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

Town House,  
ABERDEEN 05 January 2021

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Microsoft Teams on THURSDAY, 7 JANUARY 2021 at 10.00 am.**

JENNI LAWSON  
CLERK TO THE BOARD

### BUSINESS

- 1 Premises Licence Review Hearing -Victoria Bar-, 1-5 Menzies Road, Aberdeen  
(Pages 3 - 10)

Should you require any further information about this agenda, please contact Arlene Dunbar [ardunbar@aberdeencity.gov.uk](mailto:ardunbar@aberdeencity.gov.uk) 523411

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## LICENSING BOARD INFORMATION SHEET

### REVIEW OF PREMISES LICENCE

**PREMISES:** VICTORIA BAR, 1-5 MENZIES ROAD, ABERDEEN

#### DESCRIPTION

Review of the Premises Licence AC0328 in respect of Victoria Bar, 1-5 Menzies Road, Aberdeen on the grounds of:

- a) Preventing Crime and Disorder
- b) Protecting and Improving Public Health

#### ADDITIONAL INFORMATION

- Review Proposal from Police Scotland
- LSO Report

#### BOARD'S POWERS ON REVIEW

- (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.
- (1A) Subsection (1) is subject to subsection (2A).
- (2) Those steps are—
  - (a) to issue a written warning to the licence holder,
  - (b) to make a variation of the licence,
  - (c) to suspend the licence for such period as the Board may determine,
  - (d) to revoke the licence.
- (2A) Where, at a review hearing in relation to any premises licence, the Licensing Board are satisfied that the ground for review specified in [section 36\(3\)\(za\)](#) (that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence) is established, the Board must revoke the licence.
- (2B) Subject to [section 39B](#) (see below), a revocation under subsection (2A) takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.
- (3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

39B Recall of revocation of licence under section 39(2A)

- (1) This section applies where a Licensing Board decides to revoke a premises licence under [section 39\(2A\)](#).
- (2) The Board must recall the revocation if—
  - (a) a relevant application is made before the end of the period referred to in [section 39\(2B\)](#) (“the 28 day period”), and
  - (b) the Board grants the application.
- (3) The Board may extend the 28-day period pending determination of a relevant application.
- (4) In this section, “*relevant application*” means—
  - (a) an application under [section 33\(1\)](#) for the transfer of the premises licence, or
  - (b) a premises licence variation application seeking a variation of the licence that the Board considers would remove the ground on which the licence was revoked under [section 39\(2A\)](#).
- (5) This section does not affect the right to appeal against the decision to revoke the licence under [section 39\(2A\)](#).

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