

ANGUS LICENSING BOARD – 9 NOVEMBER 2023

NEW PREMISES LICENCE APPLICATIONS - UNDER THE LICENSING (S) ACT 2005

REPORT BY CLERK TO THE BOARD

ABSTRACT

The purpose of this Report is to present applications for a new premises licence under the Licensing (Scotland) Act 2005 which requires to be determined by the Board.

1. RECOMMENDATIONS

It is recommended that the Board considers and determines the application for a new premises licence as detailed in the attached Appendix, in terms of one of the following options: -

- (i) to grant the application, subject to Statutory Conditions, and any other discretionary or local conditions which the Board may wish to impose;
- (ii) to propose a modification to the operating plan or layout plan (or both) and if the applicant accepts the proposed modification, request that the applicant amend the application and, thereafter, grant the modified application with the proposed amendment, subject to the Statutory Conditions and any other discretionary or local conditions which the Board may wish to impose;
- (iii) to defer the application to the next Licensing Board; or
- (iv) to refuse the application on one or more of the grounds referred to in Paragraph 4.

2. BACKGROUND

The Board has received an application for a new premises licence under the Licensing (Scotland) Act 2005 which requires to be determined by the Board because the matters are not subject to delegation and can only be discharged by the Licensing Board.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this Report.

4. OTHER IMPLICATIONS

Legal

The Board must, in considering and determining each premises licence application, consider whether any of the grounds for refusal applies and: -

- (a) if none of them applies, the Board must grant the application, or
- (b) if any of them applies, the Board must refuse the application.

The grounds for refusal are: -

- (a) that the subject premises are excluded premises,

- (b) that the application must be refused under Section 25(2) (the Board had previously refused a premises licence within the preceding one year), Section 64(2) (alcohol would be sold for a continuous period of 24 hours from the premises, unless there are exceptional circumstances which justify allowing the sale of alcohol on the premises during such a period), or Section 65(3) (if alcohol is to be sold for off sales purposes before 10am or after 10pm, or both),
- (c) that the Licensing Board consider, having regard to the licensing objectives, that the applicant is not a fit and proper person to be the holder of a premises licence,
- (d) that the Licensing Board considers that the granting of the application would otherwise be inconsistent with one or more of the licensing objectives,
- (e) that, having regard to:
 - (i) the nature of the activities proposed to be carried on in the subject premises;
 - (ii) the location, character and condition of the premises, and
 - (iii) the persons likely to frequent the premisesthe Board considers that the premises are unsuitable for use for the sale of alcohol,
- (f) that the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises, in the locality.
- (g) in considering whether either of the grounds for refusal specified in (c) or (d) applies, the Licensing Board must in particular take into account—
 - (a) any conviction, notice of which is given by the chief constable under subsection 4(b) of section 21 and
 - (b) any report given by the chief constable under section 24A(2).
- (h) Where the Licensing Board considers that—
 - (a) they would refuse the application as made, but
 - (b) if a modification proposed by them were made to the operating plan or layout plan (or both) for the subject premises accompanying the application, they would be able to grant the application,

the Board must, if the applicant accepts the proposed modification, grant the application as modified.

Where the Licensing Board refuses the application –

- (a) the Board must specify the ground for refusal, and
- (b) if the ground of refusal is that specified (c) or (d) above, the Board must specify the licensing objective or objectives in question.

REPORT AUTHOR: Jennifer Burns – Solicitor
E-MAIL: LEGDEM@angus.gov.uk

ANGUS LICENSING BOARD – 9 NOVEMBER 2023

(a) 180 EAST HIGH STREET, FORFAR, DD8 2HC

Name of Applicant - Sri Mathan

Type of Licence: Premises Licence – Off Sales

The Board are asked to note that this application for a premises licence called at the Angus Licensing Board on 17 August 2023 and 14 September 2023. The Board deferred this application on both dates to allow the applicant to carry out requests made by Fire Scotland. **The matter cannot be deferred again and must now be determined.**

1. Description of Premises

Premises are a full-service convenience store situated in the centre of the county town of Forfar offering sale of groceries, off sales and carrying out occasional deliveries of groceries and alcohol

2. Core times when alcohol will be sold for consumption off the premises: -

Monday to Sunday 10.00 – 22.00

The Board are asked to note the hours requested are within Board Policy

3. Activities

Recorded music within and outwith core hours

4. Activities Outwith Core Hours

Recorded background music may be played and sale of goods other than alcohol may take place before, during and after core hours

5. Any Other Activities

Sale of groceries and other items commensurate with a full service convenience store and occasional deliveries of groceries and alcohol

The Board are advised a copy of the Note for delivery personnel, premises licence holders, premises managers and staff is attached.

6. Capacity

Accessible alcohol display area – 6.89 m²
Inaccessible alcohol display area – 3.82 m²
Total alcohol display area – 10.71 m²

Comments Received

Fire Scotland - noted the following observations of the layout plan attached to the application.

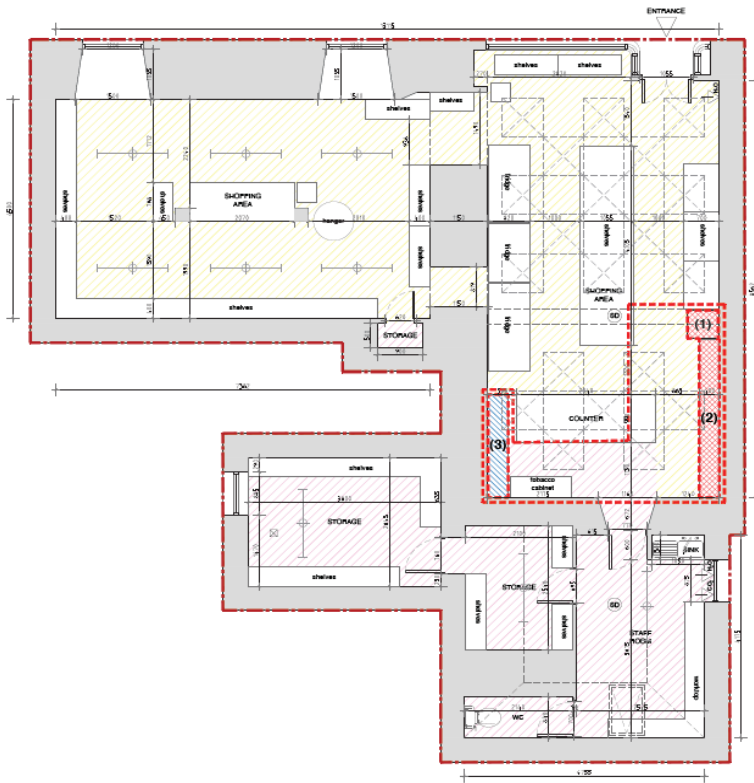
- A robust Fire Risk Assessment and Fire policy should be in place that considers all of the risks within the premises and provides clear fire safety management.
- The rear store area appears to show an inner, inner room.
- Travel distance may be excessive due to a single means of escape.
- Consideration should be given to extending the Fire Warning and Detection system to provide greater coverage and early warning of fire to relevant persons.

The Board are asked to note the observations from Fire Scotland were forwarded on to the agent, Janet Hood.

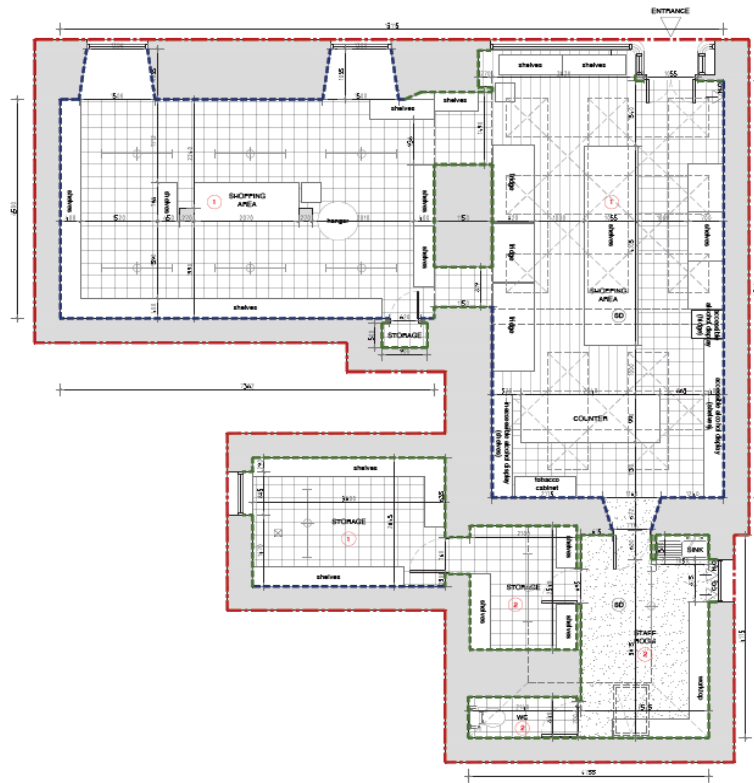
On 1 November 2023 the agent sent an email to Licensing and Fire Scotland with an image of a Fire Detection and Fire Alarm System Installation Certificate, a copy of which is attached to this report.

