

LICENSING BOARD

ABERDEEN, 28 January 2020. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener and Councillors Cameron, Lesley Dunbar, Grant, Greig, McLellan and Townson.

MINUTE OF MEETING OF 10 SEPTEMBER 2019

1. Minutes

The Board had before it for its consideration the minutes of meeting of 10 September 2019.

The Board resolved: -

To approve the minute.

MINUTE OF MEETING OF 5 NOVEMBER 2019

2. Minutes

The Board had before it for its consideration the minutes of meeting of 5 November 2019.

The Board resolved: -

To approve the minute.

LIST OF APPLICATIONS

3.
The Board had before it, for its consideration, the applications as listed in 4 - 11

APPLICATION FOR PROVISIONAL PREMISES LICENCE - TESCO EXPRESS, 43 - 45 UNION STREET

4. Minutes:

The Board had before them a letter of objection from two members of the public dated 23 December 2019.

Tony Dawson, Solicitor acting on behalf of the Objectors informed the Board that there had been no instructions from his clients.

The Board thereafter heard from Frances Ennis, Solicitor for the applicant. Frances Ennis, Solicitor, addressed the objections raised and provided detailed information in support of the application citing reference to relevant provisions in the statement of licensing policy and how the licencing objectives will be attained by the applicant.

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The Board Resolved:

To grant the application.

APPLICATION FOR PREMISES LICENCE - 73/75 VICTORIA ROAD, ABERDEEN

5.

Minutes:

The Board had before them emails of objections dated 8, 25, 27 and 28 October 2019 from four members of the public.

The Board heard from Alexander Munro, Depute Clerk to the Board that the application had been deferred from 5 November 2019 Board due to an objection received from a member of the public and that the concerns raised had already been addressed by the applicant. The other objectors did not attend despite being sent invites dated 9 January 2020

The Board there after heard from Tony Dawson, Solicitor speak in support of the application.

The Board Resolved:

To grant the application.

APPLICATION FOR PREMISES LICENCE - ROYAL BANK OF SCOTLAND, 2 MARISCHAL SQUARE, ABERDEEN

6.

Minutes:

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 PREMISES LICENCE - THE HOUSE OF BOTANICALS, ARCH 4, PALMERSTON ROAD, ABERDEEN

7.

Minutes:

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that the application is within the licensing policy and that there had been no objections or representations received.

The Board Resolved:

To grant the application.

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**APPLICATION FOR VARIATION OF PREMISES LICENCE - BRUNSWICK STORES,
20 BEACH BOULEVARD, ABERDEEN**

8.

Minutes:

The Board heard from Mr 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 - CHARLIE'S, 97
KEPPLEHILLS ROAD, BUCKSBURN, ABERDEEN**

9.

Minutes:

The Board heard from Mr 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 - NAMASTE DELHI, 64
BRIDGE STREET, ABERDEEN**

10.

Minutes:

The Board had before them letters of objections dated 12 and 23 December 2019 from 3 members of the public. One of the objectors, Mohammad Ullah was present and the other two objectors were absent despite being sent invites dated 9 January 2020.

The Board heard from Janet Hood, Solicitor, speak in support of the application and addressed the objections raised.

The Board thereafter heard from Mohammad Ullah, objector.

Andrew Gilchrist, Environmental Health Officer, informed the Board that in response to the objections received Environmental Health Officers visited the premises but found nothing contrary to the licensing policy/objectives. Andrew Gilchrist also informed the Board that neither himself nor his team members were aware of any previous allegation of noise nuisance.

Councillor Boulton, Convener, recommended that a meeting be arranged by the LSO amongst the owners of the businesses near the premises with the view of resolving any underlining issues.

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The Board resolved: -

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE TUNNELS,
CARNEGIES BRAE, ABERDEEN**

11.

Minutes:

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.

PREMISES LICENCE REVIEW HEARINGS

12.

PREMISES LICENCE - AMBAL'S RESTAURANT, 4 BRIDGE STREET, ABERDEEN

13.

