

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Thursday 10 January 2019 at 10.00am.

Present: Councillors CRAIG FOTHERINGHAM, COLIN BROWN, BRENDA DURNO, DAVID FAIRWEATHER, ALEX KING, GAVIN NICOL AND BETH WHITESIDE.

Councillor Fotheringham, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Brian Boyd and David Lumgair.

2. DECLARATIONS OF INTEREST

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

3. MINUTES OF PREVIOUS MEETINGS

The minutes of meetings of this Board held on 1 November and 8 November 2018 were approved as correct records and signed by the Convener.

4. NEW PREMISES LICENCES – UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 1/19 by the Clerk on applications received for new licences under the Licensing (Scotland) Act 2005, which required to be determined by the Board as detailed in the Appendix to the Report.

(a) Ogilvy Spirits, Glamis, Forfar

The Board considered an application from Caroline Bruce for the grant of a premises licence (on/off sales) in respect of premises at Hatton of Ogilvy Farm, Glamis, Forfar

The Board noted that a late memorandum of observation dated 21 December 2018 had been received from the Building Standards Manager. Mrs Thom, Building Control Manager advised the Board of the reasons for this being submitted late and it was thereafter agreed that it be circulated to members for consideration.

Ms Bruce, the applicant, was present and requested permission to circulate additional information in connection with the occupation capacity. Mr Law, the applicant's surveyor, then circulated information in connection with septic tank capacity calculations and the Board asked various questions of Mr Law and Mrs Thom, Building Control Manager.

Various questions were asked of the applicant, during which she clarified that only children (aged 0 to 15 years) accompanied by an adult, be permitted entry to shop area and toilets during the hours of 10am to 9pm and that no under 16s would be permitted on a tour of the Distillery Visitor Centre.

The Board agreed that the application be granted subject to the Local Children's Conditions and with a capacity of 40 persons.

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

There was submitted Report No LB 2/19 by the Clerk on an application to vary 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) Maxibell, 5 Park Avenue, Carnoustie

The Board noted that the application from Maxibell Ltd to vary a premises licence in respect of premises at 5 Park Avenue, Carnoustie had been deferred at the request of the applicant.

(b) Roos Leap, Montrose

The Board considered an application from the Firm of Robert and Thelma Beattie to vary a premises licence (on sales) in respect of premises at The Roo's Leap, 2 Traill Drive, Montrose to allow them to vary their operating plan to:-

- (i) amend the licence to include the provision of off sales – Monday to Sunday 11am to 10pm; and
- (ii) amend the opening time on a Sunday from 12 noon to 11am when alcohol would be sold for consumption on the premises.

Mrs Hood, the applicant agent, addressed the Board.

The Board agreed that the application be granted.

(c) Carnoustie Golf Course Hotel, The Links, Carnoustie

The Board considered an application from the Oxford Hotels and Inns Management Ltd to vary a premises licence (on/off sales) in respect of premises at Carnoustie Golf Course Hotel, The Links, Carnoustie to allow them to vary their operating plan to include outdoor drinking facilities with a capacity of 120 within core hours only as confirmed by the applicants agent.

Mr Beattie, the applicant's agent then addressed the Board.

The Board agreed that the application be approved subject to the following additional conditions:-

- (i) patrons shall not be permitted to use the external drinking areas 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.

(d) Carnoustie Golf Centre, Link Parade, Carnoustie

The Board noted that the application from CGLMC Ltd to vary a premises licence in respect of premises at Carnoustie Golf Centre, Links Parade, Carnoustie had been deferred at the request of the applicant.

6. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 3/19 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 11 October to 6 December 2018 in accordance with the Scheme of Delegation appended to the Licensing Policy.

7. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 4/19 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 11 October to 6 December 2018, in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 5/19 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 11 October to 6 December 2018, in accordance with the Scheme of Delegation appended to the Licensing Policy.

9. EXTENDED HOURS – DELEGATED APPROVALS

There was submitted and noted Report No LB 6/19 by the Clerk detailing applications for extended hours under the Licensing (Scotland) Act 2005, which had been granted by the Clerk during the period 11 October to 6 December 2018, in accordance with the Scheme of Delegation appended to the Licensing Policy.

10. PREMISES LICENCES UNDER THE LICENSING (SCOTLAND) ACT 2005 – LICENCE SURRENDERED

There was submitted Report No LB 7/19 by the Clerk presenting information on a premises licence which the licence holder had surrendered, as detailed in the Appendix to the Report.

The Board agreed to note that the premises licence detailed in the Appendix to the Report had been surrendered and had ceased to have effect in terms of the 2005 Act and that the licence for The Marina, 61 Ladybridge Street, Arbroath be removed from the register.