Fire Scotland advised on 2 November 2023 they are happy for the licence to be granted. However, they will be making Janet Hood aware that there is still a number of actions outstanding on the Fire Risk Assessment and there is an expectation that these would be actioned in a timeously manner. They will also be recommending that consideration is given to extending the Fire Alarm system to an L3 as was recommended by the Fire Risk Assessor. If they require any clarification on these points they should contact the risk assessor that they employed.

Licensing Standards Officer - confirmed no comments to make in respect of the application other than to request the Board add the 5 delivery conditions detailed in his report to the Board.



PROPOSED ALCOHOL LICENCE 1:50



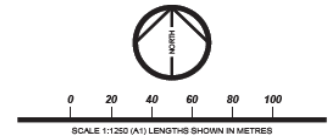
PROPOSED ENVIRONMENTAL HEALTH PLAN 1:50



SCALE 1:50 (A1) LENGTHS SHOWN IN METRES
 All dimensions and levels to be checked on site prior to the commencement of work. Architect to be informed of any discrepancies prior to the commencement of work. Unspecified dimensions are not to be scaled off this drawing for construction purposes. All dimensions are in millimetres unless stated otherwise. If any dimensions or details conflict please notify the Architect immediately. This drawing is to be used for STATUTORY purposes only. This is not a CONSTRUCTION drawing.



LOCATION PLAN 1:1250



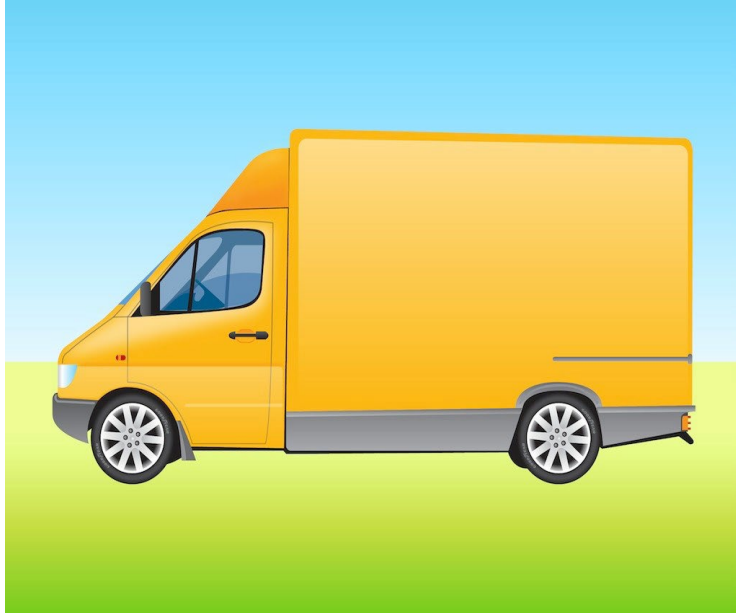
SERVICES LEGEND:	
Fluorescent tube light fitting	
suspended ceiling light panels	
Extract Fan	
Water Fire Extinguisher	
Foam Fire Extinguisher	
Smoke Detector	
Property Boundary	

- Area to be licensed
 - Area of premises where children, young people and public have access
 - Area of premises where staff only have access
 - Accessible alcohol display area:
 - (1) 0.50m (w) x 1.80m (h) = 0.90m² (alcohol)
 - (2) 3.20m (w) x 1.80m (h) = 5.76m² (alcohol)
 - Total accessible area = 6.66m²
 - Area of inaccessible alcohol display
 - (1) 0.10m (w) x 1.80m (h) = 0.18m² (alcohol)
 - (2) 2.10m (w) x 1.80m (h) = 3.78m² (alcohol)
 - Total inaccessible area = 3.96m²
- Total alcohol display area = 10.71m²**

LEGEND:

Floor Finishes	commercial vinyl flooring wooden plank flooring commercial carpet flooring
Wall Finishes	Plasterboard finish - painted Pagewood finish
Ceiling Finishes	plasterboard ceiling - painted plasterboard ceiling (vaulted) - painted
Water Supply	Main Cold Water Feed with Electric Bunkers Locally Located (Below Stairs for Hot Water)
Artificial Lighting	Fluorescent tube light fittings light panels
Refuse Storage	Refuse Storage & Collection to rear of premises Recycling bagged and collected by third party under contract.

Project ALCOHOL LICENCE		 JON FRULLANI ARCHITECT	
Client Hamptons Convenience Store			
Address 180E High Street		Drawing Title Proposed Licence & Environmental Health Plan	
Postcode DD8 2HG		Issue Status	Drawing No. 7285_L_701
Designer AP	Date 11.05.2023	Survey	Revision -
Scale as noted			
i 01382 224828 m 07808 729038 e jon@frullani.co.uk w frullani.co.uk f frullani.com/instagram n unit 5, 8-10/11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000			



Delivery drivers

carrying alcohol

must be over 18



they need to comply with the law or face a

£5000.00 fine and/or 3 months in jail.

DELIVERY DRIVERS MUST NOT
DELIVER ALCOHOL TO PEOPLE WHO
ARE OR WHO APPEAR TO BE DRUNK



If delivery driver's consider the person who is going to accept the delivery at domestic premises is under 25 they must operate

Challenge 25

to check that the persons accepting the alcohol is over 18

Delivery drivers **MUST** ask to see approved age identification

DELIVERY DRIVER'S MUST

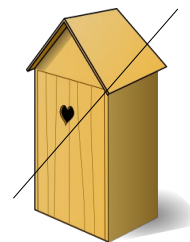
1. LOOK AT THE CARD & LOOK AT THE PERSON OFFERING THE CARD
2. CONFIRM THE PHOTOGRAPH ON THE CARD LOOKS LIKE THE PERSON OFFERING THE CARD
3. CHECK THE DATE OF BIRTH MAKES THE PERSON OVER THE AGE OF 18

ONLY IF THEY ARE SURE THE PERSON IS OVER THE AGE OF 18 & SOBER CAN THEY DELIVER THE ALCOHOL

DELIVERY DRIVERS CANNOT LEAVE THE ALCOHOL ANYWHERE EXCEPT THE ADDRESS ON THE INVOICE

They must deliver the alcohol to a person aged over 18

They must not leave alcohol in a garage or shed



IF THEY ARE NOT SURE ABOUT ANY OF THE ABOVE THEY NEED TO TAKE THE ALCOHOL BACK TO BASE

DELIVERIES CANNOT BE MADE BETWEEN MIDNIGHT AND 6 A.M. !



APPROVED AGE IDENTIFICATION DOCUMENTS ARE



EU PHOTO DRIVER'S LICENCE CARD



BIOMETRIC IMMIGRATION CARD



YOUNG SCOT CARD



PASSPORT



EU ID CARD



MILITARY ID CARD

THESE CARDS MUST BE CURRENT AND NOT OUT OF DATE

Must have Invoice on paper or on mobile device

Invoice MUST contain certain information about the person who ordered the alcohol

Recipient:

Name - Mrs Janet Hood

Address - Clarence House, Paterson Street, Edzell, AB45 6YP

Items dispatched:

Alcohol Ordered - 12 bottles 75 cl Krooge Champagne -
£1200.00

3 bottles 1litre Glen Mornengie -
£240.00
6 bottles 75 cl Doefast
£60.00

Dispatch address - Veryodd Cellar, 3 Smoith Street, Edinburk

Copy invoice has to be kept in a day book on premises from which alcohol is delivered - it is recommended Delivery Company also keeps a copy if the invoice.

DELIVERY FIRMS MUST ENSURE THE
PREMISES FROM WHICH THE ALCOHOL IS
DISPATCHED HAS A PREMISES LICENCE
PERMITTING OFF SALES - check before
accepting the delivery

Note for Premises Licence Holders

Mangers and Staff

Record keeping

In order to deliver or permit delivery of alcohol you must have

1. a day book kept on the premises from which the alcohol is despatched, and
2. The delivery drivers must have a delivery book or invoice with them

Information which must be recorded in day book and invoice

(a) the quantity, description and price of the alcohol, and

(b) the name and address of the person to whom it is to be delivered.

(c) the quantity, description and price of the alcohol

**(d) must show the invoice or day book
to the police or LSO on request**

**This notice has been prepared for you with the five
licensing objectives in mind**

**Preventing crime and disorder,
Securing public safety,
Preventing public nuisance,
Protecting and improving public health, and
Protecting children and young persons from harm.**

THIS PART CAN BE CHANGED TO SUIT CIRCUMSTANCES

EG.

- 1. FROM RESTAURANT - ALCOHOL ONLY DELIVERED WITH A MEAL**

- 2. FROM CONVENIENCE STORE / SHOP - ALCOHOL ONLY DELIVERED WITH GROCERIES**

These restrictions are probably not lawful as they are restraint of trade but most licensees will accept them

1. WEB SITE / PHONE TRAINING / PACKAGE LABEL

- 1.1. Ensure that you have no sales or deliveries to under 18's clearly stated on web site.
- 1.2. Ensure orders taken by credit / debit card.
- 1.3. Ensure state that challenge 25 will take place at point of delivery.
- 1.4. Ensure state on web site that charge will be made in event alcohol will be returned to base.

