

Public Document Pack



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

Town House,
ABERDEEN 26 January 2021

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in Microsoft Teams on **TUESDAY, 2 FEBRUARY 2021 at 10.30 am.**

JENNI LAWSON
CLERK TO THE BOARD

BUSINESS

- 1 Minutes of Meeting of 8 December 2020 (Pages 5 - 8)
- 2 Minutes of Review Hearing 07/01/2021 (Pages 9 - 10)
- 3 List of Applications (Pages 11 - 14)
 - 3.1 Application for Premises Licence - Amondine, 15 Chapel Street (Pages 15 - 26)
 - 3.2 Application for Provisional Premises Licence - 21 Crown Terrace, Aberdeen (Pages 27 - 48)
 - 3.3 Application for Provisional Premises Licence - Aldi, Countesswells Road, Aberdeen (Pages 49 - 70)
 - 3.4 Application for Provisional Premises Licence - 785 Great Northern Road, Aberdeen (Pages 71 - 88)

- 3.5 Application for Provisional Premises Licence - Unit 3, 9 Beach Esplanade, Aberdeen (Pages 89 - 106)
- 3.6 Application for Variation of Premises Licence - Sandman Signature Hotel, St Andrew Street, Aberdeen (Pages 107 - 122)
- 4 Gambling Act 2005 - Application for Bingo Premises Licence, 181a Union Street (Pages 123 - 142)
- 5 Premises Licence Review Hearings - Annual Fee Payments
 - 5.1 AC0791 - Dyce Tandoori, 275 Stoneywood Road, Aberdeen (Pages 143 - 146)
 - 5.2 AC0171 - Howie's, 50 Chapel Street, Aberdeen (Pages 147 - 150)
 - 5.3 AC0186 - Express by Holiday Inn, Claymore Drive, Aberdeen (Pages 151 - 154)
 - 5.4 AC0327 - The Rowan Tree, 654 King Street, Aberdeen (Pages 155 - 158)
 - 5.5 AC0401 - The Brentwood Hotel, 99 Crown Street, Aberdeen (Pages 159 - 162)
 - 5.6 AC0451 - Nawaabs Restuarant, 33 Summer Street, Aberdeen (Pages 163 - 166)
 - 5.7 AC0594 - The Highland Hotel, 89 Crown Street, Aberdeen (Pages 167 - 170)
 - 5.8 AC0728 - Park Inn by Radisson Aberdeen, 1 Justice Mill Lane, Aberdeen (Pages 171 - 174)
 - 5.9 AC746 - Gurkha Chef, 5 Palmerston Road, Aberdeen (Pages 175 - 178)
 - 5.10 AC722 - Bella Italia, Unit 6, Beach Retail Park, Aberdeen (Pages 179 - 182)
 - 5.11 AC952 - Rohaan Cafe Bar, Zara House, Burnside Drive, Dyce, Aberdeen (Pages 183 - 186)
 - 5.12 AC0031 Campbell's Public House, 170 Sinclair Road (Pages 187 - 190)

- 5.13 AC0249 - Balaclava Bar, 31 Loch Street, Aberdeen (Pages 191 - 194)
- 5.14 AC0280- Ferryhill Tavern and Devanha Lounge 124 South College Street (Pages 195 - 198)
- 5.15 AC0285 - The Mounthooly Sports Bar 70 Hutcheon Street, Aberdeen (Pages 199 - 202)
- 5.16 AC0299 - Doubletree by Hilton, Beach Boulevard, Aberdeen (Pages 203 - 206)
- 5.17 AC0318 - Budz Bar, 419 Union Street, Aberdeen (Pages 207 - 210)
- 5.18 AC0490 - Aberdeen Hero/Pumpkin, Aberdeen Railway Station, Aberdeen (Pages 211 - 214)
- 5.19 AC0506, Bhan Thai, 1st Floor, 21 Rose Street, Aberdeen (Pages 215 - 218)
- 5.20 AC0511 - La Bonne Brasserie, 19 Correction Wynd, Aberdeen (Pages 219 - 222)
- 5.21 AC0571 - Hilton Garden Inn, St Andrew Street, Aberdeen (Pages 223 - 226)
- 5.22 AC0584- DoubleTree by Hilton Aberdeen Treetops, 161 Springfield Road, Aberdeen (Pages 227 - 230)
- 5.23 AC0713 - Handmade Burger Company, Unit FS16 Union Square (Pages 231 - 234)
- 5.24 AC771 - Yo! Sushi, Unit 2, Bon Accord Centre, Aberdeen (Pages 235 - 238)
- 5.25 AC867- B & M Stores, Unit 5B, Kitty Brewster Retail Park. (Pages 239 - 242)
- 5.26 AC795 - Las Iguanas - Unit FS1, Union Square (Pages 243 - 246)
- 5.27 AC918 -5 Great Western Place, Aberdeen (Pages 247 - 250)
- 6 Premises Licence Review Hearing, Victoria Bar, 1 -5 Menzies Road, Aberdeen (Pages 251 - 258)

