

AGENDA ITEM NO 4

REPORT NO LB9/24

ANGUS LICENSING BOARD – 28 MARCH 2024

PREMISES LICENCES – REQUEST TO VARY UNDER THE LICENSING (S) ACT 2005

REPORT BY CLERK TO THE BOARD

ABSTRACT

The purpose of this Report is to present applications to vary premises licences under section 29 of the Licensing (Scotland) Act 2005 which require to be determined by the Board.

1. RECOMMENDATIONS

1.1 It is recommended that the Board considers and determines each application to vary a premises licence as detailed in the **Appendix**, in terms of one of the following options: -

- (i) to grant the application, subject to Statutory Conditions and any other variation to the conditions to which the licence is subject that the Board may wish to impose;
- (ii) to defer the application to the next Licensing Board; or
- (iii) to refuse the application on one or more of the grounds referred to in Paragraph 4.

2. BACKGROUND

2.1 The Board has received applications to vary premises licences under section 29 of the Licensing (Scotland) Act 2005 (“the Act”) which require 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

3.1 There are no financial implications arising from this Report.

4. LEGAL

4.1 The Act provides that a variation, in relation to a Premises Licence, means any variation of: -

- (a) any of the conditions to which the licence is subject (other than the Statutory Conditions);
- (b) any of the information contained in the operating plan contained in the licence;
- (c) the layout plan contained in the licence; or
- (d) any other information contained or referred to in the licence,

and includes an addition, deletion or other modification

4.2. If the variation sought is a minor variation, then the variation must be granted and powers have been delegated to the Clerk to approve these minor variation applications. Minor variations are:-

- (a) any variation of the layout plan, if the variation does not result in any inconsistency with the operating plan;

- (b) where, under the operating plan contained in the licence, children or young persons are allowed entry to the premises, any variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the premises;
- (c) any variation of the information contained in the licence relating to the premises manager (including a variation so as to substitute a new premises manager), and
- (d) any variation prescribed by the Licensing (Minor Variations) (Scotland) Regulations 2011 or otherwise.

4.3. Section 30 of the Act provides that if the variation(s) being sought are not minor, the Board must hold a hearing to determine the application.

The Board must, in considering and determining the application, consider whether any of the grounds for refusal apply and: -

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

4.4. The grounds for refusal are: -

- (a) that the application must be refused under Section 32(2) of the Act (the Board had previously refused an application for the same variation of the premises licence within the preceding one year), Section 64(2) of the Act (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) of the Act (if alcohol is to be sold for off sales purposes before 10am or after 10pm, or both);
- (b) that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives,
- (c) that, having regard to:
 - (i) the nature of the activities carried on or 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 premises,

the Board considers that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation,

- (d) 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 (taking into account of the variation), in the locality.

4.5 Where the Licensing Board grants the application, the Board may make a variation of the conditions to which the licence is subject.

4.6 Where the Licensing Board refuses the application, the Board must specify the ground for refusal and if the ground relates to a licensing objective, the Board must specify the objective or objectives in question.

- (a) The licensing objectives are: -
 - (i) preventing crime and disorder
 - (ii) securing public safety

- (iii) preventing public nuisance
- (iv) protecting and improving public health; and
- (v) protecting children and young persons from harm

REPORT AUTHOR: Stuart McQueen, Solicitor – Team Leader Licensing & Regulation
E-MAIL: LEGDEM@angus.gov.uk

(a) LICENCE NO. 26, BLACK HORSE INN, 84 MURRAY STREET, MONTROSE, DD10 8JY

Applicant: Gordon Alexander Allan

Type of Licence: On Sales

The Board are asked to note that this application for a variation of a premises licence called at the Angus Licensing Board on 15 February 2024. The Board agreed to defer making a decision on this application to allow for the Licensing Standards Officer to make contact with Mr Allan to go through the outstanding issues of a new layout plan, capacity and description of premises to be revised.

Following a visit from the Licensing Standards Officer to the premises the applicant submitted by email on 15 February 2024, a revised application, operating plan, pub layout and a flat layout plan. The revised application and operating plan details are -

Description of Variation

1. Operating Plan

To include in the operating plan the accommodation above the premises namely –

2A Lower Hall Street
Montrose
DD10 8JN

Add accommodation during core licensed hours and outwith core licensed hours.

Add activities outwith core licensed hours – accommodation provided on a short term let basis.

2. Layout Plan

The addition of accommodation layout for short term rental flat at 2A Lower Hall Street, above the Black Horse Inn public house at 84 Murray Street, Montrose.

3. Description of Premises

Amend description to – Public house on ground floor with accommodation above that has a separate entrance with no form of entry to the public house.

4. Children and Young Persons

Members are advised the current premises licence terms do not permit children and young persons entry to the premises when alcohol is being sold. The applicant has not requested any changes to this in the application form, however in the operating plan at statement regarding the parts of the premises to which children and young persons will be allowed entry the applicant requests –

Accommodation on first floor will have the potential to allow children as part of the short term let agreement. Children will not be allowed entry to the public house.

Note: Accommodation has a separate entrance.

5. Capacity

Members are advised the current on sales capacity is 75. Whilst it has not been detailed on the application form that the applicant is seeking an increase in capacity it has been noted on the operating plan that the applicant is seeking an increase to 79 to allow for the addition of a maximum of 4 in accommodation upstairs

Comments Received

Licensing Standards Officer submitted representations, a copy of which are attached at the end of this Report.

