

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Wednesday 10 September 2008 at 10.00 am.

Present: Councillors JIM MILLAR, JOHN WHYTE, ALEX KING, RUTH LESLIE MELVILLE MBE, GLENNIS MIDDLETON, PETER MURPHY, HELEN OSWALD, MARK SALMOND and BOB SPINK.

Councillor MILLAR, Convener, in the Chair.

1. APOLOGY

An apology for absence was intimated on behalf of Councillor Iain Gaul.

2. DECLARATIONS OF INTEREST

The Board agreed to note that no declarations of interest were made.

3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Board held on 20 August 2008](#) was approved as a correct record and signed by the Convener.

4. APPLICATION FOR BETTING OFFICE PREMISES LICENCE

There was submitted [Report No LB12/08](#) by the Clerk which advised members that an application for a betting office premises licence had been received from William Hill Organisation Ltd in respect of premises at 17 High Street, Montrose DD10 8LU.

The Board noted that no representations had been received and agreed to grant a betting premises licence to William Hill Organisation Ltd in respect of premises at 17 High Street, Montrose DD10 8LU.

5. DELEGATED APPROVALS – UNDER THE LICENSING (SCOTLAND) ACT 1976 (AS AMENDED)

There was submitted and noted [Report No LB13/08](#) by the Clerk detailing applications for licences under the Licensing (Scotland) Act 1976, as amended, which had been granted/renewed by the Clerk during the period 13 August to 2 September 2008 in accordance with the Scheme of Delegation appended to the Licensing Policy.

6. NEW APPLICATIONS – UNDER THE LICENSING (SCOTLAND) ACT 1976 (AS AMENDED)

There was submitted [Report No LB14/08](#) by the Clerk on applications received for new licences under the Licensing (Scotland) Act 1976, which required to be determined by the Board, as detailed in the Appendix to the Report.

(a) GRANT OF NEW LICENCES

The Board agreed to approve the undernoted application

	Applicant	Premises and Agent	Type of Application and Experience
1.	Seaside Newsagents Limited 433 Strathmartine Road Dundee DD3 9BS and Arif Shehzad Yousaf 3 Bennan Gardens Broughty Ferry Dundee DD5 3EJ	Seaside Newsagents Limited 2 Cairnie Street Arbroath RSB Macdonald LP 20 Dundee	Full Grant of Off Sales Licence

(b) CHILDREN'S CERTIFICATE

After hearing Mr Rose, the applicant's agent, the Board agreed to approve the undernoted application.

Public House

	Applicant	Premises and Agent	Hours Requested
1.	Nichola May Ferguson 16b Applegate Arbroath DD11 1HX	4 Gravesend Arbroath Thontons LP 1 Arbroath	Children's area - restaurant and dining area, pavement café and access to toilets.

7. PERMANENT TRANSFER – TC'S BAR AND LOUNGE, FORFAR – UNDER THE LICENSING (SCOTLAND) ACT 1976 AS AMENDED

With reference to Article 6 (c) of the minute of meeting of this Board of 18 June 2008, the Board agreed to consider this item in private at the end of the meeting.

8. GRANT OF AN OCCASIONAL EXTENSION OF PERMITTED HOURS – UNDER THE LICENSING (SCOTLAND) ACT 1976 AS AMENDED – PANMURE GOLF CLUB, BARRY

The Board considered a letter dated 14 August 2008 from Tayside Police in connection with an application received from Charles Philip for an occasional extension of permitted hours for the Panmure Golf Club for the hours 11pm on Saturday 13 September 2008 to 2am on Sunday 14 September 2008.

The Board agreed that the application be granted.

9. PREMISES APPLICATIONS – LICENSING (SCOTLAND) ACT 2005

There was submitted [Report No LB15/08](#) by the Clerk on applications received for new licences under the Licensing (Scotland) Act 2005, which required to be determined by the Board, as detailed in the Appendix to the Report.

(a) Forfar Convenience Store.

The Board considered an application from Arif Ashraf for the grant of a premises licence (off sales) in respect of premises at Forfar Convenience Store, 90 Glenogil Terrace, Forfar.

The Board agreed that the application be granted subject to the mandatory conditions.

(b) Lidl UK GmbH (Store: 419)

The Board considered an application from Lidl UK GmbH for the grant of a premises licence (off sales) in respect of premises at (Store: 419), Queenswell Road, Forfar.

The Board agreed that the application be granted subject to the mandatory conditions.

