



# MEMO

Environmental Health and Trading Standards  
Communities, Housing and Infrastructure

ABERDEEN  
CITY COUNCIL

Business Hub 15 ,3<sup>rd</sup> Floor South ,Marischal College

To	Litigation & Licensing , Legal & Democratic Services , Corporate Governance , Business Hub 6, Level 1 South, Marischal College	
From	Barbara Armstrong-Hill	
Email	bahill@aberdeencity.gov.uk	Date 07/12/16
Tel.	01224 522064	Our Ref.
Fax.		Your Ref.

**Licensing (Scotland) Act 2005**

**Application for Variation of Premises License**

**Premises: Five Guys, Unit 2 1-7 St. Nicholas Street, Aberdeen, AB10 1HE**

**Applicant: Five Guys JV Ltd, Units 2-3, 1 Bard Road, London, W106TP**

Dear Sir/Madam,

The above application has been assessed by this Service in relation to noise including music noise breakout from the premises. Consideration has been given to the risk of noise impact on local residences at the proposed times.

As with any such matter it is naturally desirable to avoid a situation that would result in this Service serving formal notices to abate activities that have caused nuisance.

Having carefully considered the matter I am not objecting to this application. However, in relation to the outside seating area, to protect the amenity of residential property near to the proposed location from noise I recommend a condition prohibiting amplified music in the outdoor area and that the outdoor area is not used after 22:00 Hours.

There is also an expectation that Management at the premises would establish and apply suitable and robust noise control measures for all reasonably foreseeable noise sources associated with the business. This is considered necessary to protect the amenity of local residences and reduce the risk of noise impact and disturbance constituting a statutory nuisance. These noise sources may include for example; music noise breakout from the premises, food and beverage delivery and waste disposal along with patron noise from use of the outside seating area.

I would therefore recommend that these noise control measures are formalised in writing to demonstrate and convey to staff for training purposes the specific detail of the required noise controls.

I trust this meets with your satisfaction. If you have any queries on the above matters, please contact me on the number above.

Kind regards

Barbara Armstrong-Hill  
Senior Authorised Officer