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To: Councillor Copland, Convener; and Councillors Al-Samarai, Boulton, Hazel Cameron, Crockett, Fairfull, Grant, Greig and McLeod.

Town House, Aberdeen
24 January 2024

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House on WEDNESDAY, 24 JANUARY 2024 at 10.00 am.**

This is a hybrid meeting and the public may also attend remotely

The meeting will be webcast and a live stream can be viewed on the Council's website.
<https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON
CLERK TO THE BOARD

BUSINESS

- 1 Minutes of Meeting of 30 November 2023 (Pages 3 - 6)
- 2 Statement of Licensing Policy (Pages 7 - 8)
- 3 Application for Provisional Premises Licence - 17 Merkland Road East, Aberdeen
(Pages 9 - 34)
- 4 Application for Provisional Premises Licence - Ruban Stores, 1 Mount Street, Aberdeen (Pages 35 - 64)
- 5 Application for Variation of Premises Licence - Aura & Barbarella, 5 Bridge Place, Aberdeen (Pages 65 - 86)

- 6 Application for Variation of Premises Licence - Great Western Hotel, 239 Great Western Road, Aberdeen (Pages 87 - 100)
- 7 Application for Variation of Premises Licence - Woodend Bar, 225 - 227 Stoneywood Road, Aberdeen (Pages 101 - 114)
- 8 Premises Licence Review Hearings
 - 8.1 AC0399 - Belmont Film House, 49 Belmont Street, Aberdeen (Pages 115 - 118)
 - 8.2 AC0401 - The Brentwood Hotel, 99 Crown Street, Aberdeen (Pages 119 - 122)
 - 8.3 AC0435 - Aberdeen Northern Hotel, 1 Great Northern Road, Aberdeen (Pages 123 - 126)
 - 8.4 AC0594 - The Highland Hotel, 89 Crown Street, Aberdeen (Pages 127 - 130)
 - 8.5 AC789 - Lithuanian Food Ltd, 78 Stoneywood Road, Aberdeen (Pages 131 - 134)
 - 8.6 AC791 - Dyce Tandoori, 275 Stoneywood Road, Aberdeen (Pages 135 - 138)
 - 8.7 AC807 - Shri Bheema, 15 Belmont Street, Aberdeen (Pages 139 - 142)
 - 8.8 AC865 - Cocoa Ooze, 24 - 28 Belmont Street, Aberdeen (Pages 143 - 146)
 - 8.9 AC879 - Little Malaya, 25 Inverurie Road, Aberdeen (Pages 147 - 150)
 - 8.10 AC989 - Reset Aberdeen, 12 John Street, Aberdeen (Pages 151 - 154)
- 9 Licensing Forum - Update
- 10 LSO - Update

Should you require any further information about this agenda, please contact Benedict Kpohraror - bkpohraror@aberdeencity.gov.uk

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LICENSING BOARD

ABERDEEN, 30 November 2023. Minute of meeting of the LICENSING BOARD.
Present: Councillor Copland, Convener; and Councillors Al-Samarai, Boulton, Hazel Cameron, Fairfull, Grant, Greig and McLeod.

MINUTES OF MEETING OF 26 SEPTEMBER 2023

1.

The Board had before it for its consideration the minutes of meeting of 26 September 2023.

The Board resolved:

To approve the minute.

STATEMENT OF LICENSING POLICY

2.

N/A

APPLICATION FOR PROVISIONAL PREMISES LICENCE - MARA, 40 - 42 THISTLE STREET, ABERDEEN

3.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board thereafter heard from David Scott, Solicitor for the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR PROVISIONAL PREMISES LICENCE - S R (ABERDEEN) LTD, 19 ARDARROCH ROAD, ABERDEEN

4.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board thereafter heard from Anthony Dawson, Solicitor for the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

LICENSING BOARD
30 November 2023

APPLICATION FOR VARIATION OF PREMISES LICENCE - COSTCUTTER, 115 ROUSAY DRIVE, ABERDEEN

5.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board thereafter heard from Anthony Dawson, Solicitor for the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - FIGMENT, 70 COUNTESSWELLS ROAD, ABERDEEN

6.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board thereafter heard from Neill Glover, on behalf of the applicant, speak in support of the application.

The Board unanimously resolved:

To grant the application.

DRAFT POLICY STATEMENT 2023

7.

