

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held remotely on Thursday 13 January 2022 at 10am.

Present: Councillors RICHARD MOORE, BRIAN BOYD, BRENDA DURNO, ALEX KING, DAVID LUMGAIR, GAVIN NICOL and BETH WHITESIDE

Councillor MOORE, Vice Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Craig Fotheringham and David Fairweather.

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 25 November 2021 was approved as a correct record and signed by the Convener.

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

There was submitted Report No LB 1/22 by the Clerk on applications received for new 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) The Whisky Studio, 121 High Street, Forfar

The Board considered an application from Mrs Caroline and Mr Krenar Hena for the grant of a premises licence (off sales) in respect of premises at The Whisky Studio, 121 High Street, Forfar.

Mrs Hena addressed the Board after which Councillor King asked questions regarding the recorded music which would be provided outwith core hours.

Mrs Corletto, Licensing Standards Officer addressed the Board and advised that should the Board be minded to grant the application she recommended a number of additional conditions as detailed in the Report.

Mrs Hena summed up.

The Board agreed to grant the premises licence application, subject to the Statutory Conditions and the undernoted additional conditions: -

- (i) Alcohol sold or dispatched from the premises would be delivered only to residential or business addresses.
- (ii) The Licenceholder shall always check the age of customers or potential customers and be satisfied that they are aged 18 years or over before any sale is completed and otherwise shall comply with the age-related sale provisions in the Licensing (Scotland) Act 2005.
- (iii) The sale of alcohol may only take place within licensed hours. Any person submitting an order out with the licensed hours would be advised that the order would be processed after the commencement of the next period of licensed hours.
- (iv) The Licenceholder shall ensure that those persons who deliver the alcohol are aware of the provisions of, and restrictions on, the delivery of alcohol contained in the Licensing (Scotland) Act 2005.

- (v) A notice shall be affixed to every package containing alcohol dispatched from the premises stating that the package contains alcohol and that it is an offence to deliver it to a person under 18 years of age.

(b) The Cliffturn Hotel, Arbroath

The Board considered an application from Cliffturn Hotel Ltd for the grant of a premises licence (on/off sales) in respect of premises at the Cliffturn Hotel, Cliffturn Road, Arbroath.

Mrs Hood, the applicant's agent addressed the Board and advised that an application to vary the premises licence would be submitted to the Clerk as soon as possible nominating a new Designated Premises Manager.

Discussion took place and the Board agreed that the application be granted subject to the Statutory Conditions and the following additional condition: -

- (i) No alcohol may be sold from the premises until such time as an application to vary the premises licence to replace the Designated Premises Manager is received by the Board, processed and granted.

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

There was submitted Report No LB 2/22 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) Old Masons Arms, 135 – 139 East High Street, Forfar

With reference to Article 4(g) of the minute of meeting of this Board of 25 November 2021, the Board considered an application from Maria Stewart to vary a premises licence (on/off sales) in respect of premises at Old Masons Arms, 135 – 139 East High Street, Forfar to allow them to vary their operating plan to: -

- (i) amend their core hours for on sales on Friday and Saturday from 01.00 to 02.00; and
- (ii) include karaoke, pub quiz, psychic nights and poker nights.

Mrs Hood, the applicant's agent addressed the Board and requested that the application be deferred to allow her further time to consult with her client.

The Board agreed that the application be deferred to the Board meeting on 17 February 2022.

6. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 3/22 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 1 November 2021 to 14 December 2021 in accordance with the Scheme of Delegation appended to the Licensing Policy.

7. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 4/22 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 1 November 2021 to 14 December 2021, in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 5/22 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the

Clerk during the period 1 November 2021 to 14 December 2021, in accordance with the Scheme of Delegation appended to the Licensing Policy.

9. AMENDMENT TO DATE OF BOARD MEETING IN JUNE 2022

With reference to Article 15 of the minute of meeting of Angus Council of 16 December 2021, the Board agreed that the Angus Licensing Board meeting scheduled for 2 June 2022 be re-scheduled to 9 June 2022.