
  - 2.1 Application for Provisional Premises Licence - Co-op, 1 Mounthooly Way, Aberdeen (Pages 15 - 46)
  - 2.2 Application for Provisional Licence - Bridge of Don Service Station, Ellon Road (Pages 47 - 66)
  - 2.3 Application for Variation of a Premises Licence, City of Aberdeen Distillery (Pages 67 - 86)
  - 2.4 Application for Variation of a Premises Licence - Dobbies Garden Centre, Whitemyres, Langstracht (Pages 87 - 104)
  - 2.5 Application for Variation of a Premises Licence - Grape and Grain, 31 Thistle Street, Aberdeen (Pages 105 - 118)

- 2.6 Application for Variation of a Premises Licence - Inspire (Cafe Ahoy), Beach Boulevard, Aberdeen (Pages 119 - 150)
- 2.7 Application for a Variation of Premises Licence - McKenzie Grocers & Newsagents, 1 School Walk (Pages 151 - 164)
- 2.8 Application for Variation of Premises Licence - Morrisons, 215 King Street, Aberdeen (Pages 165 - 178)
- 3 Request for an Extension of a Provisional Premises Licence - 21 Union Street, Aberdeen (Pages 179 - 180)
- 4 Outstanding Annual Fee payments 2020 (Pages 181 - 182)
- 5 Licensing Board's Statutory Reports - for discussion
  - 5.1 Monitoring of the Board's Equality Outcomes
  - 5.2 Mainstreaming of the Equality Duty

Should you require any further information about this agenda, please contact Gillian Scott  
giscott@aberdeencity.gov.uk

## LICENSING BOARD

ABERDEEN, 27 October 2020. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Boulton, Convener; and Councillors Cameron, Lesley Dunbar, Grant, Greig, McLellan, Townson and MacKenzie.

### MINUTE OF MEETING OF 28 JULY 2020

1.

The Board had before it for its consideration the minutes of the meeting of 28 July 2020.

**The Board resolved: -**

to approve the minute

### LIST OF APPLICATIONS

2.

The Board had before it for its consideration the applications as listed in 3 - 16

### APPLICATION FOR PROVISIONAL PREMISES LICENCE - SAINSBURY'S, RETAIL UNIT 1, AREA N12, COUNTESSWELLS

3.

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

Thereafter the Board heard from Kevin Clancy, Solicitor on behalf of the applicant.

**The Board resolved: -**

to unanimously grant the application subject to CCTV and delivery driver conditions.

### APPLICATION FOR PREMISES LICENCE - AUTHENTIC ROMANIAN SHOP, 427-429 GEORGE STREET, ABERDEEN

4.

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

**The Board resolved: -**

to unanimously grant the application subject to the CCTV condition.

**LICENSING BOARD**

27 October 2020

**APPLICATION FOR PREMISES LICENCE - THE COLLECTIVE ABERDEEN, 148 UNION STREET**

**5.**

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

**The Board resolved: -**

to unanimously grant the application subject to the Drugs Policy and Duty of Care Conditions.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - BUZZ BINGO, 106 KING STREET**

**6.**

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

**The Board resolved: -**

to unanimously grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - C10 STORE, 7 SCHOOL ROAD**

**7.**

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

**The Board resolved: -**

to unanimously grant the application.

**LICENSING BOARD**

27 October 2020

**APPLICATION FOR VARIATION OF PREMISES LICENCE - CAFE 52, THE GREEN**

**8.**

The Board were advised that the application had been withdrawn.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - CO-OP, COVE SHOPPING CENTRE**

**9.**

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

**The Board resolved: -**

to unanimously grant the application subject to the Delivery Driver Training Condition.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - GOLDEN TEE, NORTH BALNAGASK ROAD**

**10.**

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

The Board thereafter heard from Mr Stephen McGowan, Solicitor speak in support of the application.

**The Board resolved: -**

to unanimously grant the application subject to the External Area Condition.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - GRAYS INN, GREENFERN ROAD**

**11.**

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

**The Board resolved: -**

To unanimously grant the application subject to External Drinking Area Conditions.

