



ZENOCEAN

24th December 2014

Aberdeen City Licensing Board
Legal and Democratic Services
Aberdeen City Council,
Business Hub 6 L1S.
Marischal College,
Aberdeen AB10 1AB

Dear Sirs,

APPLICATION FOR VARIATION (MAJOR) PREMISES – THE PRIORY, 27 BELMONT STREET, ABERDEEN, AB10 1JS

I write in response to notification received dated 8th December 2014 (copy enclosed – ref ACO369) regarding an application by Epic Group (Scotland) Ltd to vary the condition attached to the premises that restricts the terminal hour of outside drinking.

I wish to strongly object to said application, but firstly advise that of great concern is the fact that no notification was ever received from Aberdeen City Council by Zenocean that an application had been lodged by Epic Group and granted for outside drinking permission. In addition, no application notice was evident on the immediate exterior of The Priory, or perimeter fencing/railings facing Belmont Street that related to the same application. I learned of the proposed beer garden by sighting an advertisement banner hanging on the Priory railings. I contacted The City Council about this in October 2014 and was informed that a notice had been sent to Zenocean and also displayed outside of the Priory. I can categorically state that no notice was received by us, and whilst it may be that a notice could have been posted outside of the Priory premises, it cannot have been clearly evident to any interested party, nor displayed for the requisite period of time.

I wish to object to the current application, as we have already had a negative experience of outside drinking when a beer garden was operating from the said premises at the time when The Priory first opened its doors some years ago, and to my knowledge this was done without appropriate permissions as no notifications were received by ourselves at that time. The tables and chairs and sometimes patrons from the said beer garden regularly blocked our shared access path. Daily, we also had to contend with glasses and ashtrays laying on the ground and cigarette ends discarded on the path and down the access steps to our building. On several occasions we caught people urinating down our access path. Not something our staff or visitors enjoyed dealing with.

Cont/

ZENOCEAN
The Wallace Hall
33 Belmont Street
Aberdeen AB10 1JS

ZENOCEAN LIMITED is a limited company incorporated under the Companies Acts (No.SC335296) and having its Registered Office at 100 Union Street, Aberdeen, AB10 1QR



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Over an extended period of years, we have made countless complaints to The Priory (as well as Revolution Bar – dealt with separately by The City Council) and have experienced;

- Excess ice containing sharp-edged bottle tops, straws and broken glass being dumped on steps/pathway at the end of a night.
- Buckets of dirty water with floor cleaner being dumped on steps at night.
- Beer bottles, plastic glasses, cigarette packets and ends dumped on the access way steps and path.
- Human excrement on the steps and path.
- Used Condoms.
- Used needles and other drug paraphernalia.
- Dumped pallets and various rubbish.
- Steel and plastic barriers laying on ground on and across path.
- Foam (from foam party) containing straws, garters, broken glass, paper towels washed/brushed out from the building on to path way.
- Soggy paper towels and broken glass on path from the movement of under-bar bins being wheeled or dragged down the path to Denburn Road refuse pick up point.
- Remains of promotional bunting from parties on path/steps.
- Bar fridge being dumped. (later disposed of across wall into neighbouring property and later removed by City Council).
- Some of the above dumped items have on occasion provided a hazard/blockage of one of Zenocean's main emergency exit routes and a rear West facing fire exit from The Priory.
- Wheelie bins and under-the-counter bottle bins leaking alcohol on to pathway, which contributes to the formation of algae which in turn can be slippery, as well as being carried into our building on the soles of shoes and making floors/carpets sticky.
- Inappropriate advertising on a boarded up side door (ad now removed).
- Outside umbrella installed partially over access path 'without' notice/discussion.

