

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Thursday 14 September 2017 at 10.00am.

Present: Councillors CRAIG FOTHERINGHAM, COLIN BROWN, BRIAN BOYD, BRENDA DURNO, DAVID FAIRWEATHER, ALEX KING, DAVID LUMGAIR AND BETH WHITESIDE.

Councillor Fotheringham, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Richard Moore and Gavin Nicol.

2. DECLARATIONS OF INTEREST

Councillor Boyd declared an interest in item 4 (Report No LB 39/17) as in his capacity, as a local member, he had voiced his concerns against this project due to overprovision within Carnoustie. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of the application.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Board held on 10 August 2017 was approved as a correct record and signed by the Convener.

Councillor Boyd, having declared an interest at Article 2 above, left the meeting during consideration of the following item.

4. PROVISIONAL PREMISES LICENCE – UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 39/17 by the Clerk on an application received for a new licence under the Licensing (Scotland) Act 2005, which required to be determined by the Board as detailed in the Appendix to the Report.

(a) Carnoustie Golf Centre, Links Parade, Carnoustie

The Board considered an application from CGLMC for the grant of a provisional premises licence (off sales) in respect of premises at Carnoustie Golf Centre, Links Parade, Carnoustie.

Anne McKeown, legal agent for the applicant, addressed the Board and advised members that her client was happy to accept the additional conditions associated with the outdoor drinking area.

The Board agreed to grant the provisional application, subject to the Statutory Conditions and the following additional conditions:-

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

Councillor Boyd re-joined the meeting at this stage.

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

There was submitted Report No LB 40/17 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) Nineteenth Hole, Carnoustie

The Board considered an application from Greene King Retailing Ltd, to vary a premises licence on/off sales in respect of premises at Nineteenth Hole, 8 Ferrier Street, Carnoustie to allow them to amend their operating plan by changing the description of the premises to Hotel with lounge bar; Games area and outside drinking area; and the premises to provide alcoholic beverages, hot and cold beverages as well as hot and cold food.

The applicant's legal agent, Niall Hassard was present and addressed the Board.

The Board agreed to grant the application.

(b) 140 East End Bar and Nova Suite, Brechin

The Board considered an application from Douglas Walker to vary a premises licence in respect of premises at 140 East End Bar and Nova Suite, 91 Montrose Street, Brechin to allow him to amend the operating plan.

Mr Walker was present and addressed the Board.

The Clerk reported that the applicant had not returned the confirmation notice.

The Board agreed that the application be deferred to the Board meeting on 2 November 2017 to allow the confirmation notice to be received by the Clerk.

6. NEW PERSONAL LICENCE – NOTICE OF CONVICTION

There was submitted Report No LB 41/17 by the Clerk informing members of correspondence received from the Chief Constable giving notice of a conviction in terms of section 73 (3) (b) of the Act in respect of a new personal licence application received on 14 June 2017 from Chloe McGregor.

The members noted the contents of the correspondence received from the Chief Constable dated 7 July 2017.

The Board agreed in terms of Section 74 (5A), to hold a hearing for the purpose of considering and determining the application.

7. CURRENT PERSONAL LICENCE – NOTICE OF CONVICTION

With reference to Article 5 of the minute of meeting of this Board of 10 August 2017, there was submitted Report No LB 42/17 by the Clerk informing the members of correspondence received from the Chief Constable advising that the Personal Licence Holder, Carol Read, had acted in a manner which was inconsistent with a licensing objective.

The members noted the contents of the correspondence received from the Chief Constable dated 2 June 2017 and noted that the Licence holder, who had been invited to attend the Board, was not present.

The Board agreed to defer consideration of the matter to allow the applicant to attend in person.

8. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 43/17 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the

Clerk during the period 6 July 2017 to 18 August 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.

9. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 44/17 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 6 July 2017 to 18 August 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.

10. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 45/17 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 6 July 2017 to 18 August 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.

11. EXTENDED HOURS – DELEGATED APPROVALS

There was submitted and noted Report No LB 46/17 by the Clerk detailing applications for extended hours under the Licensing (Scotland) Act 2005, which had been granted by the Clerk during the period 6 July 2017 to 18 August 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.

12. CONFIRMATION OF PROVISIONAL PREMISES LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 47/17 by the Clerk advising members of an application for confirmation of provisional premises licences under the Licensing (Scotland) Act 2005, which had been granted by the Clerk during the period 6 July to 18 August 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.