

PERTH AND KINROSS LICENSING BOARD

Minute of Meeting of the Licensing Board

Held virtually on 12 August 2021

Present:-

Councillors Baird; Brock; Gray; Reid; and Wilson.

Councillor Baird 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.

Apologies were received from Councillors James, Duff, McCall, Parrott and Pover.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The Minute of the Meeting of 1 July 2021 was submitted and approved as a true record and authorised for signature.

4. PREMISES LICENCE APPLICATIONS

Premises	Applicant	Decision
Cafe Calluna 90 Atholl Road Pitlochry PH16 5BL	Tracy Marie Hall	Grant subject to mandatory conditions
Killiecrankie House Hotel Killiecrankie Perthshire PH16 5LG	Killiecrankie Ltd	Downgrade the application to a provisional premises licence Thereafter, grant subject to mandatory conditions
Malts and Spirits 55 George Street Perth PH1 5LB	Malts and Spirits Ltd	Grant subject to mandatory conditions, and Local Condition (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: (i) the taking of orders and subsequent delivery of alcohol out with the premises
Piob Mhor of Scotland Ltd 39-43 High Street Blairgowrie PH10 6DA	Piob Mhor of Scotland Ltd	Grant subject to mandatory conditions
Swarnaspice Ltd t/a Praveen Kumar - Authentic Indian Cuisine, Delivered Unit 1 and 2	Swarnaspice Ltd	Grant subject to mandatory conditions, and Local Condition

Premises	Applicant	Decision
Perth Food & Drinks Park Islay Place Inveralmond Perth PH1 3FU		(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: (i) the taking of orders and subsequent delivery of alcohol out with the premises

5. VARIATION (MAJOR) APPLICATIONS

Premises	Applicant	Decision
Co-op Unit 5 Argyll Road North Muirton Perth PH1 3BZ	Co-operative Group Food Limited	Grant subject to amending the premises licence as follows: <u>Operating Plan</u> 5(f) Delete existing and insert instead: 'The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.' <u>Conditions</u> Add local condition as follows:

		<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>
Co-op West Mains Avenue Perth PH11 1QZ	Co-operative Group Food Limited	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5 Amend activities to include: Recorded music YYY</p> <p>Box after 5(e) Add the following: ‘Recorded background music may be played within and out with core hours’</p> <p>5(f) Delete existing and insert instead: ‘The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.’</p> <p><u>Conditions</u></p> <p>Add local condition as follows:</p> <p>(1) Written policies shall be in place for the premises</p>

		<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>Lidl Great Britain Limited Riggs Road Perth PH1 1PR</p>	<p>Lidl Great Britain Limited</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>4 Amend to 'YES' Add narrative as follows: 'The Applicant seeks an increased capacity of the alcohol display for the period 1 December each year until 2 January of the following year. The relevant capacities shall be stated in question 7 Below. The applicant seeks the increased capacity to allow them to adequately cope with increased seasonal demand around the Christmas and New Year Period.'</p> <p>7 Delete existing and insert instead: 'Capacity during non-seasonal trading: Length 32.68m Depth 0.89m Total 29.08m² Additional capacity during seasonal trading (1 December each year until 2 January the following year) Length 5.30m Depth 0.89m Total 4.72m² Max Total: 33.8m²'</p> <p><u>Layout Plan</u></p> <p>Amend layout plan as sought</p>