**LICENSING BOARD**

27 October 2020

**APPLICATION FOR VARIATION OF PREMISES LICENCE, MAGGIE'S GRILL, 242-244 HOLBURN STREET**

**12.**

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

**The Board resolved: -**

to unanimously grant the application subject to the Delivery Driver Training Condition.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - MALMAISON HOTEL, 51 QUEENS ROAD**

**13.**

The Board heard from Alexander Munro, Depute Clerk to the Board that there had been one objection received from the Community Council in connection with the application.

Thereafter the Board heard from Graham Dunlop, Counsel?, on behalf of the applicant and Mr Ken Hutcheon, on behalf of Queens Cross Community Council.

Councillor Grieg moved to refuse the application.

Councillor Townson moved as an amendment to grant the application subject to the External Area Conditions and to the capacity remaining at 520.

On a division there voted: for the motion (1) Councillor Greig and for the Amendment (7) the Convener and Councillors Cameron, Lesley Dunbar, Grant, McKenzie, McLellan and Townson

**The Board resolved: -**

To adopt the amendment

**LICENSING BOARD**  
27 October 2020

**APPLICATION FOR VARIATION OF PREMISES LICENCE - MARKS AND SPENCER, STONEYWOOD PARK**

**14.**

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

**The Board resolved: -**

to unanimously grant the application

**APPLICATION FOR VARIATION OF PREMISES LICENCE, THE CHESTER HOTEL, 59 QUEEN'S ROAD**

**15.**

The Board heard from Alexander Munro that the application was for the variation of a premises licence to licence 2 external areas to the front of the hotel & the licensing of the decked area adjacent to the restaurant & above the banqueting suite. Mr Munro advised that there had been several objections lodged.

Thereafter the Board heard from Mrs Janet Hood, Solicitor, speak in support of the application on behalf of the applicant. Ms Hood advised that a noise assessment had been carried out by the applicant but that this was only recently received and therefore had not been shared with the Board or the objectors.

Thereafter the Board heard from Mr Ken Hutcheon, Queens Cross Community Council and Mark Vorenkamp speak in support of their letters of objections.

**The Board resolved:**

**To defer consideration of the part of the application relating to the decked area to enable the applicant to share the results of the noise assessment with all interested parties.**

The Convener moved to grant the application for the front of the hotel, limiting the capacity of the premises to 1024 persons and subject to the external area conditions.

Councillor Greig moved as an amendment to refuse the application.

On a division there voted: - for the motion (7) the Convenor and Councillors Cameron, Lesly Dunbar, Grant, McKenzie, McLellan and Townson; for the amendment (1) Councillor Greig

**The Board resolved: -**

**LICENSING BOARD**

27 October 2020

to adopt the motion.

**APPLICATION FOR VARIATION OF PREMISES LICENCE THE QUEEN VIC, 126 ROSEMOUNT PLACE****16.**

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

**The Board resolved: -**

To grant the application

**OUTSTANDING ANNUAL FEE PAYMENTS.****17.**

The Board had before it for their consideration a list of outstanding annual fee payments.

**The Board resolved: -**

That officers should continue to seek payments from those premises listed and report back to the next Board meeting on 8 December 2020.

**REVIEW OF THE GENERAL DIRECTION****18.**

The Board had before it a note of the General Direction issued by the Board earlier this year including the festive period arrangements.

Alexander Munro, Depute Clerk to the Board explained that the Board were being asked to review the General direction in light of the COVID restrictions and to consider whether the direction is still appropriate.

Councillor McLellan moved that the General Direction is cancelled this year.

Councillor Cameron moved as an amendment to maintain the current policy.



**LICENSING BOARD**

27 October 2020

On a division there voted for the motion (2) Councillors Greig and McLellan and for the amendment (6) the Convener and Councillors Cameron, Lesley Dunbar Grant, McKenzie and Townson.

**The Board resolved: -**

to adopt the amendment.

