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

Town House, Aberdeen
02 September 2024

LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House on WEDNESDAY, 11 SEPTEMBER 2024 at 10.00 am.**

This is a hybrid meeting and members, 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 26 June 2024 (Pages 3 - 8)
- 2 Statement of Licensing Policy (Pages 9 - 10)
- 3 Application for Provisional Premises Licence - Aberdeen (King Street) Service Station, 130 West North Street, Aberdeen (Pages 11 - 62)
- 4 Application for Premises Licence - Nisa Local Back Hilton, 87 Back Hilton Road, Aberdeen (Pages 63 - 86)
- 5 Application for Premises Licence - Reynolds Cocktails Ltd, Unit 1 Meikie Clinterty Farm, Kinellar, Aberdeen (Pages 87 - 116)

- 6 Application for Variation of Premises Licence - Cafe D'Ag, 25 Crown Street, Aberdeen (Pages 117 - 134)
- 7 Application for Variation of Premises Licence - Tarragon Catering Limited, 137 Rosemount Place, Aberdeen (Pages 135 - 164)
- 8 Application for Variation of Premises Licence - Taylors Self Service, 53 Victoria Road, Aberdeen (Pages 165 - 180)
- 9 Application for Personal Licence
 - 9.1 Application for Personal Grant - A (Pages 181 - 184)
 - 9.2 Application for Personal Grant - B (Pages 185 - 188)
- 10 Report of Conduct Inconsistent with Licensing Objectives - Personal Licence Holder
 - 10.1 Personal Licence Holder A (Pages 189 - 192)
 - 10.2 Personal Licence Holder B (Pages 193 - 196)
- 11 General Direction (Pages 197 - 198)
- 12 Licensing Board Dates 2025 (Pages 199 - 200)
- 13 Licensing Forum - Update
- 14 LSO - Update (Pages 201 - 202)

Should you require any further information about this agenda, please contact Alexa Last -
Alast@aberdeencity.gov.uk

LICENSING BOARD

ABERDEEN, 26 June 2024. Minute of meeting of the LICENSING BOARD.
Present: Councillor Copland, Convener; and Councillors Al-Samarai, Hazel Cameron, Crockett, Fairfull and Greig.

TRIBUTE TO JANET HOOD - SOLICITOR

1.

The Convenor paid tribute to Janet Hood and passed condolences on behalf of the Board to her family.

MINUTES OF MEETING OF 1 MAY 2024

2.

The Board had before it for its consideration the minutes of meeting of 1 May 2024.

The Board resolved:

To approve the minute.

STATEMENT OF LICENSING POLICY

3.

N/A

APPLICATION FOR PROVISIONAL PREMISES LICENCE - ABERDEEN (KING STREET) SERVICE STATION, 130 WEST NORTH STREET, ABERDEEN

4.

The Board heard from Sandy Munro, Depute Clerk to the Board that the application had been deferred at the request of the applicant.

APPLICATION FOR PROVISIONAL PREMISES LICENCE - MAX CONVENIENCE, 6 CLUNIE PLACE, ABERDEEN

5.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been representation from the LSO and 6 objections from members of the public.

The Board thereafter heard from Karen Gatherum, Solicitor for the applicant, in support of the application. The Board further heard from Karen Gatherum, that although the applicant store had received a fixed penalty notice for selling vapes without verifying proof of age, the staff have now

LICENSING BOARD

26 June 2024

undergone extensive training and a Challenge 25 policy has been implemented. This policy will also apply to the sale of tobacco and alcohol to prevent such issues from recurring.

The LSO spoke to their representation and two of the public objectors, Mr Arumugam Vijendiran Sanjay and Mr John MacLeod spoke to their objections. The other four public objectors were absent.

The Board thereafter called on Karen Gatherum, Solicitor for the applicant to address the representation of the LSO and the public objections which included matters relating to preventing crime and disorder, preventing public nuisance and protecting children and young persons from harm.

The Convener moved to grant the application, noting that it is for a provisional licence and that the LSO will work with the applicant to ensure compliance with the licensing policy and objectives.

Councillor Crocket moved as an amendment to refuse the application on grounds that it was incompatible with the licensing objectives of preventing crime and disorder, preventing public nuisance and protecting children and young persons from harm.

On a division there voted:-

For the Motion (2) the Convener and Councillor Greig

For the amendment (3) Councillors Al-Samarai, Crockett and Cameron.

Councillor Fairfull arrived partway through the item and so could not take part in the vote.

The Board resolved:

To adopt the amendment.

