

## **ANGUS LICENSING BOARD**

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Thursday 14 September 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**

There were no declarations of interest or statements of transparency made.

### **3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Board held on 17 August 2023 was approved as a correct record and signed by the Convener.

### **4. NEW PREMISES LICENCE APPLICATION UNDER THE LICENSING (SCOTLAND) ACT 2005**

There was submitted Report No LB 49/23 by the Clerk on an application received for a 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) 180 East High Street, Forfar DD8 2HC**

With reference to Article 4(b) of the minute of meeting of this Board of 17 August 2023, the Board considered an application from Sri Mathan for the grant of a premises licence (off sales) in respect of premises at 180 East High Street, Forfar.

The Clerk advised that the applicant's agent had requested that the application be deferred at the request of her client to allow the works to be completed.

The Board agreed to defer consideration of the application at the request of the applicant's agent.

### **5. CHIEF CONSTABLE'S ANNUAL LICENSING REPORT**

There was submitted Report No LB 50/23 by the Clerk which presented the Chief Constable's Annual Licensing Report to the Angus Licensing Board for the period 1 April 2022 to 31 March 2023 attached as an Appendix to the Report.

Sergeant Gordon introduced the Report and following some questions from members, the Board noted the terms of the Chief Constable's Annual Licensing Report for the period 1 April 2022 to 31 March 2023.

### **6. STATEMENT OF LICENSING BOARD POLICY**

With reference to Article 6 of the minute of meeting of this Board of 20 June 2023, there was submitted Report No LB 51/23 by the Clerk providing members with an update following consultation on the Board's Draft Statement of Licensing Policy and Overprovision Statement, and to finalise the Board's new Statement of Policy.

It was noted that a draft Statement of Licensing Policy had now been produced and was detailed in Appendix 2 to the Report, which reflected the tracked change amendments agreed by the Board members on 20 June 2023. It also included additional changes, which were also shown tracked. The document was also shown without tracked changes at Appendix 3 of the Report.

The members noted the additional information shown at Appendix 4 to the Report which was arranged by locality and provided information for 'On sales' premises, 'Off Sales' premises and also included premises which were licensed for both 'On and Off sales'. Appendix 5 to the Report provided a table of the numbers of such licences in the seven localities, with those for 'Off Sales' premises compared with numbers of those in March 2018.

Further premises were noted for inclusion in the data. Thereafter discussion took place with respect to the Board's overprovision statement and a number of aspects of the draft policy.

Members questioned if the proposed new Statement of Policy could be kept under review by a working group as they felt that some parts of the Policy may require to be amended in the future.

*At this stage, the meeting was adjourned to allow members to seek legal advice.*

The Clerk addressed members and it was noted that the Statement of Policy would be in place and publicised as required by legislation.

*At this stage, the meeting was adjourned to allow the clerk to clarify practicalities relating to points raised by members.*

The Clerk provided further advice and confirmed that further correspondence would be sent to members regarding the setting up of a working group to keep the new Policy under review.

The Board agreed: -

- (i) to consider and note the response received to the consultation on the Board's Draft Statement of Policy and Overprovision Assessment as detailed in Appendix 1 to the Report;
- (ii) to consider and note the additional and updated data relating to licensed premises provided at Appendices 4 and 5, particularly with respect to the Overprovision Assessment;
- (iii) to note and approve the amendments to the current Statement of Policy made by the Board at the special meeting of the Board on 20 June 2023 and additional changes all as detailed in the Draft Policy Statement at Appendices 2 and 3 to the Report;
- (iv) to authorise the Clerk to update the new Statement of Policy; and
- (v) to establish a policy review working group with responsibility to report to the Board.

## **7. PERSONAL LICENCES – DELEGATED APPROVALS**

There was submitted and noted Report No LB 52/23 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 13 July 2023 to 23 August 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 53/23 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 13 July 2023 to 23 August 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 54/23 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 13 July 2023 to 23 August 2023, in accordance with the Scheme of Delegation appended to the Licensing Policy.

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

There was submitted Report No LB 55/23 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 Buick Lounge Bar, Lochlands Street, (Green Street), Arbroath be removed from the register.