This page is intentionally left blank

---

**ABERDEEN CITY LICENSING BOARD**

**Meeting 8 December 2020 at 10:30am in**

**Licensing (Scotland) Act 2005**

**Provisional(s)**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	CO-OP 1 MOUNTHOOLY WAY ABERDEEN AB24 3ER	CO-OPERATIVE GROUP FOOD LIMITED C/O HILL BROWN LICENSING LLP RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	2 June 2020	Provisional Premises Licence, Off Consumption Monday to Sunday 10:00 to 22:00 with recorded music. Home deliveries may be provided to customers including delivery of alcohol.
	BRIDGE OF DON SERVICE STATION ELLON ROAD ABERDEEN AB23 8BA	MOTOR FUEL LTD C/O HARPER MACLEOD LLP SOLICITORS THE CA'D'ORO 45 GORDON STREET GLASGOW G1 3PE	11 October 2020	Premises offering alcohol for consumption off the premises Monday to Sunday 1000-2200 with the inclusion recorded music.

---

## ABERDEEN CITY LICENSING BOARD

Meeting 8 December 2020 at 10:30am in

### Licensing (Scotland) Act 2005

#### Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
3	CITY OF ABERDEEN DISTILLERY ARCH 10 PALMERSTON ROAD ABERDEEN AB11 5RE	CITY OF ABERDEEN DISTILLERY LTD C/O JANET HOOD TRAINING & CONSULTING LTD KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS	29 September 2020	The addition of children's access to the whole of the public premises at all times for children aged 0-17 to allow adults to enter with their families- particularly affecting the tourist aspect
4	DOBBIES GARDEN CENTRE WHITEMYRES LANG STRACHT ABERDEEN AB15 6XH	DOBBIES GARDEN CENTRES PLC C/O SHEPHERD & WEDDERBURN LLP 5TH FLOOR 1 EXCHANGE CRESCENT CONFERENCE SQUARE EDINBURGH EH3 8UL	30 September 2020	There has been a reconfiguration of the store layout which has resulted in an increase to BWS area
5	GRAPE AND GRAIN 31 THISTLE STREET ABERDEEN AB10 1UY	LITTLE CHELSEA HOLDINGS (ABERDEEN) LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	13 October 2020	The addition of offsales 12:00 to 22:00 Monday to Sunday.

---

**ABERDEEN CITY LICENSING BOARD**

**Meeting 8 December 2020 at 10:30am in**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
6 INSPIRE (CAFE AHOY) BEACH BOULEVARD ABERDEEN AB24 5HP	INSPIRE (PARTNERSHIP THROUGH LIFE) LTD C/O JANET HOOD TRAINING & CONSULTING LTD KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS	7 October 2020	The addition of off sales Monday to Sunday 1000- 2200. ; The times for onsales to be amended to Sunday-Thursday 1100-0000, Friday & Saturday 1100-0100. The addition of bar meals, theatre, films as activities during and outwith core hours Live performances to include outwith core hours The addition of gaming (race and casino nights in connection with events) during core hours. Additional activities to be added to include food & or drink promotions & matching cocktail events, music, poetry, literature, arts events, magicians, comedians & other performances, delivery & takeaway of food, hot and cold beverages, alcoholic and non alcoholic drinks. Children's access to be amended to: children ages 0-11 to be accompanied at all times, children aged 12-15 and young persons may access the

---

**ABERDEEN CITY LICENSING BOARD**

**Meeting 8 December 2020 at 10:30am in**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

**Premises**

**Applicant**

**Date Received**

**Comments**

---

7	MCKENZIE'S GROCERS & NEWSAGENTS 1 SCHOOL WALK ABERDEEN AB24 1XX	P & I HUSSAIN T/A SEATON STORES C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	28 September 2020	Amendment to layout
	MORRISONS 215 KING STREET ABERDEEN AB24 5AH	WM MORRISON SUPERMARKETS PLC C/O GOSSCHALKS SOLICITORS QUEENS GARDENS HULL HU1 3DZ	17 September 2020	A home delivery shopping service and a click & collect service may be operated from the store.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** CO-OP, Mounthooly Way

### DESCRIPTION

Application was deferred from the July Board meeting at the request of the applicant.

