

Jacqui Wallace

From: Ross Thomson
Sent: 28 October 2014 15:56
To: Alyson Mollison
Cc: Jacqui Wallace

Dear Alyson,

I refer to the above and wish to notify the Board of my objections to the major variation of license at the Chester Hotel 59 Queens Road Aberdeen following discussions with my constituents. Further, can you pass this to the applicant's agent for their consideration.

The reasons for my objection is as follows

1 I am concerned that the applicant is seeking to operate an external Terrace which presently does not have planning permission. My concern relates to the fact that if the applicant had proceeded and obtained planning permission for this external Terrace I and my constituents would have had the opportunity when the license was first obtained to object to the license or ask the Board to either seek assurance from the applicant that noise levels would be acceptable to residents or that the Board would impose suitable conditions which maintained our peace and quite whilst at the same time allowing the applicant to run his business.

2 The main issue for my constituents is the noise from the hotel and I therefore object in terms of licensing objective preventing public nuisance as set out on page 29 paragraph 26 of Aberdeen City Licensing Board Statement of Licensing Policy November 2013 to November 2016.

Objective 26 1 and 26.2 states "The Board believes that licensed premises have the potential to have a significant adverse impact on communities. It wishes to maintain and protect the amenity of occupiers of other businesses and residents from the potential consequence of

the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.

The Board will interpret public nuisance in its widest sense and will take it to include such issues as noise, light, odour, litter and anti-social behaviour"

In this regard can I firstly point out that my constituents have lived in this area with a hotel for some time and in all that time when the hotel was called Simpson's hotel there was never one complaint about the noise. Following new owners and a change to the layout of the hotel my constituents have regularly complained about the noise especially at what they consider to be at an unacceptable hour. The noise after 10pm at night is unacceptable to my constituents as they

believe that the noise at this time is incompatible with objective 26.1 as the noise has an adverse impact on communities. The board have agreed to interpret public nuisance in its widest sense and when you consider that music and noise is being heard regularly at 1am followed by the bin lorries picking up bottles at 7am in the morning I do believe that the licensing objective of preventing public nuisance is not being adhered to.

Objective 26.3 does state that the board can impose conditions and whilst my constituents recognise fully that the hotel is good for the community and wider Aberdeen and beyond there has to be a solution which is reasonable to the Hotel and the community who reside in the area affected by the hotel. Therefore if you are minded to grant the variation I would ask the board to limit the use of the external terrace to being available to the public until 10pm at night rather than 1am as is proposed by the applicant.

I trust this meets with your requirements and would confirm that I would like to make representation to the Board on the day.

Kind Regards,

Ross

Sent from Samsung Mobile

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