

AGENDA ITEM 6

REPORT NO LB 44 /15

ANGUS LICENSING BOARD – 6 AUGUST 2015

TRANSFER OF PREMISES LICENCE UNDER SECTION 33(1)

REPORT BY SHEONA C HUNTER CLERK TO THE BOARD

ABSTRACT

The purpose of this report is to present an application for a Transfer of a Premises Licence under Section 33(1) of the Licensing (Scotland) Act 2005 which requires to be determined by the Board.

1. RECOMMENDATIONS

It is recommended that the Board consider and determine this application in terms of one of the following options:-

- (i) to grant the application; or
- (ii) to refuse the application on the grounds referred to in Paragraph 3.

2. BACKGROUND

On 25 June 2015 the Clerk to the Board received an application for Transfer under Section 33(1) from Tracey Telfer, 50 Gallowshade Road, Forfar, trading as T E D Enterprises, 55-57 Dundee Loan, Forfar in connection with The Victoria Bar, 55/57 Dundee Loan, Forfar. Police Scotland submitted a Notice dated 15 July 2015. A copy of the Notice (letter) shall be circulated at the meeting. The Board is asked to determine the application in accordance with Section 1 of the Report.

3. LEGAL IMPLICATIONS

The Board must consider whether the ground for refusal applies and —

- (a) if it applies, the Board must grant the application;
- (b) if it does not apply, the Board must refuse the application

The grounds for refusal are whether the granting of the application would be inconsistent with the crime prevention objective, the Licensing Board must, in particular, take into account any notice given by the appropriate Chief Constable under section 33(7).

4. FINANCIAL IMPLICATIONS

There are no significant financial implications arising from this report.

5. CONSULTATION

The Chief Constable, Tayside Division of Police Scotland has been consulted in the preparation of this Report.

6. NOTIFICATION

The applicant(s) and the persons submitting representations have been notified of the terms of this report. They have also been advised of their entitlement to attend the Board should they wish.

NOTE: The background papers (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are: The Licensing (Scotland) Act 2005

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