

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Tuesday 30 September 2008 at 4.00 pm.

Present: Councillors JOHN WHYTE, ALEX KING, RUTH LESLIE MELVILLE MBE, HELEN OSWALD, MARK SALMOND and BOB SPINK.

Councillor WHYTE, Vice-Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Jim Millar, Iain Gaul, Glennis Middleton and Peter Murphy

2. DECLARATIONS OF INTEREST

Councillor Oswald declared an interest in item 3, as she was an acquaintance of the licenceholders parents but felt that she was able to take part in any discussion and voting.

Councillor Whyte advised the Committee that in relation to item 3, he had previously worked for Support Training Limited, the training arm of the Scottish Grocers Federation but advised that he felt able to take part in any discussion and voting.

3. LANDSBURGH BROS LTD., SPAR STORE, 43 BARRY ROAD, CARNOUSTIE - SUSPENSION HEARING

With reference to Article 11 of the minute of meeting of this Board of 20 August 2008, Mr Landsburgh, the licensee and his agent, Mr Glass, advised the Board that they had received a copy of the complaint and agreed that it had been competently served and accepted the terms of the notice was relevant.

The letters of complaint received from Tayside Police dated 12 August and 9 June 2008 were then circulated to the Board.

Superintendent West then addressed the Board regarding the complaint.

Mr Glass, the agent for the applicant, then addressed the Board during which he referred to the correspondence by Messrs Blackadders which had previously been circulated to all Board members.

Superintendent West then summed up and Mr Glass was also given the opportunity to sum up.

The Board then adjourned to take advice and consider matters in private initially then resumed in public.

The Board agreed that it was appropriate to note that the Procurator Fiscal having taken no proceedings was not the same as the licenceholder having been found not guilty. This tended to mean that the Procurator Fiscal wished the Licensing Board to determine the action to be taken. The Board were impressed with the seriousness with which the licenceholder took the complaint, the training programmes provided by the licenceholder and the level of co-operation demonstrated by him.

However, the Board also wished the licenceholder to understand that this was a serious matter of which there must be no repetition. Accordingly, the Board agreed to find that the licenceholder remained a fit and proper person to hold the present licence and therefore agreed not to suspend his off-sales licence but subject to a caution that any future similar complaint would be viewed very seriously indeed.