

**PERTH AND KINROSS LICENSING BOARD**  
**Minutes of Statutory Meeting of the Licensing Board**  
**Held on 27 September 2018**

**Present:-**

Councillors Baird; Jarvis; Brock; Duff; Gray (to Item 8 only) and Pover.

Councillor Baird presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Louise Cormack, Licensing Standards Officer; Debbie Merchant, Licensing Manager (to and including Item 4 only); Sgt Ryan MacDonald, Police Scotland (to and including Item 6 only); PC Dorothy Black, Police Scotland (to and including Item 6 only); and Dawn Stewart, Environment Services, Perth and Kinross Council (from item 7 onwards).

**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 16 August 2018 was submitted and approved as a true record and authorised for signature.

**4. CHIEF CONSTABLE'S ANNUAL REPORT FOR 1 APRIL 2017 TO 1 MARCH 2018**

Sgt Ryan MacDonald 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.

**5. GAMBLING DRAFT STATEMENT OF PRINCIPLES 2019 - 2022**

The Board agreed to revise the Draft Statement of Principles at paragraph 1.2 to read 'This Statement of Principles was adopted by Perth and Kinross Licensing Board on XXX.....' Thereafter, the Board agreed to publically consult on the revised Draft Statement of Principles for a period of 6 weeks. An updated Report is to be brought back to the Board after the end of the consultation period with a view to finalising the Statement of Principles.

**6. PERSONAL LICENCE APPLICATIONS**

<b>Applicant</b>	<b>Decision</b>
Laura Hunter	Motion (Councillors Baird and Brock) Grant with the relevant offences to be marked on the personal licence.  Amendment (Councillors Duff and Pover) Refuse on the basis that it is otherwise necessary to do so for the purposes of the licensing objective (a) preventing crime and disorder.  Amendment – 2 votes; Motion – 4 votes Decided:- In accordance with the Motion.

**7. PREMISES LICENCE APPLICATIONS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Dalrannoch Brewing Company	Brett Antonie Snowdon	Downgrade the application to a provisional premises licence.

Unit 16 The Old Dairy Meikleour Perthshire PH2 6FB		<p>Amend the provisional premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5(f) Add a new paragraph as follows: ‘Public entry to licensed shop area as well.’</p> <p>Thereafter, grant subject to mandatory conditions, and</p> <p>Local Conditions</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>
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## 8. **MAJOR VARIATION APPLICATIONS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Gringos 76-78 Canal Street Perth PH2 8HX	BM Taverns Ltd	<p>The applicant sought to revise the variation application to the effect of retaining function hours on the premises licence and retaining local condition1 on door supervision but applying it only to functions.</p> <p>The Board deferred the application to enable a revised variation application to be re-advertised and consulted upon.</p>

## 9. **REPORT ON REVIEW OF LICENSING POLICY STATEMENT 2018**

The Board considered the terms of the Report and Appendices 1 to 10 and finalised the terms of its Licensing Policy Statement 2018/2023 as follows:

- The Board agreed to the terms of the Draft Licensing Policy Statement.
- In addition, in respect of Section 5.11 on Noise, the Board agreed to adopt the fourth option set out in the Draft Licensing Policy Statement, namely 'Between the hours of 11pm and 7am, no noise by way of music whether amplified or not or singing and speech emanating from licensed premises shall (i) exceed 31dB or 10dB above the underlying level, or (ii) for low frequency, exceed 47dB in 63Hz band and/or 41dB in 125 Hz octave bands in any neighbouring property.'
- In respect of Section 7.6 Function hours, (b) closedown options, the Board agreed to adopt the first option, namely 'the bar shall be closed such that no alcohol is sold for 30 minutes prior to the commencement of the function.'
- In respect of the consultation responses the Board agreed with the recommendations set out in the Report Appendices, Comments Section on each individual response. In addition, the Board agreed to consider for its next policy statement (i) referring to the Board being subject to human rights legislation; and (ii) in respect of its policy on the Delivery of Alcohol to and consumption by persons under 18 or drunk persons, specifying certain checks to be carried out including Challenge 25.