The Priory building has never been properly or consistently maintained. We are affected by;

- Gutters on South side of building streaming rain water on to path way which forms algae and is slippery but also pools at our door step. Water produces sheet ice in winter. Only ever removed/salted by Zenocean (Gutter very recently cleared after several requests).
- South side broken downpipe with lateral and longitudinal splits which gushes water on to path with same result as above.
- Falling masonry (subject of contact with Tom Moore at City Council as far back as 2012).
- Broken gutter streaming water/mud down North side of Priory blocking our rainwater drain causing us to incur cost of unblocking. Incorrectly installed emergency exit steps (crossing our property – not shared access) from Priory exacerbates this water/mud run off problem.
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- South West Tower of Priory has remained unslated with exposed sarking for many years which could have potentially contributed to internal roof damage, the Priory has suffered in recent times, but is also of major concern to Zenocean because the tower is directly above our main access door, with the potential for devastating effect.

When The Priory first opened and made an application to operate a licensed premises, Zenocean spoke up on their behalf as the building had been a regular target by undesirables. An agreement was made whereby The Priory agreed not to store bins, barrels, crates or any other items on access/egress paths at front or side of the Priory on access paths, steps or emergency exit routes. This agreement has continually been ignored or forgotten.

We have communicated with The Priory on dozens of occasions about all of the issues listed above. In the main, the onsite management have been really decent people to deal with, but for whatever reason, barring the odd exception, the complaints/requests are rarely dealt with or go unanswered.

Some of the issues highlighted above are due to genuine health and safety concerns, which may potentially affect staff, customers or general public; some issues are to do with protection of property and some are down to general tidiness and therefore the impression given to staff, contractors and visitors.

Pictorial evidence is supplied to support our objection. The pictures show;

- 1 Priory Rear Fire exit with pallet, tarpaulin and box strewn across escape route. Ground cover shrubs growing over steps. Pic taken 24th December 2014.
- 2 Same exit as above again with various items dumped on path in the past.
- 3 As above.
- 4 Same path – pic taken in the past, metal barriers dumped on steps for weeks.
- 5 Zenocean blocked drain at bottom of 'incorrectly' sited emergency exit steps.
- 6 Same drain as above, covered with mud/debris.
- 7 Ice dumped on access path/steps.
- 8 Ice, as above.
- 9 Dumped ice, on access path as above, containing shards of broken glass.
- 10 Dumped ice at top of access steps, which was gradually melting beneath the clump and re freezing causing dangerous ice sheet at top of steps.
- 11 Excess foam washed out from Priory on to access path containing broken glass, sharp bottle tops, garters, balloons and straws.
- 12 Leakage from bins down steps causing slippery surface/algae.
- 13 Bins across path/emergency exit.
- 14 As above.
- 15 As above.
- 16 As above.
- 17 Broken glass fallen from under-counter-bins on access path/emergency exit.
- 18 Rubbish at side of access path/emergency exit.
- 19 Inappropriate advertising on boarded up door part way down access path.

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- 20 The morning after the night before. Foam washed out of Priory post party.
- 21 As above in front area/proposed beer garden.
- 22 As above. Foam washed out on to Belmont Street.
- 23 Damaged masonry subject of previous discussion with Tom Moore. The same type of fracture has occurred in several lintel stones near to tower tops. Fractures occur in the lintel stones and masonry can dislodge, especially as a result of frost getting in behind stone then dislodging. This has occurred on more than one tower to the front and rear of the building. Two fractured sections are evident to the front/ North East facing tower. If left in present condition they may pose a future threat. Some time ago a large piece broke off the South East facing tower near to the top of our access steps.
- 24 Wooden board laying on ground across access path at top of steps.

I have had reason to deal previously with Tara Erin Gilchrist and Diane Sande regarding issues experienced with Revolution Bar next door. I would like to take the opportunity to express my sincere thanks to them for their active participation in positively dealing with those issues. They are both a credit to the City Council and a pleasure to deal with.