- 7 Application for Personal Licence - EK (Pages 259 - 262)
- 8 Application for Personal Licence - NP (Pages 263 - 266)

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

LICENSING BOARD

ABERDEEN, 8 December 2020. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Grant, Greig, McLellan, Townson, MacKenzie and Sellar.

MINUTES OF MEETING OF 27 OCTOBER 2020

1. The Board had before it for its consideration the minutes of the meeting of 27 October 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 3-10.

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

3. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been 3 public objections received in connection with the application.

The Board thereafter heard from Eilidh McGuire, Solicitor on behalf of the applicant. None of the objections were present at the meeting.

The Board resolved: -

To grant the application subject to the conditions agreed with Police Scotland and the NHS with the local CTV condition.

APPLICATION FOR PROVISIONAL LICENCE - BRIDGE OF DON SERVICE STATION, ELLON ROAD

4. The Board heard from Alexander Munro, Depute Clerk, to the Board that there had been no objections or representations received in connection with the application. Mr Munro explain that the premises were excluded premises in terms of Section 123 of the Licensing (Scotland) Act 2005 and that the applicant required to show that 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—

LICENSING BOARD

8 December 2020

(a) petrol or derv, or

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

The Board resolved: -

To grant the application subject to the CCTV condition.

Councillor McLellan joined the meeting at this item.

APPLICATION FOR VARIATION OF A PREMISES LICENCE, CITY OF ABERDEEN DISTILLERY

5.

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

The Board resolved: -

To grant the application subject to the addition of the Police Scotland agreed condition

APPLICATION FOR VARIATION OF A PREMISES LICENCE - DOBBIES GARDEN CENTRE, WHITEMYRES, LANGSTRACHT

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

The Board resolved: -

To grant the application.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - GRAPE AND GRAIN, 31 THISTLE STREET, ABERDEEN

LICENSING BOARD

8 December 2020

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

The Board resolved: -

To grant the application.

APPLICATION FOR VARIATION OF A PREMISES LICENCE - INSPIRE (CAFE AHOY), BEACH BOULEVARD, ABERDEEN

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

The Board resolved: -

To grant the application

APPLICATION FOR A VARIATION OF PREMISES LICENCE - MCKENZIE GROCERS & NEWSAGENTS, 1 SCHOOL WALK

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

The Board resolved: -

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - MORRISONS, 215 KING STREET, ABERDEEN

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

The Board resolved: -

To grant the application subject to the delivery driver condition

REQUEST FOR AN EXTENSION OF A PROVISIONAL PREMISES LICENCE - 21 UNION STREET, ABERDEEN

11. The Board had before it for their consideration a request to extend a provisional premises licence.

LICENSING BOARD
8 December 2020

The Board heard from Alistair McDonald, Solicitor on behalf of the applicant.

The Board resolved:-

To allow the extension for period of one year.

OUTSTANDING ANNUAL FEE PAYMENTS 2020

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

The Board resolved: -

To hold a review hearing for outstanding fees

LICENSING BOARD

ABERDEEN, 7 January 2021. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Lesley Dunbar, Greig, McLellan, Townson, MacKenzie and Sellar.

