

AGENDA ITEM 5

REPORT NO LB 58/16

ANGUS LICENSING BOARD – 3 NOVEMBER 2016

PREMISES LICENCES UNDER THE LICENSING (S) ACT 2005

REPORT BY SHEONA C HUNTER CLERK TO THE BOARD

ABSTRACT

The purpose of this Report is to present an application for a new licence under the Licensing (Scotland) Act 2005 which requires to be determined by the Board.

1. RECOMMENDATION

It is recommended that the Board consider and determine the application for a new licence or new licences as detailed in the attached Appendix, in terms of one of the following options:-

- (i) to grant the application, subject to Statutory Conditions and any other discretionary or local conditions which the Board may wish to impose;
- (ii) propose a modification to the operating plan or layout plan (or both) and if the applicant accepts the proposed modification, request that the applicant amend the application and thereafter, grant the modified application with the proposed amendment, subject to Statutory Conditions and any other discretionary or local conditions which the Board may wish to impose;
- (iii) to defer the application to the next Angus Licensing Board; or
- (iv) to refuse the application on one or more of the grounds referred to in Paragraph 4.

2. BACKGROUND

The Board has received applications for new licence(s) under the Licensing (Scotland) Act 2005 which require to be determined by the Board because the matters are not subject to delegation and shall only be discharged by the Licensing Board.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this Report.

4. OTHER IMPLICATIONS

Legal

The Board must, in considering and determining the application, consider whether any of the grounds for refusal applies and:-

- (a) if none of them applies, the Board must grant the application; or
- (b) if any of them applies, the Board must refuse the application.

The grounds for refusal are:-

- (a) that the subject premises are excluded premises;
- (b) that the application must be refused under Section 25(2) (the Board had previously refused a premises licence within the preceding one year), Section 64(2) (alcohol would be sold for a continuous period of 24 hours from the premises, unless there are exceptional circumstances which justify allowing the sale of alcohol on the premises during such a period), or Section 65(3) (if alcohol is to be sold for off sales purposes before 10am or after 10pm, or both);
- (c) that the Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives;
- (d) that having regard to:
 - (i) the nature of the activities proposed to be carried on in the subject premises;
 - (ii) the location, character and condition of the premises; and
 - (iii) the persons likely to frequent the premises.the Board considers that the premises are unsuitable for use for the sale of alcohol;
and
- (e) that, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises, in the locality.

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(a) SAVERS, 39-41 HIGH STREET, MONTROSE, DD10 8LR

Name and Address of Applicant

Savers Health and Beauty Limited, Hutchinson House, 5 Hester Road, Battersea, London, SW11 4AN

Type of Licence: Premises Licence – Off Sales

1. Description of Premises – Convenience Store / Retail Unit.

2. Core times when alcohol will be sold for consumption off **the** premises:-

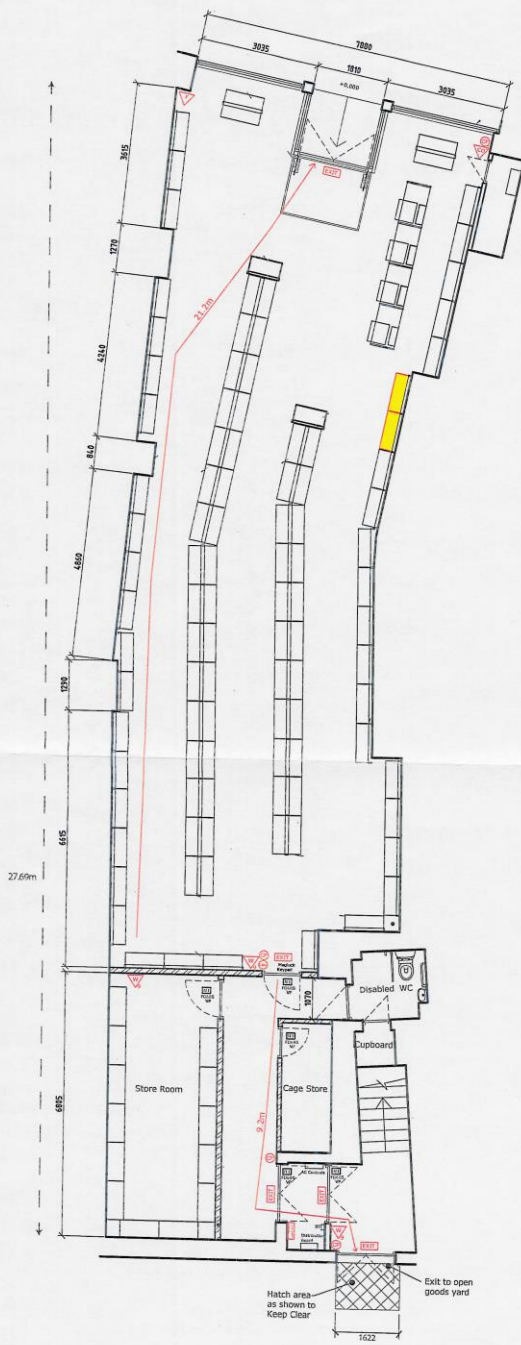
Monday to Saturday	10.00 to 17.30
Sunday	11.00 to 17.00