Minutes:

The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that it is his understanding that the business at the above premises had been dissolved during 2016 and that all effort to contact the licence holder had been unsuccessful.

The Board Resolved:

To revoke the premises licence.

**PREMISES LICENCE - JIMMY CHUNG'S RESTAURANT, BEACH ESPLANADE,
ABERDEEN**

14.

Minutes:

The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that the building relating to the premises licensed had been demolished. Therefore, the licence is no longer required.

The Board Resolved:

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To revoke the premises licence.

APPLICATION FOR PERSONAL LICENCE - APPLICATION A

15.

Minutes:

The Board had before them a letter dated 25 September 2019 from Police Scotland.

The Board thereafter heard from Alexander Munro, Depute Clerk to the Board that the application had been deferred from 5 November 2019 Board meeting due to absence of the applicant.

The applicant was absent despite being sent letters dated 7 November 2019 and 7 January 2020 to attend the Board hearing on 28 January 2020.

The Board heard from Police Scotland.

The Board Resolved:

To refuse the application

APPLICATION FOR PERSONAL LICENCE - APPLICATION B

16.

Minutes:

The Board had before them a letter dated 7 November 2019 from Police Scotland.

The Board heard from Alexander Munro, Depute Clerk to the Board that the applicant is absent despite being sent an invite dated 7 January 2020.

The Board heard from Police Scotland.

The Board Resolved:

To refuse the application.

APPLICATION FOR PERSONAL LICENCE - APPLICATION C

17.

Minutes:

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

Councillor Townsend had to leave due to other commitment.

The Board heard from Police Scotland and the Applicant.

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The Board Resolved:

To grant the licence.

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES -
PERSONAL LICENCE HOLDER A**

18.

Minutes:

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

The Board thereafter heard from Alexander Munro, Depute Clerk to the Board that the hearing had been deferred from 5 November 2019 Board meeting due to absence of the licence holder. The licence holder was absent despite being sent letters dated 7 November 2019 and 7 January 2020 to attend the Board hearing on 28 January 2020.

The Board thereafter heard from Police Scotland.

The Board Resolved:

To revoke the licence.

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES -
PERSONAL LICENCE HOLDER B**

19.

Minutes:

The Board had before them a letter dated 18 December 2019 from Police Scotland.

Councillors Townsend and Dunbar had to leave due to other commitments.

The Board heard from Alexander Munro, Depute Clerk to the Board that a telephone call and an email dated 22 January 2020 had been received from the licence holder advising that the licence can be revoked.

The Board thereafter heard from Police Scotland.

The Board Resolved:

To revoke the licence.

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES -
PERSONAL LICENCE HOLDER C**

20.

Minutes:

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The Board had before them a letter dated 16 December 2019 from Police Scotland.

The Board heard from Alexander Munro, Depute Clerk to the Board that a telephone call had been received from the licence holder prior to the Board meeting advising that the licence can be revoked.

The Board thereafter heard from Police Scotland.

The Board Resolved:

To revoke the licence.

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES -
PERSONAL LICENCE HOLDER D**

21.

Minutes:

The Board had before them a letter dated 20 December 2019 from Police Scotland.

The Board heard from Police Scotland and the Licence Holder.

The Board Resolved:

To endorse licence for a period of 5 years.

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES -
PERSONAL LICENCE HOLDER E**

22.

Minutes:

The Board had before them a letter dated 7 November 2019 from Police Scotland.

The Board heard from Police Scotland and the Licence Holder.

The Board Resolved:

To endorse licence for a period of 5 years.

GENERAL EXTENSION

23.

Minutes:

The Board had before them proposed dates from interested parties regarding general extensions of on sales consumption hours during 2020.

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The dates resolved for general extensions during 2020 are as are follows;

May Day - 8 May 2020

Halloween – 31 October 2020

All Fridays and Saturdays from 4 December 2020 including Christmas Eve, Boxing Day and Hogmanay.

FORUM UPDATE

24.

The Board were advised that there was no update for this meeting.

LSO UPDATE

25.

The Board were advised that there was no update for this meeting.