Yours faithfully

[Redacted signature]

[Redacted name]

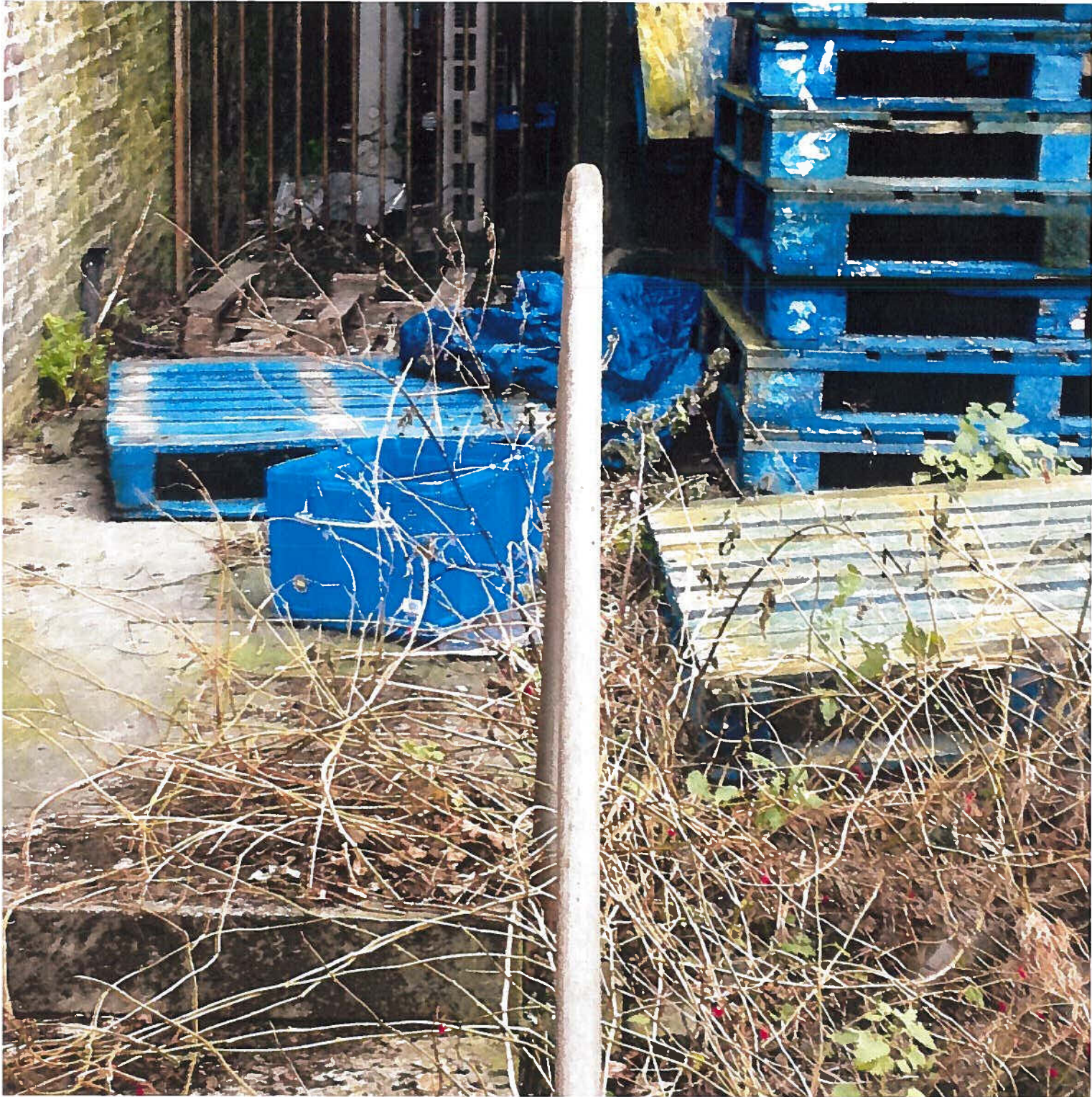
For and on behalf of Zenocean Limited

Enc.