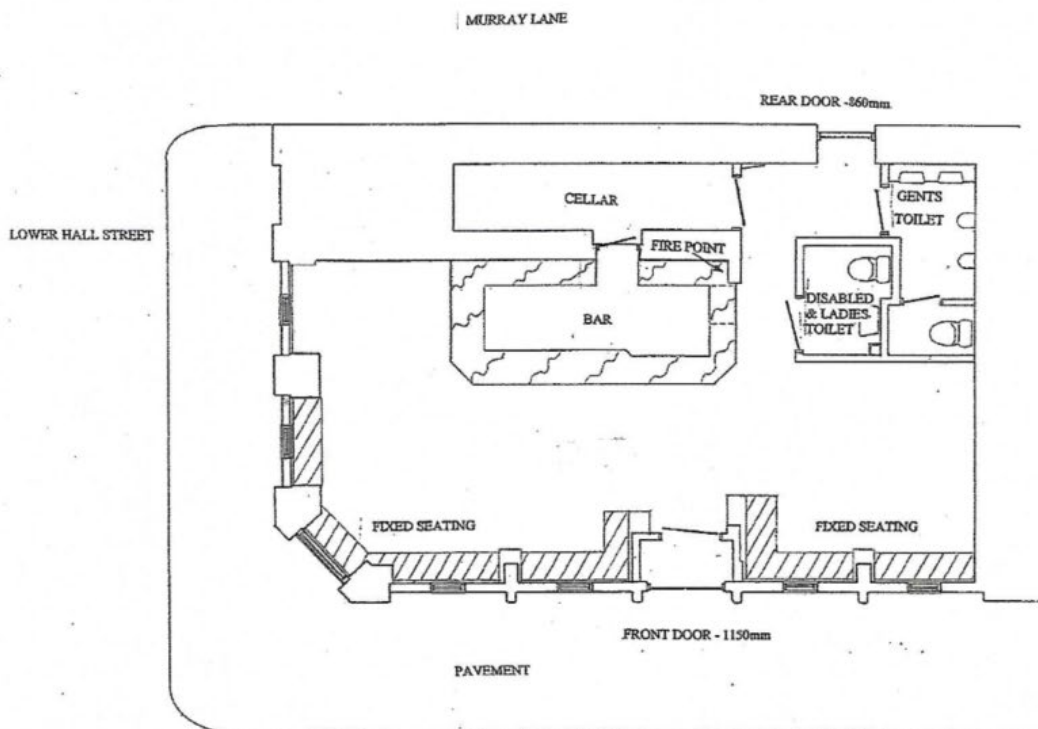
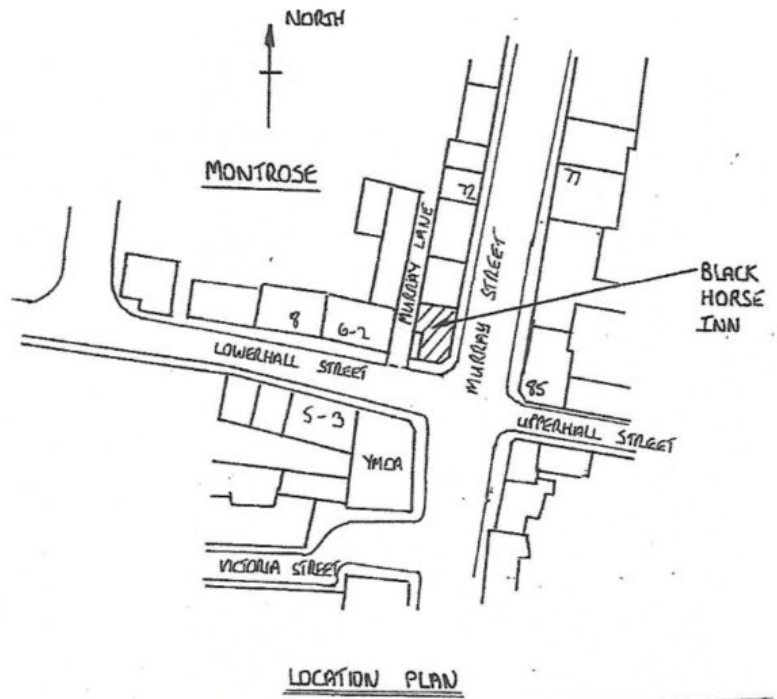
BLACKHORSE INN