The Board considered the responses to the draft Statement of Licensing Policy and thereafter resolved to approve the Statement of Licensing Policy which is to take immediate effect.

LICENSING BOARD DATES 2024 - FOR APPROVAL

8.

The Board resolved to approve the undernoted dates to hold Licensing Board Meetings during 2024.

24 January 2024

1 May 2024

LICENSING BOARD
30 November 2023

26 June 2024

11 September 2024

10 December 2024

OUTSTANDING PREMISES ANNUAL FEES

9.

The Board had before them a list of outstanding premises annual fee due on 1 October 2023. The Board thereafter heard from Sandy Munro, Depute Clerk to the Board, that the list was update d last on 21 November 2023 and that a few of the outstanding fees on the list has now been paid. Sandy Munro, informed the Board that not paying the annual fee is breach of a mandatory condition of the licence and sought instruction from the Board as to whether licences for premises with outstanding annual fee be brought to the next Board meeting for review.

The Board resolved that premises with outstanding premises annual fee due on 1 October 2023 would have their licences reviewed in the next Board meeting.

LICENSING FORUM - UPDATE

10.

The Board heard from Elaine Mottram, Chair, Local Licensing Forum that there was no update from the Licensing Forum.

LSO - UPDATE

11.

The Board heard from Stepen Stewart, Licensing Standards Office, that the Licensing Standards team are endeavouring to contact premises licence holders to pay their outstanding premises annual fees.

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Agenda Item 2

All alcohol licensing applications will be determined in line with the Statement of Licensing Policy which can be found in the link below https://www.aberdeencity.gov.uk/sites/default/files/2023-12/Statement%20of%20Licensing%20Policy%20Nov%202023%20update_0.pdf

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: APPLICATION FOR A PROVISIONAL PREMISES
LICENCE

PREMISES: 17 MERKLAND ROAD EAST, ABERDEEN

DESCRIPTION

- Premises are a small supermarket offering general groceries and sundries and alcohol deliveries of groceries, sundries and alcohol will be able to take place following online, phone and direct face to face orders – Challenge 25 will obtain at point of sale and on delivery.

OBJECTIONS/REPRESENTATIONS

- None

The applicant has accepted the CCTV Conditions.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: APPLICATION FOR A PROVISIONAL PREMISES
LICENCE

PREMISES: RUBAN STORES, 1 MOUNT STREET, ABERDEEN

DESCRIPTION

- Convenience store offering usual convenience. Store goods and services both within and out with core hours.

OBJECTIONS/REPRESENTATIONS

- None

The applicant has accepted the CCTV Conditions.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: AURA AND BARBARELLA, 5 BRIDGE PLACE, ABERDEEN

DESCRIPTION

- Variation to on consumption opening hour on Monday, Tuesday, Wednesday, Thursday and Sunday to 13:00.
- Variation to on consumption terminal hour on Monday, Tuesday, Wednesday, Thursday and Sunday to 03:00.

OBJECTIONS/REPRESENTATIONS

- Police
- Member of the Public x1

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OFFICIAL

19 December 2023

Your Ref:

Our Ref: 782501

Licensing Team
Legal Services Governance
Aberdeen City Council
Marischal College
Broad Street
Aberdeen
AB10 1AB



Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
AUARA & BARBARLLA, 5 BRIDGE PLACE, ABERDEEN, AB11 6HZ.
CC STIM UK TRADECO 2 LTD**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of amending on sales operating hours to 1300-0300 hours daily.

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I wish to object to the application on the grounds that the terminal hour sought from Sunday to Thursday falls out with Board Policy for Aberdeen city centre licensed premises.

The latest terminal hour, as set out within Aberdeen City Licensing Board's Policy Statement for all on sale licensed premises, located within Aberdeen City Centre, is 0200 hours from Sunday to Thursday and, should the Board be minded to grant this application, this may set a precedent where other licensed premises in Aberdeen city centre would be likely to seek to replicate.

Alcohol fuelled violence and disorder continues to be a problem in Aberdeen city centre, particularly in the late evening and the early hours. In almost every crime of assault or serious assault recorded by the Police, which has taken place within the city centre, the perpetrator, victim, or both, have been under the influence of alcohol which was consumed within licensed premises. Recorded crime figures demonstrate that the longer and later licensed premises are open, the higher the likelihood of crimes of violence occurring.