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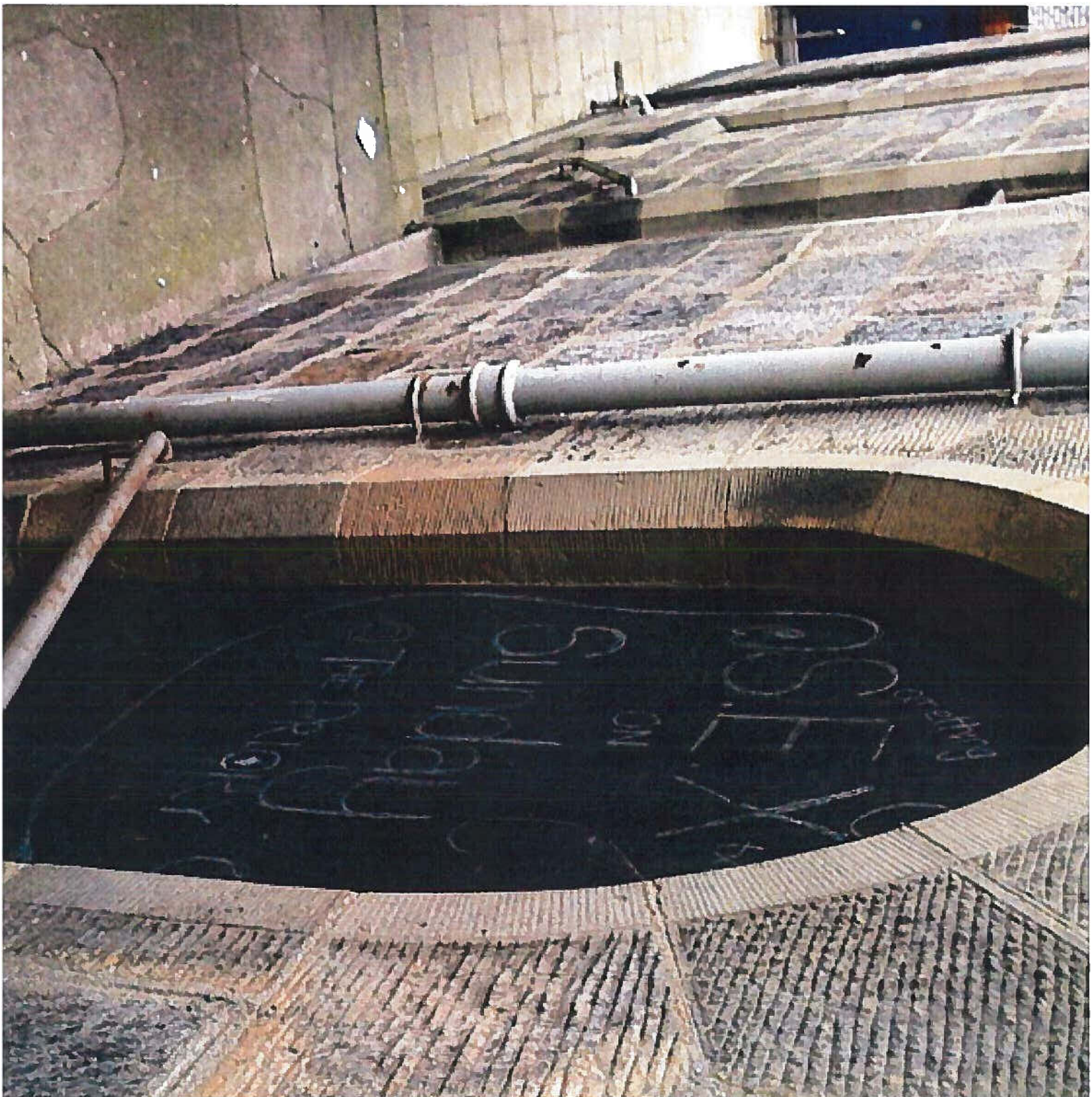