Murray Street

Montrose

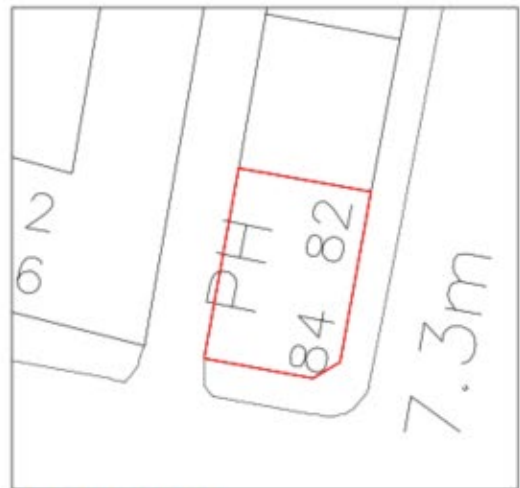
DD10 8JY

Floor Plan 1:100

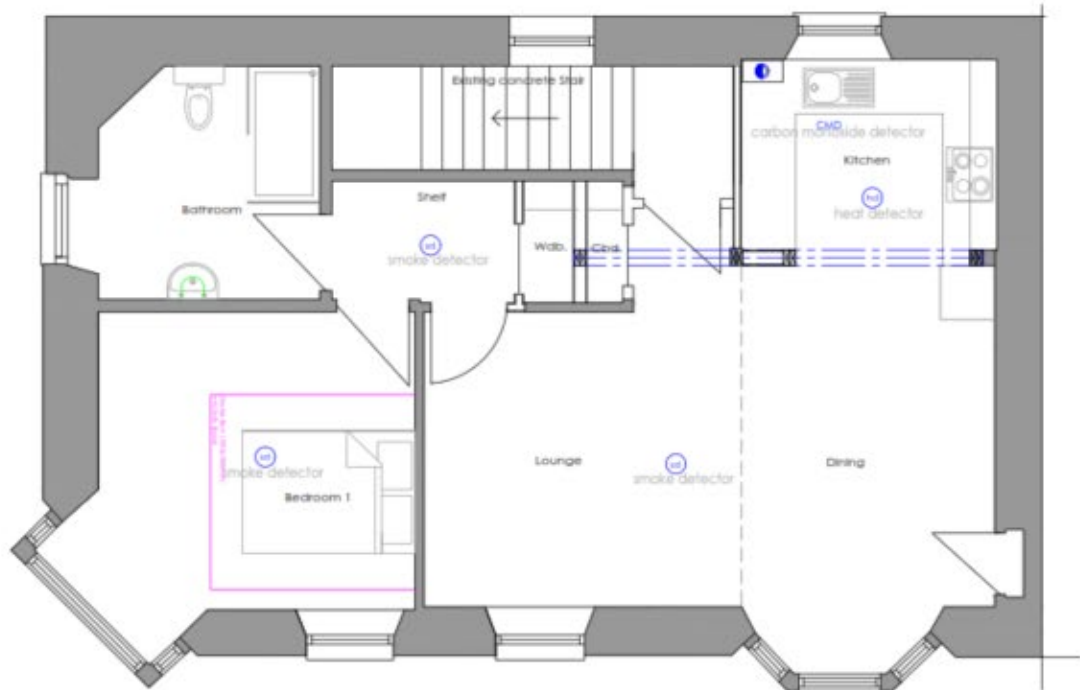




Location Plan (1:1250)



Site Plan (1:250)



Proposed First Floor Plan
(1:50)

CLIENT	Mr Keith Lawrence
PROJECT	Flat above Black Horse Inn, 84 Murray Street, Montrose

LICENSING STANDARDS OFFICER REPORT

An application for a major variation to a Premises Licence was received on 12 December 2023 in respect of:

Black Horse Inn, 84 Murray Street, Montrose, DD10 8JY
Premises Licence Number: 26

Background:

The premises are located on Murray Street within Montrose town centre where it is surrounded by commercial and residential premises. The current premises licence holder is Gordon Allan, and the designated premises manager is Keith Lawrence.

Major Variation:

The application is to vary the conditions to which the premises licence are subject to:

1. Adding accommodation above the premises, in and outwith core hours, for short-term letting of a flatted dwelling situated at 2A Lower Hall Street, Montrose, Angus.

I visited the premises on 21 February 2024 where I discussed the amendments to be made to the application and operating plan with Gordon Allan and Keith Lawrence. A revised application and operating plan has now been submitted to the Board for consideration.

Licensing Standards Officer Report:

The major variation is to amend the existing on-sales only premises licence to include short-term let accommodation above the premises address. The address of the current licensed premises is 84 Murray Street, Montrose. The address of the proposed accommodation is 2A Lower Hall Street, Montrose, Angus. Members may wish to seek guidance from the Clerk to the Board in respect of any effect of the Civic Government (Scotland) Act 1982 in respect of the regulation of short-term let properties. Again, it should be noted that the current licence terms do not permit children and young persons to be allowed entry to the premises when alcohol is being sold and this has not been requested in the application.

Statutory Checks

On checking the systems there have been no complaints made in respect of these premises and confirmation of site notice has been received.

I duly submit this report for consideration by Members.

Kevin Leith
Licensing Standards Officer
Angus Council

(b) LICENCE NO. 312, THE CORN EXCHANGE, OLYMPIA BUILDINGS, MARKET PLACE, ARBROATH, DD11 1NA

Applicant: J D Wetherspoon (Scot) Limited, Wetherspoon House, Central Park, Reeds Crescent, Watford, WD24 4QL

Type of Licence: On and Off Sales

Description of Variation

Condition to which the licence is subject at Children and Young Persons –

Amend Model Local Conditions - Children to

2(a)(i) Where food is sold ancillary to alcohol: 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 only be permitted in licensed premises until 10.00pm or one hour after cessation of serving of food to the individual person or group of persons consuming the meal, whichever is the earlier.

The Board are advised the application form requests children and young persons be permitted in licensed premises until 10.00pm but this is not reflected in the revised operating plan submitted which states at

6(d) Provide statement regarding the TIMES during which children and young persons will be allowed entry “Local children’s conditions with the exception of Condition 2(a)(v) shall apply in accordance with the activity or service provided on the premises.

LICENSING STANDARDS OFFICER REPORT

An application for a major variation to a Premises Licence was received on 22 February 2024 in respect of:

The Corn Exchange, Olympia Building, Market Place, Arbroath, DD11 1NA
Premises Licence Number: 312

Background:

The premises are located within Olympia Building, Market Place within Arbroath town centre where it is surrounded by commercial and residential premises. The current premises licence holder is J D Wetherspoon (Scot) Limited, and the designated premises manager is Richard Airey.

Major Variation:

The application is to vary the conditions to which the premises licence are subject to by extending the hour in which children and young person's are allowed access to the premises.

Licensing Standards Officer Report:

I would highlight to the Board that the premises already allows children's access, and that the application is to amend the children and young person's conditions. The proposed amendment is to allow children and young person's access to premises until 10:00pm or one hour after cessation of serving food to the individual person or group consuming the meal. As per the current local conditions children and young persons will only be permitted in licensed premises until 9.00pm or one hour after cessation of serving of food to the individual person or group of persons consuming the meal.

From reviewing the application and proposed operating plan it should be noted that the applicant has not specified the proposed new times for children and young person access within the operating plan. The board may wish to clarify this with the applicant.

Statutory Checks

The annual fee for the premises has been paid and as far as I am aware on checking the systems there have been no complaints made in respect of these premises. I am not aware of any objections in relation to this application.

I duly submit this report for consideration of Board Members.

