

PERTH AND KINROSS LICENSING BOARD
Minutes of Special Meeting of the Licensing Board
Held on 28 June 2018

Present:-

Councillors Baird; Anderson; Gray; James and McCall.

Councillor Baird presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Louise Cormack, Licensing Standards Officer; Debra Merchant, Acting Licensing Manager; and PC Leighann Gregge, Police Scotland.

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 31 May 2018 was submitted and approved as a true record and authorised for signature.

4. **PERSONAL - LICENCE APPLICATION**

Applicant	Decision
Hazel McKinnon Reid C/o CPL Training Egerton House 2 Tower Road Birkenhead Wirral CH41 1FN	Grant with the relevant offence marked on the personal licence.

5. **PREMISES LICENCE REVIEW**

Premises	Applicant	Decision
Shop 75-77 Balhousie Street PERTH PH1 5BG	Police Scotland	<p>Grounds for review are established on the basis of (i) breach of mandatory conditions 5 (no authorisation of sale of alcohol), 6(1) (no training of staff), and 6(2A) (no training records on the premises) on 24 April2018 for one member of staff; and (ii) breach of mandatory conditions 6(1) (no training of staff), and 6(2A) (no training records on premises) on 3 May 2018 for two members of staff.</p> <p>And Separately,</p> <p>Grounds for review are established on the basis of grounds relevant to the licensing objectives (a) preventing crime and disorder for failure to display the summary premises licence on 3 May 2018.</p>

		<p>And Separately,</p> <p>Grounds for review are established on the basis of grounds relevant to the licensing objective (a) preventing crime and disorder for failure to operate an incident book/refusals register between September 2015 and May 2018.</p> <p>Thereafter, the Board considered what step to impose on the premises licence.</p> <p>On the basis that it is necessary and appropriate to do so for the purposes of the licensing objectives (a) preventing crime and disorder and (e) protecting children and young persons from harm:</p> <ul style="list-style-type: none"> (i) A written warning be issued to the premises licence holder, and (ii) Add local conditions to the premises licence as follows: <ul style="list-style-type: none"> (1) A written policy shall be in place for the premises and shall be implemented by the premises licence holder, all to the continuing satisfaction of the Board, for: <ul style="list-style-type: none"> (i) The training and supervision of staff involved in the sale of alcohol on the premises. (2) An incident book shall be kept on the premises and operated by the premises licence holder and all staff involved in the sale of alcohol, all to the continuing satisfaction of the Board. That
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		incident book shall be made available to the Police and/or the Licensing Standards Officer on request.
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6. PERSONAL LICENCE REVIEW

Applicant	Decision
Sabiha Sajad Hussain	No finding was made that the personal licence holder had acted in a manner inconsistent with the licensing objectives.
Sajad Hussain	<p>The personal licence holder, Sajad Hussain, acted in a manner inconsistent with the licensing objectives, (a) preventing crime and disorder and (e) protecting children and young persons from harm, on the basis that on 24 April 2018, Mr Hussain allowed alcohol to be sold on the premises contrary to the Licensing (Scotland) Act 2005, Section 107.</p> <p>Thereafter, the Board considered what step to impose on the personal licence.</p> <p>Motion (Councillors Anderson and McCall) On the basis that it is necessary for the purposes of the licensing objectives (a) preventing crime and disorder and (e) protecting children and young persons from harm, endorse the personal licence.</p> <p>Amendment (Councillors Gray and Baird) No action be taken.</p> <p>Amendment – 3 votes; Motion – 2 votes. Determined in accordance with the Amendment.</p>