

PERTH AND KINROSS LICENSING BOARD
Minutes of Statutory Meeting of the Licensing Board
Held on 19 April 2018

Present:-

Councillors Baird; Jarvis; Brock; Gray; Pover; and James (only for Item 7, major variations for Cridos; Glendoick Garden Centre & Restaurant; Niblick; Scone Palace; The Cree's Inn; The North Port Restaurant).

Councillor Baird presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Louise Cormack, Licensing Standards Officer; and Shona Michie, Licensing Enforcement Officer.

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 08 March 2018 was submitted and approved as a true record and authorised for signature.

4. REPORT ON DISABILITY ACCESS AND FACILITY STATEMENT

The Board noted the Report on the Disability Access and Facility Statement.

5. PERSONAL LICENCE APPLICATION

Applicant	Decision
Michelle Robertson C/O GNE Consultancy Ltd 47 Wallace Brae Drive Reddingmuirhead Falkirk FK2 0FB	<p>Motion (Councillors Baird and Jarvis) Grant with the relevant offence(s) to be marked on the personal licence.</p> <p>Amendment (Councillors Brock and Pover) Refuse on the basis that, having regard to all of the licensing objective(s), the applicant is not a fit and proper person to be the holder of a personal licence.</p> <p>Amendment - 2 votes; Motion – 3 votes.</p> <p>Determined in accordance with the Motion.</p>

6. PREMISES LICENCE APPLICATION

Premises	Applicant	Decision
Altamount House Coupar Angus Road Blairgowrie Perthshire PH10 6JN	Altamount House Ltd	<p>Amend the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5 Amend as follows: Outdoor drinking YYN</p>

		<p>7 Amend to read 'On sales 150 persons Off sales – nil'.</p> <p>Thereafter, grant subject to mandatory conditions.</p>
--	--	--

7. MAJOR VARIATION APPLICATIONS

Premises	Applicant	Decision										
Cridos 6 St John's Place Perth PH1 5SZ	Cridos Limited C/o Janet Hood Consulting, Kirkton of Balfour, Edzell, Brechin, Angus DD9 7XU	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Delete existing Description of Premise and insert instead: `Family friendly city centre licensed restaurant/cafe/bar located in the Café Quarter of Perth'.</p> <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO'</p> <p>1(c) Amend to 'YES'</p> <p>2 Amend Sunday opening time to 11am</p> <p>3 Add off sales hours, 11am to 10pm, 7 days per week</p> <p>5 Amend Activities as follows:</p> <table><tr><td>Receptions</td><td>YYY</td></tr><tr><td>Club meetings</td><td>YYY</td></tr><tr><td>Recorded music</td><td>YYY</td></tr><tr><td>Live performances</td><td>YYN</td></tr><tr><td>Dance</td><td>YYN</td></tr></table>	Receptions	YYY	Club meetings	YYY	Recorded music	YYY	Live performances	YYN	Dance	YYN
Receptions	YYY											
Club meetings	YYY											
Recorded music	YYY											
Live performances	YYN											
Dance	YYN											

		<p>Theatre YYN</p> <p>Films YYN</p> <p>Outdoor drinking YYY</p> <p>Box after 5(e) Delete existing and insert instead: 'The following column 4 activities can commence before core hours: Business meetings, service of restaurant/bar meals/snacks/teas/coffees/breakfasts. Patrons may choose to sit in the outdoor drinking area before core hour opening time conform to Board policy in respect of outside drinking. Restaurant and bar meals and recorded music can take place after core hours during restaurant hours.'</p> <p>5(f) Delete existing and insert instead: 'The premises are a cafe/bar/restaurant and therefore the premises will be operated daily after the end of core social demand hours as per Board's policy all drinks served during restaurant hours after the end of core social demand hours to be ancillary to a meal served on the premises.</p> <p>Business meetings.</p> <p>Food/drink matching and tastings and food drink promotions.</p> <p>Comedians, magicians, poetry readings, small theatrical performances etc and other live entertainment as from time to time may be engaged for the entertainment of customers.</p> <p>Ancillary takeaway and off sales with takeaway meals. All deliveries including alcohol subject to challenge 25. Also,</p>
--	--	--

