

PERTH AND KINROSS LICENSING BOARD

Council Building
2 High Street
Perth
PH1 5PH

05/12/2022

A hybrid meeting of the **Licensing Board** will be held in the **Council Chamber** on **Monday, 12 December 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

Monday, 12 December 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 7 NOVEMBER 2022 FOR APPROVAL** **5 - 14**
- 4 AGENDA - 12 DECEMBER 2022** **15 - 16**
- 5 NEW APPLICATION**
- 5(i) 10 KINNOULL STREET, PERTH**

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PERTH AND KINROSS LICENSING BOARD

Minute of Meeting of the Licensing Board

Held in Chambers (Hybrid), 2 High Street, Perth on 7 November 2022

Present:-

Councillors Anderson; (Bailie) Ahern; Barrett; (Bailie) Brock, James; MacPherson; Parrott; G Stewart; and (Bailie) Williamson.

Councillor Barrett presiding.

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

1. WELCOME AND APOLOGIES

The Convener welcomed those present.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The Minute of the Meeting of 22 September 2022 was submitted and approved as a true record and authorised for signature.

4. VARIATION (MAJOR) APPLICATIONS

Premises	Applicant	Decision														
Dalmunzie Castle Spittal of Glenshee Perthshire PH10 7QG	Dalmunzie Castle Hotel Limited	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <ul style="list-style-type: none">Amend Premises Licence Holder address to, 'C/o Morris and Young, Chartered Accountants, 6 Atholl Crescent, Perth, PH1 5JN' <p><u>Operating Plan</u></p> <p>2 Amend on sales terminal hour as follows: Monday 12 midnight Tuesday 12 midnight Wednesday 12 midnight</p> <p>5 Amend activities as follows:</p> <table><tr><td>Bar Meals</td><td>YYY</td></tr><tr><td>Receptions</td><td>YYY</td></tr><tr><td>Club and Group Meetings</td><td>YYY</td></tr><tr><td>Recorded Music</td><td>YYY</td></tr><tr><td>Live Performances</td><td>YYY</td></tr><tr><td>Dance Facilities</td><td>YYY</td></tr><tr><td>Indoor/outdoor sports</td><td>YYY</td></tr></table> <p>Box after 5(e) Delete the existing and insert instead: Conference facilities are available before core hours, no alcohol available until 11.00am. Breakfast provided from 4.30am. Receptions and club or any other group meetings, recorded music, live music performances and dance facilities may</p>	Bar Meals	YYY	Receptions	YYY	Club and Group Meetings	YYY	Recorded Music	YYY	Live Performances	YYY	Dance Facilities	YYY	Indoor/outdoor sports	YYY
Bar Meals	YYY															
Receptions	YYY															
Club and Group Meetings	YYY															
Recorded Music	YYY															
Live Performances	YYY															
Dance Facilities	YYY															
Indoor/outdoor sports	YYY															

Premises	Applicant	Decision
		<p>also take place before core hours and during function hours. Indoor/outdoor sports may take place before core hours.'</p> <p>5(f) Delete the existing and insert instead: 'Function hours to 1am, 7 days per week. The provision of alcohol is ancillary to the function. No general public entry is permissible and entry is limited and controlled. The bar for the premises or parts of premises utilised for a function shall be closed such that no alcohol is sold 30 minutes prior to the commencement of the function - where there is the possibility of public entry to the function, not just residents. Yoga takes place within the premises and outdoor activities include clay pigeon shooting, golf, falconry and archery. There is no alcohol available during those activities.'</p> <p>6(b) Delete the existing and insert instead: 'Only accompanied and supervised by an adult/parent.'</p> <p>6(d) Delete the existing and insert instead: 'Resident children and young persons 24/7 and non-resident children and young persons until 1.00am.'</p> <p>6(e) Delete the existing and insert instead: 'Children and young persons are permitted in all public areas.'</p> <p>8(d) Amend Designated Premises Manager email address as requested</p>

Premises	Applicant	Decision
<p>Invergowrie Inn 130 Main Street Invergowrie DD2 5BE</p>	<p>Colin Patrick Murphy</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Description of Premises delete the last sentence and insert instead: 'This is a terraced location with one disabled car parking space to the front and car parking to the rear.'</p> <p><u>Operating Plan</u></p> <p>2 Amend terminal licensed hour as follows: Thursday 12:30am</p> <p>3 Amend opening licensed hour as follows: Sunday 11am</p> <p>4 Delete existing and insert instead: 'Festive social demand hours as per Board Policy'</p> <p>5(f) Delete the existing first sentence and then add at the end of 5(f): 'The hours of operation of the beer gardens are restricted from 11am to 10pm. No music, amplified or otherwise, shall be permitted in the outdoor seating areas at any time.'</p> <p>6(b) Delete existing and insert instead: 'Children and young persons are permitted accompanied by adults for the provision of food and functions. Over 14s are also permitted in the public bar and pool area accompanied by an adult at the licensee's discretion.'</p> <p>6(c) Delete existing and insert instead:</p>