2. Orders by phone

2.1 Ensure phone orders taken by credit /debit card.

2.2. Ensure state to customer and on receipt that orders of alcohol will not be delivered to under 18's;

2.3 Advise that challenge 25 will take place and alcohol will be returned to base should challenge 25 proffered proofs not be accepted by delivery driver.

2.4 Ensure state to customer and print on receipt that charge will be made in event alcohol will be returned to base.

2.5 Clearly state on package -Alcohol will not be delivered to persons appearing to be under the age of 25 without successful challenge 25 proving they are over the age of 18

Eg.

**THIS PACKAGE CONTAINS ALCOHOL CHALLENGE 25!
NO DELIVERY TO PERSONS UNDER THE AGE OF 18**

DISABLED ACCESS AND FACILITIES STATEMENT

Licensing (Scotland) Act 2005, section 20(2)(b)(ia)

Question 1

Disabled access and facilities

1 (a)	Is there disabled access to the premises		YES / NO <input checked="" type="checkbox"/>
1 (b)	Do you have facilities for those with a disability		<input checked="" type="checkbox"/> YES / NO*
1 (c)	Do you have any other provisions available to aid the use of the premises by disabled people		<input checked="" type="checkbox"/> YES / NO*
<i>*Delete as appropriate</i>			

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people e.g. ramps, accessible floors, signage.

AMBULANT AND NON AMBULANT DISABLED PATRONS CAN ACCESS THE PREMISES WHICH ARE ON STREET LEVEL
--

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people .e.g. disabled toilets, lifts, accessible tables.

N/A

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people e.g. assistance dogs welcome, large print menus.

ASSISTANCE DOGS WELCOME
STAFF TRAINED TO HELP DISABLED PATRONS

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature: *(see below)

Date: 23-5-2023

Capacity: ~~XXXXXXXX~~ APPLICANT/AGENT

Telephone number and email address of signatory..... Janet Hood

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

LICENSING STANDARDS OFFICER REPORT

An application for a New Premises Licence was received on 21 June 2023 in respect of:

180 East High Street, Forfar, DD8 2HC
Premises Licence Number: TBC

Background: -

This is an application for a new premises licence. The premises is located on East High Street, Forfar and is surrounded by both residential and commercial properties. The application is in the name Sri Mathan and has been applied for as an individual.

Licensing Standards Officer Report:

The application is for a small convenience shop and is for off sale hours only. Sri Mathan has applied for and been granted occasional licences and as far as I am aware there have been no issues received in respect of these.

The application indicates that delivery of alcohol will be an option and I would suggest that if the Board are minded granting the application, then 5 delivery conditions be attached to the licence. This is to keep the premises in line with other premises that provide delivery of alcohol.

The five delivery conditions are as follows:

1. Alcohol sold or dispatched from the premises will be delivered only to residential or business addresses.
2. The Licenceholder shall always 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.
3. 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.
4. 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.
5. A notice 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.

Statutory Checks

I do not have any issues with the application and duly submit this report for consideration of Board Members.

Kevin Leith
Licensing Standards Officer
Angus Council

(b) TANDOORIWALA, 97-99 NORTH STREET, FORFAR, DD8 3BL

Name of Applicant – Mohammad Rafiqul Islam

Type of Licence: Premises Licence – On and Off Sales

1. Description of Premises

Premises are a restaurant.
External area situated in the heart of Forfar.

2. Core times

Alcohol will be sold for consumption on the premises:-

Sunday to Thursday 11.30 to 12 midnight
Friday and Saturday 11.30 to 01.00

Alcohol will be sold for consumption off the premises.

Monday to Sunday 10.00 to 22.00

The Board are asked to note the hours requested are within Board Policy.

3. Seasonal Variation – Yes

Details provided –

The premises licence holder will operate all general extensions of hours offered by Angus Licensing Board - in particular without prejudice to the generality in respect of the extension of hours on Christmas Eve, Christmas Day, Boxing Day, Hogmanay and New Years' Day:

- (i) If Christmas Eve, Christmas Day, Boxing Day Hogmanay and New Year's Day fall on a Sunday, Monday, Tuesday, Wednesday or Thursday then, on that day, the Board will permit on sale premises to trade for the hours provided to them in their Operating Plan for a Friday and Saturday night; and
- (ii) If Christmas Eve, Christmas Day, Boxing Day, Hogmanay and New Year's Day fall on a Friday or a Saturday then, on that day, the Board will permit on sale premises one additional hour at the end of trading. However, the Board will not permit this extension of hours if it would result in premises trading beyond 2am

4. Activities –

Restaurant facilities within and outwith core hours

5. Any Other Activities –

Service of food and non alcoholic drinks
Delivery of food and drinks including alcoholic drinks

6. Children and Young Persons – Yes

Terms - Children must be accompanied by an adult and young people will be permitted access without being accompanied by an adult.

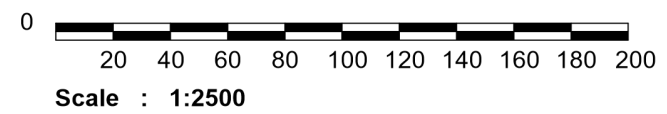
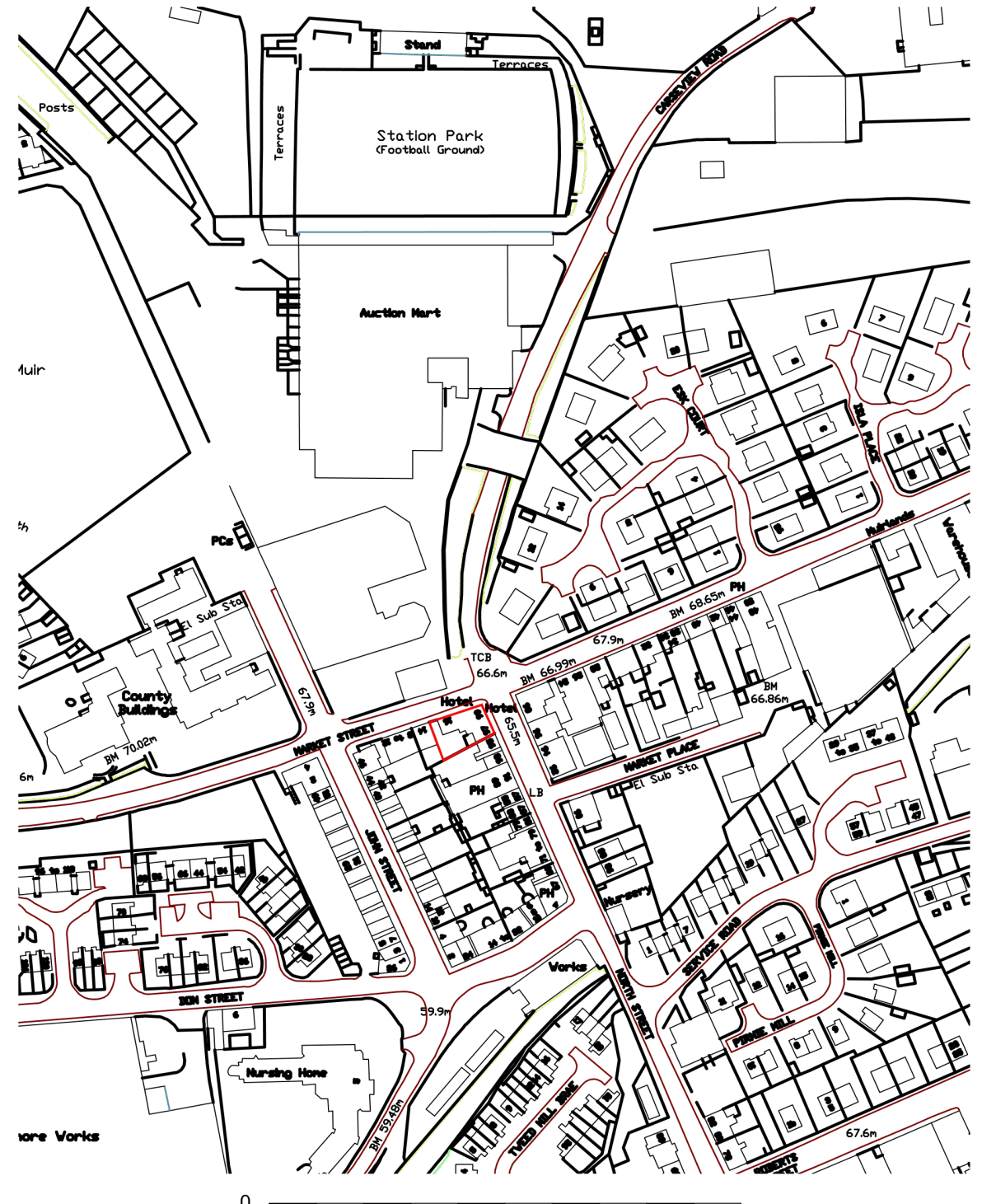
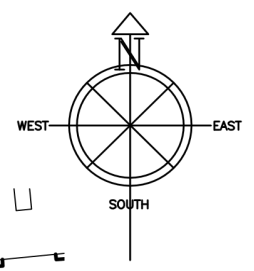
Ages Birth – 17 years old.

