

PERTH AND KINROSS LICENSING BOARD
Minutes of Statutory Meeting of the Licensing Board
Held on 8 November 2018

Present:-

Councillors Baird; Jarvis (excluding Items 9 & 10); Doogan, Duff; James and Wilson (except Item 8).

Councillor Baird presiding.

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

1. INTRODUCTIONS

The Convenor introduced those present.

2. DECLARATIONS OF INTEREST

Councillor Wilson declared a non-financial interest in Item 8.

3. MINUTES

The Minute of the Meeting of 27 September 2018 was submitted and approved as a true record and authorised for signature.

4. REPORT FROM GLENEAGLES HOTEL ON DORMY CLUB HOUSE EXTENDED HOURS EVENT

The Board noted the content of the Report from the Gleneagles Hotel.

5. PREMISES LICENCE APPLICATION

Premises	Applicant	Decision
Chester's Coffee House 33 St John Street Perth PH1 5SH	Hilbert Albert Krikken C/o Janet Hood, Janet Hood Consulting Kirkton of Balfour Edzell Brechtin Angus DD9 7XU	Grant subject to mandatory conditions, and Local Condition (1) The outside seating area shall be operated in accordance with the Licensing Board's Policy on Pavement cafes. With the premises licence not to be issued until an amended layout plan is submitted to the satisfaction of the Board's officials to reflect children and young persons having access to all public parts of the premises.

6. PROVISIONAL PREMISES LICENCE APPLICATIONS

Premises	Applicant	Decision
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	Grant subject to mandatory conditions. Councillor Doogan dissented from the granting of the application.
BP Perth Services M&S Connect	BP Oil UK Limited C/o Harper MacLeod	Motion (Councillors Baird and James) Grant subject to mandatory conditions.

The Triangle Inveralmond Perth PH1 3GA	The Ca'd'oro 45 Gordon Street Glasgow G1 3PE	<p>Amendment (Councillor Doogan and Wilson) Refuse on the basis the Board is not satisfied that the premises meet the test set out in the Licensing Act 2005, Section 123(5) as there are alternatives available within 1.5miles of the premises.</p> <p>Amendment – 2 votes; Motion – 3 votes</p> <p>Determined in accordance with the Motion.</p>
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7. **MAJOR VARIATION APPLICATIONS**

Premises	Applicant	Decision
Duchally House Duchally Country Estate Gleneagles Auchterarder PH3 1PN	Graeme MacDonald	<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 10am to 6pm, 7 days per week.</p> <p>4 Amend to 'YES' and add narrative as follows: 'Festive social demand hours (premises offering no significant entertainment) on New Year's Eve as per Board policy.'</p>

		<p>6(b) Delete existing and insert instead: 'Children and young persons are allowed access if accompanied by a responsible person over 18, up to 9pm only.'</p> <p>6(c) Delete existing and insert instead: '5 to 17 year olds'</p> <p>6(d) Delete existing and insert instead: 12 noon to 9pm'</p> <p>7 Add: 'Off sales – 0.312m²'</p> <p><u>Layout Plan</u></p> <p>Amend as requested (one plan only for layout).</p>
The Paddlers Grandtully Aberfeldy PH9 0PL	Andrew Michael Rowley	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend the name and address of the premises as sought.</p> <p>Delete Description of Premises and insert as follows: 'The premises A hotel on 2 floors with 8 letting bedrooms. The ground floor comprises one Restaurant, one lounge, reception area with small retail space, public bar with external seating area to front, private dining room with rear external terrace and normal common areas and services. The first floor accommodates the letting bedrooms. The Locality The locality is predominantly residential within the village of Grandtully.</p>

