

**ABERDEENSHIRE LICENSING BOARD  
SOUTH DIVISION**

Minute of Meeting of the LICENSING BOARD for the SOUTH DIVISION OF ABERDEENSHIRE held within the COUNCIL CHAMBER, VIEWMOUNT, ARDITHIE ROAD, STONEHAVEN on WEDNESDAY, 1 April 2015 at 10.00 a.m.

**Present:** Peter Argyle, Peter Bellarby, Raymond Christie, Jean Dick and Carl Nelson

**In Attendance:** Sandy Munro (Depute Clerk to the Licensing Board, Gavin Jardine (Licensing Sergeant, Police Scotland), Keith Simpson (Senior Licensing Standards Officer) and Delsya Borland (Admin Assistant Licensing)

1. APOLOGIES FOR ABSENCE

Councillors Alistair Bews, Katrina Farquhar and Dave Stewart

2. MINUTES FOR APPROVAL - (COPY TO MEMBERS ONLY)

The Minute of the Licensing Board Meeting 1 April 2014 was approved as correct.

3. LICENSING (SCOTLAND) ACT 2005 – NON CONTENTIOUS PROVISIONAL PREMISES LICENCE APPLICATION(S) – (COPY TO MEMBERS ONLY)

Following consideration of a Report by the Depute Clerk in relation to non contentious Provisional Premises Licences lodged in terms of Section 17 Part 3 of the Licensing (Scotland) Act 2005 the Board GRANTED the applications as listed as Item 3 to this Minute.

4. LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR VARIATION OF PREMISES LICENCE - NON-CONTENTIOUS APPLICATION(S) – MAJOR - (COPY TO MEMBERS ONLY)

Following consideration of a Report by the Depute Clerk in relation to Premises Licence Variations lodged in terms of Section 30 and Part 3 of the Licensing (Scotland) Act 2005 the Board GRANTED the applications for a Premises Licence Variation as listed as Item 4 to this Minute.

5. ADDITIONAL REPORTS -

- (i) List of applications issued under delegated powers (Copy to Members only)

The Board had before them and noted the list of applications granted under Delegated Powers, listed as Item 5(i) to this Minute.

- (ii) Applications for Personal Licences - List of Licences issued under Delegated Powers - (Copy to Members only)

The Board had before them and noted the list of applications granted under Delegated Powers, listed as Item 5(ii) to this Minute.

(iii) Personal Licences Revoked - (Copy to Members only)

The Board had before them and noted the list of Personal Licences, revoked under Section 2 of the Scheme of Delegated in conjunction with Section 87(3) of the Licensing (Scotland) Act 2004, listed as Item 5(iii) to this Minute.

(iv) Update for Board Members - (Copy to Members only)

The Depute Clerk updated Board Members regarding processing applications under the Licensing (Scotland) Act 2005, listed as Item 5(iv) to this Minute.

(v) Date of Next Meeting confirmed as 3 June 2015

6. ANY OTHER COMPETENT BUSINESS

6(i) Chief Constables Annual Report

Annual Report for the period 1 April 2013 to 31 April 2014 was circulated amongst Board Members for their information.

6(ii) Proposed Information Management Policy

Following a brief outline as to the purpose of the Report by the Depute Clerk, Board Members formally accepted and approved the Information Management Policy.

6(iii) Equalities Mainstreaming & Outcomes Report – Late Item

Board Members content to approve the reports. Page 19, paragraph 2 of the Progress Report 2015 was highlighted as being of interest to Licensing Board Members.

**Non-Contentious Provisional Application**

<b><u>Name of Applicant</u></b>	<b><u>Name and Address of Premises</u></b>	<b><u>Remarks (if any)</u></b>
1. Hill Brown Licensing	The Co-operative Food Leathenfields Portlethen AB12 4QS	No representations have been received in respect of this application. GRANTED