PREMISES LICENCE REVIEW HEARING -VICTORIA BAR-, 1-5 MENZIES ROAD, ABERDEEN

1. The Board heard from Alexander Munro, Depute Clerk to the Board that due to the current COVID 19 lockdown, Mr McGowan, Solicitor representing the Licence holder had been unable to take instructions from his client. Mr McGowan had requested that the review hearing be deferred to a later date. Mr Munro advised the Board that the hearing could be deferred to the February meeting of the Board.

The Board Resolved: -

To defer the review hearing until 2 February 2020.

This page is intentionally left blank

ABERDEEN CITY LICENSING BOARD

Meeting 2 February 2021 at 10:30am in

Licensing (Scotland) Act 2005

New Grant(s)

	Premises	Applicant	Date Received	Comments
1	ALMONDINE 15 CHAPEL STREET ABERDEEN AB10 1SQ	ALMONDINE	8 December 2020	Coffee shop specialising in macarons, patisserie and afternoon tea Premises offering alcohol for consumption on and off the premises and offering, restaurant facilities, recorded music. On and Off- sales Monday to Sunday 12:00 to 22:00

ABERDEEN CITY LICENSING BOARD

Meeting 2 February 2021 at 10:30am in

Licensing (Scotland) Act 2005

Provisional(s)

	Premises	Applicant	Date Received	Comments
2	21 CROWN TERRACE 21 CROWN TERRACE ABERDEEN AB11 6HD	GLORYEVER LIMITED C/O MACDONALD LICENSING SOLICITORS 21A RUTLAND SQUARE EDINBURGH EH1 2BB	7 December 2020	On sales 11:00-02:00 Sunday to Thursday and 11:00 to 03:00 Friday and Saturday Off-sales Monday to Sunday 11:00 to 22:00. restaurant facilities, bar meals, receptions, club meetings, recorded music, live performances, dance facilities, televised sport and adult entertainment. Takeaways and deliveries which may include alcohol
3	ALDI COUNTESSWELLS ROAD ABERDEEN	ALDI STORES LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	15 December 2020	Supermarket offering Offsales 1000-2200 Monday to Sunday and recorded music
4	GORDON SERVICE STATION 785 GREAT NORTHERN ROAD, ABERDEEN AB24 2BT	MOTOR FUEL LTD C/O HARPER MACLEOD LLP SOLICITORS THE CA'D'ORO 45 GORDON STREET GLASGOW G1 3PE	10 December 2020	Premises offering alcohol for consumption off the premises Monday to Sunday 1000-2200 with the inclusion recorded music.

ABERDEEN CITY LICENSING BOARD

Meeting 2 February 2021 at 10:30am in

Licensing (Scotland) Act 2005

Provisional(s)

Premises

Applicant

Date Received

Comments

5

UNIT 3
9 BEACH ESPLANADE
ABERDEEN
AB24 5NS

HOUSE OF GULF (INTERNATIONAL)
LTD
C/O JAMES & GEORGE COLLIE
SOLICITORS
1 EAST CRAIBSTONE STREET
ABERDEEN
AB11 6YQ

24 November 2020

onsales 1000-2400 Monday to
Sunday
restaurant facilities,
conference, club or other
group meetings, recorded
music, live performance, dance
facilities, outdoor
drinking
and takeaway service as
activities.

ABERDEEN CITY LICENSING BOARD
Meeting 2 February 2021 at 10:30am in
Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
6 SANDMAN SIGNATURE HOTEL ABERDEEN ST ANDREW STREET ABERDEEN AB25 1AD	SHARK CLUB (UK) LIMITED	5 November 2020	Change to the Layout Plan with the addition of a SPA treatment area including treatment rooms and gymnasium. Amendment to Children and Young Persons access.

