

APPENDIX 2 TO REPORT LB 60/19

ANGUS LICENSING BOARD – 31 OCTOBER 2019

LICENSING STANDARDS OFFICER VISIT REPORT

An application for a provisional premises licence has been received by Cashley's Ltd in respect of:

Cashley's, 1 Castle Street, Forfar DD8 3AE

The premises is located on the junction of Castle Street and West High Street, adjacent to the Town and County Hall.

Background:

An application to grant a provisional premises licence was submitted on 16th August 2019. The Licensing Board at their meeting on the 31 October will consider this application.

I arranged to visit the premises on 9th October 2019 to meet with the proposed Designated Premises Manager, Abbie Cashley and day to day manager Daniel Cashley to discuss this application. Daniel and Abbie are spouses.

Licensing Standards Officer's Report:

On 9th October 2019 at 10:15am. I met with Daniel Cashley, who will be the day to day manager for the premises. The proposed Designated Premises Manager, Abbie Cashley, was not present. I can confirm, however, Abbie Cashley does hold a personal licence with Angus Council, granted on 19th September 2019.

I spoke to the proprietor, Daniel Cashley, concerning matters of their application. I will address each point in turn:

Operating Plan – Activities

I addressed the matter of the activities selected on the proposed operating plan. I drew to the attention of the applicant that they had selected "YES" for restaurant facilities out with core hours, but had not provided further details of this as requested later on in the application form. The applicant told me this would be so the premises could operate before the start of selling alcohol by providing breakfasts. The application was therefore amended to reflect this.

The application also included proposals for the premises to be licenced for weddings, funerals, birthdays and retirement events. I addressed this with the applicant as we had concerns if the premises would be suitable for this. As demonstrated by photo 1, however, the upstairs area of the premises would be suitable for hiring out for small wedding receptions, funeral teas, and retirement or birthday party meals. The application, therefore, remained as written to include these activities in the operating plan.

I discussed with the applicant the fact they had selected "YES" for theatre on the operating plan. The applicant told me this had been an error and would not be taking place on the premises. It was agreed this be removed and changed to "NO".

Access for Children and Young Persons

I discussed with the applicant his proposal to allow Children and Young Persons access to the premises from 07:30-20:00 unaccompanied, and then from 20:00 onward accompanied by an adult. I directed the applicant to the Statement of Licensing Policy in relation to restaurants which reads at Appendix 3:-

“Children and young persons will only be permitted into licensed premises where the primary purpose of allowing them access is to consume a meal. Children and young persons will be permitted in the licensed premises until one hour after the cessation of serving food to the individual person or group of persons consuming the meal”.

The applicant agreed to amend the application to this wording and be in accordance with the Statement of Licensing Policy.

I can also confirm that, as required by the mandatory conditions of a premises licence for premises permitting entry children under the age of 5, baby changing facilities are provided as per photo 6.

Description of Premises

In the application, the description of premises was simply “Restaurant”. I asked the applicant to be more precise as this was too vague. He agreed to email a more specific wording describing the premises. The description was amended to:

“Modern Scottish restaurant serving Melbourne cafe style food during the day and contemporary Scottish food in the evenings”.

I reminded the applicant that they are applying for a provisional premises licence only and should the Board decide to grant that application, they will not be able to sell alcohol until they submit an application for confirmation of a provisional premises licence to the licensing department, and until that application is granted. Presently, the premises operates on a “bring your own” philosophy, which has caused no issues to date.

I have no concerns in respect of how these premises will be run and do not expect any issues to arise in terms of public nuisance or statutory infringements in terms of the duties contained in the Licensing (Scotland) Act 2005.

Daniel J. Coleman
Licensing Standards Officer
Angus Council