

PERTH AND KINROSS LICENSING BOARD

Council Building
2 High Street
Perth
PH1 5PH

03/03/2022

A Meeting of the **Licensing Board** will be held virtually on **Thursday, 10 March 2022** at **10:00**.

LISA SIMPSON
Clerk of the Licensing Board

Those attending the meeting are requested to ensure that all mobile phones and other communication devices are in silent mode.

Members:

Members of Licensing Board
C Elliott
S Douglas

PERTH AND KINROSS LICENSING BOARD

Thursday, 10 March 2022

***MEMBERS ARE REMINDED OF THEIR STATUTORY DUTY TO DECLARE ANY
DIRECT OR INDIRECT FINANCIAL INTEREST THEY MAY HAVE IN ANY ITEM ON
THIS AGENDA***

- 1 WELCOME AND APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTES OF MEETING OF 27 JANUARY 2022 FOR APPROVAL AND SIGNATURE** **5 - 16**
- 4 AGENDA - 10 MARCH 2022** **17 - 20**
- 5 PERSONAL LICENCE REVIEW**
- 5(i) STEVEN MCDUGALL**
- 6 PREMISES LICENCE REVIEWS**
- 6(i) INVERGOWRIE CONVENIENCE STORE**
- 6(ii) WELLWOOD HOUSE**
- 7 VARIATION (MAJOR) APPLICATION**
- 7(i) TASTE TALK LTD**

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

PERTH AND KINROSS LICENSING BOARD

Minute of Meeting of the Licensing Board

Held virtually on 27 January 2022

Present:-

Councillors Baird; James; Brock; Duff; Gray; Parrott; Pover; Reid; and Wilson.

Councillor Baird presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Shona Douglas, Licensing Paralegal.

1. WELCOME AND APOLOGIES

The Convener welcomed those present.

Apologies were received from Councillor McCall.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. **MINUTES**

The Minutes of the Meeting of 9 December 2021 were submitted and approved as a true record and authorised for signature.

4. **VARIATION (MAJOR) APPLICATIONS**

| Premises | Applicant | Decision |
|--|--|---|
| Sainsbury's Store 199-205 High Street Perth PH1 5PB | Sainsbury's SL Limited C/o TLT LLP 140 West George Street Glasgow G2 2HG | Grant subject to amending the premises licence as follows: <u>Premises Licence</u> Amend the name of the premises to, 'Sainsbury's Local'; Amend Description of Premises to read as follows: 'Sainsbury's Local is a convenience store near the corner of Scott Street and High street offering a wide range of products and services including groceries, alcohol, newsagent, general retail and food to go. The store may also be a platform for innovations including parcel and click and collect services and provide a channel to access products from the brands within the Sainsbury's group.' <u>Operating Plan</u> 5 Amend as follows: Recorded music YYY Live performances YYY Box at end of 5(e), add the following: |

| Premises | Applicant | Decision |
|----------|-----------|---|
| | | <p>‘Recorded background music and live performances may occur outwith core hours as ancillary to the general retail sale of groceries and other non food items. General retail sales will also occur outwith the core licensed hours, but not normally before 7am or after 11pm.’</p> <p>5(f) Amend to read: ‘The sale of alcohol, groceries and other non-food items which occurs from the premises includes fulfilment of remote orders by home delivery and or “click and collect”, subject to compliance with sections 119 and 120 of the Licensing (Scotland) Act 2005 as amended, or such law that may be in force from time to time. The reference to live performances above is purely to capture very occasional fundraising events where there may be a performance element such as carol singers during the festive season. Parts of the premises may be operated by third party concessions, eg dry cleaners, shoe repair facilities. The premises may also, on occasion, be used to launch new products, have product sampling/tasting events and host community and charity events or events in conjunction with third party partners.’</p> <p><u>Conditions</u></p> <p>Add local condition as follows:</p> <p>(2) Written policies shall be in place for the premises and shall be implemented by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing</p> |

| Premises | Applicant | Decision |
|---|---|--|
| | | <p>satisfaction of the Board, for:</p> <p>(i) the taking of orders and subsequent delivery of alcohol out with the premises</p> |
| <p>Sainsbury's Store 20 High Street Blairgowrie Perthshire PH10 6ET</p> | <p>Sainsbury's SL Limited C/o TLT LLP 140 West George Street Glasgow G2 2HG</p> | <p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend the name of the premises to, 'Sainsbury's Local';</p> <p>Amend Description of Premises to read as follows:</p> <p>'Sainsbury's Local is a convenience store on Blairgowrie High Street facing Brown Street, offering a wide range of products and services including groceries, alcohol, newsagent, general retail and food to go. The store may also be a platform for innovations including parcel and click and collect services and provide a channel to access products from the brands within the Sainsbury's group.'</p> <p><u>Operating Plan</u></p> <p>5 Amend as follows:</p> <p>Recorded music YYY</p> <p>Live performances YYY</p> <p>Box at end of 5(e), add the following:</p> <p>'Recorded background music and live performances may occur outwith core hours as ancillary to the general retail sale of groceries and other non food items. General retail sales will also occur outwith the core licensed hours, but</p> |