**APPLICATION FOR PROVISIONAL PREMISES LICENCE - UNIT 8
KITTYBREWSTER SHOPPING CENTRE, 17 CLIFTON 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 Anthony Dawson, Solicitor and applicant, speak in support of the application.

The Board unanimously resolved:

To grant the application.

LICENSING BOARD

26 June 2024

APPLICATION FOR VARIATION OF PREMISES LICENCE - BALACLAVA BAR, 31 LOCH STREET, ABERDEEN

7.

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 Karen Gatherum, Solicitor on behalf of applicant, speak in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - BRIDGE OF DON SERVICE STATION, ELLON ROAD, ABERDEEN

8.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and the applicant had accepted the Age Verification and Delivery Local Conditions.

The Board thereafter heard from Audrey Junner, Solicitor on behalf of applicant, speak in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - CO-OP, UNIT 1 - 2 KINGSWELLS VILLAGE CENTRE, KINGSWELLS, ABERDEEN

9.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and the applicant had accepted the Age Verification and Delivery Local Conditions.

The Board thereafter heard from Audrey Junner, Solicitor on behalf of applicant, speak in support of the application.

The Board unanimously resolved:

To grant the application.

LICENSING BOARD

26 June 2024

APPLICATION FOR VARIATION OF PREMISES LICENCE - FOUR MILE HOUSE, OLD SKENE ROAD, KINGSWELLS, ABERDEEN

10.

The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received and the applicant had accepted the External Areal Local Conditions.

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

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - GREAT WESTERN HOTEL, 239 GREAT WESTERN ROAD, ABERDEEN

11.

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 on behalf of applicant, speak in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - HOTEL CHOCOLAT, UNIT GS23 UNION SQUARE SHOPPING CENTRE, ABERDEEN

12.

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 Audrey Junner, Solicitor on behalf of applicant, speak in support of the application.

The Board unanimously resolved:

To grant the application.

LICENSING BOARD

26 June 2024

APPLICATION FOR RENEWAL OF PERSONAL LICENCE

13.

The Board heard from Sandy Munro, Depute Clerk to the Board, that there had been representation from the Police.

The Board thereafter heard from the applicant's son, on behalf of the applicant, in support of the application.

The Police spoke to their representation and the Board called on the applicant to address the representation.

The Board unanimously resolved:

To grant application.

ANNUAL FUNCTIONS REPORT

14.

The Board had before them the Annual Functions Report 2024 for noting. The Board thereafter heard from Sandy Munro, Depute Clerk to the Board, that work is currently being undertaken with the Licensing Forum to improve the Annual Functions Report.

The Board unanimously approved the Functions Report for publication.

ANNUAL FINANCIAL REPORT

15.

The Board had before them documentation detailing the annual financial report for 2023 – 2024.

The Board unanimously approved the financial report for publication and resolved to maintain the current reduced annual fee to be applicable for all premises..

LICENSING FORUM - UPDATE

16.

The Board had before them an update from Elaine Mottram, Chair, Local Licensing Forum regarding key agenda items which were discussed at the Local Licensing Forum meeting held on 7 May 2024.

LSO - UPDATE

LICENSING BOARD

26 June 2024

17.

The Board heard from Diane Sande, Licensing Standards Officer, that there are no update and that the Licensing Standards team had received quite a number of queries about the General Direction dates for 2024. The Board thereafter heard from Sandy Munro, Depute Clerk to the Board, that the proposed dates would be brought forward to next Board meeting for approval.

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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: ABERDEEN (KING STREET) SERVICE STATION, 130 WEST NORTH
STREET, ABERDEEN

DESCRIPTION

- Premises located at 130 West North Street offering off sale consumption and general convenience store services.

The application was deferred at the Board meeting on 26 June 2024 at the request of the applicant.

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: NISA LOCAL, 87 BACK HILTON ROAD, ABERDEEN

DESCRIPTION

- Convenience store offering off sales consumption and a wide range of products including newspapers, magazines, fresh and frozen products, tobacco, alcohol, lottery and pay point along with other ranges of non-food items.

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: REYNOLDS COCKTAILS LTD, UNIT 1, MEIKLE CLINTERTY FARM, KINELLAR, ABERDEEN

DESCRIPTION

- Manufacturing Unit/Kitchen for Retail Cocktails to be made and sold online. The alcohol is stored throughout the unit, as a raw product, and then made into cocktails and packaged as ready to drink cocktails. No Customers to enter the site. OFFSALES only. Online only.

