

LICENSING BOARD

ABERDEEN, 7 February 2023. Minute of meeting of the LICENSING BOARD.
Present: Councillor Copland, Convener; and Councillors Al-Samarai, Boulton, Hazel Cameron, Crockett, Fairfull, Grant and Greig.

MINUTE OF MEETING OF 6 DECEMBER 2022

1. The Board had before it for its consideration the minutes of meeting of 6 December 2022.

The Board resolved: -

To approve the minute.

APPLICATION FOR PROVISIONAL PREMISES LICENCE - UNIT 60 HOWE MOSS TERRACE, ABERDEEN

2. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and that all elements of the application were within policy and that the applicant had accepted the local conditions.

The Board thereafter heard from Neil Fraser, Solicitor for the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR PREMISES LICENCE - 37 SHEDDOCKSLEY DRIVE, ABERDEEN

3. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and that all elements of the application were within policy and that the applicant had accepted the local conditions.

The Board thereafter heard from Matt Hadley, applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

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APPLICATION FOR PREMISES LICENCE - BABURRITO, FIRST LEVEL MALL, UNION SQUARE

4. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and that all elements of the application were within policy and that the applicant had accepted the local conditions.

The Board thereafter heard from Audrey Ferrie, Solicitor for the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE ACADEMY OF EXPRESSIVE ARTS, 26 NORTH SILVER STREET, ABERDEEN

5. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and that all elements of the application were within policy and that the applicant had accepted the local conditions.

The Board thereafter heard from Tony Dawson, Solicitor for the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - SOUL, 333 UNION STREET

6. Transparency Statement

Councillor Grant advised that the application papers mentioned Aberdeen Inspired, his employer, having applied the objective test, he do not consider that he had an interest and would not be withdrawing from the meeting for the item.

The Board had before it a letter of representation dated 18 January 2023 from Police Scotland and a letter of objection from the City Centre Community Council. The Board heard from Alexander Munro, Depute Clerk to the Board.

Thereafter the Board heard from Ms Gatherum, Solicitor, on behalf of the application and Sergeant Neil Grant, on behalf of Police Scotland.

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The Convener moved to refuse the application on the grounds of preventing public nuisance, securing public safety and preventing crime and disorder.

Councillor Boulton moved as an amendment to grant the application.

On a division there voted:-

For the Motion (3) the Convener and Councillors Cameron and Greig

For the amendment (5) Councillors Al-Samarai, Boulton, Crockett, Fairfull and Grant

The Board resolved:

To adopt the amendment

APPLICATION FOR VARIATION OF PREMISES LICENCE - THE COLLEGE, 9 ALFORD PLACE

7. The Board had before it a letter of representation dated 11 January 2023 from Police Scotland and a letter of objection from the City Centre Community Council. The Board heard from Alexander Munro, Depute Clerk to the Board.

Thereafter the Board heard from Ms Gatherum, Solicitor, on behalf of the application and Sergeant Neil Grant, on behalf of Police Scotland.

Councillor Greig moved to refuse the application on the grounds of preventing public nuisance, securing public safety and preventing crime and disorder.

Councillor Boulton moved as an amendment to grant the application.

On a division there voted:-

For the Motion (2) the Convener and Councillor Greig

For the amendment (6) Councillors Al-Samarai, Boulton, Crockett, Fairfull, Grant and Grieg.

The Board resolved:

To adopt the amendment

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APPLICATION FOR VARIATION OF PREMISES LICENCE - THE NEW ALBYN, 11 ALBYN PLACE, ABERDEEN

8. The Board heard from Alexander Munro, Depute Clerk to the Board that the application was seeking an amendment to commence hours on Fridays to Sundays to 10:00. Mr Munro advised that the hours on a Friday and Saturday would give trading hours of 17 hours which is in contravention of the Board Policy.

The Board had before them a letter of objection dated 25 January 2023 from Police Scotland.

The Board heard from Tony Dawson, Solicitor, on behalf of the applicant and from Sergeant Neil Grant, Police Scotland.

Councillor Boulton asked Mr Dawson, to confirm that he had advised that the applicant was willing to accept a condition that alcohol would only be sold on the premises on Fridays and Saturday between 10:00 and 12:00 accompanied by food. Mr Dawson confirm that this was correct.

The Board unanimously resolved:

To grant the application subject to the condition that that alcohol would only be sold on the premises on Fridays and Saturday between 10:00 and 12:00 accompanied by food.

APPLICATION FOR VARIATION OF PREMISES LICENCE - WAGAMAMA, UNIT FS3A, UNION SQUARE, ABERDEEN

9. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board thereafter heard from Audrey Ferrie, Solicitor for the applicant, in support of the application.

The Board unanimously resolved:

To grant the application.

APPLICATION FOR VARIATION OF PREMISES LICENCE - WHITE HORSE BAR, 697 GREAT NORTHERN ROAD, ABERDEEN

10. The Board heard from Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received and everything was within policy.

The Board unanimously resolved:

To grant the application.

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AC0147 - CITI HOTEL ABERDEEN, 1 BATH STREET, ABERDEEN

11.1. The Board had before a Premises Licence Review Proposal and a report by the Licensing Standards Officer.

The Board heard from Alexander Munro, Depute Clerk to the Board that the premises review was on the grounds that the licence holder had failed to pay their annual fee which was due on 1 October 2022.

The Board unanimously resolved:

To revoke the licence.

AC0313- SAIGON RESTAURANT, 29A CROWN TERRACE, ABERDEEN

11.2. The Board had before a Premises Licence Review Proposal and a report by the Licensing Standards Officer.

The Board heard from Alexander Munro, Depute Clerk to the Board that the premises review was on the grounds that the licence holder had failed to pay their annual fee which was due on 1 October 2022.

The Board unanimously resolved:

To revoke the licence.

LICENSING BOARD DATES 2023 - FOR NOTING

12. The Board approved the undernoted dates for their meetings in 2023:

7 February 2023

4 April 2023

30 May 2023

7 July 2023

26 September 2023 (followed by Joint meeting of Board and Licensing Forum)

30 November 2023

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GENERAL DIRECTION 2023

13. Alexander Munro, Depute Clerk to the Board sought the Board's approval to consult on suitable dates in 2023 for the grant of a general extension for events of a local or national significance. He advised that this usually included dates within the festive period as well as other significant dates throughout the year.

The Board Resolved: -

to consult on suitable dates in 2023 for the grant of a general extension.

LICENSING FORUM - UPDATE

14. The Board had before them an update from the Licensing Forum and heard from Elaine Mottram, Convenor of the Forum.

Thereafter the Board heard from Alexander Munro, Depute Clerk to the Board.