Times - All times premises are open as per terms above.

Parts - Whole public parts of the premises as per terms above

7. Capacity – 46 persons

No Comments Received



REVISIONS

- * FOR CONSTRUCTION DO NOT SCALE THIS DRAWING
- * ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE
- * DIMENSIONS TO BE REFERRED TO ARCHITECTS SCOTLAND LTD BEFORE PROCEEDING
- * IF IN ANY DOUBT ABOUT INFORMATION ON THIS DRAWING CONTACT @ARCHITECTS SCOTLAND LTD

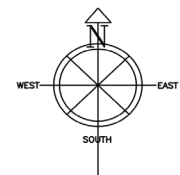
© THIS DRAWING IS COPYRIGHT OF @ARCHITECTS SCOTLAND LTD.

CLIENT	PROJECT
Mr. M. Islam 97 North Street Forfar Angus DD8 3BL	Shimla Manzil 97 North Street Forfar Angus DD8 3BL
SCALE	DATE
1:2500 @ A4	July 2023
CAD FILE	DRAWN BY
1427	GB
DRAWING TITLE	
Location Plan	

@architects

50 Castle Street
Forfar, Angus
80 8 4
Tel: 01307 466480
Email: admin@architects.org.uk

DWG NO: 1427 / LP / 01

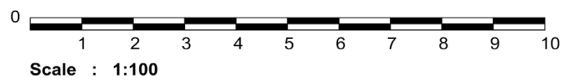


- Key to symbols
- Electrical distribution board
 - SA lamp socket
 - Main lighting BS10
 - Light switch or dimmer 2-way switch etc.
 - Light switch voltage diverter
 - Downlight & Extractor Fan
 - Light wall-mounted spotlight
 - Light mains voltage movement Exit floor spotlight
 - Overhead cables
 - Light mains voltage strip lights
 - Internal wall light
 - Mains operated smoke alarm
 - Mains operated fire alarm
 - Fire alarm call point
 - Network connection point to directly identification panel point for burglar alarm
 - Fire alarm call point
 - Ceiling mounted, extract fan
 - Wall mounted, extract vent
 - Vent into void & connected to wall plate
 - Steel vent to all subterranean spaces with 100mm fire dust seal and vermin
 - Heated floor unit
 - 1/2 kW ultra-thin heater
 - Radiator
 - Fire Callpoint - Foam or CO2
 - Fire Alarm HeatDetector
 - Fire Alarm SmokeDetector
 - Fire Alarm Break glassunit
 - Internal Emergency escape lighting
 - Emergency exit sign
 - External Emergency lighting

- Public Access (including children)
- Staff Accessible Areas
- Alcohol Display Areas (ground level up to 2.5m)



Basement Plan
Scale 1:100 @ A3



REVISIONS

• FOR CONSTRUCTION DO NOT SCALE THIS DRAWING
 • ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE
 • DISCREPANCIES TO BE REPORTED TO @ARCHITECTS SCOTLAND LTD BEFORE PROCEEDING
 • IN ANY DOUBT ABOUT INFORMATION ON THIS DRAWING CONTACT @ARCHITECTS SCOTLAND LTD.

© THIS DRAWING IS COPYRIGHT © @ARCHITECTS SCOTLAND LTD.

CLIENT	PROJECT
Mr. M. Islam 97 North Street Forfar Angus DD8 3BL	Shimla Manzil 97 North Street Forfar Angus DD8 3BL Licensing Plan
SCALE 1:100 @ A3	DATE July 2023
CAD FILE 1427	DRAWN BY GB

@architects

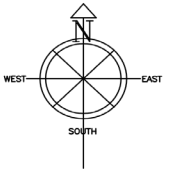
50 Castle Street
Forfar, Angus
DD8 3BL

Tel: 01307 486480
Email: info@architects.scot.nhs.uk

DWG NO
1427 / PLP / 02



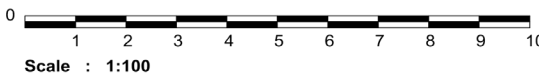
NOTES



- Key to symbols
- structural distribution board
- SA lamp socket
- Fire Alarm SDI
- light switch or dimmer 2-2way switch etc
- light (downward pointing) fitting
- light main voltage emergency
- Circuit breaker & E-switch FAN
- light exit mounted gangster
- light main voltage recessed 4 in floor uplighter
- Isolator
- Isolator outlets
- light main voltage strip light
- external wall light
- Motion activated sensor alarm
- Carbon Monoxide detector
- TV point
- Telephone point
- Residual current circuit breaker (RCCB)
- Control panel for burglar alarm system
- Ceiling mounted extract fan
- Fire escape, external door
- Control fire wall & connected to wall grille
- Heat vent
- Hot water cylinder
- Analog hand call 5.5KV disc release
- Radiator
- Fire Extinguisher - Foam or CO2
- Fire Alarm Heat/Smoke
- Fire Alarm Breaker
- Fire Alarm Break gangpoint
- Internal Emergency escape lighting
- Emergency exit sign
- Central Emergency system

- Public Access (including children)
- Staff Accessible Areas
- Alcohol Display Areas (ground level up to 2.5m)

Ground Floor Plan
Scale 1:100 @ A3



REVISIONS

FOR CONSTRUCTION DO NOT SCALE THIS DRAWING
ALL DIMENSIONS ARE AS SHOWN TO THE CHECKED DIMENSIONS
DISCREPANCIES TO BE REPORTED TO ARCHITECTS SCOTLAND LTD. BEFORE PROCEEDING
IF IN ANY DOUBT ABOUT INFORMATION ON THIS DRAWING CONTACT ARCHITECTS SCOTLAND LTD.
THIS DRAWING IS COPYRIGHT OF ARCHITECTS SCOTLAND LTD.

Mr. M. Islam
97 North Street
Forfar
Angus
DD8 3BL

CLIENT
Shimla Manzil
97 North Street
Forfar
Angus
DD8 3BL

PROJECT
DRAWING TITLE

SCALE
1:100 @ A3
DATE
JULY 2023
DRAWN BY
GIB

Licensing Plan

architects

50 Castle Street
Forfar, Angus
DD8 3BL

Tel: 01307 466480
Email: admin@architects.org.uk

1427 / PLP / 03

DWG NO

DISABLED ACCESS AND FACILITIES STATEMENT

Licensing (Scotland) Act 2005, section 20(2)(b)(iia)

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
<i>*Delete as appropriate</i>		

If you have answered "Yes" to any of the questions above please complete, as appropriate, the following sections. Continue on a separate sheet if necessary.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people i.e. ramps, accessible floors, signage.

Premises have easy access for ambulant and non ambulant disabled

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people e.g. disabled toilets, lifts, accessible tables.

Tables are all accessible DISABLED TOILET

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people e.g. assistance dogs welcome, large print menus.

Assistance dogs welcome
Staff trained to assist disabled people

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature * (see note below)

Date15-08- 2023

Capacity AGENT

AGENT

Janet Hood

Janet Hood Training and Consulting Limited

SC534109

E: - PLEASE RESPOND TO ME BY EMAIL

A: Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

M:

* Data Protection Act 1998

The information on this form may be held on an electronic public register which may be available to members of the public on request.

LICENSING STANDARDS OFFICER REPORT

An application for a New Premises Licence was received on 7 September 2023 in respect of:

Tandooriwala, 97 - 99 North Street, Forfar, DD8 3BL
Premises Licence Number: TBC

Background: -

This is an application for a new premises licence. As you will note from the location map the premises is located on North Street and is surrounded by residential and commercial properties. The application has been applied for by Mohammad Rafiqul Islam and has been applied for as an individual. The proposed premises manager will be Mohammad Mustafizur Rahman who currently holds a personal licence with Dundee City Council.

I visit the premises on 30th October 2023 and met with the applicant Mohammad Rafiqul Islam to discuss this application.

Licensing Standards Officer Report:

The application is for a restaurant situated on North Street, Forfar and is for on and off sales of alcohol. The premises have applied for and been granted occasional licences and as far as I am aware there have been no issues received in respect of these.

I discussed the matter of the activities selected in the proposed operating plan and highlighted that the applicant had selected 'YES' for restaurant facilities out with core hours but had not provided further details of this as requested in the application form. Mohammed confirmed that the premises would not provide restaurant facilities out with core hours and so asked for this to be amended to 'NO' on the operating plan.

The application indicates that delivery of alcohol will be an option and again I will discuss this with the applicant. I would suggest that if the Board are minded granting the application, then 5 delivery conditions be attached to the licence. This is to keep the premises in line with other premises that provide delivery of alcohol.

The five delivery conditions are as follows:

1. Alcohol sold or dispatched from the premises will be delivered only to residential or business addresses.
2. The Licenceholder shall always 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.
3. 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.
4. 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.
5. A notice 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.