| Premises | Applicant | Decision |
|----------|-----------|---|
| | | <p>not normally before 7am or after 11pm.'</p> <p>5(f) Amend to read:</p> <p>'The sale of alcohol, groceries and other non-food items which occurs from the premises includes fulfilment of remote orders by home delivery and or "click and collect", subject to compliance with sections 119 and 120 of the Licensing (Scotland) Act 2005 as amended, or such law that may be in force from time to time.</p> <p>The reference to live performances above is purely to capture very occasional fundraising events where there may be a performance element such as carol singers during the festive season.</p> <p>Parts of the premises may be operated by third party concessions, eg dry cleaners, shoe repair facilities.</p> <p>The premises may also, on occasion, be used to launch new products, have product sampling/tasting events and host community and charity events or events in conjunction with third party partners.'</p> <p><u>Conditions</u></p> <p>Add local condition as follows:</p> <p>(1) Written policies shall be in place for the premises and shall be implemented by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing satisfaction of the Board, for:</p> <p>(i) the taking of orders and subsequent delivery of alcohol out with the premises</p> |

| Premises | Applicant | Decision |
|---|---|--|
| <p>Sainsbury's Store 65 Station Road Kinross KY13 8FH</p> | <p>Sainsbury's SL Limited C/o TLT LLP 140 West George Street Glasgow G2 2HG</p> | <p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend the name of the premises to, 'Sainsbury's Supermarket';</p> <p>Amend Description of Premises to read as follows:</p> <p>'Sainsbury's Supermarket is a large format grocer and general retail store just off Junction Road at Station Road, offering a wide range of products and services including groceries, alcohol, newsagent, general retail (including clothing, home and electrical) and food to go. The store may also be a platform for innovations including parcel and click and collect services and it may house sections dedicated to brands within the Sainsbury's group.'</p> <p><u>Operating Plan</u></p> <p>5 Amend as follows: Live performances YYY</p> <p>Box at end of 5(e), add the following: 'Recorded background music and live performances may occur outwith core hours as ancillary to the general retail sale of groceries and other non food items. General retail sales will also occur outwith the core licensed hours, but not normally before 7am or after 11pm.'</p> <p>5(f) Amend to read: 'The sale of alcohol, groceries and other non-food items</p> |

| Premises | Applicant | Decision |
|--|---|--|
| | | <p>which occurs from the premises includes fulfilment of remote orders by home delivery and or “click and collect”, subject to compliance with sections 119 and 120 of the Licensing (Scotland) Act 2005 as amended, or such law that may be in force from time to time.</p> <p>The reference to live performances above is purely to capture very occasional fundraising events where there may be a performance element such as carol singers during the festive season.</p> <p>Parts of the premises may be operated by third party concessions, eg dry cleaners, shoe repair facilities.</p> <p>The premises may also, on occasion, be used to launch new products, have product sampling/tasting events and host community and charity events or events in conjunction with third party partners.’</p> <p><u>Conditions</u></p> <p>Add local condition as follows:</p> <p>(1) Written policies shall be in place for the premises and shall be implemented by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing satisfaction of the Board, for:</p> <p>(i) the taking of orders and subsequent delivery of alcohol out with the premises</p> |
| Tower Hotel East High Street Crieff PH7 3JA | The Sirple Ltd C/o Macgregor Thomson Limited Springfield House | <p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> |

| Premises | Applicant | Decision |
|---|---|--|
| | Laurelhill Business Park Stirling FK7 9JQ | <p>Amend Description of Premises by adding at the end, 'External outdoor area'</p> <p><u>Operating Plan</u></p> <p>2 Amend the terminal hours as follows: Monday 12 midnight Tuesday 12 midnight Wednesday 12 midnight</p> <p>Box after 5(e) Last paragraph on outdoor drinking facilities, amend 10pm to 11pm</p> <p>6(e) Add at the end, 'and external outdoor area'</p> <p>7 Amend on sales capacity to 380 (indoors 80 and external outdoor area 300).</p> <p><u>Conditions</u></p> <p>Delete the existing local condition and insert instead:</p> <p>(1) When functions take place, the provision of alcohol is ancillary to the function. No general public entry is permissible and entry shall be limited and controlled. The bar for the premises or part of premises utilised for a function shall be closed such that no alcohol is sold for 30 minutes prior to the commencement of the function.</p> |
| Unorthodox Roasters 129 High Street Kinross | Unorthodox Roasters Ltd | Grant subject to amending the premises licence as follows: |