Provisional Premises Licence, Off Consumption Monday to Sunday 10:00 to 22:00 with recorded music.

Home deliveries may be provided to customers including delivery of alcohol.

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian
- Members of the Public x 4

### POLICY

#### **Protecting and Improving Public Health**

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

Whilst licensing is an important tool in the protection of public health it will not be sufficient in isolation and accordingly the Board will be interested in hearing from and working alongside relevant partners and interested parties where appropriate. Factors to be considered in connection with this particular licensing objective include, but are not limited to:

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

#### **What the Board Will Do:**

- Utilise local conditions on licences where appropriate.
- Liaise with public health organisation, the local licensing forum and other relevant parties.

- Monitor the number and capacity of premises, public health data and overprovision policies.
- Contribute to raising awareness of the licensing system.

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

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

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

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

### **CONDITIONS ATTACHING TO LICENCES**

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

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

#### **CCTV**

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



Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

**Public Health  
Directorate**

Summerfield House  
2 Eday Road  
Aberdeen  
AB15 6RE

Date 6<sup>th</sup> July 2020  
Enquiries to 01224 557861  
Our Ref 20201054  
Email: [grampian.phalcohollicensing@nhs.net](mailto:grampian.phalcohollicensing@nhs.net)

Mr Sandy Munro  
Team Lead  
Legal Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Munro

**Licensing (Scotland) Act 2005 – Application for a Provisional Premises Licence  
CO-OP 1 Mounthooly Way, Aberdeen, AB24 3ER**

We refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following representation under the licensing objectives:

**Protecting and Improving Public Health**

In creating the new Statement of Licensing Policy, the Licensing Board recognised that excessive consumption of alcohol can cause or exacerbate a number of health problems. They set guidance within the policy to help address these concerns and included details within page 10 of the document that would assist applicants to comply with the Licensing Objective of Protecting and Improving Public Health.

Applicants are asked to consider a number of points when submitting their application for a license. We would be interested in comment on the following points:

**Proactive layout of off-sales premises to discourage impulse buying**

The Mounthooly Way area has higher than average statistics for alcohol related deaths. We are also aware that many people in recovery find it difficult to avoid alcohol as it is so readily available and visible as they go about their daily living. There is also

emerging evidence from COVID 19 suggesting that people are increasingly shopping locally and it is not unreasonable to assume this trend might continue in the future. The layout plan details an end of aisle alcohol display and also two free standing alcohol towers. There is evidence that products sold at end of aisles increase that product's sales, in this case alcohol.

We request that end of aisle displays and free standing display towers are not used for alcohol sales.

For this reason, and in terms of Section 22(1) (a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian submits this letter of representation as the granting of the application would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

Dr Tara Shivaji

Consultant in Public Health

pp Marie-Louise Shaw

Health Improvement Officer (Alcohol & Drugs)



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

Please provide your name and postal address

Name	Mr R & Mrs T Harwood
Address	37 Kings Crescent, Aberdeen, AB24 3HP
Tel. No	07768036317
E-mail	harwoodteresa@yahoo.co.uk

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

Co Op, 1 Mounthooly Way, Aberdeen, AB24 3ER  AC960
--

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

<p>We wish to object to the granting of a Provisional Premises Licence (Off Sales) for the following reasons:</p> <p>a) to prevent public nuisance - the park opposite is currently used for the illegal consumption of alcohol. Granting this licence would no doubt exacerbate this problem.</p> <p>b) to protect and improve public health - there appears to be a significant substance misuse problem in the locality where there is a high population of under 25 year olds and this young demographic would be most likely to frequent the premises.</p> <p>c) there is an overprovision of licensed premises in the vicinity e.g. Morrisons and Lidl, with Sainsburys Local, Co-op and Keystore all in George Street, Spital and Froghall Local Stores with more in Kings Street.</p> <p>d) the location of the premises - the entrance/exit to 1 Mounthooly Way is directly opposite the Fire Station entrance/exit and within the controlled traffic light area presenting a hazard for fire tenders and customer vehicles with the increase of traffic entering and exiting 1 Mounthooly Way</p>
---