I highlighted to the applicant the model local conditions in relation to children and young persons specifically Section 2(a)(ii): -

WHERE ALCOHOL IS SOLD ANCILLARY TO FOOD I.E. RESTAURANTS.

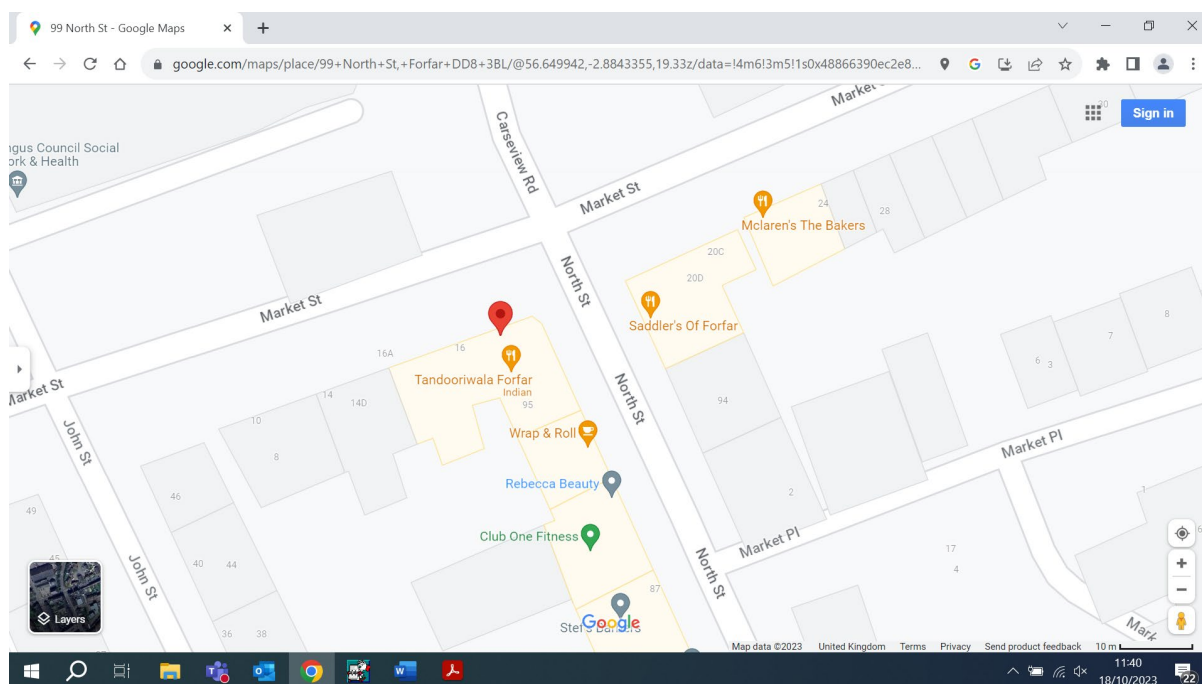
Children and young persons will only be permitted into licensed premises where the primary purpose of allowing them access is to consume a meal. Children and young persons will be permitted in the licensed premises until one hour after the cessation of serving food to the individual person or group of persons consuming the meal.

Upon visiting the premises, the applicant showed me to the disabled toilet where the baby changing facilities are located. As per the mandatory conditions of a premises licence for premises permitting entry to children under the age of 5 the changing facilities are accessible to both males and females.

I do not have any issues with the application and duly submit this report for consideration of Board Members.

Kevin Leith
Licensing Standards Officer
Angus Council

Location Map - Tandooriwala, 97 - 99 North Street, Forfar, DD8 3BL



Picture 1

Dining Room



Picture 2

Dining Room



Picture 3

Dining Room



(c) WHISKY AND FRIENDS, THE WORKSHOP, ROSEMILL, BRIDGEFOOT, DUNDEE, DD3 0PQ

Name of Applicant – Whisky and Friends Ltd trading as WhiskyDispatch.com

Type of Licence: Premises Licence – Off Sales

1. Description of Premises

Premises are a dispatch facility for a specialist online whisky and other alcoholic drinks sales operation with no public access or display area

2. Core times

Alcohol will be sold for consumption off the premises.

Monday to Sunday 10.00 to 22.00

The Board are asked to note the hours requested are within Board Policy.

3. Seasonal Variation – No

4. Activities – none

5. Any Other Activities –

Premises are a storage and dispatch facility for online sales of rare and specialist whisky and other high end alcohol products with no public access to the licensed area. Products will be ordered online and dispatched via post office or other delivery firm. Occasionally an appointment can be made with premises licence holder for personal collection of products at entrance to the facility

6. Children and Young Persons - No

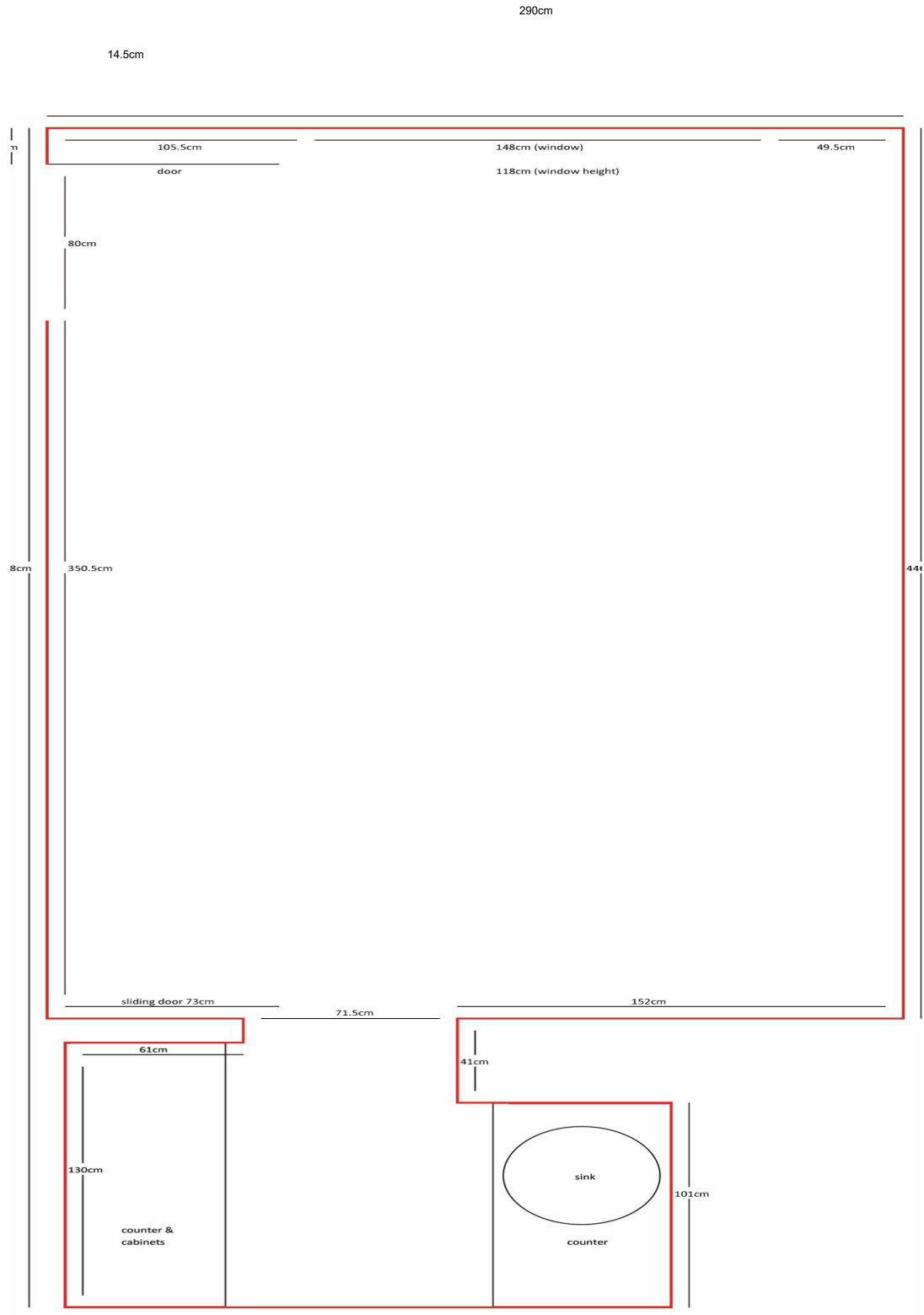
7. Capacity –

Premises are a dispatch facility with no display area. Capacity of alcohol will vary from time to time dependent on availability.