<p>McKays Hotel 138 Atholl Road Pitlochry PH16 5AG</p>	<p>McKays Hotel, Bar and Restaurant Limited C/o Janet Hood Consulting Kirkton of Balfour Edzell Breachin Angus DD9 7XU</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Address of Premises: Amend to: '138-142 Atholl Road, Pitlochry, PH16 5AG'</p> <p>Description of Premises: Delete existing and insert instead: 'Detached family friendly hotel with function room/bar/restaurant, cocktail bar, bar/restaurant, orangery cafe, takeaway and ice cream parlour, beer garden and garden areas situated towards the north west end of Atholl Road, Pitlochry.'</p> <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO' 1(c) Amend to 'YES' 2 Amend on sales hours as follows: Monday to 12 midnight Tuesday to 12 midnight Wednesday to 12 midnight Sunday from 11am 3 Add off sales hours: Monday to Sunday, 10am to 10pm, 7 days per week 4 Amend to 'YES' Delete existing narrative and insert instead: 'Festive social demand hours and festive function hours per Board policy'. 5 Amend activities as follows:</p>
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		<p>alcohol will be served only with a meal during restaurant hours and after social demand hours when the premises are being used as a restaurant and food is being served and consumed.</p> <p>Premises Operators may permit takeaway food and drink or either and may deliver food and drink or either product including alcohol all as per the terms of the delivery policy contained within Perth and Kinross policy statement.</p> <p>Alcohol for takeaway or off sales will be in sealed containers and served from the chip shop, the hotel reception or other service sales points within the premises. For example, a guest could order e.g a bottle of wine for off sales during off sales hours while dining.</p> <p>Off sales will commence at 1000 a.m. from the reception to permit residents to purchase eg specialist spirits, whiskies, gins, rums etc, wines, beers to take home when they are checking out of the premises otherwise off sales will be permitted from 1100 a.m. in the chip shop - there will be no display area for these off sales which will be kept in cellar or spirit stores - guests will be able to advise management of their requirements and/or chose from an off sales list.</p> <p>Ice creams, sweets, soft drinks, teas and coffees will be able to be served to residents, guests and non residents from the ice cream hatch shown on the layout plan'</p> <p>5(g) Amend to 'NO / NO'</p> <p>6(b) Delete existing and insert instead: "1. All children resident must be accompanied by</p>
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		<p>an adult at all times they are in function room/bar/restaurant public parts of the premises</p> <p>2. Resident young persons may be unaccompanied in function room/bar/restaurant public parts of the premises until 2000 hours for the purposes of having a meal or snack or soft drink and must be accompanied by an adult in function room/bar/restaurant public parts of the premises thereafter</p> <p>3. Non resident children and young persons must be accompanied in function room/bar/restaurant public parts of the premises until 2200 hours for the purposes of having a meal or snack or soft drink or until the end of a meal or private function.</p> <p>4. Neither children nor young persons need be accompanied by an adult in the bedroom areas</p> <p>5. Unaccompanied children aged 13 - 15 and unaccompanied young persons may access the Orangery Chip shop for the purpose of purchasing a takeaway or having a meal, snack, ice cream or soft drink until 2200 and must be accompanied by an adult thereafter'</p> <p>6(c) Delete existing and insert instead, 'Birth - 17'</p> <p>6(d) Delete existing and insert instead:</p> <p>'1. All public parts of the premises from activity opening time to until 2200 or end of a private function or meal.</p> <p>2. Resident children and young persons can remain in the premises 24/7 and remain in public parts of premises as above.'</p> <p>6(e) Delete existing and insert instead:</p> <p>'1. Resident and non-resident children and young</p>
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		<p>persons all public parts of the premises. 2. Resident children and young persons all parts of the premises not open to the general public.'</p> <p>7 Delete existing capacity and insert instead: <u>On Sales</u> ORANGERY 50 CHIP SHOP 22 BAR/RESTAURANT 142 FUNCTION ROOM 110 TOTAL INTERNAL 324 OUTSIDE AREA WILL NOT AFFECT OVERALL CAPACITY - 110 <u>Off sales</u> 0.72m2</p> <p><u>Layout Plans</u></p> <p>Amend the location and layout plans as sought</p> <p><u>Conditions</u></p> <p>Add local conditions 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>
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		The premises licence, number PK/0026 for MacDonalds Guest House/Ardchoille Café, 140-142 Atholl Road, Pitlochry is to be surrendered prior to the varied premises licence for McKays' Hotel and Restaurant being issued.
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