**Non-Contentious Major Variation**

<b><u>Name of Applicant</u></b>	<b><u>Name and Address of Premises</u></b>	<b><u>Premises Licence No.</u></b>	<b><u>Variation Applied For</u></b>	<b><u>Remarks (if any)</u></b>
2. John Gaunt & Partners Solicitors	Mains of Balquharn Portlethen AB12 4QS	AB-S-P071	1. Change of layout (addition of 21 bedrooms). 2. Change in on sale capacity.	No representations were received in respect of this application. GRANTED
3. Garioch Development Company Limited	The Burnett Arms 25 High Street Banchory AB31 5TD	AB-S-P079	1. Change to layout plan. 2. Increased access for Children/Young Persons. 3. Additional services within core hours.	The Police have withdrawn their representation. GRANTED

**Applications Granted Under  
Delegated Powers**

<b><u>Name of Applicant</u></b>	<b><u>Name and Address of Premises</u></b>	<b><u>Premises Licence No.</u></b>	<b><u>Variation Applied For</u></b>	<b><u>Remarks (if any)</u></b>
4. Inn Business Scotland	The Huntly Arms Charleston Road Aboyne AB34 5HS	AB-S-P148	Change of Licence Holder's address.	Granted 03/02/2015 NOTED
5. Rushpal Singh	Spar Laurencekirk 13 High Street Laurencekirk AB30 1AA	AB-S-P154	Change of Premises Manager from Balbinder Singh to Rushpal Singh.	Granted 05/02/2015 NOTED
6. Mackie & Dewar Solicitors and Estate Agents	Old Mill Inn & Old Mill Suite South Deeside Road Maryculter AB12 5FX	AB-S-P134	1. Transfer of Premises Licence from Victor William Sang to TLBC (Aberdeen) Ltd. 2. Change of Premises Manager from Victor William Sang to Kim Mitchell.	Granted 05/02/2015 NOTED
7. Raeburn Christie Clark & Wallace Solicitors and Estate Agents	Quoilers Bar Skateraw Road Newtonhill AB39 3PT	AB-S-P149	Transfer of Premises Licence from Chamunda Ltd to 212 Bars Limited.	Granted 05/02/2015 NOTED
8. Harry Leith	La Mangiatoia Restaurant Bridge Square Ballater AB35 5QJ	AB-S-P114	1. Change of Premises Manager from Harry Leith to Mark Richard Congleton. 2. Licence Holder's change of address.	Granted 18/02/2015 NOTED
9. Finzean Partnership Estate	Finzean Estate Farm Shop Finzean Banchory AB31 6PA	AB-S-P141	Change of Premises Manager from Katherine Charlotte Farquharson to Catriona Farquharson.	Granted 18/02/2015 NOTED

<u>Name of Applicant</u>	<u>Name and Address of Premises</u>	<u>Premises Licence No.</u>	<u>Variation Applied For</u>	<u>Remarks (if any)</u>
10. Anchor Montrose Limited	St Cyrus Hotel Main Road St Cyrus DD10 0BE	AB-S-P093	Change of Premises Manager from Yvonne Keith (AB-S-0078) to Yvonne Keith (AB-S-0780).	Granted 18/02/2015 NOTED
11. Darroch Learg Hotels Ltd	Station Restaurant Station Square Ballater AB35 5QB	AB-S-P167	Change of Premises Manager from Nigel Douglas Franks to Reesha Wales.	Granted 18/02/2015 NOTED
12. Fasque House Properties Ltd	Fasque House Fettercairn Laurencekirk AB30 1DN	AB-S-P221	Change of Premises Manager from Marcell Cilliers to Nicholas Iain Campbell.	Granted 26/02/2015 NOTED
13. Alexander Joseph Kenneway	Deeside Drinks Emporium 22 Dee Street Banchory AB31 5ST	AB-S-P188	Change of Premises Manager from Alexander Joseph Kenneway to Guy Frederick Finlayson.	Granted 27/02/2015 NOTED
14. ADW Solicitors	Fife Arms Hotel Mar Road Braemar AB35 5YL	AB-S-P146	Transfer of Premises Licence from Hart Hotels Limited to Juliet Louise Horrell.	Granted 02/03/2015 NOTED
15. Mohammed Usman	Royal Kashmir Tandoori Restaurant Ballater Road Aboyne AB34 5HT	AB-S-P038	Change of Premises Manager from Laura McLellan to Mohammed Usman.	Granted 04/03/2015 NOTED
16. John Gaunt & Partners Solicitors	Mains of Balquharn Portlethen Aberdeen AB12 4QS	AB-S-P071	Change of Premises Manager from Anne Wyness to Stuart Sampson.	Granted 05/03/2015 NOTED
17. Raemoir Garden Centre Limited	Raemoir Garden Centre Raemoir Road Banchory	AB-S-P036	Change of Premises Manager's address.	Granted 12/03/2015 NOTED