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PREMISES LICENCE
PREMISES: UNIT 3, 9 BEACH BOULEVARD, ABERDEEN

DESCRIPTION

- Coffee shop specialising in macarons, patisserie and afternoon tea
- Premises offering alcohol for consumption on and off the premises and offering, restaurant facilities, recorded music.
- On and Off- sales Monday to Sunday 12:00 to 22:00

OBJECTIONS/REPRESENTATIONS

- None – as at 25/01/2021

POLICY

6 CONDITIONS ATTACHING TO LICENCES

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

Drugs Policy It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

Duty of Care It is a condition that the licence holder must have in place a duty of care policy to ensure a standard approach is taken when any patron appears to be displaying signs of excessive intoxication. The purpose of this policy is to reduce vulnerability through intoxication, however attained. All staff must have training in identifying signs of excessive intoxication and an enhanced awareness of

vulnerability through intoxication. This should include use of material such as the 'Who are You' video (whoareyou.nz) or similar. All related training should be recorded and such records available for inspection by Police and Licensing Standards Officers.

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: PROVISIONAL PREMISES LICENCE

PREMISES: 21 CROWN TERRACE

DESCRIPTION

- On sales 11:00-02:00 Sunday to Thursday and 11:00 to 03:00 Friday and Saturday
- Off-sales Monday to Sunday 11:00 to 22:00.
- restaurant facilities, bar meals, receptions, club meetings, recorded music, live performances, dance facilities, televised sport and adult entertainment.
- Takeaways and deliveries which may include alcohol

OBJECTIONS/REPRESENTATIONS

- Police Scotland

POLICY

6 CONDITIONS ATTACHING TO LICENCES

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

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

Adult Entertainment A register of performers must be maintained and kept up to date. The register will (a) include (i) the name, address, date and place of birth, nationality and a current passport sized photograph (ii) in the case of foreign

nationals, the passport number and country of origin and (b) be made available for inspection by the Police and/or the Licensing Standards Officers

Door Supervisors It is a condition that the licence holder will ensure that from 23:00 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives.

Drugs Policy It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

Radio Link It is a condition that the licence holder is a member of the local Radiolink Scheme

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

21 January 2021

Your Ref:

Our Ref: 537674

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 - APPLICATION FOR THE GRANT OF A
PROVISIONAL PREMISES LICENCE
21 CROWN TERRACE, ABERDEEN, AB11 6HD
APPLICANT: GLORYEVER LIMITED, ADDRESS AS ABOVE**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

In terms of Section 22(1)(b)(i)(ii) and (iii) of the Licensing (Scotland) Act 2005 I make the following representations and recommend the following:

1. Children and Young Persons are permitted entry for the purpose of the party partaking of a meal, or attending an appropriate private function;
2. Local conditions in respect of Duty of Care be attached and CCTV, Door Supervisors, Radiolink for late hours trading.

The applicant has been contacted regarding the activity of Adult Entertainment and has provided that the entertainment could vary widely, including unique attractions and could involve striptease performers.

The Licensing Board may wish to consider a condition which defines the type of Adult Entertainment which will be permitted to take place within the premises and also attaching the Board's local condition in respect of Adult Entertainment.

This letter is submitted for your information when considering this application.

OFFICIAL: POLICE AND PARTNERS

Yours faithfully

George Macdonald
Chief Superintendent

For enquiries please contact the Licensing Department on 01224 306468

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE

PREMISES: ALDI, COUNTESWELLS ROAD, ABERDEEN

DESCRIPTION

- Supermarket
- Off-sales 1000-2200 Monday to Sunday
- Recorded music

OBJECTIONS/REPRESENTATIONS

- None as at 26/01/2021

The applicant has accepted the imposition of the Delivery Driver and CCTV Conditions

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.

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: PROVISIONAL PREMISES LICENCE

PREMISES: GORDON SERVICE STATION

785 GREAT NORTHERN ROAD

DESCRIPTION

- Premises offering alcohol for consumption off the premises Monday to Sunday 1000-2200 with the inclusion recorded music.
- Capacity 1231sqm

OBJECTIONS/REPRESENTATIONS

- None as at 26/01/2021

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).

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: PROVISIONAL PREMISES LICENCE

PREMISES: UNIT 3, 9 BEACH BOULEVARD, ABERDEEN

DESCRIPTION

- onsales 1000-2400 Monday to Sunday
- restaurant facilities, conference, club or other group meetings, recorded music, live performance, dance facilities, outdoor drinking and takeaway service as activities.

OBJECTIONS/REPRESENTATIONS

- None – as at 26/01/2021
- The applicant has accepted the imposition of outdoor drinking conditions.