The Board is asked to note that the hours requested are within Board's policy.

3. Activities –

A retail shop selling a range of health and beauty products plus household goods and foods

4. Capacity – alcohol display area capacity 4.3m²



PROPOSED ALCOHOL LOCATION PLAN

key:

- ⊙ 3 HOUR EMERGENCY LIGHT
 - ⊙ 3 HOUR EMERGENCY EXIT SIGN
 - ⊙ POWER SOCKETS OVER CHECKOUTS
 - ⊙ ELECTRIC WATER HEATER
 - ⊙ BATTERY CLOCK
 - ⊙ 13 AMP SPUR
 - ⊙ HAND DRYER
 - ⊙ SINGLE 13 AMP SOCKET OUTLET
 - ⊙ TWIN 13 AMP SOCKET OUTLET
 - ⊙ RECESSED TROUGH LIGHT FITTING
 - ⊙ SINGLE FLUORESCENT LIGHT FITTING
 - ⊙ TWIN FLUORESCENT LIGHT FITTING
 - ⊙ BATTEN LIGHT HOLDER
 - ⊙ EXTERNAL BULKHEAD LIGHT
 - ⊙ LIGHT SWITCH
 - ⊙ BREAK GLASS CALL POINT
 - ⊙ 6" DIA. FIRE ALARM BELL
 - ⊙ FIRE BLANKET
 - ⊙ 9 LITRE WATER EXTINGUISHER
 - ⊙ 2.3 KG CO EXTINGUISHER
 - ⊙ 5.5 LITRE AFF. MULTI EXTINGUISHER
 - ⊙ SMOKE DETECTOR
 - ⊙ SMOKE DETECTOR IN VOID ABOVE SUSPENDED CEILING
 - ⊙ HEAT DETECTOR
 - ⊙ PANIC BOLTS
 - ⊙ LOCKING BAR
 - ⊙ SELF CLOSING
 - ⊙ S.S. SHEET STEEL TO REVERSE
 - ⊙ VISION PANEL
 - ⊙ TO FIRE EXIT
 - ⊙ FIRE EXIT
 - ⊙ PUSH BAR TO OPEN
 - ⊙ FIRE DOOR KEEP SHUT
 - ⊙ BT EXTENSION SOCKET
 - ⊙ BT LINE BOX
 - ⊙ EPOS LINE BOX
 - ⊙ 3 no DOUBLE ELECTRAX SOCKETS
 - ⊙ SPUR POINTS FOR FIRE & INTRUDER PANEL
 - ⊙ SPUR POINT FOR OFFICE HEATER/CCTV VCR
 - ⊙ CCTV MONITOR
 - ⊙ CCTV CAMERA
 - ⊙ D-CCTV CAMERA
 - ⊙ AL ACCESS LIGHT
 - ⊙ 600x600 MODULAR LIGHT FITTING
 - ⊙ 1200x600 MODULAR LIGHT FITTING
 - ⊙ 1200x300 MODULAR WALL WASH LIGHT FITTING
 - ⊙ HIGH BAY FIXED DOWNLIGHTER
 - ⊙ FIXED DOWNLIGHTER
 - ⊙ DIRECTIONAL DOWNLIGHTER
 - ⊙ SPRINKLER HEAD
- ALCOHOL FRONTAGE AREA
 2.15m High
 2m Wide = 4.3m.
- ESCAPE ROUTE (0.37m Deep)

savers
HEALTH HOME BEAUTY

DRAWING TITLE
PROPOSED ALCOHOL LOCATION PLAN
 39-41 HIGH STREET
 MONTROSE
 SCOTLAND

DRAWING No	SCALE @ A3	INITIAL DATE
AIR CB AT	1:100	14.07.14