

PERTH AND KINROSS LICENSING BOARD

Council Building
2 High Street
Perth
PH1 5PH

Friday, 02 November 2018

A Meeting of the **Licensing Board** will be held in **the Council Chamber, 2 High Street, Perth, PH1 5PH** on **Thursday, 08 November 2018** 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, 08 November 2018

***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 27 SEPTEMBER 2018 FOR APPROVAL AND SIGNATURE 5 - 8**
- 4 8 NOVEMBER 2018 AGENDA 9 - 14**
- 5 REPORT FROM GLENEAGLES HOTEL ON DORMY CLUBHOUSE EXTENDED HOURS EVENT**
- 6 PREMISES LICENCE APPLICATION**
- 6i CHESTERS**
- 7 PROVISIONAL PREMISES LICENCE APPLICATIONS**
- 7i BP BULLIONFIELD**
- 7ii BP TRIANGLE**
- 8 VARIATION (MAJOR) APPLICATIONS**
- 8i DUCHALLY HOUSE**
- 8ii THE PADDLERS**

9 VARIATION (MAJOR) ON TRANSFER APPLICATION

9i CAFFE CANTO

10 PERSONAL LICENCE APPLICATION

10i ANGELA C TAYLOR

11 PERSONAL LICENCE REVIEW

11i PETER GRAHAM

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PERTH AND KINROSS LICENSING BOARD
Minutes of Statutory Meeting of the Licensing Board
Held on 27 September 2018

Present:-

Councillors Baird; Jarvis; Brock; Duff; Gray (to Item 8 only) and Pover.

Councillor Baird presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Louise Cormack, Licensing Standards Officer; Debbie Merchant, Licensing Manager (to and including Item 4 only); Sgt Ryan MacDonald, Police Scotland (to and including Item 6 only); PC Dorothy Black, Police Scotland (to and including Item 6 only); and Dawn Stewart, Environment Services, Perth and Kinross Council (from item 7 onwards).

1. INTRODUCTIONS

The Convenor introduced those present.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The Minute of the Meeting of 16 August 2018 was submitted and approved as a true record and authorised for signature.

4. CHIEF CONSTABLE'S ANNUAL REPORT FOR 1 APRIL 2017 TO 1 MARCH 2018

Sgt Ryan MacDonald put forward the Annual Report, made comment on and answered questions from the Board. The Board noted the content of the Chief Constable's Annual Report.

5. GAMBLING DRAFT STATEMENT OF PRINCIPLES 2019 - 2022

The Board agreed to revise the Draft Statement of Principles at paragraph 1.2 to read 'This Statement of Principles was adopted by Perth and Kinross Licensing Board on XXX.....' Thereafter, the Board agreed to publically consult on the revised Draft Statement of Principles for a period of 6 weeks. An updated Report is to be brought back to the Board after the end of the consultation period with a view to finalising the Statement of Principles.

6. PERSONAL LICENCE APPLICATIONS

Applicant	Decision
Laura Hunter	<p>Motion (Councillors Baird and Brock) Grant with the relevant offences to be marked on the personal licence.</p> <p>Amendment (Councillors Duff and Pover) Refuse on the basis that it is otherwise necessary to do so for the purposes of the licensing objective (a) preventing crime and disorder.</p> <p>Amendment – 2 votes; Motion – 4 votes Decided:- In accordance with the Motion.</p>

7. PREMISES LICENCE APPLICATIONS

Premises	Applicant	Decision
Dalrannoch Brewing Company	Brett Antonie Snowdon	Downgrade the application to a provisional premises licence.

Unit 16 The Old Dairy Meikleour Perthshire PH2 6FB		<p>Amend the provisional premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5(f) Add a new paragraph as follows: 'Public entry to licensed shop area as well.'</p> <p>Thereafter, grant subject to mandatory conditions, and</p> <p>Local Conditions</p> <p>(1) A written policy 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>
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8. **MAJOR VARIATION APPLICATIONS**

Premises	Applicant	Decision
Gringos 76-78 Canal Street Perth PH2 8HX	BM Taverns Ltd	<p>The applicant sought to revise the variation application to the effect of retaining function hours on the premises licence and retaining local condition1 on door supervision but applying it only to functions.</p> <p>The Board deferred the application to enable a revised variation application to be re-advertised and consulted upon.</p>