No Comments Received

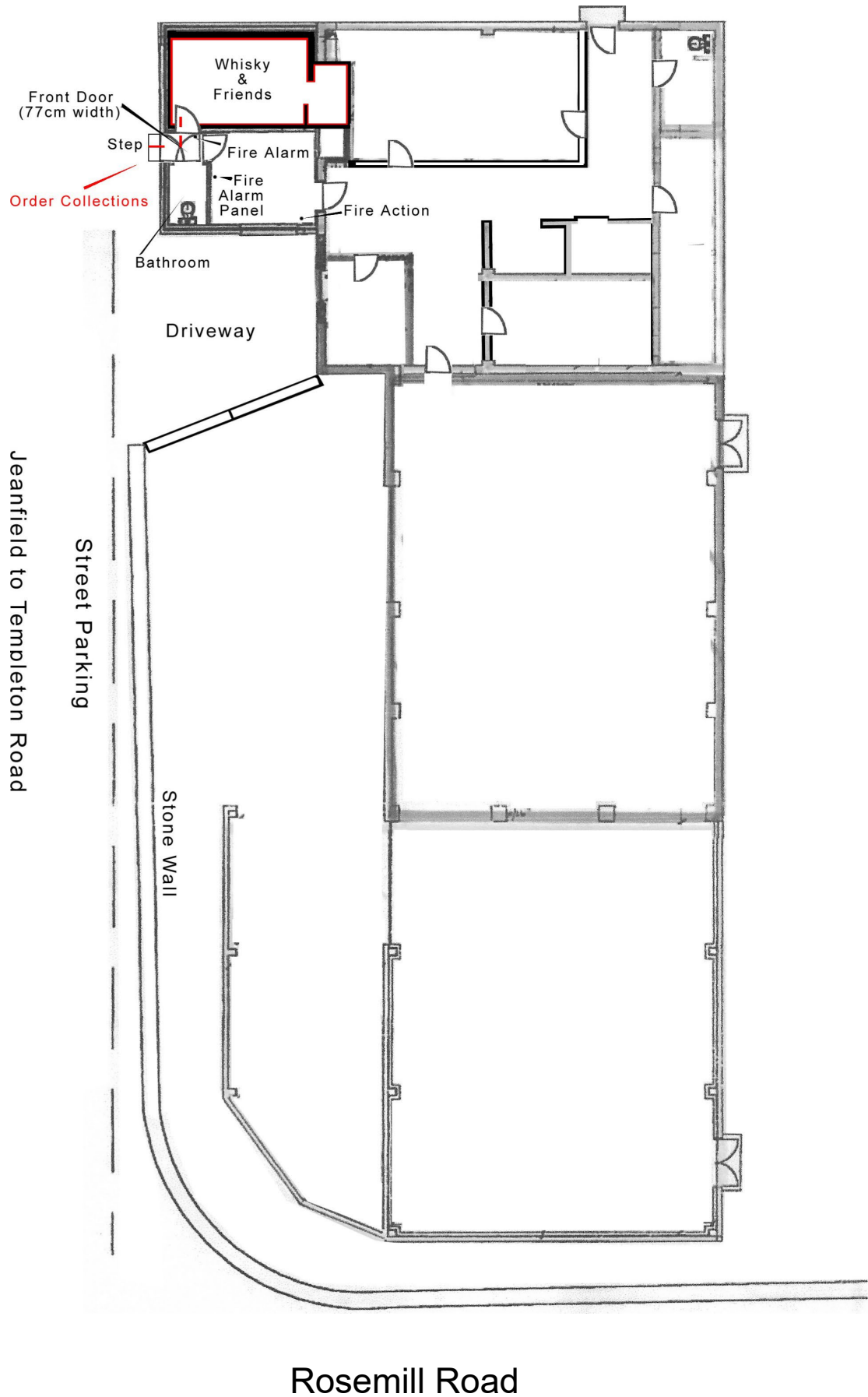
DISPATCH AREA

Scale: 1 :25



The Workshop

Scale: -1 :200



DISABLED ACCESS AND FACILITIES STATEMENT

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	NO
1(b)	Do you have facilities for those with a disability	NO
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	NO
<i>*Delete as appropriate</i>		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature * (see note below)

Date: 24-8-2023

Capacity AGENT

Janet Hood

Janet Hood Training and Consulting Limited

SC534109

Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

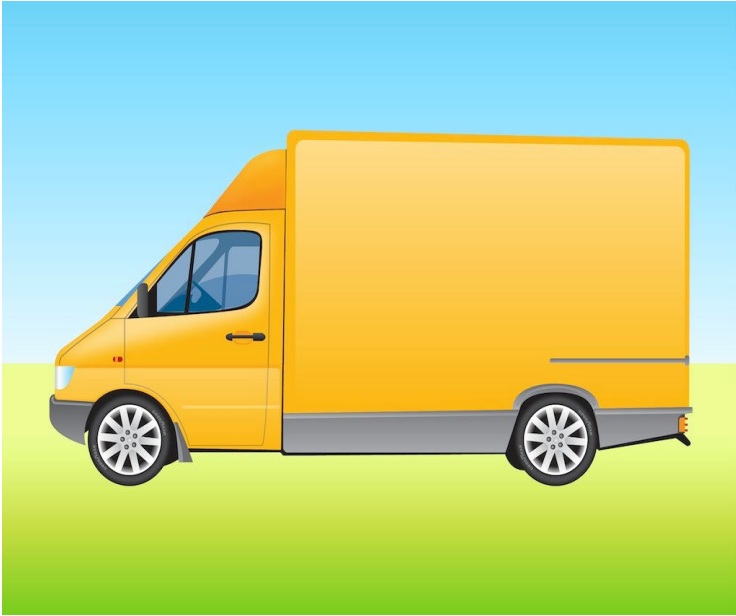
M:

E:

* Data Protection Act 1998

The information on this form may be held on an electronic public register which may be available to members of the public on request.

LICENSING STANDARDS OFFICER REPORT



Delivery drivers

carrying alcohol

must be over 18



they need to comply with the law or face a

£5000.00 fine and/or 3 months in jail.

DELIVERY DRIVERS MUST NOT
DELIVER ALCOHOL TO PEOPLE WHO
ARE OR WHO APPEAR TO BE DRUNK



If delivery driver's consider the person who is going to accept the delivery at domestic premises is under 25 they must operate

Challenge 25

to check that the persons accepting the alcohol is over 18

Delivery drivers **MUST** ask to see approved age identification

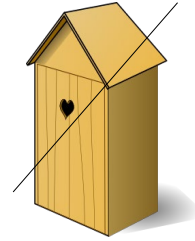
DELIVERY DRIVER'S MUST

4. LOOK AT THE CARD & LOOK AT THE PERSON OFFERING THE CARD
5. CONFIRM THE PHOTOGRAPH ON THE CARD LOOKS LIKE THE PERSON OFFERING THE CARD
6. CHECK THE DATE OF BIRTH MAKES THE PERSON OVER THE AGE OF 18

ONLY IF THEY ARE SURE THE PERSON IS OVER THE AGE OF 18 & SOBER CAN THEY DELIVER THE ALCOHOL

DELIVERY DRIVERS CANNOT LEAVE THE ALCOHOL ANYWHERE EXCEPT THE ADDRESS ON THE INVOICE

They must deliver the alcohol to a person aged over 18



They must not leave alcohol in a garage or shed

IF THEY ARE NOT SURE ABOUT ANY OF THE ABOVE THEY NEED TO TAKE THE ALCOHOL BACK TO BASE

DELIVERIES CANNOT BE MADE BETWEEN MIDNIGHT AND 6 A.M. !



APPROVED AGE IDENTIFICATION DOCUMENTS ARE



EU PHOTO DRIVER'S LICENCE



BIOMETRIC IMMIGRATION CARD



YOUNG SCOT CARD



PASSPORT



EU ID CARD



MILITARY ID CARD

THESE CARDS MUST BE CURRENT AND NOT OUT OF DATE

Must have Invoice on paper or on mobile device

Invoice **MUST** contain certain information about the person who ordered the alcohol

Recipient:

Name - Mrs Janet Hood

Address - Clarence House, Paterson Street, Edzell, AB45 6YP Items
dispatched:

Alcohol Ordered - 12 bottles 75 cl Krooge Champagne - £1200.00

3 bottles 1litre Glen Mornengie - £240.00

6 bottles 75 cl Doefast £60.00

Dispatch address - Veryodd Cellar, 3 Smoith Street, Edinburk

Copy invoice has to be kept in a day book on premises from which
alcohol is delivered - it is recommended Delivery Company also keeps
a copy if the invoice.

DELIVERY FIRMS MUST ENSURE THE
PREMISES FROM WHICH THE ALCOHOL IS
DISPATCHED HAS A PREMISES LICENCE
PERMITTING OFF SALES - check before
accepting the delivery

Note for Premises Licence Holders

Mangers and Staff

Record keeping

In order to deliver or permit delivery of alcohol you must
have

- 3. a day book kept on the premises from which the alcohol is despatched, and**
- 4. The delivery drivers must have a delivery book or invoice with them**

Information which must be recorded in day book and invoice

(e) the quantity, description and price of the alcohol, and

(f) the name and address of the person to whom it is to be delivered.