		<p>The locality is predominantly residential within the village of Grandtully, with two trading hospitality/tourist businesses (The Inn on the Tay and The Highland Chocolatier).'</p> <p>Amend the premises licence holder details as sought.</p> <p>Amend the designated premises manager details as sought.</p> <p><u>Operating Plan</u></p> <p>4 Amend to 'YES' Delete existing narrative and insert instead: 'Festive social demand hours' as per Board Policy for 31st December of each calendar year.'</p> <p>5 Amend as follows: Conference facilities YYY Bar meals YYN Live performances YYN Films NNN Gaming NNN Indoor/outdoor sports NNN</p> <p>Box after 5(e) Delete paragraphs 1 – 6 and insert instead: 'Conference facilities and reception- conferences and seminars and such receptions as described as above shall occasionally commence from 9:00am with the provision of morning facilities such as teas, coffees and breakfasts.</p> <p>Restaurant facilities will be available from 8am for</p>
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		<p>tea, coffee and breakfast for both residents and non residents.</p> <p>Club or other group meetings etc. - as for receptions.</p> <p>Recorded music- Background music will be played at a low level during breakfast and then throughout the core hours to enhance the atmosphere.'</p> <p>[Retain paragraphs 7 and 8]</p> <p>5(f) Delete paragraph 1</p> <p>6(b) Delete paragraph 5 on gaming</p> <p>7 Amend on sales capacity to:</p> <p>On Sales- 215</p> <p>Public Bar (including outside seating area)- 98</p> <p>Reception - 25</p> <p>Private Dining Room- 22</p> <p>Restaurant- 35</p> <p>Lounge- 23</p> <p>External terrace to rear- 12</p> <p>8(b) Amend date of birth as requested</p> <p>8(c) Amend contact details as requested</p> <p>8(d) Amend email address as requested</p> <p><u>Layout Plan</u></p> <p>Amend layout plans as sought.</p>
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8. MAJOR VARIATION ON TRANSFER APPLICATION

Premises	Applicant	Decision
Caffe Canto Bistro 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	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend the name of the premises to 'Brewdog'; Delete existing Description of Premises and insert instead as follows: "Ground floor alcohol licensed premises situated in the centre of Perth close by the Museum and Art Gallery and Concert Hall. It is situated at the corner of George Street and Bridge Lane with residential flats above."</p> <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO' 1(c) Amend to 'YES' 2 Amend Thursday to Saturday terminal hour to 12:30am and amend Sunday terminal hour to 12 midnight. 3 Add off sales hours 10am to 10pm, 7 days per week 5 Amend to read: Bar meals YYY Receptions YYY Club or group meetings YYY</p>

9.

		<p>Recorded music YYY</p> <p>Box after 5(e) Delete existing and insert instead: "Food and non-alcoholic beverages may be available outwith licensed hours and all activities listed above may take place at the times that the premises is open to the public."</p> <p>5(f) Delete existing</p> <p>6(d) Delete existing and insert instead: "Children will be permitted access until 8pm. Young persons will be permitted access until 10pm."</p> <p>7 Add 'Off sales – Nil m2'</p> <p><u>Layout Plan</u></p> <p>Amend the existing 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 immediate external area 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> <ul style="list-style-type: none">(i) noise mitigation(ii) dispersal of patrons(iii) litter and waste management(iv) mitigation of the effects of smoking
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PERSONAL LICENCE APPLICATION

Applicant	Decision
Angela Catherine Taylor	Defer to a future meeting of the Board for:- (1) Police Scotland to provide a supplementary letter setting out the alleged circumstances leading to the assault charge, and (2) The applicant to be personally present.

10. PERSONAL LICENCE REVIEW

Licence Holder	Applicant	Decision
Peter John Graham	Police Scotland	Motion (Councillors Baird and Wilson) The personal licence holder has not acted in a manner inconsistent with any of the licencing objectives. Amendment (Councillors Duff and Dougan) The personal licence holder has acted in a manner inconsistent with the licencing objective, (a) preventing crime and disorder. Amendment – 2 votes; Motion – 3 votes. Determined in accordance with the motion.