

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held remotely on Thursday 25 March 2021 at 10am.

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. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Board held on 18 February 2021 was approved as correct record and signed by the Convener.

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

There was submitted Report No LB 12/21 by the Clerk on applications received for new provisional 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) 2nd Chance Inverkeilor Ltd, 16 Main Road, Inverkeilor, Arbroath

The Board considered a provisional application from 2nd Chance Inverkeilor Ltd for the grant of a provisional premises licence (on/off sales) in respect of premises at 2nd Chance Inverkeilor Ltd, 16 Main Road, Inverkeilor, Arbroath.

Ms Powrie, the applicant addressed the Board after which she answered questions from members.

The Board agreed that the application be granted.

(b) Bowmans Coffee House, 27A High Street, Monifieth

The Board considered a provisional application from Susan Bowman for the grant of a premises licence (on/off sales) in respect of premises at Bowmans Coffee House, 27A High Street, Monifieth.

Mrs Hood, the applicant's agent addressed the Board during which she explained her client's reasons for requesting that children aged 13 – 17 years be allowed access to the premises unaccompanied until 18.00 and thereafter accompanied by an adult if attending a family event.

The Board then heard from the Licensing Standards Officer who advised that this request was contrary to Board Policy. Discussion took place and members asked questions of Mrs Hood.

The Board agreed that the application be granted.

5. NEW PREMISES LICENCE – UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 13/21 by the Clerk on an application received for a new 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) Distillutions Ltd Unit 22 Matthew Kerr Place, Arbroath

The Board considered an application from Distillutions Ltd for the grant of a premises licence (off sales) in respect of premises at Distillutions Ltd, Unit 22, Matthew Kerr Place, Arbroath.

Mr Scothern, a representative for the applicant addressed the Board and confirmed that they were seeking to offer alcohol for sale online for consumption off the premises and fulfil online orders.

The Board agreed that the application be granted.

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

There was submitted Report No LB 14/21 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) Dobbies Garden World, Ethiebeaton Park, Monifieth

The Board considered an application from Dobbies Garden Centres Ltd, to vary a premises licence (on/off sales) in respect of premises at Dobbies Garden World, Eathiebeaton Park, Monifieth to allow them to vary their operating plan to: -

- (i) include within seasonal variations “any additional hours available for the festive season or other recognised events in terms of the Board’s Policy”;
- (ii) include a variation of information contained within the Operating Plan as follows: -
 - (a) no alcohol to be provided outwith core hours;
 - (b) restaurant and outside area to open before 11.00am for light food, non-alcoholic drinks, group meetings and functions but not after the end of core hours;
 - (c) Christmas and related function events, charity events, garden and flower events;
 - (d) recorded music may be played throughout the premises; and
- (iii) amend the layout plan to reflect the relocation of off sales and increase in capacity to 23.98m²

Mr Clancy, the applicant’s agent, addressed the Board and members asked questions

The Board agreed that the application be granted.

(b) Neptune Bar, 7 Eskine Street, Montrose

The Board considered an application from Anna Thomson to vary a premises licence (on/off sales) in respect of premises at the Neptune Bar, 7 Erskine Street, Montrose to allow them to vary their operating plan to: -

- (i) to include bar meals within and outwith core hours;
- (ii) to include recorded music outwith core hours;
- (iii) to include breakfasts or funeral teas before core hours; and
- (iv) to include receptions including weddings, funerals, birthday parties, retirement parties etc and Club or other group meetings.

Ms Thomson addressed the Board and it was noted that a satisfactory noise management plan had been submitted.

The Board agreed that the application be granted.

(c) Buick Social Club, Lochside Street, Lochside Street, Arbroath

The Board considered an application from Gareth Brown to vary a premises licence (on/off sales) in respect of premises at the Buick Social Club, Lochside Street, Arbroath to allow them to vary their operating plan to: -

- (i) amend the premises name from Buick Social Club to Buick Lounge Bar;
- (ii) include Boxing day within seasonal variations;
- (iii) to include the addition of bar meals to be served within and outwith core hours; and
- (iv) to include catering for leagues, events, functions etc held within the premises.

Mr Brown, the applicant, addressed the Board.

The Board agreed that the application be granted.

7. PREMISES IN EXCESS OF 4 OCCASIONAL LICENCES

There was submitted Report No LB 15/21 by the Clerk detailing information regarding premises who had had more than four occasional Licences granted, contrary to the Board's Statement of Licensing Policy.

The Licensing Standards Officer addressed the Board and advised that in order to accommodate the licensing trade during the pandemic a number of occasional licences had been granted. Mr Coleman had now made contact with all premises that had received more than four or more Occasional Licences and advised them of the Board's policy and that a permanent solution should now be sought.

The Board agreed to note the information detailed in the Appendix to the Report.

8. PREMISES LICENCES UNDER THE LICENSING (SCOTLAND) ACT 2005 - LICENCE REVIEW PROPOSALS

There was submitted Report No LB 16/21 by the Clerk advising members of the non-payment of Annual Fees under the Licensing (Scotland) Act 2005 ("the 2005 Act") as detailed in the Appendix to the Report which the Board may wish to consider and take action.

The Board received an update from the Licensing Standards Officer on each premises and it was noted that seven premises had still not paid their Annual Fees.

The Board noted the position and agreed to hold a review hearing on Thursday 22 April 2021 in respect of the seven premises as detailed in the Appendix to the Report.

9. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 17/21 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 27 January 2021 to 3 March 2021 in accordance with the Scheme of Delegation appended to the Licensing Policy.

10. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 18/21 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 27 January 2021 to 3 March 2021, in accordance with the Scheme of Delegation appended to the Licensing Policy.

11. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 19/21 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 27 January 2021 to 3 March 2021 in accordance with the Scheme of Delegation appended to the Licensing Policy.

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

There was submitted Report No LB 20/21 by the Clerk presenting information on two premises licences which the licence holders had surrendered, as detailed in the Appendix to the Report.

The Board agreed to note that the premises licences 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 licences for Pro Gifts, 7 Inverarity Crescent, Hillside, Montrose and Dalhousie Bar, 1 Market Street, Brechin be removed from the register.

13. TIMETABLE OF MEETINGS – 2021/2022

The Board agreed to approve the following programme of meetings (all at 10am): -

Thursday 12 August 2021

Thursday 16 September 2021

Thursday 25 November 2021 **(following joint forum meeting which commences at 10am)**

Thursday 13 January 2022

Thursday 17 February 2022

Thursday 24 March 2022

Thursday 2 June 2022

Following conclusion of the business, the Convener, on behalf of the members of the Angus Licensing Board, expressed his appreciation of the assistance and advice provided to the Board by Daniel Coleman, the Licensing Standards Officer over the past few years, and wished him every success in his new post.