Kevin Leith
Licensing Standards Officer
Angus Council

(c) LICENCE NO. 336 COAST BAR & NIGHTCLUB (UPPER LEVEL), 4 GRAVESEND, ARBROATH, DD11 1HT

Applicant: Nicola May Ferguson

Type of Licence: On and Off Sales

Description of Variation

1. Core times.

Current hours for sale of alcohol -

On Sales	Monday to Wednesday	11.00 to 24.00
	Thursday to Saturday	11.00 to 02.00
	Sunday	12.30 to 02.00

Off Sales	Monday to Saturday	11.00 to 22.00
	Sunday	12.30 to 22.00

Amend sale of alcohol times –

On Sales	Monday to Wednesday	11.00 to 24.00
	Thursday to Sunday	11.00 to 02.00

Off Sales	Monday to Sunday	11.00 to 22.00
-----------	------------------	----------------

2. Seasonal Variations

Add Boxing Day to the current details which states - Christmas Eve, Christmas Day, Hogmanay and New Year's Day

3. Activities

- (a) Add bar meals and recorded music outwith core hours, (to be permitted before but not after core hours)
- (b) Add theatre within and outwith core hours, (to permit comedians and other performances)
- (c) Add outdoor drinking facilities within and outwith core hours, (to be used before core hours until 21.00)

Activities outwith core hours now to read: -

Premises may open before core hours but not after core hours or general extensions of core hours for the following purposes –

To serve breakfasts, teas, coffees, soft drinks, snacks and meals
Outside drinking facilities in clement weather only
To facilitate conferences, club meetings and funerals
Upstairs function room to facilitate yoga, keep fit, markets, art and craft exhibitions and sales.

Any other activities now to read –

Deliveries of food and drink or food only (no deliveries of alcohol without food). Under 18's disco, talent shows, dance competitions, functions, yoga, keep fit, markets, art and craft exhibitions and sales etc in upper floor only.

4. Layout Plan

Add Coast family friendly bar/restaurant ground floor to premises licence. Capacity 400 made up of function room 250 and bar restaurant 150. External area to be used in clement weather only.

Members will note they were advised at the Special Meeting of the Angus Licensing Board held on 5 December 2023 that the licence for the downstairs premises known as Coast Bar & Restaurant (Lower Level) had fallen.

The layout plan for the lower level is attached to this report.

5. Capacity

Amend on sales capacity total to 400.

Upstairs – 250

Downstairs – 150

External area only to be used in inclement weather.

6. Any other Information Contained or Referred to in the Licence

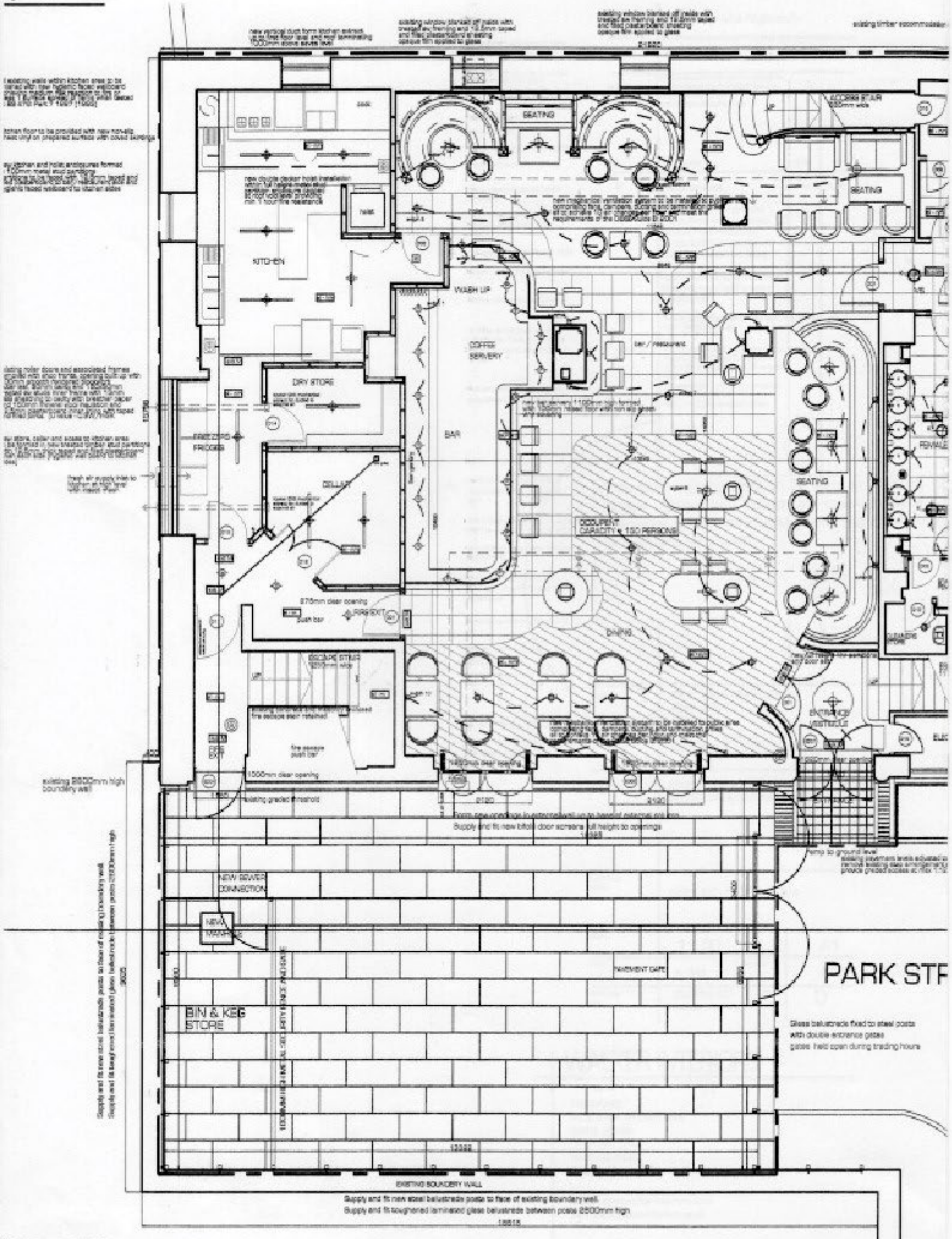
- (a) Change premises name from Coast Bar & Nightclub (Upper Level) to Coast.
- (b) Change premises manager to Nicola May Ferguson.
- (c) Change description of premises to – Family friendly bar/restaurant with late night function room situated in commercial heart of Arbroath.

