

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Thursday 23 March 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 Meechan made a statement of transparency in relation to Item 6(a) Report No LB21/23 in that he had frequented the premises for the purposes of having a meal. 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 16 February 2023 was approved as a correct record and signed by the Convener.

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

There was submitted Report No LB 19/23 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) Forfar Supermarkets Ltd, 76 Dundee Road, Forfar

The Board considered an application from Forfar Supermarkets Ltd for the grant of a provisional premises licence (off sales) in respect of premises at Forfar Supermarkets Ltd, 76 Dundee Road Forfar.

Mr Misbahuddin was present and addressed the Board after which he answered questions by members on the layout of the premises.

At this stage in the meeting, the Board agreed to adjourn for 5 minutes to view the layout plan.

Mrs Thom, Building Standards Manager addressed the Board.

Discussion took place and Mr Misbahuddin summed up.

The Board agreed to grant the provisional premises licence subject to the Statutory Conditions.

5. REQUEST TO RELIEVE THE FAILURE TO COMPLY WITH A PROCEDURAL REQUIREMENT

There was submitted Report No LB 20/23 by the Clerk advising of a request for the Board to relieve an applicant of a failure to comply with procedural requirements in terms of Section 135 of the Licensing (Scotland) Act 2005 which required to be determined by the Board as detailed in the Appendix to the Report.

(a) Shotz Pool and Snooker Club 2-4 John Street West, Arbroath

The Board considered a request for a S34 transfer application from Marc Fleming on behalf of Shotz Pool and Snooker Club, 2-4 John Street West, Arbroath.

Members noted the contents of the correspondence received from the Chief Constable dated 8 March 2023.

Ms McKeown, agent for the applicant, addressed the Board during which she explained the reasons behind the failure to seek a transfer application in respect of the premises Shotz Pool and Snooker Club within the statutory time limit of 28 days.

The Board agreed to relieve the failure to comply with the procedural requirements and to grant the application for transfer.

(b) Coast Bar and Nightclub (Upper Level) 4 Gravesend, Arbroath

The Board considered a request for a S34 Transfer application from Excel 4 Leisure, 16B Applegate, Arbroath on behalf of Coast Bar and Nightclub (Upper Level) 4 Gravesend, Arbroath.

Members noted the contents of the correspondence received from the Chief Constable dated 8 March 2023.

Mr Mitchell, the applicant, addressed the Board during which he explained the reasons behind the failure to seek a transfer application in respect of the premises Coast Bar and Nightclub (upper level) within the statutory time limit of 28 days.

The Board agreed to relieve the failure to comply with the procedural requirements and to grant the application for transfer.

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

There was submitted Report No LB 21/23 by the Clerk on an application received to extend the licensed hours in respect of 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) Three Bellies Brae, 1 -3 Bellies Brae, Kirriemuir

The Board considered an application from Lindsey Wilson in respect of Three Bellies Brae, 1 -3 Bellies Brae, Kirriemuir for:-

- (i) Friday 28 April 2023 - an extension of one hour from 1am to 2am at the end of normal trading;
- (ii) Saturday 29 April 2023 - an extension of one hour from 11am to 10am at the commencement of trading and extension of one hour from 1am to 2am at the end of normal trading; and
- (iii) Sunday 30 April 2023 - an extension of one and half hours from 12.30pm to 11am at the commencement of trading and extension of one hour from 12 midnight to 1am at the end of normal trading for the Bonfest Music Festival 2023.

Ms Wilson was present and addressed the Board.

The Board agreed to grant the application subject to first aiders being present for the additional hours at the end of trading.

7. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 22/23 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 27 January 2023 to 28 February 2023, in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 23/23 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the

Clerk during the period 27 January 2023 to 28 February 2023 in accordance with the Scheme of Delegation appended to the Licensing Policy.

9. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 24/23 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 27 January 2023 to 28 February 2023, in accordance with the Scheme of Delegation appended to the Licensing Policy.

10. EXTENDED HOURS – DELEGATED APPROVALS

There was submitted and noted Report No LB 25/23 by the Clerk detailing applications for extended hours under the Licensing (Scotland) Act 2005, which had been granted by the Clerk during the period 27 January 2023 to 28 February 2023, in accordance with the Scheme of Delegation appended to the Licensing Policy.

11. TEMPORARY PREMISES LICENCE APPLICATION UNDER THE LICENSING (S) ACT 2005

There was submitted Report No LB 26/23 by the Clerk on an application received for a temporary 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) Royal Montrose Mercantile Golf Club, 4 Traill Drive, Montrose

The Board considered an application from Royal Montrose Mercantile Golf Club for the grant of a temporary premises licence received on 9 March 2023 in respect of premises at 4 Traill Drive, Montrose, as detailed in the Appendix to the Report.

A letter of representation received from the applicant was circulated to members.

Following discussion, the Board agreed that no further procedure was required and agreed to grant the application, subject to the premises being to the satisfaction of the Licensing Standards Officer and subject to existing statutory and discretionary local conditions.