POLICY

6 CONDITIONS ATTACHING TO LICENCES

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

Drugs Policy It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

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

recorded and such records available for inspection by Police and Licensing Standards Officers.

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: SANDMAN SIGNATURE HOTEL

DESCRIPTION

Change to the Layout Plan with the addition of a SPA treatment area including treatment rooms and gymnasium. Amendment to Children and Young Persons access.

OBJECTIONS/REPRESENTATIONS

- None – as at 26/01/2021

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: BINGO PREMISES LICENCE

PREMISES: 181A UNION STREET

DESCRIPTION

Bingo premises licence application under Gambling Act 2005

OBJECTIONS/REPRESENTATIONS

None

POLICY

In terms of The Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007 (SSI 2007 No 266), mandatory and default conditions, unless excluded by the Board, shall apply.

The Board may also attach conditions to a bingo premises licence in terms of Section 169 of the Act if deemed necessary. Typical topics include:

- proof of age scheme;
- the provision of CCTV;
- physical security measures on the premises;
- supervision of entrances;
- measures to ensure the physical separation of gambling areas where category C or above gaming machines are made available for use;
- supervision of age restricted areas of the premises;
- self-exclusion schemes; • the display of clear notices and signage both externally and internally regarding age restrictions and restricted areas;
- the display of a notice specifying opening hours;
- policy and procedures regarding the employment of young persons

- the display of posters and information leaflets indicating the contact details of relevant organisations set up to assist people wishing to seek help and advice regarding gambling related issues

Legislation

the licensing authority's primary obligation under s.153(1) is to permit the use of premises in so far as it thinks that to do so is:

- a. in accordance with any relevant code of practice issued by the Commission
- b. in accordance with any relevant guidance issued by the Commission
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so unless satisfied that such use would be in accordance with this guidance, any relevant Commission code of practice, its own statement of licensing policy, and the licensing objectives.

In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to :

- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
- s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.

To assist licensing authorities in determining premises applications and inspecting premises, all the [codes of practice](#) are also available as a single document. The codes specify a number of requirements, many of which relate to social responsibility issues and these may be of particular interest where a licensing authority has concern about matters such as protection of the young and vulnerable

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

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: DYCE TANDOORI, 275 STONEYWOOD ROAD
LICENCE HOLDER: FIRST MANAGEMENT (GB) LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and reminder email sent 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises:AC791 Dyce Tandoori, 275 Stoneywood Road, Dyce

Licence holder : First Management (GB) Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact or payment that I am aware of

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: HOWIE'S, 50 CHAPEL STREET
LICENCE HOLDER: INVERHOW LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and reminder email sent 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0186 Express Holiday Inn, Claymore Drive, Bridge Of Don

Licence holder : Michels and Taylor Hotels Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no contact or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: EXPRESS BY HOLIDAY INN, CLAYMORE DRIVE
LICENCE HOLDER: MICHELS & TAYLOR HOTELS LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and reminder email sent 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0186 Express Holiday Inn, Claymore Drive, Bridge Of Don

Licence holder : Michels and Taylor Hotels Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no contact or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: THE ROWAN TREE, 654 KING STREET
LICENCE HOLDER: THE FIRM OF CURLY LLOYDS

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and reminder email sent 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC00327 The Rowan Tree, 654 King Street

Licence holder : The Firm of Curly Lloyds

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: THE BRENTWOOD HOTEL, 99 CROWN STREET
LICENCE HOLDER: ACP UK PVT LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0401 The Brentwood Hotel, 99 Crown Street

Licence holder : AC0401 UK PVT Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment. Both premises appear to be operated by OYO, despite two different licence holder companies.

The response was to query whether or not the annual fee was required as neither hotel had sold alcohol since OYO took control of the premises. The LSO forwarded this response to the licensing team for response and further liaison with OYO which I believe is ongoing.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: NAWAABS RESTARAUNT, 33 SUMMER STREET
LICENCE HOLDER: GEDA MIAH

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

(1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).

