

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Thursday 17 September 2015 at 10.00am.

Present: Councillors CRAIG FOTHERINGHAM, ALEX KING, BRIAN BOYD, LYNNE DEVINE, DAVID FAIRWEATHER, SHEILA HANDS, JIM HOUSTON AND PAUL VALENTINE.

Councillor Fotheringham, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors David Lumgair and Bob Spink.

2. DECLARATIONS OF INTEREST

Councillor Fairweather declared an interest in Item 5 as the applicant had contacted him. He advised that he would be taking part in any discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Board held on 6 August 2015 was approved as a correct record and signed by the Convener.

4. PREMISES LICENCES – REQUEST TO VARY PREMISES LICENCES UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 51/15 by the Clerk on applications to vary premises licences under the Licensing (Scotland) Act 2005, which required to be determined by the Board as detailed in the Appendix to the Report.

(a) Lochlands Bowling Club, Arbroath

The Board considered an application from Lochlands Bowling Club to vary a premises licence in respect of premises at Lochlands Bowling Club, Lochlands Drive, Arbroath to allow them to amend their operating plan to include:-

- (i) the licence being amended from a qualifying club to a full licence to enable non members to attend functions;
- (ii) the variation of the On Sales terminal hours for Friday and Saturday from 23.00 to 24.00;
- (iii) activities such as receptions, recorded music, live performances, dance facilities and gaming within core hours only; and
- (iv) outdoor drinking facilities within core hours.

A representative for the Club, addressed the Board.

The Board agreed to grant the variation application subject to:-

- (i) patrons not being permitted to use the external drinking area beyond 21.00;
- (ii) no music being provided in the external drinking area; and
- (iii) no music of amplified sound being provided anywhere within the licensed premises with the intention of it being heard within the external drinking area.

(b) Foundry Bar, Arbroath

The Board considered an application from Lawrence Brown to vary a premises licence in respect of premises at 5 – 7 East Mary Street, Arbroath to allow him to amend his operating plan to include:-

- (i) Children and young persons being permitted from 0 – 17 years within the Lounge and Beer Garden areas. It was noted that the applicant had confirmed that no food would be provided on the premises; and
- (ii) an increase in the capacity – internal area from 70 to 100 (Lounge – 60, Bar – 20 and Snug – 20). The external area capacity being 25 persons (no increase to total capacity of 100).

The applicant was not present and the Clerk advised that the confirmation notice had not been received.

The Board agreed that the application be deferred to allow the confirmation notice to be submitted and to allow the applicant to attend.

5. PERSONAL LICENCES – NON DELEGATED

There was submitted Report No LB52/15 by the Clerk on an application received for a personal licence under the Licensing (Scotland) Act 2005, which required to be determined by the Board as detailed in the Appendix to the Report.

Steven Scott

The Board considered a letter of objection received from the Police Scotland in relation to an application for the grant of a personal licence received on 16 July 2015 from Steven Scott.

The applicant was present and addressed the Board.

PC Elaine Simpson, Police Scotland then spoke on the contents of the letter dated 16 July 2015 and gave details of the convictions detailed in the appendix. Members then asked various questions.

The Board agreed that the application be granted, subject to the applicant being given a warning of the possible consequences of any future adverse reports.

6. PREMISES LICENCES – REQUEST TO EXTEND HOURS – UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 53/15 by the Clerk on an application received to extend the licensed hours in respect of a premises licence under the Licensing (Scotland) Act 2005, which required to be determined by the Board, as detailed in the Appendix to the Report.

(a) Harry's Bar, 2 Hume Street, Montrose

The Board considered an application from Henry Cruickshank in respect of Harry's Bar, 2 Hume Street, Montrose for an extension of 1 hour to 1am at the end of normal trading on Sunday 18 October 2015 to allow a live band to play.

Mr Cruickshank was present and addressed the Board.

Sergeant Bethway then addressed the Board and advised that this application was in respect of what was apparently a routine concert and did not constitute a special event or occasion.

The Board agreed that the application be refused as it was out with the hours allowed by the Boards Statement of Licensing Policy.

7. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 54/15 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 10 July to 31 August 2015, in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 55/15 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 10 July to 31 August 2015, in accordance with the Scheme of Delegation appended to the Licensing Policy.

9. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 56/15 by the Clerk detailing applications for minor variations to premises licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 10 July to 31 August 2015, in accordance with the Scheme of Delegation appended to the Licensing Policy.

17 september 2015.