Signature Y. M. Harwood RJ Harwood  
Date 10 July 2020

RETURN TO:

Legal and Democratic Services

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

**Corporate Governance**

Aberdeen City Council

Business Hub 6 L1S

Marischal College

Broad Street

Aberdeen AB10 1AB

DATA PROTECTION ACT 1988

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

## **GUIDANCE NOTE ON MAKING AN OBJECTION OR REPRESENTATION TO A PREMISES LICENCE APPLICATION OR AN APPLICATION TO VARY AN EXISTING PREMISES LICENCE**

In terms of the Licensing (Scotland) Act 2005 any person may object or make representation to an application for a premises licence or a variation of an existing premises licence.

Objections must be in writing and must be received by the date specified in the licence advert and on the notice which the applicant is required to display.

If you make an objection or representation you will be invited to attend the meeting of the Licensing Board where the application will be determined and will be given an opportunity to speak to the terms of your objection or representation should you so wish.

### **Objecting to an application**

Where objecting to an application, the objection must be on any grounds relevant to the grounds for refusal.

The grounds for refusal are –

- that the subject premises are excluded premises,
- that the application must be refused under section 25(2), [no repeat application within 1 year of refusal], 64(2), [24 hour trading] or 65(3) [outwith off-sale statutory hours 10.00-22.00]
- that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives, which are
  - (a) preventing crime and disorder
  - (b) securing public safety
  - (c) preventing public nuisance
  - (d) protecting and improving public health
  - (e) protecting children from harm
- that, having regard to—
  - (i) the nature of the activities proposed to be carried on in the subject premises,
  - (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,
- that, having regard to the number and capacity of—
  - (i) licensed premises, or
  - (ii) licensed premises of the same or similar description as the subject premises,in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of that description, in the locality.

When objecting to an application please make clear on which ground(s) you are objecting and provide a clear and concise explanation why.

### **Making a representation**

you may make representations to the Board concerning the application, including, in particular, representations—

- (i) in support of the application,
- (ii) as to modifications which the person considers should be made to the operating plan accompanying the application, or
- (iii) as to conditions which the person considers should be imposed.

If making a representation you should be clear and concise as to the nature of your representation.

BY EMAIL

ABERDEEN CITY LICENSING BOARD

Licensing (Scotland) Act 2005, section 22 Notice of Objection

Application type: Grant of Provisional Premises Licence

Reference No. AC960 - Aberdeen City

*Co-op, 1 Mounthooly Way, Aberdeen, AB24 3ER*

Name: Jacinta and Patrick Birchley, 24 Spital, Aberdeen AB24 3HS. E: birchley@talk21.com

We wish to object to the grant of a Provisional Premises Licence to the Co-op shop at 1 Mounthooly Way without conditions that address the concerns below.

1. The premises is in an area which has a high number of “resettled” residents who have/had substance issues including alcohol: to make alcohol more easily accessible/obtainable would not be assisting them in recovery. If the alcohol sale hours did not commence until mid-day this might help with the above.
2. The park adjacent to the Fire Station and directly across the road from the proposed Co-op shop has people sitting on the benches during the day consuming alcohol and leaving their litter left behind (bottles and cans). This makes the park uncomfortable to walk through or use in a way it was intended i.e. a relaxation area for locals. Would the Co-op be able to keep the park free of litter and safe for those who wish to use it by monitoring its use?

If the Licensing Board were to take note of the above they could in some way help to (a) prevent crime and disorder (b) secure public safety and (c) prevent public nuisance occurring in the area.