Premises	Applicant	Decision
		<p>'All ages.'</p> <p>6(d) Delete existing and insert instead: 'All times.'</p> <p>7 Add, 'Off-sales – Nil'</p> <p>8(d) - Add the Premises Manager's e-mail address as requested.</p> <p><u>Layout Plan</u></p> <p>Amend location and layout plans as requested</p>
Pine Trees Hotel Strathview Terrace Pitlochry PH16 5QR	A+J Barlow LLP	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>2 Amend the on sales terminal hours as follows: Monday 12 midnight Tuesday 12 midnight Wednesday 12 midnight</p> <p>5 Amend Activities as follows: Bar Meals YYY Films YYY Televised Sport YYY Outdoor Drinking YYY</p> <p>Box after 5(e) Delete existing and insert instead: 'Conferences, receptions, meetings, and live performances may take place prior to the commencement of licensed hours. Meals (e.g. breakfast/brunch) may be provided prior to the commencement of licensed hours. Recorded background music may be played</p>

Premises	Applicant	Decision
		<p>before/during and after licensed hours. Films and televised sport may on occasion be shown in public areas prior to the commencement of licensed hours, in addition to televisions being provided in bedrooms. Outdoor drinking - the patio area shown on the layout plan may be used prior to the commencement of licensed hours, including for the provision of meals, but shall not be used after 11pm.'</p> <p>5(f) Delete existing and insert instead: 'The lawn area to the side of the hotel may be used on occasion for marquee events and functions, including weddings.'</p> <p>6(b) Delete existing and insert instead: 'Children and young persons who are resident in the hotel will be permitted access at all times, and may be unaccompanied. Non-resident children and young persons will be permitted access but only when accompanied by an adult.'</p> <p>6(d) Delete the existing and insert instead: 'Children and young persons who are resident in the hotel will be permitted access at all times, and may be unaccompanied. Non-resident children and young persons will be permitted access prior to and during licensed hours, when accompanied by an adult. Non-resident children and young persons may be permitted access after licensed hours, but only when accompanied by an adult and as a guest of a</p>

Premises	Applicant	Decision
		<p>resident.'</p> <p>6(e) Delete existing and insert instead: 'Children and young persons will be permitted access to all public parts of the premises, including the outdoor patio area.'</p> <p>7 Amend On Sales capacity to 190 persons</p> <p>8(d) Amend Premises Manager's email address as requested</p> <p>8(e) Amend the Premises Manager's Date of Issue of Personal Licence as requested</p>
Scone Palace Perth PH2 6BD	MDT Co. Limited	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>2 Amend on sales terminal hour as follows: Monday 12 midnight Tuesday 12 midnight Wednesday 12 midnight</p> <p>Box at the end of 5(e) Add as follows: 'The following activities: recorded music, live performances, receptions, theatre, films, and dance facilities may also take place after core hours during festive social demand hours and function hours but will not be played in the outdoor area.'</p> <p>5(f) Add at the end: 'The provision of alcohol is ancillary to the function. No general public entry is permissible, and entry is limited and controlled (and where the area used is multi-use, ie there is no dedicated</p>

Premises	Applicant	Decision
		<p>function room). The bar for the premises or parts of premises utilised for a function shall be closed such that no alcohol is sold 30 minutes prior to the commencement of the function.</p> <p>Internet sales of alcohol take place. Deliveries take place by way of a courier or by post where a suitable age verification scheme is in place.'</p> <p><u>Layout Plan</u></p> <p>Amend the food shop layout plan as sought</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>

5. CHIEF CONSTABLES ANNUAL LICENSING REPORT FOR 2021/2022

Sergeant James Gordon 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.

6. **PERSONAL LICENCE REVIEWS – S.83**

Licence Holder	Applicant	Decision
Euan Murchie	Police Scotland	Note the offence on the personal licence and take no other action

PERTH AND KINROSS LICENSING BOARD**Meeting 12 December 2022 at 10:00 am Council Chamber (Hybrid), 2 High Street, Perth, PH1 5PH****Licensing (Scotland) Act 2005**

New Grant(s)			
	Premises	Applicant	Date Received
			Comments
1	10 KINNOULL STREET PERTH PH1 5EN	ELSDON 2 LIMITED C/O HARRY DUNN 1 BOWERSWELL WATERLOO BANKFOOT PERTH PH1 4FG	26 September 2022

