

LICENSING BOARD

ABERDEEN, 3 July 2019. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Donnelly, Greig, John, McLellan and Townson.

MINUTE OF MEETING OF 14 MAY 2019

1. The Board had before it for its consideration the minutes of meeting of 14 May 2019.

The Board resolved:-

To approve the minute.

LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the applications as listed in 3-6

APPLICATION FOR VARIATION OF A PREMISES LICENCE - BREWDOG, 5 UNION STREET, ABERDEEN

3. Councillor McLellan declared an interest, left the meeting and took no part in the determination of the application.

The Board heard from Alexander Munro, Depute Clerk to the Board, that there were no representations or objections received in connection with the application. The applicant however was seeking a variation to a local condition attached to the licence and therefore would require to address the Board.

The Board heard from Ms Junner, Solicitor in support of the application.

Ms Junner advised that the applicant requested that the Board applied an amended door supervisor condition in the following terms:

‘It is a condition that the licence holder will ensure that where the premises will be open after 01:00 they shall employ or use suitably licensed door supervisors from 23:00 onwards’

The Board resolved: -

to grant the application subject to the Door steward condition as amended.

LICENSING BOARD

3 July 2019

APPLICATION FOR VARIATION OF PREMISES LICENCE - COGNITO, 1 MIDSTOCKET ROAD, ABERDEEN

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

The Board Resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - MECCA BINGO CUB, BERRYDEN ROAD

5. The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that he understood that the applicant had agreed to a recommendation from Police Scotland that Televised sports would not be permitted beyond the terminal hour. Mr McDougall, Solicitor, confirmed that this had been accepted.

Thereafter the Board heard from Mr McDougall in support of the application.

The Board Resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - VICTORIA BAR - 1 MENZIES ROAD, ABERDEEN

6. The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that there a letter of objection had been received from a member of the public, that the letter had been received within the statutory timescales for objections but there was insufficient time to invite the objector to the meeting. In the circumstances the application required to be deferred to the next meeting of the Board.

The Board Resolved:

LICENSING BOARD

3 July 2019

To defer the application to its next meeting in September 2019.

APPLICATION FOR PERSONAL LICENCE - APPLICATION A

7. The Board had before them a letters dated 11 March and 16 May 2019, in the absence of the applicant;

The Board resolved: -

To refuse the application.

APPLICATION FOR PERSONAL LICENCE - APPLICATION B

8. The Board had before them a letter dated 2 April 2019 from Police Scotland.

The applicant was not present at the meeting.

Councillor Cameron moved to hear the application in the absence of the applicant.

Councillor Donnelly moved as an amendment to defer consideration of the application to a further meeting so that the applicant could make a personal appearance.

On a division there voted: - for the motion (5) The Convener and Councillors; Cameron, Greig, McLellan and Townson; and for the amendment (2) Councillors Donnelly and John.

The Board adopted the motion.

Thereafter the Board heard from Sgt Flett, Police Scotland who spoke in support of the Police letter.

The Board resolved: -

To refuse the application.

ANNUAL ACCOUNTS 2019

9. The Board had before them their Annual Financial Report.

The Report recommended that the Board: -

(1) approve the annual financial report set out in Appendix One of the report and;

LICENSING BOARD

3 July 2019

- (2) authorise the Clerk to the Board to proceed with the publication of the annual financial report.

The Board resolved: -

to approve the recommendations.

ANNUAL FUNCTIONS REPORT

10. The Board had before them their Annual Function report.

The report recommended that the Board:

- (2) approve the Annual Functions Report and;
- (2) authorise the Clerk to the Board to proceed with the publication of this Annual Functions Report.

The Board resolved: -

- 1 .to approve the recommendations and
- 2 .to thank the licensing team for the work in the last year.

LICENSING FORUM

11. The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that the Board may wish to consider tasking the Licensing Forum with carrying out a review of the effectiveness of their Licensing Policy Statement.

LSO UPDATE

12. Tara Gilchrist invite the Board to consider if they wish to join the LSO's on any night time visits of licensed premises.

To Board resolved: -

to note the offer and to make any arrangements through the licensing team

LICENSING BOARD

3 July 2019

PREMISES LICENCE REVIEW IN TERMS OF SECTION 37 OF LICENSING SCOTLAND ACT 2005

13. The Board heard from Alexander Munro, Depute Clerk to the Board, that the

Board had considered an application for a closure order in March 2019 which was in place for 4 months until 4 July 2019. The Board during consideration of the closure order agreed it was appropriate to initiate a review of the premises licence on the grounds of the licensing objectives of preventing crime and disorder and securing public safety. Therefore a Licensing Board Review Hearing has been convened. Mr Munro advised that the hearing was deferred from the last Board meeting on the request of the licence holder due to him undergoing medical procedures.

The Board had before them a copy of the closure order and the LSO's report.

The Board heard from Sgt Flett, Police Scotland and Tara Gilchrist, LSO.

Thereafter the Board heard from Mr Scott, Solicitor on behalf of the premises licence holder.

Councillor Boulton being satisfied that the grounds of review were established moved to revoke the premises licence, relevant to the licensing objectives of preventing crime and disorder and securing public safety.

Councillor Donnelly moved as an amendment being satisfied that the grounds of review were established to suspend the premises licence,

The Board resolved:

The Licensing Board, being satisfied that the grounds of review were established, resolved to revoke the licence. The grounds for review which the Board found to be established were; grounds relevant to the licensing objectives of preventing crime and disorder and securing public safety.

LICENSING BOARD
3 July 2019