OBJECTIONS/REPRESENTATIONS

None

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE

PREMISES: CAFÉ D'AG, 25 CROWN STREET, ABERDEEN

DESCRIPTION

- Variation to change name of premises from Café D'Ag to O'Malley's.
- Variation to on sales consumption opening hour on Sunday to 11:00.
- Variation to on sales consumption terminal hour on Thursday to 01:00, Friday and Saturday to 02:00 and Sunday to 00:00.
- Variation to include off sales consumption on Monday to Sunday from 10:00 to 22:00.
- Variation to Q5(a) on the operating plan to include conference facilities during and outwith core licensed hours and restaurant facilities during core licensed hours.
- Variation to Q5(b) on the operating plan to include club or other group meetings during core licensed hours.
- Variation to Q5(g) on the operating plan to include live performances, dance facilities and gaming during core licensed hours.
- Variation to amend the wording at 5(f) of the operating plan to read "Conference facilities may commence before opening licensed hours but no alcohol will be served.
- Variation to Operating Plan.
- Variation to Layout Plan.
- Variation to Premises Manager.

OBJECTIONS/REPRESENTATIONS

- None

The applicant has agreed to the imposition of Door Supervisors, Radiolink and CCTV conditions.

POLICY

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: TARRAGON CATERING LIMITED, 137 ROSEMOUNT PLACE,
ABERDEEN

DESCRIPTION

- Variation to on sales consumption opening hour to 11:00 on Monday to Sunday.
- To include outdoor drinking facilities during core licenced hours.
- To increase on-sale capacity from 60 to 75.
- Variation to Operating Plan.
- Variation to Layout Plan.

OBJECTIONS/REPRESENTATIONS

- None

The applicant has agreed to the imposition of External Area Conditions.

POLICY

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: VARIATION OF PREMISES LICENCE
PREMISES: TAYLORS SELF SERVICE, 53 VICTORIA ROAD, ABERDEEN

DESCRIPTION

- Variation to increase capacity from 27.02sqm to 30.31sqm.
- Variation to Layout Plan.

OBJECTIONS/REPRESENTATIONS

- None

POLICY

N/A

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PERSONAL LICENCE APPLICATION

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

The Board Must:

- a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- b) If not so satisfied, grant the application.

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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PERSONAL LICENCE APPLICATION

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

The Board Must:

- a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- b) If not so satisfied, grant the application.

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LICENSING BOARD INFORMATION SHEET

NOTICE OF CONVICTION LICENCE HOLDER - A

BACKGROUND

- Held licence since 13 April 2021

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

The Board must:

After having regard to the report and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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LICENSING BOARD INFORMATION SHEET

NOTICE OF CONVICTION LICENCE HOLDER - B

BACKGROUND

- Held licence since 1 September 2009

OBJECTIONS/REPRESENTATIONS

- Police Scotland

DETERMINATION

The Board must:

After having regard to the report and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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Agenda Item 14

The LSOs would like to highlight to the Board that there are various premises falling into these categories and ask the Board to consider options available, as per the Aberdeen Licensing policy

“Licences Ceasing to Have Effect Section 28(5)(b) provides that a licence will cease to have effect where the licensed premises ceases to be used for the sale of alcohol. In order to avoid any misunderstandings, the Board expect any licence holder to notify the licensing department in writing if the premises is going to be closed for any length of time with an explanation of the reason for closure and an expectation of when the premises intends to reopen. If a premises has been closed for 6 months the licence will be referred to the next Board Meeting for review

Premises Licence

Premises Name	Address	Period Alcohol Not Sold
Aberdeen House Hotel - AC0324	Guild Street	Has not sold alcohol for a substantial period
Belmont Cinema – AC0399	Belmont Street	Closed for a substantial period
Cumin Tandoori – AC0419	Union Street	Closed for a substantial period
Pearl Lounge AC0173	Dee Street	Closed for a substantial period
Highland Hotel and Brentwood Hotel – AC0401 AC0594	Crown Street	Both have not sold alcohol for a substantial period
Parkway – AC0259	Balgownie Road	Closed for a substantial period
Bucksburn Manor – AC0533	Inverurie Road	Closed for a substantial period
Illicit Still – AC0179	Netherkirkgate	Closed for a substantial period
Nawaabs AC0451	Summer Street	Has not sold alcohol for a substantial period due to no current premises manager
Jewel in the Crown Upper floor – AC0457	Crown Street	Has not sold alcohol for a substantial period

Occasional Licences

Premises Name	Address	Period Occasional Licences Granted	Provisional Licence Granted
Ivy Lodge	Shiprow	January 2022 to current	October 2022
Pigs Wings	Schoolhill	November 2021 to current	August 2022