Comments Received

Licensing Standards Officer submitted a representation, a copy of which is attached at the end of this Report.

Building Standards replied -

In March 2023, a previous application for a section 50 was declined by this section as there is no Completion Certificate accepted for the external works/external seating area, reference 13/00585/NDOM5. This Building Warrant expired and the Applicant at the time was provided information on how to regularise the situation, but this was never actioned. This external area therefore does not have consent for public use at this time.



new vertical duct form kitchen exhaust
at top floor level and roof terminating
1000mm above eave level

existing window stacks off walls with
cross-hatching and 15.5mm spaced
and fixed glass panes in setting
above 1000mm to glass

existing window panes off walls with
cross-hatching and 15.5mm spaced
and fixed glass panes in setting
above 1000mm to glass

existing timber room divider

existing walls with kitchen area to be
demolished and new fabric faced wallboard
panels installed in kitchen area. See
100.0 for Party 100.1 (100.2)

kitchen floor to be provided with new non-slip
resisting on prepared surface with closed joints

all kitchen and hole enclosures formed
100mm metal stud partition
100x100x100mm metal stud partition
and
girts fixed resilient to kitchen side

new double door hole installation
above 1000mm above eave level
and fixed glass panes in setting
above 1000mm to glass

new stainless steel fabric panels to be installed
on kitchen walls, ceiling, and floor covering
in accordance with requirements of the OHS Act 2007

existing roller door and associated frames
to be demolished and replaced with
new 1000mm wide roller door
with 100mm metal stud partition
and girts fixed resilient to kitchen side
and 100mm metal stud partition
and girts fixed resilient to kitchen side

all stone, timber and glass to kitchen area
to be demolished and replaced with
new 1000mm wide roller door
with 100mm metal stud partition
and girts fixed resilient to kitchen side

new 1000mm wide roller door
with 100mm metal stud partition
and girts fixed resilient to kitchen side

DRY STORE
storage cabinet
1000mm wide

STOVE
1000mm wide

CELLAR
1000mm wide

WASH UP
1000mm wide

COFFEE SERVICE
1000mm wide

BAR
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

SEATING
1000mm wide

existing 2500mm high
boundary wall

Supply and fit new steel balustrade posts in line of existing balustrade wall
Supply and fit toughened laminated glass balustrade between posts 2500mm high

NEW SEWER
CONNECTION

NEW
TOILET

BIN & KEE
STORE

RECOMMENDED BALUSTRADE POSTS AND GLASS

PARKING GATE

PARK STP

Glass balustrade fixed to steel posts
with double entrance gates
gate held open during trading hours

Supply and fit new steel balustrade posts to face of existing boundary wall
Supply and fit toughened laminated glass balustrade between posts 2500mm high

EXISTING SOURCERY WALL

Supply and fit new lift-off door screens full height to openings

Supply and fit new lift-off door screens full height to openings

EXISTING SOURCERY WALL

10015

LICENSING STANDARDS OFFICER REPORT

An application for a major variation application was received on 12 December 2023 in respect of:

Coast, 4 Gravesend, Arbroath, DD11 1HT

Premises Licence Number: 336

Background: -

This is an application for a major variation to the premises licence to: -

1. Amend Sunday commencement of core opening hours for on sale to 11.00 from 12.30 and off sales to 11.00 from 12.30.
2. Add in boxing day to seasonal variations.
3. Include Bar meals and recorded music in column 4 to be permitted before but not after core hours.
4. Include theatre in columns 2 + 3 to permit e.g., comedians and other performances
5. Include outdoor drinking facilities columns 2,3,4 to be able to be used before core hours until 2100 hours.
6. Premises may open before core hours but not after core hours:
 - (i) To serve breakfasts, teas, meals, coffees, soft drinks, snacks, inclement weather only
 - (ii) To facilitate conferences, club meetings and funerals
 - (iii) To allow Yoga, keep fit, markets, art and craft exhibitions and sales etc in upper floor only.
7. Amend operating plan to include the following in any other activities:
 - (i) Deliveries of food and drink or food only (no deliveries of alcohol without food); and
 - (ii) Under 18s disco, talent shows, dance competitions, functions, yoga, keep fit, markets, art and craft exhibitions and sales etc in upper floor only.
8. Amend capacity to include downstairs area total capacity as follows 250 upstairs and 150 downstairs.
9. Amend layout plan to add in Coast family friendly bar/restaurant ground floor to premises licence. Capacity 400 made up as follows: 250 function room - 150 bar restaurant and external area to be used inclement weather only.
10. Change name of premises to "COAST".
11. Change premises description to "Family friendly bar /restaurant with late night function room situated in commercial heart of Arbroath.

Licensing Standards Officer Report:

Members will note they were advised at the Special Meeting of the Angus Licensing Board held on 5 December 2023 that the licence for the downstairs premises known as Coast Bar & Restaurant (Lower Level) had fallen. The lower-level premises is licensed currently by successive occasional licences in place until 11 April 2024.

The first noted major variation is to amend the existing opening time of both on sale and off sale from 12:30pm on a Sunday. The proposed variation for on sales is to change this to 11:00am and for off sales 11:00am. Both variation of hours is within the Licensing Board's Statement of Licensing Policy which is 11:00am and 10:00am respectively. The board should note that the premises already has seasonal variations for Christmas Eve, Christmas Day, Hogmanay, New Year's Day however, this application is to add Boxing Day.

The major variation application also requests to add additional activities out with core hours specifically, the addition of bar meals and recorded music out with core hours. As per the submitted operating plan this will allow the premises to serve breakfasts, teas, coffees out with core hours as well as allowing the upper floor of the premises to be used for yoga and keep fit classes, markets and arts and craft exhibitions.

I also note the application has been made to add theatre to be provided during core hours. This will allow the premises to host comedians and other performances.