		<p>off sales to patrons who have taken a table meal on the premises.'</p> <p>5(g) Amend to 'N/A / N/A'</p> <p>6(b) Delete existing and insert instead:</p> <ol style="list-style-type: none"> '1. Children Birth - 12 Must be accompanied by an adult at all times 2. Unaccompanied Children 13 - 15 and Young Persons 16 – 17 may access the premises for breakfasts, snacks, non-alcoholic beverages, snacks, meals and ice creams from 8a.m. - 6 p.m. 3. Children and Young Persons must be accompanied by an adult from 6p.m. -10p.m. or until the end of a meal whichever is the later <p>All subject to suitable age verification documents being provided where required and at the discretion of management.'</p> <p>6(c) Delete existing and insert instead 'All ages'</p> <p>6(d) Delete existing and insert instead '8am — 10pm or until the end of meal whichever is later'</p> <p>6(e) Delete existing and insert instead 'All public parts of the premises'</p> <p>7 Amend to 'On sales - 120 persons. Off sales — nil'</p> <p><u>Conditions</u></p> <p>Amend local condition 1 to read: 'The outside seating area shall be operated in accordance with the Licensing Board's Policy on Pavement Cafes.'</p> <p>Add local condition as follows:</p> <ol style="list-style-type: none"> (2) A written policy shall be in place for the premises
--	--	--

		<p>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>
<p>Glendoick Garden Centre & Restaurant Glendoick Perth PH2 7NS</p>	<p>Glendoick Gardens Ltd</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5 Amend as follows: Conference facilities YYY Receptions YYY Club meetings YYY</p> <p>Box after 5(e) Add the following: 'Conference/meeting room available from 9am which can be used for conferences, club or other group meetings/birthday parties for children all within and outwith core hours.'</p> <p>6(b) Delete existing and insert instead: 'Young persons and children over the age of 10 years are permitted unaccompanied access to all parts of the premises. Children under 10 years of age are permitted access to all parts of the premises but must be accompanied by a responsible adult at all times.'</p> <p>6(d) Delete existing and insert instead, 'All times'.</p> <p>7 Amend to read: On sales – 300 persons Off sales – 3.685m²</p> <p><u>Layout Plan</u></p>

		Amend location and layout plans as sought.
Niblick 2 Crown Court High Street Auchterarder PH3 1DF	Greene King Retailing Limited, C/o TLT LLP, Solicitors, LP10, Glasgow 6	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5 Amend as follows: Bar meals YYY</p> <p>Box after 5(e) Add a new paragraph at beginning: 'Bar meals – the premises may open early for the provision of teas, coffees, breakfasts etc. but not before 8am.'</p> <p><u>Conditions</u></p> <p>Delete local condition 8.</p>
Scone Palace Scone Palace Perth PH2 6BD	Heather Jane McArthur C/o TLT LLP 140 West George Street, Glasgow, G2 2HG.	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Delete Description of Premises and insert instead: "Stately home set in 100 acres of gardens located two miles north of the City of Perth and west of the A93. Five star historic site and open to the public. Situated within the Palace are retail and catering outlets. The premises are also a multifunctional event space that also provides accommodation."</p> <p><u>Operating Plan</u></p> <p>2 Amend Thursday terminal hour to 12:30am</p> <p>3 Amend terminal hours, Monday to Sunday to 10pm</p>

		<div>4</div> <div>Delete existing and insert instead: "Festive social demand hours (premises offering no significant entertainment) and festive function hours."</div> <div>5</div> <div>Amend as follows:</div> <div>5</div> <div>Amend as follows:</div> <div> <div>Accommodation</div> <div>Y</div> </div> <div> <div>Conference facilities</div> <div>YYY</div> </div> <div> <div>Club meetings</div> <div>YYY</div> </div> <div> <div>Theatre</div> <div>YYY</div> </div> <div> <div>Films</div> <div>YYY</div> </div> <div> <div>Indoor/outdoor sports</div> <div>YYY</div> </div> <div> <div>Televised sport</div> <div>YYY</div> </div> <div>Box after 5(e)</div> <div>Delete existing and insert instead: "Conference facilities, restaurant facilities, bar meals, receptions, club or other group meetings etc, recorded music, live performances, dance facilities, theatre, films, indoor/outdoor sports, televised sport, and outdoor drinking facilities may take place before core hours from 6am."</div> <div>5(f)</div> <div>Delete existing and insert instead: "The premises are a tourist attraction and multi-purpose function venue hosting events including but not limited to weddings, dances, private parties and corporate hospitality. The premises' grounds will cater for wide ranging activities including sporting events and entertainment. Function hours as per Board Policy".</div> <div>5(g)</div> <div>Amend to N/N</div> <div>6(b)</div> <div>Delete existing and insert instead: "Children and young persons will be permitted access to the entire premises and outdoor area when accompanied by an adult."</div>
--	--	---