(2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0451 Nawaabs, 33 Summer Street

Licence holder : Enayetur Khan

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: THE HIGHLAND HOTEL, 89 CROWN STREET
LICENCE HOLDER: SYNERGY HOTELS (ABERDEEN) LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0594 The Highland Hotel, 89 Crown Street

Licence holder : Synergy Hotels (Aberdeen)Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment. Both premises appear to be operated by OYO, despite two different licence holder companies.

The response was to query whether or not the annual fee was required as neither hotel had sold alcohol since OYO took control of the premises. The LSO forwarded this response to the licensing team for response and further liaison with OYO which I believe is ongoing.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: PARK INN BY RADISSON ABERDEEN, 1 JUSTICE MILL LANE
LICENCE HOLDER: HAZLEDENE STRAWBERRYBANK (HOTEL) LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0728 Park Inn Hotel, 1 Justice Mill Lane

Licence holder : Hazledene Strawberrybank (Hotel) Limirws

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: GURKHA CHEF, 5 PALMERSTON ROAD
LICENCE HOLDER: PRAG (ABERDEEN) LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0746 Ghurka Chef, 5 Palmerston Road

Licence holder : Prag (Aberdeen) Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

REMISES LICENCE REVIEW PROPOSAL

PREMISES: BELLA ITALIA, UNIT 6 QUEENS LINKS LEISURE PARK
LICENCE HOLDER: CDG LICENCECO LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

(1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).

(2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0772 Bella Italia, Unit 6, Queens Links Leisure Park

Licence holder : CDG Licenceco Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent an email in October advising of the outstanding annual fee and methods of payment. The premises is shown online as being “ permanently closed”

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: ROHAAN CAFE BAR, ZARA HOUSE
LICENCE HOLDER: MICHELLE MARIE NICHOLS

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC952 Rohaan Café Bar, Zara House

Licence holder : Michelle Nichols

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: CAMPBELL'S PUBLIC HOUSE, 170 SINCLAIR ROAD
LICENCE HOLDER: A D A SERVICES ABERDEEN LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0031 Campbell's Public House, 170 Sinclair Road

Licence holder : Richard Campbell

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises has been closed for a considerable period and the LSO has no current licence holder contact details for this premises.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: BALACLAVA BAR, 10 LOCH STREET
LICENCE HOLDER: LAL (PUBLIC HOUSE) LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0249 Balaclava Bar, 31 Loch Street

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises has been closed for a considerable period and I am advised that a transfer application has been submitted.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: FERRYHILL AND DEVANAH LOUNGE, 124 SOUTH COLLEGE ST
LICENCE HOLDER: WEST COAST ESTATES LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0280 Ferryhill Tavern, South College Street

Licence holder : West Coast Estates Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises has been closed for a considerable period and the LSO has no current licence holder contact details for this premises.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: THE MOUNTHOOLY SPORTS BAR, 70 HUTCHEON STREET
LICENCE HOLDER: WILLIAM MULLEN

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0285 Mounthooly Bar, 70 Hutcheon Street

Licence holder : William Mullen

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent an email on 10 October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: DOUBLETREE BY HILTON, BEACH BOULEVARD
LICENCE HOLDER: LICENSED SOLUTIONS LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0299 Doubletree by Hilton, Beach Boulevard

Licence holder : Ability Hotels (Aberdeen) Ltd

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises has been closed since May 2020 for a considerable period. The LSO did send an email in October 2020 to the former listed contact. There has been no contact as far as my records show I am advised that the premises licence has been transferred to Licensed Solutions

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: BUDZ BAR, 419 UNION STREET
LICENCE HOLDER: PIRANHA PROPERTIES LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC00318 Budz Bar, 419 Union Street

Licence holder : Piranha Properties Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises has been closed for a considerable period and the LSO has no current licence holder contact details for this premises.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: ABERDEEN HERO/PUMPKIN, ABERDEEN RAILWAY STATION
LICENCE HOLDER: SELECT SERVICE PARTNER LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0490 Aberdeen Hero/Pumpkin, Aberdeen Railway Station

Licence holder : Select Service Partner Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