(c) Scotmid, Montrose

The Board considered an application from Scottish Midland Co-operative Society for the grant of a premises licence (off sales) in respect of premises at Scotmid, 69 High Street, Montrose.

The Board agreed that the application be granted subject to the mandatory conditions.

(d) Victoria Wine, Brechin

The Board considered an application from First Quench Retailing Ltd for the grant of a premises licence (off sales) in respect of premises at 1-3 Swan Street, Brechin.

The Board agreed that the application be granted subject to the mandatory conditions.

(e) Birkhill Inn, By Dundee

The Board considered an application from Redwood Leisure Ltd for the grant of a premises licence (on/off sales) in respect of premises at Birkhill Inn, Coupar Angus Road, Birkhill, By Dundee and it was noted that the confirmation notice had now been received.

The applicant was present and Mr Rose, the applicant's agent, addressed the Board during which he advised them that no activities were provided outwith core licensed hours. He also agreed to amend the core hours for consumption off premises to 10pm each evening.

The Board agreed:-

- (i) that the application be granted subject to the mandatory conditions;
- (ii) that in addition to the standard policy hours for consumption on the premises, the following additional hours be agreed - Monday to Saturday opening from 10am
- (iii) to the seasonal variations in accordance with Board Policy;
- (iv) that the local conditions relating to children and young persons excluding condition 2 (g) be implemented as previous arrangements had proved satisfactory in past years; and
- (v) that the Restaurant including conservatory should not exceed a capacity of 160.

(f) Gairie Inn, Kirriemuir

The Board considered an application from Mr and Mrs Stewart for the grant of a premises licence (on sales) in respect of premises at Gairie Inn, 1-3 School Wynd, Kirriemuir and it was noted that the confirmation notice had now been received.

The applicant was present and addressed the Board during which she confirmed that children and young persons would not be allowed access to the premises.

The Board agreed:-

- (i) that the application be granted subject to the mandatory conditions; and
- (ii) to the seasonal variations in accordance with Board Policy.

(g) Market Arms, Montrose

The Board considered an application from West Bay Fisheries (Gourdon) Ltd for the grant of a premises licence (on/off sales) in respect of premises at Market Arms, 95 High Street, Montrose and it was noted that the confirmation notice had now been received.

The letter received from Tayside Police dated 2 July 2008 regarding a person connected with the premises was not circulated to the Board.

The Board agreed:-

- (i) that the application be granted subject to the mandatory conditions;
- (ii) to the seasonal variations in accordance with Board Policy;
- (iii) that no Children and Young Persons be allowed entry to the premises; and
- (iv) the occupant capacity does not exceed 185.

(h) Lochlands Coffee Mill, Forfar

The Board considered an application from HRB Ltd for the grant of a premises licence (on sales) in respect of premises at Lochlands Coffee Mill, Forfar and it was noted that the applicant had requested that the application be deferred to a future meeting.

The Board agreed to defer the above application.

(i) The Commercial Inn, Letham

The Board considered an application from Keith Swankie for the grant of a premises licence (on sales) in respect of premises at The Commercial Inn, Letham.

The applicant was present and addressed the Board during which he confirmed that children and young persons would not be allowed access to the premises.

The Board agreed:-

- (i) that the application be granted subject to the mandatory conditions;
- (ii) that in addition to the standard policy hours for consumption on the premises, the following additional hour be agreed – Thursday - to 1am; and
- (iii) to the seasonal variations in accordance with Board Policy.

(j) The Meadowbank Inn, Arbroath

The Board considered an application from The Meadowbank Inn (2000) Ltd for the grant of a premises licence (on/off sales) in respect of premises at The Meadowbank Inn, Montrose Road, Arbroath.

The applicant was present and Mr Rose, the applicant's agent, addressed the Board.

The Board agreed:-

- (i) that the application be granted subject to the mandatory conditions;
- (ii) to the seasonal variations in accordance with Board Policy;
- (iii) that the local conditions relating to children and young persons be implemented.

MATTER TAKEN IN PRIVATE

10. PERMANENT TRANSFER – TC'S BAR AND LOUNGE, FORFAR – UNDER THE LICENSING (SCOTLAND) ACT 1976 AS AMENDED

With reference to Article 7 above, there was circulated to the Board, a letter received from Thornton's Solicitors dated 25 August 2008 regarding the conditions in connection with the permanent transfer of TC's Bar and Lounge, Forfar.

Mr Nicholl was present and addressed the Board after which members asked him various questions. After discussion, the Board agreed to enforce their previous decision that Mr Melville would not be employed within the business and would have no involvement in the running of the business or receive any financial benefits from it.