

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** hosted at Angus House, Orchardbank Business Park, Forfar and held remotely on Thursday 14 January 2021 at 2pm.

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

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGIES

There were no apologies for absence intimated.

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 29 October and 26 November 2020 were approved as correct records and signed by the Convener.

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

There was submitted Report No LB 1/21 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) Arbroath Bowling Club, Arbroath

The Board considered an application from Paul Gersok on behalf of Arbroath Bowling Club to vary a premises licence (on/off sales) in respect of premises at Arbroath Bowling Club, Dishlandtown Street, Arbroath to allow them to vary their operating plan to: -

- (i) amend the opening time on a Sunday from 12.30pm to 11am when alcohol would be sold for consumption on the premises;
- (ii) include the addition of off sales to be added from 11am to 9pm daily;
- (iii) amend the operating plan to include the addition of bar meals and gaming during core hours only and televised sport and outdoor drinking facilities within and outwith core hours; and
- (iv) include seasonal variations with the addition of Christmas eve, Christmas day, Boxing day and New Year's Day.

Mr Gersok addressed the Board.

The Board agreed that the application be granted, subject to the following additional conditions for the external drinking area: -

- (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 be provided anywhere within the licensed premises with the intention of it being heard within the external drinking area.

(b) Lochlands Bar, 14/16 Lochlands Street, Arbroath

The Board considered an application from William Baxter on behalf of Baxter Crowe Developments Ltd to vary a premises licence (on/off sales) in respect of premises at Lochlands Bar, 14/16 Lochlands Street, Arbroath to allow them to vary their operating plan to include the addition of bar meals during core hours.

Mr Baxter addressed the Board.

The Board agreed that the application be granted.

(c) Roods Bar, 10/12 Roods, Kirriemuir

The Board considered an application from Sylvia Glendinning to vary a premises licence (on sales) in respect of premises at Roods Bar, 10/12 Roods, Kirriemuir to allow them to vary their operating plan to: -

- (i) amend the terminal hour on Friday and Saturday from 1am to 2am when alcohol will be sold for consumption on the premises;
- (ii) remove reception and club or other group meetings from the operating plan; and
- (iii) include Boxing day in the seasonal variations.

Mrs Glendinning addressed the Board after which members asked questions.

The Licensing Standards Officer addressed the Board and advice was given from the Clerk.

Mrs Glendinning then summed up.

Councillor King seconded by Councillor Brown, moved that the request to amend the terminal hour on Friday and Saturday from 1am to 2am be refused as it was inconsistent with the licensing objectives and would result in a breach of the licensing policy.

COUNCILLOR FOTHERINGHAM, SECONDED BY COUNCILLOR FAIRWEATHER, MOVED AS AN AMENDMENT, TO AMEND THE TERMINAL HOUR FROM 1AM TO 2AM ON FRIDAY AND SATURDAY SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS: -

- (i) THAT NO ADMISSION TAKE PLACE AFTER 1AM; AND
- (ii) THAT A PERSON TRAINED TO THE SATISFACTION OF THE LICENSING BOARD IN ADMINISTERING FIRST AID MUST BE PRESENT ON THE PREMISES FROM 1AM (ON ANY DAY WHEN THE PREMISES ARE OPEN AT THAT TIME) UNTIL WHICHEVER IS THE EARLIER OF: -
 - (A) THE TIME AT WHICH THE PREMISES NEXT CLOSE; OR
 - (B) 5AM

On a vote being taken, the members voted: -

For the motion: -

Councillors Boyd, Brown, Durno, King and Whiteside (5)

For the amendment: -

Councillors Fotheringham, Moore, Fairweather, Lumgair and Nicol (5)

There being an equality of votes the Convener exercised his casting vote in favour of the amendment which was declared carried and became the finding of the meeting.

In accordance with the provisions of Standing Order 16(11)(ii) Councillor King requested that his dissent be recorded in relation to the foregoing decision.

The Board thereafter agreed that parts two and three of the application be granted.

5. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 2/21 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 November 2020 to 17 December 2020 in accordance with the Scheme of Delegation appended to the Licensing Policy.

6. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 3/21 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 November 2020 to 17 December 2020, in accordance with the Scheme of Delegation appended to the Licensing Policy.

7. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 4/21 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 November 2020 to 17 December 2020 in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. CONFIRMATION OF PROVISIONAL PREMISES LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 5/21 by the Clerk advising members of an application for confirmation of a provisional premises licence under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 6 November 2020 to 17 December 2020 in accordance with the Scheme of Delegation appended to the Licensing Policy.