		<p>6(d) Delete existing and insert instead: "When attending a function or event children and young persons will be permitted to remain until the end of the function or event otherwise they will be required to leave by 10pm."</p> <p>6(e) Delete existing and insert instead: "All public parts."</p> <p>7 Amend as follows: On sale First floor - 200 Ground floor - 225 Second floor - 40 External - 200 Total – 665</p> <p>Off sale 12.82m2</p> <p><u>Layout Plan</u></p> <p>Amend layout plans as sought.</p> <p><u>Conditions</u></p> <p>Add mandatory late opening first aider condition.</p>
The Cree's Inn Main Street Abernethy Perthshire PH2 9LA	L.G.C. Inns Ltd	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend Description of Premises to: 'A "B" listed public house with 4 letting bedrooms, restaurant, lounge and public bar set in a rural village in</p>

		its own grounds.'
		<u>Operating Plan</u>
	2	Amend Sunday opening time to 11am
	3	Amend Sunday opening time to 11am
	4	Delete existing and insert instead: 'Festive social demand hours (premises offering no significant entertainment).'
	5	Amend as follows: Conference facilities YYN Recorded music YYN Live performances YYN Gaming YYN Indoor/outdoor sports YYN Televised sports YYN
	Box after 5(e)	Delete existing and insert instead: 'Breakfast and restaurant facilities are available to residents and non-residents from 10am Monday to Sunday.'
	5(f)	Add: 'Alcohol may be served to residents at any time. Fundraising events and quiz nights.'
	6(b)	Delete existing and insert instead: 'Children and young persons are allowed entry in all areas accompanied by an adult.'
	6(d)	Delete existing and insert instead: 'All times'
	6(e)	Delete existing and insert instead: 'All public areas of the premises including the bedrooms if a guest'.
	7	Amend to 'On sales – 100 persons; Off sales – nil'.

		<p><u>Layout Plan</u></p> <p>Amend revised layout plan as sought</p> <p>With an undertaking given by the premises licence holder not to use the additional upstairs bedroom until all necessary statutory consents are in place.</p>
<p>The House of Bruar By Blair Athol Perthshire PH18 5TW</p>	<p>The House of Bruar</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend Name of Company to 'The House of Bruar Limited'</p> <p><u>Operating Plan</u></p> <p>5 Amend as follows: Outdoor drinking facilities NNN Box after 5(e) Delete the wording 'and in outdoor seating areas'.</p> <p>7 Amend to read: 'On sales – 600 persons seated Off sales – 52.09m2'</p> <p><u>Layout Plan</u></p> <p>Amend location and layout plans as sought.</p> <p><u>Conditions</u></p> <p>Add local conditions as follows:</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>
<p>The North Port Restaurant 8/12 North Port Perth PH1 5LU</p>	<p>Andrew Duncan Moss</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO'</p> <p>1(c) Amend to 'YES'</p> <p>3 Add off sales hours of 11am to 10pm, 7 days per week</p> <p>4 Delete existing narrative</p> <p>5(f) Delete "There will be no off sales and insert instead, 'We offer "Foragin" only for off sales.'</p> <p>6(b) Amend to read 'Children and young persons....'</p> <p>6(c) Amend to read '.... children and young persons....'</p> <p>6(e) Amend to read 'Children and young persons....'</p> <p>7 Amend to read: 'On sales – 40 persons Off sales – nil'</p> <p><u>Conditions</u></p> <p>Amend local condition 1 to read 'The provision of alcohol for consumption on the premises is ancillary to table meals taken by customers on the premises.'</p>

--	--	--

8. **PREMISES LICENCE REVIEWS**

Licence Holder	Applicant	Decision
McColls 168 Oakbank Road Perth PH1 1HA	Perth & Kinross Licensing Board	Note the offence with no further action being taken.
R S McColl 13 High Street Crieff PH7 3HU	Perth & Kinross Licensing Board	Note the offence with no further action being taken.
R S McColl 189 Rannoch Road Letham Perth PH1 2DP	Perth & Kinross Licensing Board	Note the offence with no further action being taken.