(g) the quantity, description and price of the alcohol

(h) must show the invoice or day book to the police or LSO on request

This notice has been prepared for you with the five licensing objectives in mind

Preventing crime and disorder,
Securing public safety,
Preventing public nuisance,

**Protecting and improving public health, and
Protecting children and young persons from harm.**

3. WEB SITE / PHONE TRAINING / PACKAGE LABEL

- 1.5. Ensure that you have no sales or deliveries to under 18's clearly stated on web site
- 1.6. Ensure orders taken by credit / debit card
- 1.7. Ensure state that challenge 25 will take place at point of delivery
- 1.8. Ensure state on web site that charge will be made in event alcohol will be returned to base.

4. Orders by phone

2.1 Ensure phone orders taken by credit /debit card.

2.2. Ensure state to customer and on receipt that orders of alcohol will not be delivered to under 18's;

4.3 Advise that challenge 25 will take place and alcohol will be returned to base should challenge 25 proffered proofs not be accepted by delivery driver.

4.4 Ensure state to customer and print on receipt that charge will be made in event alcohol will be returned to base.

4.5 Clearly state on package -Alcohol will not be delivered to persons appearing to be under the age of 25 without successful challenge 25 proving they are over the age of 18.

Eg.

**THIS PACKAGE CONTAINS ALCOHOL CHALLENGE 25!
NO DELIVERY TO PERSONS UNDER THE AGE OF 18**

Licensing Standards Officer Report:

An application for a New Premises Licence was received on 29 September 2023 in respect of:

Whisky and Friends, The Workshop, Rosemill, Bridgefoot, Dundee, DD3 0PW
Premises Licence Number: TBC

Background: -

This is an application for a new premises licence. As you will note from the location map the premises is located rurally in Bridgefoot with neighbouring residential and commercial properties. The application has been applied for by Whisky and Friends Ltd trading as Whiskydispatch.com and has been applied for as a company with the connected person being noted as being Benjamin Kevin Smith. The proposed premises manager will be Benjamin Kevin Smith who currently holds a personal licence with Angus Council.

I to visit the premises on 17th October 2023 to meet with the proposed Designated Premises Manager, Benjamin Kevin Smith.

I visited the premises on October 2023 and met with the applicant Benjamin Smith. The application is for a premises holding and dispatching alcohol with no public access to the licenced area. The applicant confirmed that members of the public can arrange collection from the premises however, they will be met at the entrance of the premises and no access will be granted. I have enclosed a few photographs for the Board members showing the external and internal areas.

The application indicates that delivery of alcohol will be an option and if the board are minded to grant the application, I would suggest that the following delivery conditions be placed on the licence:

The five delivery conditions are as follows:

1. Alcohol sold or dispatched from the premises will be delivered only to residential or business addresses.
2. The Licenceholder shall always 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.
3. 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.
4. 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.
5. A notice 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.

Statutory Checks

To date there have been no objections received regarding this application and I do not have any outstanding issues with the application. I duly submit this report for consideration of Board Members.

Kevin Leith
Licensing Standards Officer
Angus Council

Location Map - Whisky and Friends, The Workshop, Rosemill, Bridgefoot, Dundee, DD3 0PW:

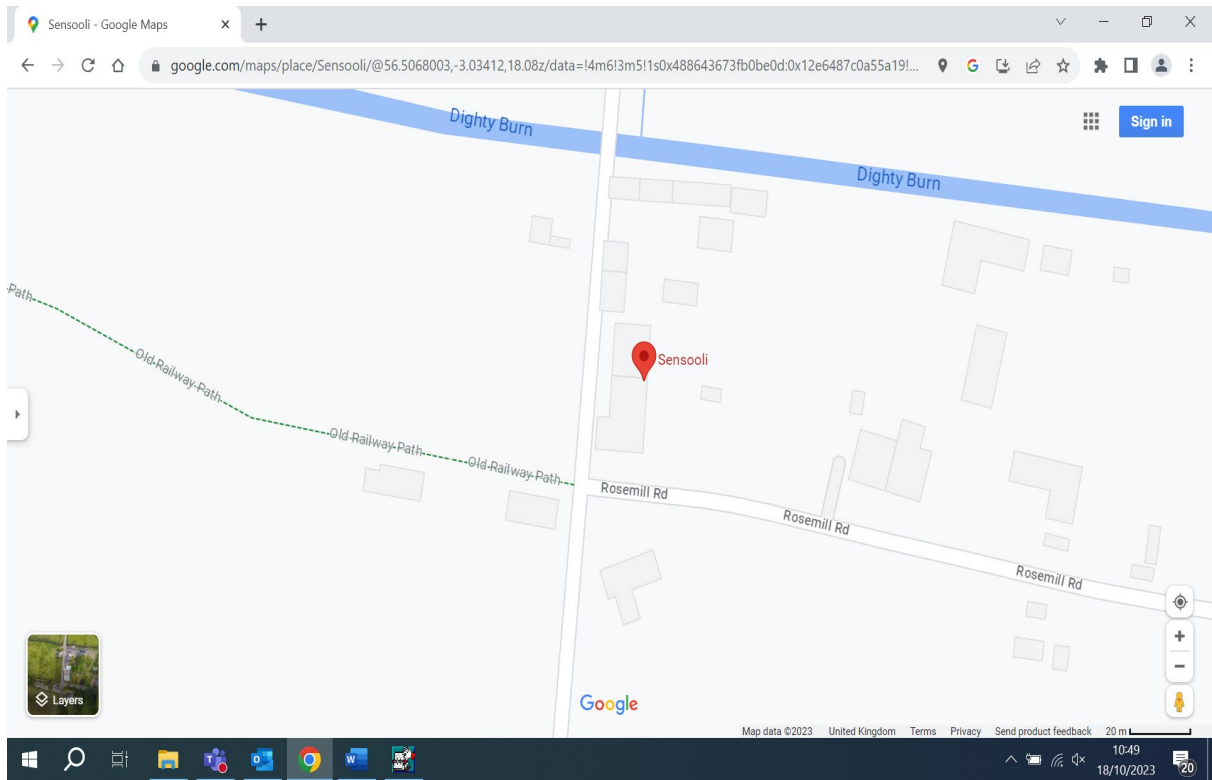


Photo 1:



Photo 2:



(d) DALHOUSIE BAR, 1 MARKET STREET, BRECHIN, DD9 6BA

Name of Applicant: JJKS Estates Ltd., 58 Longlane, Broughty Ferry, Dundee, DD5 1HH

Type of Licence: Premises Licence – On and Off Sales

1. Description of Premises

Premises are a community public house with pleasant external area situated in the heart of Brechin.

2. Core times

Alcohol will be sold for consumption on the premises.

Sunday to Thursday	11.00 to 12 midnight
Friday and Saturday	11.00 to 01.00

Alcohol will be sold for consumption off premises.

Monday to Sunday	11.00 to 22.00
------------------	----------------

The Board are asked to note the hours requested are within Board Policy.

3. Seasonal Variation

Yes – the applicant will operate any general extensions of core hours permitted by the Board in particular without detriment to the generality the festive season extensions as from time to time may be granted.

4. Activities

a. Activities within and outwith core hours

Conference facilities, receptions including weddings, funerals, retirements etc, club or other group meetings etc, recorded music and outdoor drinking facilities.

Further details of activities outwith core hours:

Conferences – e.g., business meetings,

Receptions – e.g., funerals, club meetings

Recorded music and outdoor drinking (in beer garden) can commence from 08.00 – no alcohol to be served except during core hours without extended hours application being granted.

b. Activities within core hours

Live performances, dance facilities, gaming, indoor/outdoor sports and televised sports.

5. Any Other Activities

Theatre could be comedians or other live entertainers as from time to time may be engaged by the premises operators. Gaming could include machines or e.g., race nights as licence permits. Indoor and outdoor sports include darts, pool, boules, and other games commensurate with the operation of the premises.

6. Capacity: –

Public Bar – 60
Games Room – 34
Total 94

External beer garden – 40 to be used during inclement weather only. Will not affect overall capacity.

Comments Received

OBJECTIONS

The Board are advised that there are 3 objections received from members of the public. One objector advised of their wish to remain anonymous. **A copy of each objection will be circulated to Board members prior to the meeting.**

Licensing Standards Officer - advised he had no comments to make in respect of the application other than to request the Board add the 3 outdoor conditions detailed in his report to the Board.

Building Standards commented: –

The occupancy numbers applied for (public bar 60 and games room 34) exceed our previous records and therefore the number of sanitary facilities provided on the plan are not sufficient for the additional numbers proposed. However, previously accepted numbers of 55 in the Bar and 21 in the games room would be allowable with the current sanitary facilities in place.

Escape route principles for the beer garden area do not comply with the building regulations in terms of various aspects including travel distance, escape route, obstacles, locks, direction of door opening, escape route lighting etc. Building Standards would have concerns at this current time should this area be utilised for the public. It should also be noted that the plans provided do not correlate with the situation on site at this current time.

Environmental Health commented: –

The application is for a new premises licence as the pub has been previously closed and will include, live and recorded musical entertainment within the premises and a beer garden to the rear. This service understands the pub opened last week under an occasional licence and would advise that this service has received a complaint about noise from amplified music being played and Environmental Health are currently investigating this matter.