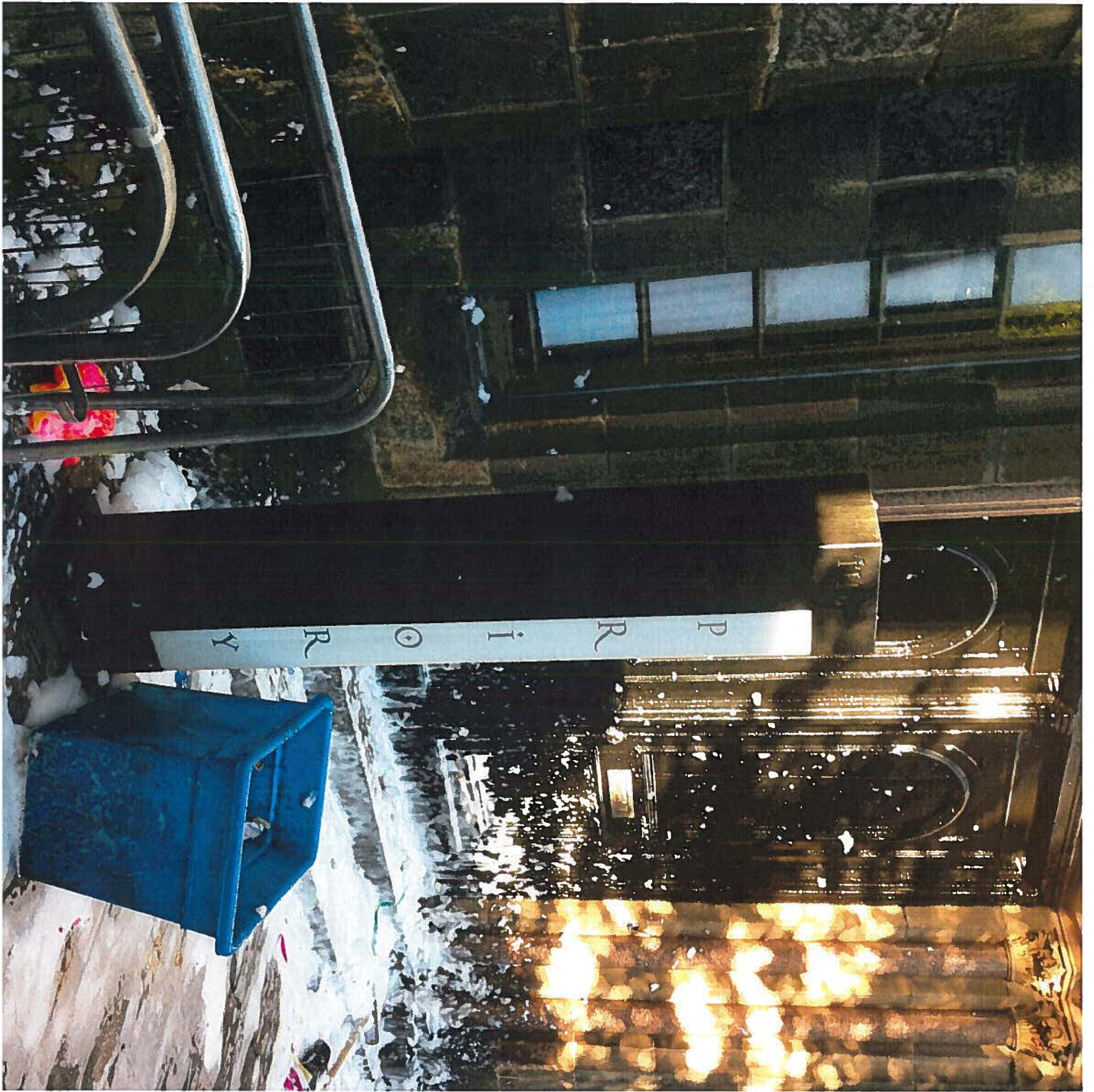


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Previous Granite
section that dislodged