I further note from the application that delivery of alcohol with food will be an option. 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 Licence holder 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 Licence holder 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.

The major variation application requests to add outdoor drinking both during and out with core hours. 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.

As you will note from submitted application, operating plan and accompanying layout plan the combined total capacity for the premise will be 400 persons.

Statutory Checks

The annual fee for the premises has been paid and as far as I am aware on checking the systems there have been no complaints made in respect of these premises. I am not aware of any objections in relation to this application.

I duly submit this report for consideration of Board Members.

Kevin Leith
Licensing Standards Officer
Angus Council

(d) LICENCE NO. 255 ROYAL MONTROSE MERCANTILE GOLF CLUB, 4 TRAILL DRIVE, MONTROSE, DD10 8SW

Applicant: Royal Montrose Mercantile Golf Club Ltd

Type of Licence: On and Off Sales

The Board are advised a Temporary Licence was granted to these premises at their meeting on 23 March 2023. Licensing received an email on 25 January 2024 advising that this Temporary Licence would require to be revoked on Monday 5 February 2024, with the premises reverting back to the original Premises Licence from 6 February 2024.

Description of Variation

1. Core times

Current on sales	Sunday to Thursday Friday & Saturday	11.00 to 24.00 11.00 to 01.00
Current off sales	Monday to Sunday	11.00 to 22.00
Proposed amendment to on sales	Sunday to Thursday Friday and Saturday	09.00 to 24.00 09.00 to 01.00
Proposed amendment to off sales	Monday to Sunday	10.00 to 22.00

2. Seasonal Variations

Amend seasonal variations to reflect Angus Council policy on festive hours as may from time to time be obtained.

3. Activities

Add gaming within core hours to permit internal club raffles, race nights or casino nights for events and fundraisers.

Add outdoor drinking outwith core hours – before core hours from 07.00 for teas, coffees, soft drinks with alcohol during core hours to 22.00 not after core hours.

Activities outwith core hours -

All activities outwith core hours can commence at 07.00 until end of core hours except outside drinking which will cease to be permitted at 22.00.

Activities such as keep fit, pool, and tv are available to members whenever the club house is open

Hot meals, snacks and hot drinks are available to club members, guests, and visiting golfers during the times when there are no bar facilities available.

Facilities are also available outwith bar opening times for meetings being held in the millennium lounge or the dining room area of the club.

Any other activities

Gaming: internal club raffles, race nights or casino nights for events and fundraisers

Auctions of golf related items e.g. round of golf, golf equipment, etc for fundraising, Keep fit, pool, karaoke, casino nights, auctions, fundraisers, pre purchase of off sales [within off sales core hours] by golfers to permit delivery by club staff to those golfers at 9th hole

4. Layout Plan

Addition of extended lounge area coloured green in the ground floor plan attached to this report.

5. Capacity

Increase in capacity by 55, current capacity is 201 - to increase capacity to 256

Orange bar capacity 32 / lounge capacity 24

Orange dining area 60

Orange millennium lounge 16

Green extended lounge area 54

Total internal capacity 186

Outdoor area clement weather only 70

6. Children and Young Persons

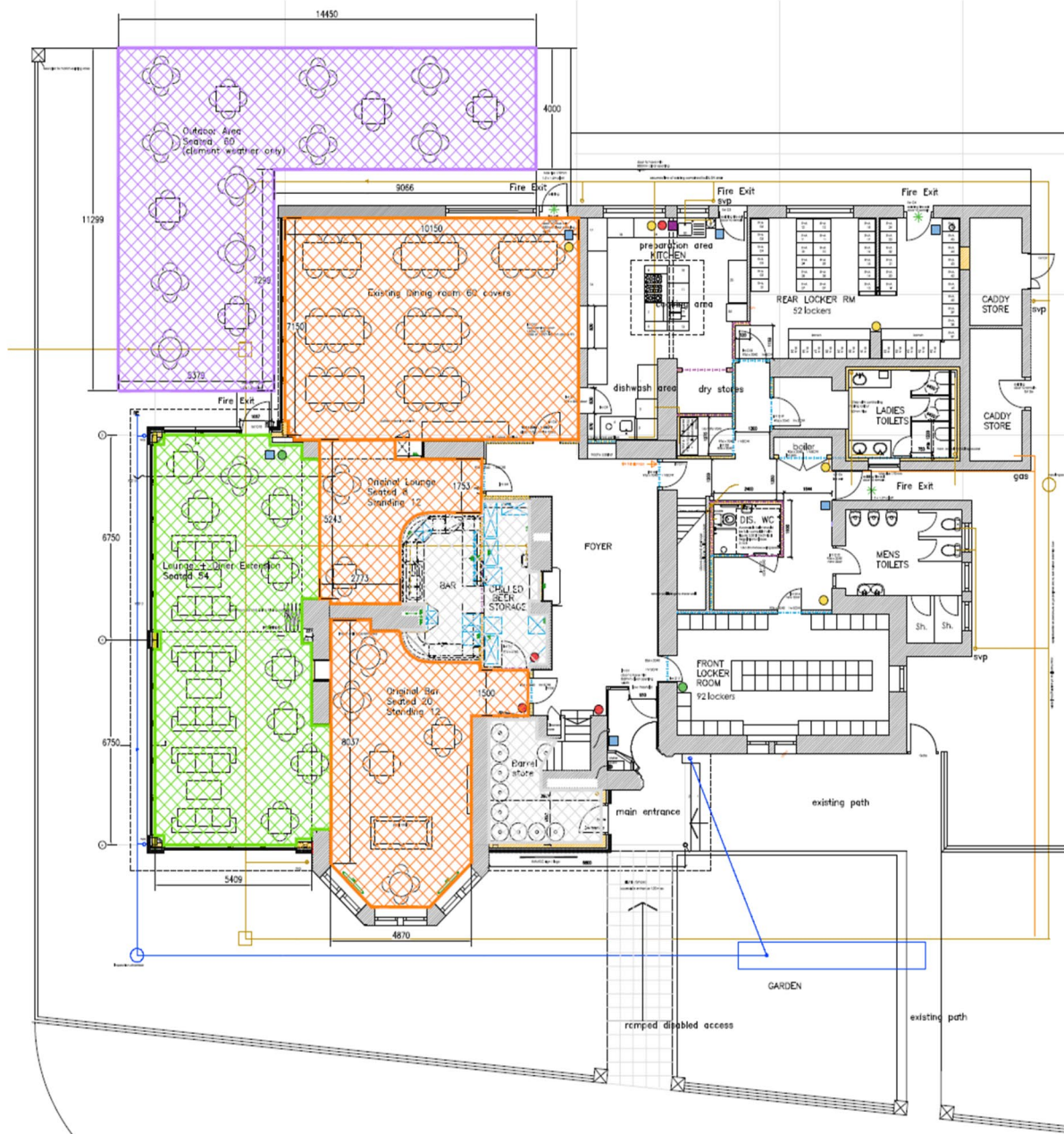
- (a) Terms - Junior members of the club, guests of junior members, or visiting junior members of another golf club, may enter the club at any time and on any day that the club house is open, but must vacate the premises by 21.00 [under exception of attendance at prize giving events or private club member functions when they may remain to end of prize giving event or function] Junior members and guests of junior members and visiting junior members over the age of 16 may play pool on any day up to 21.00 and must remain seated when not playing pool The children and young persons of adult members who are not themselves junior members and who may be aged birth to 18 will be allowed entry to the club if accompanied by an adult member.
- (b) Times – From 07.00 – 21.00 subject to terms above
- (c) Parts – Whole of public parts of the premises subject to the discretion of club officials/members and staff