The premises manager responded in October to advise that both units were closed due to the Railway Station refurbishment. This email was forwarded on to the licensing team and I am advised that the agents for the licenceholder are in contact regarding the annual fee position.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: BHAN THAI, 21 ROSE STREET
LICENCE HOLDER: TYSON & CHUI LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0506 Bhan Thai, First Floor, 21 Rose Street

Licence holder : Tyson & Chui Ltd

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: LA BONNE BRASSIERE, 19 CORRECTION WYND
LICENCE HOLDER: PHILIP EDWARD ANDERSON

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0511 La Bonne Brasserie, 19 Correction Wynd

Licence holder : Philip Anderson

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises is now operating as Selera Malaysian Bistro, the LSO has no current licence holder contact details for Philip Anderson

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: HILTON GARDEN INN, ST ANDREW STREET
LICENCE HOLDER: HILTON UK MANAGE LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0571 Hilton Garden Inn, St Andrew Street

Licence holder : Hilton UK Manager Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent an email in October advising of the outstanding annual fee and methods of payment.

There has been no further contact with the LSO or payment according to my records.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: DOUBLETREE BY HILTON, HILTON TREETOPS, 161 SPRINGFIELD ROAD

LICENCE HOLDER: 77 HOSPITALITY UK LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

(1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).

(2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0584 Double Tree Hilton Treetops, 161 Springfield Road

Licence holder : 77 Hospitality UK Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

I understand that this premises no longer exists

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: HANDMADE BURGER COMPANY, UNIT FS16 UNION SQUARE
LICENCE HOLDER: THE BURGER CHAIN LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC0713 Handmade Burger, Union Square

Licence holder : The Burger Chain Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises has been closed for a considerable period and the LSO has no current licence holder contact details for this premises.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: YO! SUSHI, UNIT 2 FOOD TERRACE BON ACCORD CENTRE
LICENCE HOLDER: YO! SUSHI UK LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC771 Yo Sushi, Bon Accord Centre

Licence holder : Yo! Sushi UK Ltd

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises has been closed for a considerable period and the LSO has no current licence holder contact details for this premises.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: B & M STORES, UNIT 5B KITTYBREWSTER RETAIL PARK
LICENCE HOLDER: EV RETAIL LIMITED

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020 and sent by email on 11 December 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: B & M Stores, Unit 5B Kittybrewster Retail Park

Licence holder : EV Retail Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

When notified in October 2020 that the premises had not paid the annual fee, the LSO sent out an email on 15 October advising of the outstanding annual fee and methods of payment.

The Central Operations office emailed the LSO on 14 December 2021, requesting how to make payment – BACS and invoice details. This email was forwarded on to the licensing section for further liaison regarding payment of the outstanding annual fee.

The LSO had no further involvement as far as I am aware

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: LAS IGUANAS, UNIT FS1 UNION SQUARE
LICENCE HOLDER: LAS IGUANAS LTD

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: AC795 Las Iguanas, Union Square

Licence holder : Las Iguanas Limited

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises is closed and the LSO has no current licence holder contact details for this premises.

This page is intentionally left blank

PREMISES LICENCE REVIEW PROPOSAL

PREMISES: 5 GREAT WESTERN PLACE
LICENCE HOLDER: CHRISTOPHER RODERICK IAN MCLEAN

GROUND(S) FOR REVIEW

That one or more of the conditions to which the premises licence is subject has been breached.

Condition alleged to have been breached:

10 Payment of annual or recurring fees

- (1) The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under [section 136\(1\)](#).
- (2) The fee must be paid as required by the regulations.

BACKGROUND

Payment of the annual fee for the above premises due on 1 October 2020 has not been made. Reminder correspondence was sent to the licence holder on 24 August 2020.

ADDITIONAL INFORMATION

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\(2A\)](#).

Review of Premises Licence

Premises: 5 Great Western Place

Licence holder : Christopher McLean

In terms of Section 38 (4) (a) I make the following representation to the Licensing Board.

This premises was closed in January 2020 and is now a nail bar (Get Nailed by Klaudia). I contacted the licence holder on 18 January 2021 and he advised that he forgot to formally surrender the licence and he would email to confirm the closure date of the premises.

This page is intentionally left blank

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\(2A\)](#).

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

Document is Restricted

This page is intentionally left blank