

ANGUS LICENSING BOARD

MINUTE of MEETING of the **SPECIAL ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Wednesday 8 November 2017 at 10.00am.

Present: Councillors CRAIG FOTHERINGHAM, RICHARD MOORE, BRIAN BOYD, COLIN BROWN, DAVID FAIRWEATHER, ALEX KING, DAVID LUMGAIR, GAVIN NICOL and BETH WHITESIDE.

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGY

An apology for absence was intimated on behalf of Councillor Brenda Durno.

2. DECLARATIONS OF INTEREST

The Board agreed to note that no declarations of interest were made.

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

There was submitted Report No LB 60/17 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) Albert Bar, Montrose

The Board considered an application from Diane Duncan, 95 Bents Road, Montrose for the grant of a premises licence (on sales) in respect of premises at Albert Bar, 48 Market Street, Montrose.

Mrs Duncan, the applicant, addressed the Board after which members asked her various questions.

The Board agreed that the application be granted.

4. ELECTRONIC COMMUNICATIONS

There was submitted Report No LB61/17 by the Clerk, which requested members to determine whether they wished to accept and issue certain documents by means of electronic communication in terms of the Licensing (Scotland) Act 2005.

The Board agreed:-

(i) that with regard to all liquor licences processed in terms of the Licensing (Scotland) Act 2005, to accept:

(a) applications for the grant or renewal of a licence;

(b) objections or representations; and

(c) notifications of a change to a licence.

by means of electronic communication;

(ii) that with regard to all liquor licences processed in terms of the Licensing (Scotland) Act 2005 to determine to give or refuse to give:

(a) notices; and

(b) reasons

by means of electronic communication;

(iii) to delegate to the Head of Legal and Democratic Services to determine:

- (a) the form of electronic communication by which applications, objections, representations or notifications may be made or given;
- (b) the electronic address to be used for making or giving applications, objections, representations or notifications;
- (c) any means of authentications (in addition to electronic signature), that are acceptable; and
- (d) to publicise, as appropriate.

5. ANNUAL FINANCIAL REPORT

There was submitted Report No LB62/17 by the Clerk, advising members of the new legal requirement to produce an Annual Financial Report, a copy of which was attached as Appendix 1 to the Report.

The members noted the contents of the first Annual Financial Report of Angus Licensing Board for the period 1 April 2016 to 31 March 2017 and expressed concern that the expenditure exceeded income by £46,256. It was noted that most fees in respect of alcohol licensing were fixed by the Scottish Government and that a copy of the Annual Financial Report would be forwarded to the Scottish Government to assist them in reviewing the fees fixed by them (and which had not been altered since they were fixed when the Licensing (Scotland) Act 2005 was enacted).

The Board agreed:-

- (i) to note the new legal requirement on the Board to produce an Annual Financial Report; and
- (ii) to note the first Annual Financial Report of Angus Licensing Board for the period 1 April 2016 to 31 March 2017.