Given the size of the main bar where musical entertainment is held and the large area of glazing and the glazed entrance doors, this service is concerned that the current building will not easily contain loud noise from amplified music and therefore it is vital that noise levels within the premises are kept low and are adequately controlled by the licensee.

This service would therefore request that a detailed noise management plan be submitted outlining how noise from the premises will be controlled to prevent a public nuisance. The plan should include measures aimed at controlling noise from amplified and non-amplified music, singing and speech so as to be inaudible within any adjacent noise sensitive property, particularly between 11pm and 7am. Controlling the level of noise from any amplifiers will be the most successful way to control noise and preventing sound travelling outside the building will help, as open windows and doors permit significant volume of noise out of the building. While we note that the windows to the main bar are fixed, they appear only to be single glazed, and the entrance door is also glazed. Installing dense self-closing doors may assist in minimising transmission of sound by this route. It may also be necessary to consider improving the sound insulation of the structure of the premises where musical entertainment is held.

In light of the above, we would therefore recommend that if a licence is granted for these premises that the following conditions should be applied.

1. A detailed noise management plan shall be submitted for the written approval of Angus Council. Once approved all measures specified in the aforementioned noise management plan shall be implemented in full unless agreed in writing with Angus Council.
2. Patrons shall not be permitted to use the external drinking area beyond 21.00hrs.

3. No music or amplified sound shall be provided in the external drinking area.
4. No music or amplified sound shall be provided anywhere within the licensed premises with the intention of being heard within the external drinking area.

The Board are advised comments from Building Standards and Environmental Health have been passed on to the Agent.

DISABLED ACCESS AND FACILITIES STATEMENT

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	Yes
1(b)	Do you have facilities for those with a disability	NO
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	No
<i>*Delete as appropriate</i>		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

Access from street

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

None

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

ASSISTANCE DOGS WELCOME
STAFF TRAINED TO HELP DISABLED

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT
If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature * (see note below)

Date: 20-JULY - 2023

Capacity AGENT

Janet Hood

Janet Hood Training and Consulting Limited

SC534109

Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

M

E:

* Data Protection Act 1998

The information on this form may be held on an electronic public register which may be available to members of the public on request.

LICENSING STANDARDS OFFICER REPORT

An application for a Premises Licence was received on 29 August 2023 in respect of:

Dalhousie Bar, 1 Market Street, Brechin, DD9 6BA
Premises Licence Number: 455

Background: -

This is an application for a new premises licence. As you will note from the location map the premises is located on Market Street, Brechin and is surrounded primarily by residential and commercial properties. The application has been applied for by JJKS Estates LTD and has been applied for as a company with the connected person being noted as being Kevin James Mackie and John William Souttar. The proposed premises manager will be Carla Ogg who currently holds a personal licence with Angus Council.

I visited the premises on 31 October 2023 and met with the proposed Designated Premises Manager, Carla Ogg.

Licensing Standards Officer Report:

The applicants have applied for and been granted occasional licences in relation to this premises and since the granting of the occasional licences and I am aware that one complaint has been received and resolved by Environmental & Consumer Protection.

I note that there has been 3 objections received in relation to this licence application and Board members may wish to ask further questions in relation to these objections.

Building Standards have submitted comments which are noted below, in respect of the application, and the Board may wish to address the Building Standards Officer directly about these.

- The occupancy numbers applied for (public bar 60 and games room 34) exceed our previous records and therefore the number of sanitary facilities provided on the plan are not sufficient for the additional numbers proposed. However, previously accepted numbers of 55 in the Bar and 21 in the games room would be allowable with the current sanitary facilities in place.
- Escape route principles for the beer garden area do not comply with the building regulations in terms of various aspects including travel distance, escape route, obstacles, locks, direction of door opening, escape route lighting etc. Building Standards would have concerns at this current time should this area be utilised for the public. It should also be noted that the plans provided do not correlate with the situation on site at this current time.

Environmental Consumer Protection have submitted comments which are noted below, in respect of the application, and the Board may wish to address the ECP Officer directly about these.

This service would therefore request that a detailed noise management plan be submitted outlining how noise from the premises will be controlled to prevent a public nuisance. The plan should include measures aimed at controlling noise from amplified and non-amplified music, singing and speech so as to be inaudible within any adjacent noise sensitive property, particularly between 11pm and 7am.

Controlling the level of noise from any amplifiers will be the most successful way to control noise and preventing sound travelling outside the building will help, as open windows and doors permit significant volume of noise out of the building. While we note that the windows to the main bar are fixed, they appear only to be single glazed, and the entrance door is also glazed. Installing dense self-closing doors may assist in minimising transmission of sound by this route. It may also be necessary to consider improving the sound insulation of the structure of the premises where musical entertainment is held. In

light of the above, we would therefore recommend that if a licence is granted for these premises that the following conditions should be applied.

1. A detailed noise management plan shall be submitted for the written approval of Angus Council. Once approved all measures specified in the aforementioned noise management plan shall be implemented in full unless agreed in writing with Angus Council.
2. Patrons shall not be permitted to use the external drinking area beyond 21.00hrs.
3. No music or amplified sound shall be provided in the external drinking area.
4. No music or amplified sound shall be provided anywhere within the licensed premises with the intention of being heard within the external drinking area.

I note that application requests to add outdoor drinking both within and out with core hours and will discuss this with the applicants. I would suggest that if the Board are minded granting the application, then the three outdoor area conditions be attached to the licence. This is to keep the premises in line with other premises who have external drinking areas.

The three outdoor area conditions are as follows:

1. Patrons shall not be permitted to use the external drinking areas beyond 21:00.
2. No music shall be provided in the external drinking areas; and
3. No music of amplified sound should be provided anywhere within the licensed premises with the intention of being heard within the external drinking areas.

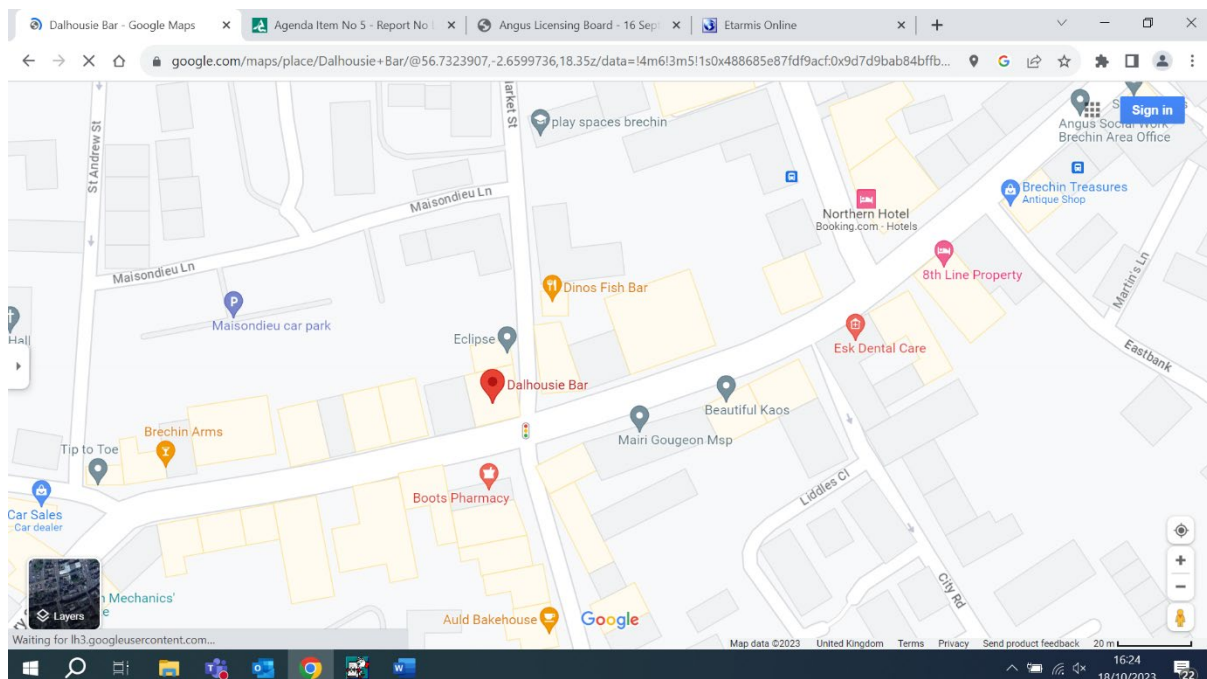
I note from the application that children and young person's access has been applied for. The proposed application is to allow children and young person's access to all public parts of the premises and outdoor drinking area. The application states that children and young person's will be permitted access until 20:00hrs as per the local model conditions.

I do not have any issues with the application and duly submit this report for consideration of Board Members.

Kevin Leith
Licensing Standards Officer
Angus Council

Location Map – Dalhousie Bar, 1 Market Street, Brechin, DD9 6BA

Picture 1



Public
Bar

Picture 1 & 2

Public Bar



Picture 3

Hall



Picture 4

Games Room



Picture 5

Passageway to Outdoor drinking area



Picture 6

Passageway to Outdoor drinking area and street



Picture 7

Outdoor drinking area



Picture 8

Outdoor drinking area