Yours sincerely

Patrick and Jacinta Birchley

This page is intentionally left blank

Dear Sir/Madam,

We wish to register an objection to the application for an off-sales licence for a Co-op store at 1 Mounthooly Way, Aberdeen, on the following grounds:-

There is already an overprovision of off-licences in this area. There are two large supermarkets (Lidl and Morrisons) just round the corner on Hutcheon Street and West North Street/King Street. Both of these have extensive stocks of alcohol for sale, and are open long hours, which means that alcohol of all kinds is already available locally 7 days a week and until late in the evening.

Further to this, there is already a Co-op store on George Street, just yards from its junction with Hutcheon Street, where a significant proportion of floorspace is given over to alcohol, available every day till late evening. (It is to be expected that the same would be true of the alcohol provision at the proposed Co-op in Mounthooly Way) There is also a Sainsbury's Local Store nearby in George Street, on the corner of Maberly Street.

In addition to these, there are several smaller 'neighbourhood' shops in the area which sell alcohol, and are also open long hours - eg. in the Spital, and round the corner from the bottom of Jute Street.

From the point of view of the Licensing Objective of Protecting and Improving Public Health, it is important to note that it is recognised that "*the majority of alcohol is sold from off-sales premises*", and also that "*there are issues of harm that correlate with the operation of off-sales premises*" One would expect that the issues of harm would, logically, be exacerbated where availability of alcohol is markedly increased, as one would expect in a sizeable store such as the one proposed at Mounthooly Way, which, unlike the Lidl, Morrisons, Sainsburys and other Co-op stores, is not situated in or adjacent to a retail centre, but is adjacent to a residential area.

This page is intentionally left blank

I do hope the Council will not grant the Premises licence as there are already a high number of outlets in the vicinity selling alcohol. With the social and health problems related to alcohol, in my opinion - reducing the availability goes hand in hand with preventing alcohol misuse.

This page is intentionally left blank



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** BRIDGE OF DON SERVICE STATION  
ELLON ROAD

### DESCRIPTION

Premises offering alcohol for consumption off the premises Monday to Sunday 1000-2200 with the inclusion recorded music.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

#### 6 CONDITIONS ATTACHING TO LICENCES

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

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

CCTV

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

## Legislation

### **S123 Excluded premises**

(1) No premises licence or occasional licence has effect to authorise the sale of alcohol on excluded premises.

(2) For the purposes of this Act, “excluded premises” means—

(a) premises on land—

(i) acquired or appropriated by a special roads authority, and

(ii) for the time being used,

for the provision of facilities to be used in connection with the use of a special road provided for the use of traffic of class 1 (with or without other classes), and

(b) subject to subsection (5), premises used as a garage or which form part of premises which are so used.

(4) For the purposes of subsection (2)(b), premises are used as a garage if they are used for one or more of the following—

(a) the sale by retail of petrol or derv,

(b) the sale of motor vehicles, or

(c) the maintenance of motor vehicles.

(5) Despite subsection (2)(b), premises used for the sale by retail of petrol or derv or which form part of premises so used are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of—

(a) petrol or derv, or

(b) groceries (where the premises are, or are to be, used also for the sale by retail of groceries).



This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** CITY OF ABERDEEN DISTILLERY

### DESCRIPTION

The addition of children's access to the whole of the public premises at all times for children aged 0-17 to allow adults to enter with their families- particularly affecting the tourist aspect

### OBJECTIONS/REPRESENTATIONS

- None

Applicant has agree to exclude under 18s from formal tasting , gin making sessions, however if customers are doing a tour or buying gin they would want to be able to offer a taste to people whether or not there are children or young persons present.

### POLICY

- **Protecting Children and Young Persons from Harm**
- The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.
- 
- Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.
- 
- What the Board Will Do:
- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.

- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.
- 
- What the Board Will Expect of Licence Holders/Applicants
- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.
- Restrict access for children and young persons to appropriate hours and parts of the premises.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** DOBBIES GARDEN CENTRE, WHITEMYRES, LANG STRACHT

### DESCRIPTION

There has been a reconfiguration of the store layout which has resulted in an increase to BWS area.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

- N/A

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** GRAPE & GRAIN

### DESCRIPTION

The addition of offsales 12:00 to 22:00 Monday to Sunday.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** INSPIRE, (CAFÉ AHOY) BEACH BOULEVARD

### DESCRIPTION

- The addition of off sales Monday to Sunday 1000- 2200.
- The times for onsales to be amended to Sunday-Thursday 1100-0000, Friday & Saturday 1100-0100.
- The addition of bar meals, theatre, films as activities during and outwith core hours
- Live performances to include outwith core hours
- The addition of gaming (race and casino nights in connection with events) during core hours.
- Additional activities to be added to include food & or drink promotions & matching cocktail events, music, poetry, literature, arts events, magicians, comedians & other performances, delivery & takeaway of food, hot and cold beverages, alcoholic and non alcoholic drinks.
- Children's access to be amended to: children ages 0-11 to be accompanied at all times, children aged 12-15 and young persons may access the premises unaccompanied until 1800 but must be accompanied by an adult thereafter at the managers discretion.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

- N/A

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** MCKENZIES GROCERS & NEWSAGENTS  
1 SCHOOL WALK

### DESCRIPTION

Amendment to layout

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

- N/A

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** MORRISONS, 215 KING STREET

### DESCRIPTION

The applicant seeks a variation of the information contained within 5(f) of the operating plan. this is to be amended to read as follows:-  
Products other than alcohol will be sold and ancillary consumer services provided at any time each day subject to customer demand and other statutory consents where required. The premises licence holder may offer occasional free samples/tastings of alcohol products to its customers over 18 within the alcohol display area during core licensed hours. A home delivery shopping service and a click & collect service may be operated from the store.

### OBJECTIONS/REPRESENTATIONS

None

### POLICY

Delivery Driver Conidtion agreed.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

## Arlene Dunbar

---

**From:** Alistair Macdonald <alistair@macdonaldlicensing.com>  
**Sent:** 27 November 2020 14:58  
**To:** Arlene Dunbar  
**Subject:** 21 Union Street, Aberdeen- Extension of Provisional Licence

Good afternoon Arlene

I mentioned this previously and asked if the Board could deal with it at their Hearing on 8<sup>th</sup> December.

The Provisional Licence was granted at the March 2017 Board Meeting and is due to expire on 20<sup>th</sup> March 2021.

In terms of Section 45 (7) of the Licensing (Scotland) Act 2005 the Premises Licence Holder would request that the Board agree to extend the period of the Provisional Licence.

Furthermore, in terms of the Coronavirus Scotland Act 2020 there is reference to an automatic 6 month extension if the delay is due to the current situation and I suppose that has contributed during this year.

However there are some fundamental issues with Building Standards here as you know as part of the consultation for Occasionals. I think the clients had almost given up reaching a satisfactory solution. However he contacted his Architect again earlier this year and he seems to have made some progress. There does appear to be a way forward and that is why he contacted ourselves in October to ask if we could try to obtain Occasionals. I did of course have correspondence with you at that time. You obtained a response from David Kidd of Building Standards and agreed it was inappropriate to do so just now.

However matters are progressing and I have been in touch with the Architect who has confirmed that a solution which should hopefully be acceptable to Building Standards has been devised. We would ask for the extension, of at least six months but possibly a year, to allow this to reach fruition.

If you require any further update please let me know.

Kind regards

Alistair I Macdonald  
Macdonald Licensing

Macdonald Licensing (Scotland) Limited (SC388451)  
21a Rutland Square  
Edinburgh  
EH1 2BB

DX Edinburgh 561

Tel: 0131 229 6181  
Fax: 0131 221 1282  
[www.macdonaldlicensing.com](http://www.macdonaldlicensing.com)

### DISCLAIMER

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient you are prohibited from using any of the information contained in this e-mail. In such a case, please destroy all copies in your possession and notify the sender by reply e-mail. Macdonald Licensing does not accept liability of responsibility for changes made to this e-mail after it was sent, or for viruses transmitted through this e-mail. Opinions, comments, conclusions and other information in this e-mail that do not relate to the official business of Macdonald Licensing are not endorsed by it.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank