

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Thursday 14 February 2019 at 10.00am.

Present: Councillors CRAIG FOTHERINGHAM, BRIAN BOYD, COLIN BROWN, BRENDA DURNO, ALEX KING, DAVID LUMGAIR AND GAVIN NICOL.

Councillor Fotheringham, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors David Fairweather and Beth Whiteside.

2. DECLARATIONS OF INTEREST

Councillor Boyd declared an interest in items 4 (a) and (b) (Report No LB 8/19) as in connection with item 4(a) the applicant was known to him and regards item 4(b) he had publically opposed the building of the restaurant (The Rookery, Carnoustie Golf Centre). He indicated that he would not take part in any discussions and voting and would leave the meeting during consideration of this item.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Board held on 10 January 2019 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. PREMISES LICENCES – REQUEST TO VARY PREMISES LICENCE UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 8/19 by the Clerk on applications 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 Ltd, 5 Park Avenue, Carnoustie

With reference to Article 5 (a) of the minute of meeting of this Board of 10 January 2019, the Board considered an application from Maxibell Ltd to vary a premises licence (on sales) in respect of premises at 5 Park Avenue, Carnoustie to allow them to amend their core hours when alcohol would be sold for consumption on the premises and including activities.

The hours to be amended:-

Monday	12.00 to 24.00 (currently closed)
Friday	12.00 to 01.00 (currently 12.00 to 24.00)
Saturday	12.00 to 01.00 (currently 12.00 to 24.00)

Ms McKeown, the applicant's agent then addressed the Board during which she advised them that her client wished to delete the activities variation from the application. This was noted and was not taken into consideration.

The Board noted the contents of an objection which had been received dated 11 December 2018. The objector was not present.

The Board then heard from PC Forbes, Police Scotland who advised that they had no objections.

Ms McKeown summed up and members asked various questions of the agent and applicant.

The Board agreed that the application be approved for the core hours as stated above.

(b) Carnoustie Golf Centre, Link Parade, Carnoustie

With reference to Article 5 (d) of the minute of meeting of this Board of 10 January 2019, the Board considered an application from CGLMC Ltd to vary a premises licence (on sales) in respect of premises at Carnoustie Golf Centre, Links Parade, Carnoustie to allow them to amend their operating plan to:-

- (i) amend the type of licence to include the provision of off sales for Monday to Sunday 10am to 10pm;
- (ii) provide an off sales provision to include mail and online ordering and supply of speciality wines and spirits;
- (iii) include the following activities:-
 - (a) live performances during core licensed hours; and
 - (b) parties for children aged 0 to 17 years subject to adult supervision in accordance with NSPCC guidelines.
- (iv) permit
 - (a) children and young persons to remain within the Licensed Premises during the hours when catering for family activities and recreation when accompanied by a responsible adult who is consuming tea, coffee or an alcoholic drink;
 - (b) children and young persons aged 12 and over and who are there to participate in golf and/or coaching activities into the licensed premises unaccompanied for the purpose of consuming a meal and soft drinks in the upstairs restaurant facility (The Rookery) with table service only; and
 - (c) children and young persons aged 0 to 17 years into the Licensed Premises for the purpose of attending a children's party subject to adult supervision in accordance with NSPCC guidelines.

Ms McKeown, the applicants agent addressed the Board and advised the members that her client wished to amend the hours for children and young persons unaccompanied until 18.00 hours each day.

The Board agreed that the application, as detailed above be granted subject to children and young persons aged 12 and over and who are there to participate in golf and/or coaching activities be permitted into the licensed premises unaccompanied until 18.00 for the purpose of consuming a meal and soft drinks in the upstairs restaurant facility (The Rookery) with table service only.

Councillor Boyd re-joined the meeting at this stage.

5. REVIEW OF MISCELLANEOUS FEES

With reference to Article 6 of the minute of meeting of this Board of 22 February 2018 there was submitted Report No LB 9/19 by the Clerk seeking approval to increase certain fees in relation to the processing of certain applications under the Licensing (Scotland) Act 2005. The type of applications where fees required to be fixed and the suggested fees were attached as an Appendix to the Report.

The Board agreed:-

- (i) to approve the revised fee structure contained in Appendix 1; and
- (ii) that the implementation date be 1 April 2019.

6. PERSONAL LICENCE – NOTICE OF CONVICTION

There was submitted Report No LB 10/19 by the Clerk informing members of correspondence received from the Chief Constable giving notice of a conviction in terms of section 84 (4) (b) of the Act in respect of Marc Sivewright, a personal licence holder.

The Board agreed to hold a hearing on Monday 4 March 2019.

7. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 11/19 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 7 December 2018 to 21 January 2019 in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 12/19 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 7 December 2018 to 12 January 2019, in accordance with the Scheme of Delegation appended to the Licensing Policy.

9. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 13/19 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 7 December 2018 to 21 January 2019, in accordance with the Scheme of Delegation appended to the Licensing Policy.

10. EXTENDED HOURS – DELEGATED APPROVALS

There was submitted and noted Report No LB 14/19 by the Clerk detailing applications for extended hours under the Licensing (Scotland) Act 2005, which had been granted by the Clerk during the period 7 December 2018 to 21 January 2019, in accordance with the Scheme of Delegation appended to the Licensing Policy.