

ANGUS LICENSING BOARD

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

Present: Councillors GEORGE MEECHAN, LLOYD MELVILLE, KENNY BRAES, LINDA CLARK, ROSS GREIG, GAVIN NICOL, JILL SCOTT AND BETH WHITESIDE

Councillor MEECHAN, Convener, in the Chair.

Councillor Meechan, Vice Convener took the Chair for item 1(i).

1. **APPOINTMENT OF CONVENER AND VICE CONVENER**

(i) **Appointment of Convener**

Following the resignation of Councillor Durno as Convener of the Angus Licensing Board, the Board unanimously agreed that Councillor Meechan be appointed Convener of the Angus Licensing Board.

(ii) **Appointment of Vice Convener**

In light of Councillor Meechan's appointment as Convener of the Angus Licensing Board, the Board unanimously agreed that Councillor Melville be appointed Vice Convener of the Angus Licensing Board.

2. **APOLOGIES**

An apology for absence was intimated on behalf of Councillor Brenda Durno.

3. **DECLARATIONS OF INTEREST**

The Board agreed to note that no declarations of interest were made.

4. **MEMBERSHIP OF THE ANGUS LICENSING BOARD**

With reference to Article 5 of the minute of meeting of Angus Council of 4 November 2022, the Board noted that Councillors Boyd, Clark and Nicol had been appointed as members of the Board bringing the membership of the Board to 10.

5. **MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Board held on 15 September 2022 was approved as a correct record and signed by the Convener.

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

There was submitted Report No LB 51/22 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) **Brechin Party time 1-3 Swan Street, Brechin**

The Board considered an application from Usman Hameed to vary a premises licence (off sales) in respect of premises at Brechin Party Time, 1 -3 Swan Street, Brechin to allow them to vary their operating plan to include the following within other activities: -

The premises will offer a delivery service which may include alcohol via a third-party delivery service provider. All deliveries which include alcohol will be made within the permitted times to deliver alcohol allowed under the Act. The premises licence holder will take steps to ensure that the delivery partner operates a Challenge 25 age verification policy.

Mr Hameed was present and addressed the Board.

The Board agreed that the application be granted subject to the Statutory Conditions and the following additional conditions: -

- (i) Alcohol sold or dispatched from the premises will be delivered only to residential or business addresses.
- (ii) The Licenceholder shall exercise due diligence to check the age of customers or potential customers, be satisfied that they are aged 18 years of over before any sale is completed and otherwise shall comply with the age-related sale provisions in the Licensing (Scotland) Act 2005.
- (iii) Sales of Alcohol may only take place within licensed hours. Any person submitting an order out with the licensed hours is to be advised that the order will 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, or electronic notice if it is a third party operator, shall be affixed to every package containing alcohol dispatched from the premises stating that the package shall contain alcohol and that it is an offence to deliver it to a person under 18 years of age.

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

There was submitted Report No LB 52/22 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 Clerk and noted the position.

The Board agreed to hold a review hearing on Monday 12 December 2022 in respect of the non-payment of annual fees as detailed in Appendix 1 to the Report.

8. CHIEF CONSTABLE'S ANNUAL LICENSING REPORT

There was submitted and noted Report No LB 53/22 by the Clerk which presented the Chief Constable's Annual Licensing Report to the Angus Licensing Board for the period 1 April 2021 to 31 March 2022 attached as an Appendix to the Report.

9. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 54/22 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 26 August 2022 to 20 October 2022, in accordance with the Scheme of Delegation appended to the Licensing Policy.

10. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 55/22 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 26 August 2022 to 20 October 2022 in accordance with the Scheme of Delegation appended to the Licensing Policy.

11. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 56/22 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 26 August 2022 to 20 October 2022, 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 57/22 by the Clerk presenting information on a premises licence which the licence holder had surrendered, as detailed in the Appendix to the Report.

The Board agreed to note that the premises licence 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 licence for The Wee Shop, 94 Castle Street, Forfar be removed from the register.