9. **REPORT ON REVIEW OF LICENSING POLICY STATEMENT 2018**

The Board considered the terms of the Report and Appendices 1 to 10 and finalised the terms of its Licensing Policy Statement 2018/2023 as follows:

- The Board agreed to the terms of the Draft Licensing Policy Statement.
- In addition, in respect of Section 5.11 on Noise, the Board agreed to adopt the fourth option set out in the Draft Licensing Policy Statement, namely 'Between the hours of 11pm and 7am, no noise by way of music whether amplified or not or singing and speech emanating from licensed premises shall (i) exceed 31dB or 10dB above the underlying level, or (ii) for low frequency, exceed 47dB in 63Hz band and/or 41dB in 125 Hz octave bands in any neighbouring property.'
- In respect of Section 7.6 Function hours, (b) closedown options, the Board agreed to adopt the first option, namely 'the bar shall be closed such that no alcohol is sold for 30 minutes prior to the commencement of the function.'
- In respect of the consultation responses the Board agreed with the recommendations set out in the Report Appendices, Comments Section on each individual response. In addition, the Board agreed to consider for its next policy statement (i) referring to the Board being subject to human rights legislation; and (ii) in respect of its policy on the Delivery of Alcohol to and consumption by persons under 18 or drunk persons, specifying certain checks to be carried out including Challenge 25.

PERTH AND KINROSS LICENSING BOARD

Meeting 8 November 2018 at 10:00 am in Council Chambers, Ground Floor, 2 High Street, Perth, PH1 5PH

Licensing (Scotland) Act 2005

New Grant(s)

	Premises	Applicant	Date Received	Comments
1	CHESTER'S COFFEE HOUSE 33 ST JOHN STREET PERTH PH1 5SH	HILBERT ALBERT KIRKKEN C/O JANET HOOD JANET HOOD CONSULTING KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS DD9 7XU	13 September 2018	Cited for 10am

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Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
2	DUCHALLY HOUSE DUCHALLY COUNTRY ESTATE GLENEAGLES AUCHTERARDER PH3 1PN	GRAEME MACDONALD	25 September 2018	E-mail Support Cited for 10.15am
3	THE PADDLERS GRANDTULLY ABERFELDY PH9 0PL	ANDREW MICHAEL ROWLEY	21 September 2018	Cited for 10.15am

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Licensing (Scotland) Act 2005

Variation (Major) on Transfer(s)

	Premises	Applicant	Date Received	Comments
4	CAFFE CANTO 62-64 GEORGE STREET PERTH PH1 5JL	BREWDOG RETAIL LIMITED (SC389114) C/O MILLER SAMUEL HILL BROWN RWF HOUSE 5 RENFIELD STREET GLASGOW G2 5EZ	5 June 2018	Objections Support Cited for 10.45am

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Licensing (Scotland) Act 2005

Provisional(s)				
	Premises	Applicant	Date Received	Comments
5	BP BULLIONFIELD M&S SF CONNECT A90 WESTBOUND INVERGOWRIE DUNDEE DD2 5EG	BP OIL UK LIMITED C/O HARPER MACLEOD THE CA'D'ORO 45 GORDON STREET GLASGOW G1 3PE	24 April 2018	Cited for 11.30am
6	BP PERTH SERVICES M&S CONNECT THE TRIANGLE INVERALMOND PERTH PH1 3GA	BP OIL UK LIMITED C/O HARPER MACLEOD THE CA'D'ORO 45 GORDON STREET GLASGOW G1 3PE	24 April 2018	Cited for 11.30am

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Licensing (Scotland) Act 2005

Personal Licence(s)

Applicant		Date Received	Comments
7	ANGELA CATHERINE TAYLOR	16 August 2018	Cited for 2pm

PERTH AND KINROSS LICENSING BOARD**Meeting 8 November 2018 at 10:00 am in Council Chambers, Ground Floor, 2 High Street, Perth, PH1 5PH****Licensing (Scotland) Act 2005****Personal Licence Review(s)**

	Licence Holder	Applicant	Date Received	Comments
8	PETER JOHN GRAHAM	POLICE SCOTLAND	11 September 2018	Review request by Police Scotland. Police Scotland have recommended that the personal licence be revoked. Cited for 2pm