

LICENSING BOARD

ABERDEEN, 30 November 2021. Minute of meeting of the LICENSING BOARD.
Present: Councillor Boulton, Convener; and Councillors Cameron, Lesley Dunbar, Grant, Greig, McLellan, Townson, MacKenzie and Sellar.

MINUTE OF MEETING OF 05 OCTOBER 2021

1. The Board had before them the minutes of the meeting of 05 October 2021.

The Board resolved: -

to approve the minute.

LIST OF APPLICATIONS

2. The Board had before it for its consideration the list of applications as listed at 3 - 15

APPLICATION FOR PROVISIONAL PREMISES LICENCE - UNION KIRK, 333 UNION STREET, ABERDEEN

3. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR PROVISIONAL PREMISES LICENCE - ALDI STORES LIMITED, ALTENS FARMS ROAD, ABERDEEN

4. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

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APPLICATION FOR PREMISES LICENCE - HOMESENSE, UNION SQUARE SHOPPING PARK, 6/7 EAST TERRACE, ABERDEEN

5. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF A PREMISES LICENCE - AUCHMILL GOLF CLUB, BONNYVIEW ROAD, HEATHERYFOLD, ABERDEEN

6. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - BP KING STREET FILLING STATION, 661 KING STREET, ABERDEEN

7. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

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APPLICATION FOR VARIATION OF PREMISES LICENCE, FOUNTAIN BAR AND EMBASSY FUNCTION SUITE, 368 GREAT NORTHERN ROAD, ABERDEEN

8. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE, PIZZA EXPRESS, 402 UNION STREET, ABERDEEN

9. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - TESCO EXPRESS, 390-406 GREAT NORTHERN ROAD, ABERDEEN

10. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

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APPLICATION FOR VARIATION OF PREMISES LICENCE - COCKET HAT, NORTH ANDERSON DRIVE, ABERDEEN

11. The Board heard from Sandy Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application and that all elements of the application were within policy.

The Board resolved: -

to grant the application

APPLICATION FOR VARIATION OF PREMISES LICENCE - DUTCH MILL HOTEL, 7 QUEENS ROAD, ABERDEEN

12. The Board heard from Sandy Munro, Depute Clerk to the Board, that the variation sought to remove the local condition that prohibits amplified music or entertainment to take place in the outdoor area.

The Board had before them a letter of representation dated 5 November 2021 from Police Scotland and an email representation from the LSO.

The Board heard from Jacqui Birell, Paralegal, on behalf of the applicant and thereafter from Sergeant Flett and Diane Sande, LSO in support of their representations.

The Convenor moved to refuse the application.

Councillor McLellan moved as an amendment to grant the application with an amended conditions of low-level background music or televised entertainment only subject to approval from Environmental Health.

On a division there voted: - for the motion (6) the Convenor and Councillors Cameron, Dunbar, Grant, McKenzie and Towson and for the amendment (3) Councillors Greig, McLellan and Sellar.

The Board resolved: -

To adopt the motion

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APPLICATION FOR VARIATION OF PREMISES LICENCES - SLAINS CASTLE, 14-18 BELMONT STREET, ABERDEEN

13. The Board heard from Sandy Munro, Depute Clerk to the Board that the variation sought to amend the core hours for on-sales. Mr Munro advised that the application had accepted the conditions proposed by Police Scotland but have suggested an amendment to the Door Supervisor condition.

The Board heard from Audrey Junner, that the application proposed that the Door Supervisor Condition be amended to:

It is a condition that the licence holder will ensure that where the premises will be open after 00:00 they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives from 23:00 onwards.

The Board resolved: -

To grant the application with the amended condition

APPLICATION FOR VARIATION OF PREMISES LICENCE - WILD BOARD, 19 BELMONT STREET, ABERDEEN

14. The Board hear from Sandy Munro, Depute Clerk to the Board, that the variation sought to remove the local condition in respect of Door Supervisors.

The Board had before them a letter of representation dated 2 November 2021 from Police Scotland.

Thereafter the Board heard from Rhys Worthington on behalf of the applicant and from Sergeant Gill Flett in support of the Police representation.

The Board resolved:

To grant the application with an amended door supervisor conditions as follows:

It is a condition that the licence holder will ensure that where the premises will be open after 00:00 they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives from 23:00 onwards.

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APPLICATION FOR VARIATION OF PREMISES LICENCE - THE HOWFF (DRAFT PROJECT), 365 UNION STREET, ABERDEEN

15. The Board heard from Sandy Munro, Depute Clerk to the Board that the variation sought to change the name of the Howff Garden to the Draft Project, change the core opening hours on Sundays and to change the description of the premises licence.

The Board had before them representations dated 05 November 2021 from Police Scotland, email representation from the LSO and email dated 16 November 2021 from Environmental Health.

The Board heard from David Scott, Solicitor in support of the application and from Segreant Flett, Diane Sande, LSO and Andrew Gilchrist, Environmental Health in support of their representations.

Mr Gilchrist advised that the Noise Impact Assessment submitted had been reviewed by the service and there were a number of issues in the report that required clarification or amendment.

The Board resolved: -

1. To approve the name change and the variation of Sunday hours
2. To defer consideration of the remainder of the application until such time as the amended Noise Impact Assessment is submitted and reviewed.

PREMISES LICENCE REVIEW - LAS IGUANAS, FIRST FLOOR MALL, UNION SQUARE, GUILD STREET, ABERDEEN

16. The Convenor advised the Board that the Licence had now been surrendered.

ANNUAL FEE PAYMENTS 2021 - LIST OF OUTSTANDING FEES

17. The Convenor thanked Officers for their efforts in recovering the Annual Fees for 2021.

Sandy Munro, Depute Clerk to the Board advised that payments had been received from Neuk, Wild Ginger, Figment and Rohaan Café Bar. He further advised that a transfer application is to be submitted for Prezzo and the fee paid at that time

The Board resolved:

1. To instruct officers to continue seeking the outstanding fees and
2. To bring premises with outstanding payments to the Board on 8th February for review.

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LICENSING BOARD DATES 2022 - FOR APPROVAL

18. The Board had before them for approval the proposed Licensing Board dates in 2022.

The Board resolved: -

To approve the dates.

GAMBLING POLICY STATEMENT JAN 2022 TO 2025

19. The Board had before them a report regarding the Gambling Policy Statement 2022 – 2025.

The report recommended that the Board agree to the adoption of a revised Statement of Policy which was attached at Appendix 1.

The report recommended that the Board: -

1. Note the contents of the report and
2. Approve the Statement of Policy 2022-2025, as detailed in Appendix 1 of the report, for publication in accordance with the statutory timescales.

The Board resolved: -

To adopt the recommendations