Comments Received

Building Standards commented

The occupancy numbers intended for the outdoor area differ between the operating plan and the layout plan, please rationalise, and confirm. Please also confirm the external path, this space adjoins allows for a barrier free escape route (i.e., no fences, lockable gates etc)

The Board are advised the above comments were emailed to the agent. To date no response has been received.



Legend	Location	Occupant Capacity	Area
[Orange hatched box]	Original Bar and Lounge Areas	Bar Capacity 32	63 sqm
		Lounge Capacity 24	
[Orange hatched box]	Dining Area	Capacity 60	74 sqm
[Orange hatched box]	Millenium Lounge (First Floor)	Capacity 16	28 sqm
[Green hatched box]	Extension Lounge / diner Areas	Capacity 54	75 sqm
[Grey hatched box]	Bar/chilled beer store barrel store	N/A	34 sqm
[Purple hatched box]	Outdoor area (clement weather only)	Capacity 70	97 sqm

Total
186 persons

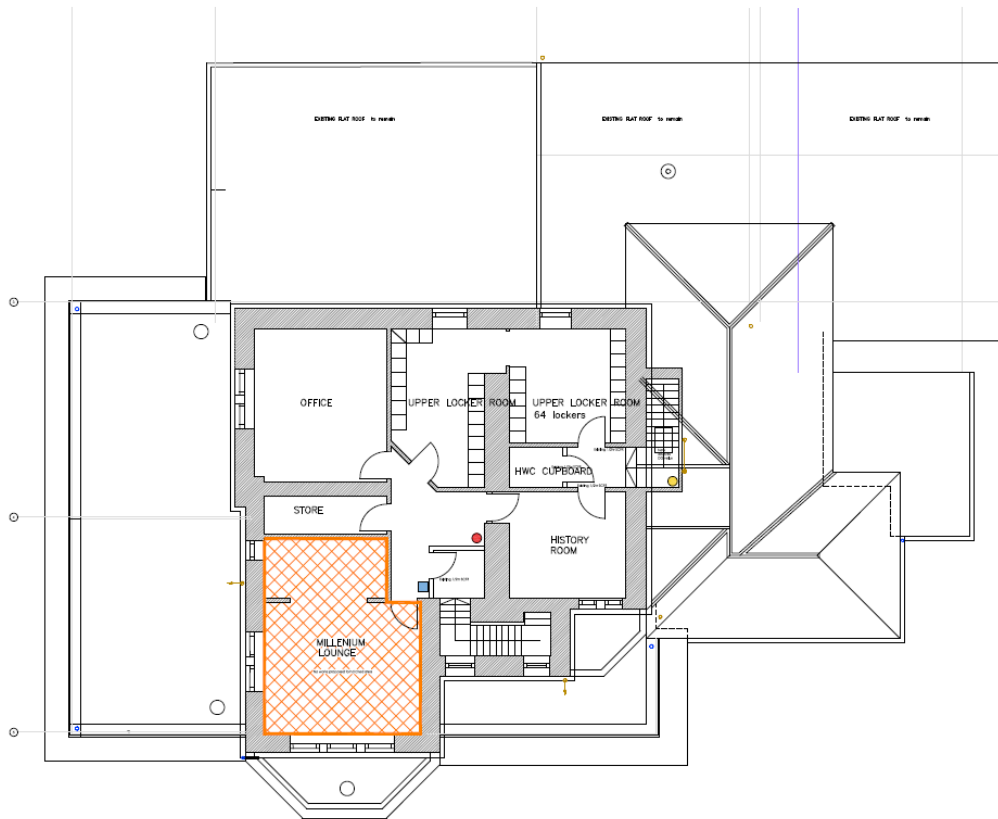
- Fire alerting and fire fighting equipment
- [Blue square] Break Glass
 - [Purple square] Fire blanket
 - [Red circle] Fire extinguisher CO2
 - [Yellow circle] Fire extinguisher water
 - [Green circle] Fire extinguisher water spray

Licensing		
Project Proposed Alterations & Extension Royal Marlrose Mercantile Golf Club		
Title As Built Ground Floor plan		
Job No 207	Rev. B	Drawing No LI01
Scale 1:50	Paper A2	Date Feb 24
 AG ADAM & GORDON ARCHITECTS		
2A Orange Lane Marlrose DE10 8ND 01674 675 610 gary@garyadamarchitect.co.uk www.garyadamarchitect.co.uk		