<u>Name of Applicant</u>	<u>Name and Address of Premises</u>	<u>Premises Licence No.</u>	<u>Variation Applied For</u>	<u>Remarks (if any)</u>
	AB31 4EJ			
18. Neep Shed Limited	The Boat Inn Charleston Road Aboyne AB34 5EL	AB-S-P127	Change of Premises Manager from Margaret Mary Birnie to Keren Diane Yule.	Granted 13/03/2015 NOTED

**APPLICATIONS FOR PERSONAL LICENCE****Licences issued under delegated powers on 29/01/2015**

AB-S-0780	Keith, Yvonne	29/01/2015	28/01/2025
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**Licences issued under delegated powers on 06/02/2015**

AB-S-0781	Campbell, Nicholas Iain	06/02/2015	05/02/2025
AB-S-0782	Elrick, Graham Frank	06/02/2015	05/02/2025
AB-S-0783	Minty, Nicola	06/02/2015	05/02/2025
AB-S-0784	Yule, Keren Diane	06/02/2015	05/02/2025

**Licences issued under delegated powers on 12/02/2015**

AB-S-0785	Annand, Gregor James	12/02/2015	11/02/2025
AB-S-0786	Doran, Clark Robert	12/02/2015	11/02/2025

**Licences issued under delegated powers on 13/02/2015**

AB-S-0787	Wales, Reesha Anne	13/02/2015	12/02/2025
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**Licences issued under delegated powers on 19/02/2015**

AB-S-0788	Mutch, Seonagh Erin	19/02/2015	18/02/2025
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**Licences issued under delegated powers on 26/02/2015**

AB-S-0789	Holley, Matthew James	26/02/2015	25/02/2025
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**Licences issued under delegated powers on 04/03/2015**

AB-S-0790	Hutcheon, Jamie William	04/03/2015	03/03/2025
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**Licences issued under delegated powers on 20/03/2015**

AB-S-0791	Downie, Liam	20/03/2015	19/03/2025
AB-S-0792	Davidson, Jamie Michael	20/03/2015	19/03/2025
AB-S-0793	Wilson, Charlotte	20/03/2015	19/03/2025



**PERSONAL LICENCE REVOCATION LIST DATED 02/02/2015**

	<b>Licence Number</b>	<b>Name</b>	<b>Date Granted</b>	<b>Status</b>	<b>Date Revoked</b>
1	AB-S-0387	Brand, Alexander Graham	09/10/2009	Revoked	02/02/2015
2	AB-S-0374	Erturk, Huseyin	07/10/2009	Revoked	02/02/2015
3	AB-S-0375	Findlay, Rebecca Jane	07/10/2009	Revoked	02/02/2015
4	AB-S-0386	Finnie, Tracey Margaret	09/10/2009	Revoked	02/02/2015
5	AB-S-0378	Kearney, Martin	07/10/2009	Revoked	02/02/2015
6	AB-S-0377	Kemp, Gary William	07/10/2009	Revoked	02/02/2015
7	AB-S-0382	McDougall, Ian Robert	08/10/2009	Revoked	02/02/2015
8	AB-S-0389	Milne, Karen	19/10/2009	Revoked	02/02/2015
9	AB-S-0379	Tetlow, Michael David	07/10/2009	Revoked	02/02/2015
10	AB-S-0380	Torrie, Gwen	07/10/2009	Revoked	02/02/2015
11	AB-S-0381	Wylie, Linda	07/10/2009	Revoked	02/02/2015

