

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held remotely on Thursday 16 February 2023 at 10am.

Present: Councillors GEORGE MEECHAN, LLOYD MELVILLE, KENNY BRAES, LINDA CLARK, BRENDA DURNO, CRAIG FOTHERINGHAM, ROSS GREIG, GAVIN NICOL, JILL SCOTT and BETH WHITESIDE.

Councillor MEECHAN, Convener, in the Chair.

1. APOLOGIES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY

Councillor Braes made a statement of transparency in relation to Item 5(a) Report No LB14/23 in that he was a regular attender at Montrose Football Club. He indicated that he would take part in any discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Board held on 19 January 2023 were approved as correct records and signed by the Convener.

4. PROVISIONAL PREMISES LICENCE APPLICATION UNDER THE LICENSING (SCOTLAND) ACT 2005

With reference to Article 5 of the minute of meeting of this Board of 19 January 2023, there was submitted Report No LB 13/23 by the Clerk on an application received for a new provisional 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) Park Orchardbank Service Station, Silvie Way, Orchardbank Business Park, Forfar

The Board considered an application from Park Garage Group PLC for the grant of a provisional premises licence (off sales) in respect of premises at Park Orchardbank Service Station, Silvie Way, Orchardbank Business Park, Forfar. The Customer Profiling Research Report carried out between 2 October to 15 November 2022 provided by the applicant, had been submitted to members prior to the meeting.

Ms Simpson, agent for the applicant was present and addressed the Board during which she spoke on the findings of the research study which had ascertained the needs of customers and she provided evidence that persons resident in the locality were, or were likely to become, reliant to a significant extent on the premises as the principal source of petrol or derv; or groceries.

Discussion took place and Ms Simpson summed up.

The Board agreed that the premises were non excluded premises and granted the provisional premises licence application subject to the Statutory Conditions.

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

There was submitted Report No LB 14/23 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) Links Park Stadium, Wellington Street, Montrose

The Board considered an application from Montrose Football Club to vary a premises licence (on sales) in respect of premises at Links Park Stadium, Wellington Street,

Montrose to allow them to vary their operating plan to include the following within activities: -

- (a) add off sales: - Monday to Sunday 10.00 to 22.00 for the provision of selling branded beers and spirits in gift packs and special editions. Sales would take place from the already licensed area of the ground; and
- (b) amend the Sunday on Sales commencement time from 11am to 12.30pm.

Ms McEwan, a representative on behalf of the Montrose Football Club, was present and addressed the Board.

Discussion then took place on the exact size of the off-sales display areas in question.

The Board agreed that the application be granted subject to the areas being no larger than 1.5 m2.

6. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 15/23 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 5 January 2023 to 26 January 2023, in accordance with the Scheme of Delegation appended to the Licensing Policy.

7. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 16/23 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 5 January 2023 to 26 January 2023 in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 17/23 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 5 January 2023 to 26 January 2023, in accordance with the Scheme of Delegation appended to the Licensing Policy.

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

There was submitted Report No LB 18/23 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 Little Poland, 5 High Street, Brechin be removed from the register.