Legend	Location	Occupant Capacity	Area	
[Orange cross-hatch pattern]	Original Bar and Lounge Areas	Bar Capacity 32	63 sqm	Total 186 persons
		Lounge Capacity 24		
[Orange cross-hatch pattern]	Dining Area	Capacity 60	74 sqm	
[Orange cross-hatch pattern]	Millenium Lounge (First Floor)	Capacity 16	28 sqm	
[Green cross-hatch pattern]	Extension Lounge / diner Areas	Capacity 54	75 sqm	
[Grey cross-hatch pattern]	Bar/chilled beer store barrel store	N/A	34 sqm	
[Purple cross-hatch pattern]	Outdoor area	Capacity 70 (clement weather only)	97 sqm	

Fire alerting and fire fighting equipment

- [Blue square] Break Glass
- [Purple square] Fire blanket
- [Red circle] Fire extinguisher CO2
- [Yellow circle] Fire extinguisher water
- [Green circle] Fire extinguisher water spray



Licensing		
Project Proposed Alterations & Extension Royal Manrose Mercantile Golf Club		
Title As Built: First floor plan		
Job No 207	Rev. B	Drawing No LI 02
Scale 1:50	Paper A3	Date Feb 24
 ADAM & GORDON <small>ARCHITECTS</small>		
2A Orange Lane Manrose DD10 8ND 01474 675 610 gary@garyadamarchitect.co.uk www.garyadamarchitect.co.uk		

LICENSING STANDARDS OFFICER REPORT

An application for a Major Variation Application was received from Royal Montrose Mercantile Golf Club on 27 February 2024 in respect of:

Royal Montrose Mercantile Golf Club, Traill Drive, Montrose, DD10 8SW

Premises Licence Number: 255

Background: -

This is an application for a major variation to the premises licence to: -

1. Change start of core hours for on sale to 09.00am to permit golfers to have a drink before playing golf.
2. Change start of core hours for off sales to 10.00am to permit golfers to purchase a takeaway drink. Permit off sales to be pre purchased and taken to golfers at 9th hole by golf buggy or other means.
3. Change seasonal variations on festive hours as may from time to time obtain.
4. Gaming - to permit internal club raffles, race nights or casino nights for events and fundraisers.
5. Permit outside drinking before core hours from 07.00 for e.g., teas, coffees, soft drinks with alcohol during core hours till 22.00 not after core hours. Patrons shall not be permitted to use the external area beyond 22.00.
6. Permit auctions of e.g., golf related items etc for fundraising.
7. Change Children and Young person's terms of entry to generally reflect club standing orders: "Junior members of the club, guests of junior members, or visiting junior members of another golf club, may enter the club at any time and on any day that the club house is open, but must vacate the premises by 21.00 [under exception of attendance at e.g. prize giving events or private club member functions when they may remain to end of prize giving event or function] Junior members and guests of junior members and visiting junior members over the age of 16 years old may play pool on any day up to 21.00 and must remain seated when not playing pool The children and young persons of adult members who are not themselves junior members and who may be aged birth to 18 years old will be allowed entry to the club if accompanied by an adult member."
8. Parts of premises: whole public parts of the premises subject to discretion of club officials / members and staff.
9. Capacity increase by 55 to 256 total
10. Amended layout plan.

Licensing Standards Officer Report:

The major variation application is to change the existing licenced hours for on sales from 11:00am to 09:00am. The board should note that this variation of hours is out within the Licensing Board's Statement of Licensing Policy which is from 11:00am. The application has also been made to change seasonal variations to the licensed hours. The board should note that the premises already has seasonal variations for Christmas Eve and Hogmanay.

Additionally, the application is to change the existing licenced hours for off sales from 11:00am to 10:00am. This variation of hours is within the Licensing Board's Statement of Licensing Policy which is from 10:00am.

The major variation application requests to add additional activities within the core hours specifically, the addition of gaming within core hours. As the application states this is to allow for club raffles, race nights or casino nights for events and fundraisers activities. The application also seeks to add auctions of golf related items to its list of other activities contained on the operating plan.

I note that the application is to add outdoor drinking out with core hours from 07:00 until 22:00. The board should note that the premises already has outdoor drinking during core hours and one of the additional conditions of the licence in relation to this activity is:

- Patrons shall not be permitted to use the external drinking area beyond 21.00.

I further note from the application that children and young person's access is to be amended. The proposed amendment to the terms in which children and young persons can access the premises is to be changed to allow access to the premises from 07:00 up until 21:00. This amendment is to allow junior members of the club, guest of junior members and visiting junior members of other golf clubs access to the club and to use the premises facilities.

Additionally, the application seeks to amend the terms to allow junior members and guests of junior members access to the premises to use the pool table up until 21:00 and to allow access for children and young persons who do not hold a membership if they are accompanied by an adult member.

The current operating plan allows children and young person's access to the premises club locker rooms, dining room, lounge bar (seated at tables) and the club bar (playing pool or seated only). The application seeks to amend this and allow access to whole public parts of the premises subject to the discretion of club officials / members and staff.

As you will note from submitted application and accompanying amended layout plan the capacity of the premises is to increase from 201 to 256.

Statutory Checks

The annual fee for the premises has been paid and as far as I am aware on checking the systems there have been no complaints made in respect of these premises. I am not aware of any objections in relation to this application.

I duly submit this report for consideration of Board Members.

Kevin Leith
Licensing Standards Officer
Angus Council

Photo 1



Photo 2 – Proposed Outdoor area



Photo 3 – Extended Lounge and Diner



Photo 4 – Original Lounge



Photo 5 – Existing Dining Area



Photo 6 – Existing Dining Area



Photo 7 – Lounge and Diner extension



Photo 8 – Lounge and Diner extension



Photo 9



Photo 10 – Original Bar Area



Photo 11 – Original Bar Area