| Premises | Applicant | Decision |
|----------|-----------|---|
| KY13 8AQ | | <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO' 1(c) Amend to 'YES' 3 Add off sales hours, 10am to 10pm, 7 days per week 5(f) Delete existing and insert instead: “No Off-sales deliveries (from Café) or by us. Very limited range of alcohol served in café (craft beer and gin). We send/sell gin online from our web page: www.unorthodoxroasters.co.uk. Couriers eg UPS, DPD with “age verification” procedures will deliver our online sales of alcohol. This is specifically a craft gin called “Unorthodox Gin” made by McQueen Distillery. Deliveries are conducted by Couriers between 10am – 5pm (daily). Our Website only permits the sale of alcohol between 10am – 10pm (daily)”. 7 Add 'Off Sales – 0.22m2 ' 8(b) Amend the DPM's date of birth as requested</p> <p><u>Layout Plan</u></p> <p>Amend layout plan as sought</p> <p><u>Conditions</u></p> <p>Add local condition as follows:</p> |

| Premises | Applicant | Decision |
|----------|-----------|--|
| | | <p>(1) Written policies shall be in place for the premises and shall be implemented by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing satisfaction of the Board, for:</p> <p>(i) the taking of orders and subsequent delivery of alcohol out with the premises</p> |

5. PREMISES LICENCE APPLICATIONS

| Premises | Applicant | Decision |
|---|---|--|
| Taymouth Marina Holiday Resort Kenmore Perthshire PH15 2HW | Eric Strickland C/o TLT LLP 140 West George Street Glasgow G2 2HG | <p>Grant subject to mandatory conditions including all late night opening conditions</p> <p>With the premises licence not to be issued until the premises licences for (i) Taymouth Marina Restaurant, and (ii) Ferryman's Inn, are surrendered</p> |
| B & M Store Broich Road Crieff Perthshire PH7 3SE | EV Retail Limited C/o Keystone Law 48 Chancery Lane London WC2A 1JF | <p>Downgrade the application to a provisional premises licence.</p> <p>Thereafter, grant subject to mandatory conditions, and</p> <p>Local Condition</p> <p>(1) Written policies shall be in place for the premises and immediate external area and shall be implemented by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing satisfaction of the</p> |

| | | |
|--|--|--|
| | | Board, for: (i) dispersal of patrons (ii) preventing the purchase of alcohol by or for a child or young person |
| PGA Halfway House The Gleneagles Hotel Gleneagles Auchterarder PH3 1NF | Gleneagles Hotels Limited C/o Miller Samuel Hill Brown The Forsyth Building 5 Renfield Street Glasgow G2 5EZ | Grant subject to mandatory conditions |

6. PROVISIONAL PREMISES LICENCE APPLICATIONS

| Premises | Applicant | Decision |
|---|---|---|
| St Johnstone Service Station 2 Dunkeld Road Perth PH1 5RG | Motor Fuel Limited C/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow G1 3PE | Grant subject to mandatory conditions, and Local Condition (1) Written policies shall be in place for the premises and immediate external area and shall be implemented by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing satisfaction of the Board, for: (i) dispersal of patrons |

| | | |
|--|---|---|
| Strathtay Service Station Edinburgh Road Perth PH2 8DX | Motor Fuel Limited C/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow G1 3PE | Grant subject to mandatory conditions, and Local Condition (1) Written policies shall be in place for the premises and immediate external area and shall be implemented by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing satisfaction of the Board, for: (i) dispersal of patrons |
| Rossie on the Earn Rossie Byre Farmhall Farm Forgandenny Perthshire PH2 9HR | Leonie Claire Willcock C/o Janet Hood Consulting Kirkton of Balfour Edzell Breachin Angus DD9 7XU | Grant subject to mandatory conditions including first aider late opening condition |

PERTH AND KINROSS LICENSING BOARD**Meeting 10 March 2022 at 10:00 am Remotely****Licensing (Scotland) Act 2005****Personal Licence Review(s)**

| | Licence Holder | Applicant | Date Received | Comments |
|---|-----------------------|-----------------------------------|----------------------|--|
| 1 | STEVEN MCDOUGALL | PERTH AND KINROSS LICENSING BOARD | 9 December 2021 | Cited for 10am Participation by Police - Video |

PERTH AND KINROSS LICENSING BOARD

Meeting 10 March 2022 at 10:00 am Remotely

Licensing (Scotland) Act 2005

Premises Licence Review(s)

| Premises | | Applicant | Date Received | Comments |
|-----------------|---|---------------------------|----------------------|-----------------|
| 2 | INVERGOWRIE CONVENIENCE STORE 55 MAIN STREET INVERGOWRIE DD2 5AB | PERTH AND KINROSS COUNCIL | 10 February 2022 | |
| 3 | WELLWOOD HOUSE 13 WEST MOULIN ROAD PITLOCHRY PH16 5EA | PERTH AND KINROSS COUNCIL | 10 February 2022 | |

PERTH AND KINROSS LICENSING BOARD

Meeting 10 March 2022 at 10:00 am Remotely

Licensing (Scotland) Act 2005

Variation (Major)(s)

| | Premises | Applicant | Date Received | Comments |
|---|--|--------------------|----------------------|---|
| 4 | TASTE TALK LIMITED 14 HIGH STREET DUNKELD PERTHSHIRE PH8 0AJ | TASTE TALK LIMITED | 22 December 2021 | Cited for 10.20am Participation by Applicant - Video; LSO - Video; Objectors - Video |