OFFICIAL

OFFICIAL

The terminal hour sought for Sunday to Thursday will put additional pressure on Police Scotland and NHS Grampian resources that are already stretched and in the interests of Preventing Public Nuisance, Preventing Crime and Disorder, Protecting and Improving Public Health and Securing Public Safety, I object to this application.

This letter has been submitted for your attention when considering this application.

Yours faithfully

Graeme Mackie

Chief Superintendent

For enquires please contact the Licensing Department on 01224 304154

OFFICIAL

Dear Depute Clerk to the Licensing board,

I am writing to you in regards to the application for variation (major) premises - Aura & Barbarella, 5, Bridge Place, Aberdeen, Ab11 6hz for the grounds stated below;

Music:

Having previously contacted environmental health regarding the music from this venue, I feel an increase in opening hours would significantly affect my tenants and own mental health. Although improvements were made following my previous complaint 2019/20. I have since moved out and rented the property due to being unable to sleep in my own property, due to the floor and walls vibrating because of the decibels of the music in the night club. Since renting out my property, I have had tenants move out due to the noise of the music affecting their mental health due to the lack of quality of sleep.

Increased footfall:

As patrons are leaving the venue they will cause noise at a later time affecting the sleep quality and in turn mental health problems. As the premises will be one of the only properties opening this late it will mean more people will chose to go here increasing the number of people leaving at this time. Tenants of my property have also left renting my property as they feel unsafe as patrons of the nightclub have knocked on windows and tried to enter my property at late times.

Rubbish:

There is a large black backdoor on the same street, as the front door of my property. Staff from the night club have been seen smoking and also using the rubbish bins outside of here, which is for the properties of Crown Street. Again opening longer and later will only cause more of this poor situation.

Alcoholism:

As the Scottish Government continue to crack down on alcoholism and binge drinking in Scotland. I feel the extension to licensing hours at this property are counterproductive to the governments aims.

I feel that the longer license hours of this night club will only make the situation worse for the vibration of music which travels up my walls and caused many sleepless nights affecting mental health and tenants leaving, as they feel unsafe. Not to mention the later times of people exiting the building walking around, catching taxis singing & dancing in the streets & then local residents having to get up a few hours later for work!!!

Regards

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: GREAT WESTERN HOTEL, 239 GREAT WESTERN ROAD,
ABERDEEN

DESCRIPTION

- Variation to on consumption terminal hour on Friday and Saturday to 01:00.
- Variation to on consumption opening hour on Sunday to 11:00.

OBJECTIONS/REPRESENTATIONS

- None

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: WOODEND BAR, 225 – 227 STONEYWOOD ROAD, ABERDEEN

DESCRIPTION

- Variation to on consumption terminal hour on Sunday to 00:00.

OBJECTIONS/REPRESENTATIONS

- None

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: BELMONT FILMHOUSE, 49 BELMONT STREET, ABERDEEN
LICENCE HOLDER: BELMONT FILMHOUSE 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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024

AC0399 Belmont Filmhouse, 49 Belmont Street, Aberdeen

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in October 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

This premises has been closed for a period of time and when visiting the premises in November 2023 there appeared to be a substantial amount of mail on the floor, behind the front door of the cinema. The licence holder company appears to have gone into administration. This information was passed on to the licensing team in November 2023.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB
Direct Dial: 01224 522541

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: THE BRENTWOOD HOTEL, 99 CROWN STREET, ABERDEEN
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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024

AC0401 Brentwood Hotel, 99 Crown Street, Aberdeen

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in October 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

This premises have been set aside by the Scottish Government for several years. When visiting the premises in December 2023, the management indicated that they were going to surrender their Premises Licence. This information was passed on to the licensing team in December 2023.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB
Direct Dial: 01224 522541

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: BELMONT FILMHOUSE, ABERDEEN NORTHERN HOTEL, ABERDEEN
LICENCE HOLDER: ABERDEEN NORTHERN 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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024

AC0435 Aberdeen Northern Hotel, 1 Great Northern Road, Aberdeen

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2021 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

This hotel has been closed for a considerable time. I believe that the licence holder company has been liquidated since November 2022. This information was passed to the licensing team.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB
Direct Dial: 01224 522541

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: THE HIGHLAND HOTEL, 89 CROWN STREET, ABERDEEN
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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024

AC0594 Highland Hotel, 89 Crown Street, Aberdeen

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in October 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

This premises have been set aside by the Scottish Government for several years. When visiting the premises in December 2023, the management indicated that they were going to surrender their Premises Licence. This information was passed on to the licensing team in December 2023.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB
Direct Dial: 01224 522541

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: LITHUANIAN FOOD LIMITED, 78 MENZIES ROAD, ABERDEEN
LICENCE HOLDER: LITHUANIAN FOOD 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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024

Lithuanian Foods, 78 Menzies Road, Aberdeen

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

These premises have been closed for a period of time.