**PERSONAL LICENCE REVOCATION LIST DATED 02/03/2015**

	<b>Licence Number</b>	<b>Name</b>	<b>Date Granted</b>	<b>Status</b>	<b>Date Revoked</b>
1	AB-S-0425	Anderson, Norma Mary	19/11/2009	Revoked	02/03/2015
2	AB-S-0393	Bowman, Karen	13/11/2009	Revoked	02/03/2015
3	AB-S-0398	Grubb, Louise	13/11/2009	Revoked	02/03/2015
4	AB-S-0405	Nelson, Heather	16/11/2009	Revoked	02/03/2015
5	AB-S-0394	Strachan, Julie Anne	19/11/2009	Revoked	02/03/2015
6	AB-S-0397	Henderson, Julie	19/11/2009	Revoked	02/03/2015
7	AB-S-0408	Harper, Suzanne	19/11/2009	Revoked	02/03/2015
8	AB-S-0388	Wiseman, Grant	10/11/2009	Revoked	02/03/2015

**SOUTH ABERDEENSHIRE LICENSING BOARD**

**REPORT TO LICENSING BOARD MEETING – 1 APRIL 2015**

**UPDATE REPORT IN RELATION TO APPLICATIONS MADE UNDER THE LICENSING (SCOTLAND) ACT 2005**

**1. Purpose of Report**

- 1.1. To inform the Board of progress made to date in processing applications under Licensing (Scotland) Act 2005.

**2. Premises Licences**

In South Aberdeenshire there are currently:-

- 2.1. 204 Premises Licences.  
2.2. Four Provisional Premises Licences.

**3. Clubs**

- 3.1. A detailed examination of all applications has been carried out by the Depute Clerk. Of these:-

- (a) Twenty one have been granted.  
(b) Two applications have been withdrawn.

**4. Licensed Premises - Licences ceased to have effect under Section 28 of Licensing (Scotland) Act 2005**

- 4.1. Since the last Board Meeting the following Premises Licences have ceased to have effect by virtue of Section 28:-

	Premises	Surrendered/Revoked	Date
1.	Cammies, Cammachmore (P083)	Surrendered	19/03/2015
2.	Co-operative Group Food Ltd, Netherley Place, Ballater (P014)	Surrendered	25/03/2015

## **5. New Provisional Premises Licence Applications**

5.1. One application is before today's Board.

## **6. Personal Licences**

6.1 802 applications for personal licences have now been received.

6.2 Four applications are currently awaiting clearance by the Police.

6.3 Four applications have been refused:-

(1) on the basis that the granting of the application would be inconsistent with the Crime Prevention licensing objective

and

(2) the applicant failed to appear at a hearing.

6.4 One application has been withdrawn.

6.5 793 personal licences have been issued under delegated powers, as at the date of this report.

## **7. Variation of Premises Licences - Minor**

7.1 216 Minor Variations have been received.

7.2 214 Applications have been granted.

7.3 Two application are being processed.

## **8. Variation of Premises Licences - Major**

8.1 76 Major Variations have been received. A detailed examination of all applications has been carried out by the Depute Clerk.

8.2 72 Major Variations have been granted.

8.3 Two Major Variations are before today's board.

8.4 Two Major Variation applications have been withdrawn.

## **9. Occasional Licences**

The numbers of Occasional Licences are calculated on a yearly basis from

1 January 2015 due to the fact that the numbers of Occasional Licences which can be applied for are limited.

### **Occasional Licences – General (excluding Clubs)**

- 9.1 72 Applications for Occasional Licences excluding Registered Clubs, have been received.
- 9.2 55 Applications have been granted.
- 9.3 16 Applications are being processed.
- 9.4 1 Application has been withdrawn.

### **Occasional Licences - Clubs**

- 9.5 3 Applications have been received by Registered Clubs.
- 9.6 2 Applications have been granted.
- 9.7 1 Application has been withdrawn.

### **Occasional Extensions – General (excluding Clubs)**

- 9.8 2 Applications for Occasional Extensions excluding Registered Clubs, have been received.
- 9.9 2 Applications have been granted.

### **Occasional Extensions - Clubs**

- 9.10. 4 Application has been received.
- 9.11 4 Applications have been granted.

## **10 Recommendations**

- 10.1 Members are asked to note the content of this report.

Report Prepared by Sandy Munro, Depute Clerk to the Licensing Board  
Date: 25/03/2015