On checking the premises on 20/12/2023, the front door has been secured and there is a build-up of mail behind the door.

The owners have indicated that it is their intention to surrender the Premises Licence.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB
Direct Dial: 01224 522541

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PREMISES LICENCE REVIEW PROPOSAL

**PREMISES: DYCE TANDOORI, 275 STONEYWOOD ROAD, DYCE, ABERDEEN
LICENCE HOLDER: FIRST MANAGEMENT (GB) 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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

**Non-payment of Annual Fee Review 24 January 2024 – Dyce Tandoori, 275 Stoneywood Road
Aberdeen, AB21 9JS**

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

These premises appear to have been closed for a period of time and there is no reply to the landline.

On checking the premises on 28/11/2023, the front door has been secured and there is a build-up of mail behind the door.

The premises were also visited several times during December 2023 and each time the premises were closed and no one was available to be seen.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB
Direct Dial: 01224 522541

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: SHRI BHEEMA, 15 BELMONT STREET, ABERDEEN
LICENCE HOLDER: SHRI BHEEMA'S INDIAN RESTUARANT 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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

**Non-payment of Annual Fee Review 24 January 2024 – Shri Bheema, 15 Belmont Street,
Aberdeen, AB10 1JR**

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

These premises appear to have been closed for some time and the front door is padlocked.

The premises were also visited several times during December 2023 and each time the premises were closed and no one was available to be seen.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: COCOA OOZE, 24/28 BELMONT STREET, ABERDEEN
LICENCE HOLDER: JOANNA COWIE

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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024 –

Cocoa Ooze (JoJo's Café), 24/28 Belmont Street, Aberdeen, AB10 1JR

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

These premises appear to have been closed for a period of time and there is no reply to the landline.

On checking the premises on 28/11/2023, the front door has been secured and there is a build-up of mail behind the door. It was noted at this time that there was a handwritten note on the front door that stated premises were closed due to a family bereavement.

The premises were also visited several times during December 2023 and each time the premises were closed and no one was available to be seen.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: LITTLE MALAYA, 25 INVERURIE ROAD, BUCKSBURN, ABERDEEN
LICENCE HOLDER: MALAYA RESTURANT 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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024

Little Malya, 25 Inverurie Road, Aberdeen, AB21 9LJ

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

These premises are still operating and offering alcohol for sale online but they have failed to appoint a Designated Premises Manager despite repeated requests.

The premises were also visited several times during December 2023 and each time the premises were closed and no one was available to be seen.

On 5th January 2024, LSO Stephen Stewart spoke to someone at the premises on the telephone and they indicated that they no longer wished to sell alcohol and that alcohol had been removed from their online ordering system.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

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PREMISES LICENCE REVIEW PROPOSAL

PREMISES: RESET ABERDEEN, 12 JOHN STREET, ABERDEEN
LICENCE HOLDER: ENGAGE GAMING (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 was due to be paid 1 October 2023. As of 8 January 2024, the fee remains outstanding.

ADDITIONAL INFORMATION

- Premises Licence Review Proposal
- LSO Report

BOARD'S POWERS ON REVIEW

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.

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.

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.

A revocation takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.

On making a variation, the Board may provide for the variation to apply only for such period as they may determine.

Non-payment of Annual Fee Review 24 January 2024 –

Reset Aberdeen, 12 John Street, Aberdeen

I refer to Section 38 (4) (a) of the Licensing (Scotland) Act 2005 in terms of the Premises Licence Review. The Licensing Standards Officers were made aware in November 2023 that the licence holder had not paid the annual fee for the above premises. This is a breach of Section 10(2) of the mandatory conditions attached to the Premises Licence, Payment of Annual or Recurring Fees.

These premises have been closed for a period of time and the landline has been disconnected.

On checking the premises on 28/11/2023, the front door has been secured and there is a build-up of mail behind the door. There is also a DM Hall To Let sign affixed to the front of the building.

On checking the Companies House Register, Reset Aberdeen is listed as in Liquidation.

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

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