

**PERTH AND KINROSS LICENSING BOARD**

**Minute of Meeting of the Licensing Board**

**Held in Chambers (Hybrid), 2 High Street, Perth on 17 April 2024**

**Present:-**

Councillors Anderson; Barrett; (Bailie) Brock; James; MacPherson; (Depute Provost) Parrott; G Stewart; and (Bailie) Williamson.

Councillor Barrett presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Shona Douglas, Licensing Paralegal; Louise Cormack, Licensing Standards Officer.

**1. WELCOME AND APOLOGIES**

The Convener welcomed those present. Apologies were received from Councillor Duff.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES**

The Minute of the Meeting of 21 February 2024 was submitted and approved as a true record.

4. **PREMISES LICENCE REVIEWS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
<p>South Street Newsagents 90 South Street Perth PH2 8PD</p>	<p>Perth and Kinross Licensing Board</p>	<p><u>Grounds of Review</u></p> <p>Grounds of review are established on the basis of breach of mandatory condition 10(2) of the premises licence</p> <p><u>Steps to impose</u></p> <p>Suspend the premises licence with immediate effect until such time as the annual fees due are paid,</p> <p>As necessary and appropriate for the purposes of all of the licensing objectives.</p>
<p>The New County Hotel 22-30 County Place Perth PH2 8EE</p>	<p>Perth and Kinross Licensing Board</p>	<p><u>Grounds of Review</u></p> <p>Grounds of review are established on the basis of breach of mandatory condition 10(2) of the premises licence</p> <p><u>Steps to impose</u></p> <p>Revoke the premises licence,</p> <p>As necessary and appropriate for the purposes of all of the licensing objectives.</p>

5. **PERSONAL LICENCE REVIEW**

Licence Holder	Applicant	Decision
John Charles Mitchell	Police Scotland	<p>The personal licence holder has acted in a manner inconsistent with the licensing objectives:</p> <ul style="list-style-type: none"> <li>(a) preventing crime and disorder</li> <li>(b) securing public safety</li> <li>(c) preventing public nuisance</li> <li>(e) protecting children and young persons from harm</li> </ul> <p>On the basis that the licence holder is not a fit and proper person to be the holder of a personal licence having regard to the licensing objective(s):</p> <ul style="list-style-type: none"> <li>(a) preventing crime and disorder</li> <li>(b) securing public safety</li> <li>(c) preventing public nuisance</li> <li>(e) protecting children and young persons from harm,</li> </ul> <p>revoke the licence.</p>

6. **PREMISES LICENCE APPLICATION**

Premises	Applicant	Decision
Touch of Poland 93/95 Canal Street Perth PH2 8HX	Touch of Poland Ltd	Grant subject to mandatory conditions

7. **VARIATION (MAJOR) APPLICATION**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Escape Route Café 3A Atholl Road Pitlochry PH16 5BX	Kevin Grant	The Board noted this application has been withdrawn from the Agenda and will be dealt with at a later meeting
La Sicilyana Coffee & Wine Bar 20-22 Perth Road Scone PH2 6JJ	Steven Dalton	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>Q5(f) Delete ‘There shall be no deliveries of alcohol to customers from the premises.’ and insert instead: ‘Collection and delivery of alcohol - A click and collect service as well as internet sales and a delivery service are available to UK mainland customers by La Sicilyana or our dedicated courier.’</p> <p><u>Conditions</u></p> <p>Add to existing local condition 1 as follows:</p> <ul style="list-style-type: none"> <li>(iv) the taking of orders and subsequent delivery of alcohol out with the premises</li> <li>(v) the taking of orders and subsequent collection of alcohol from the premises</li> </ul>
Spar Store 200 High Street Auchterarder	C J Lang & Son Limited	Grant subject to amending the premises licence as follows:

Premises	Applicant	Decision
PH3 1AF		<p data-bbox="1128 236 1346 268"><u>Operating Plan</u></p> <p data-bbox="1128 309 1576 416">5 Amend as follows: Recorded music   YYY Gaming            YYY</p> <p data-bbox="1128 421 1630 453">Box after 5(e)       Add as follows:</p> <p data-bbox="1128 458 1921 671">'The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.'</p> <p data-bbox="1128 676 1704 708">5(f) Delete existing and insert instead:</p> <p data-bbox="1128 713 1921 1118">'The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread &amp; cakes, crisps/snacks, non-foods, toiletries, frozen &amp; chilled foods, fruit/vegetables/flowers, news &amp; magazines, toys, tobacco &amp; cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click &amp; collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling &amp; promotional activities.'</p> <p data-bbox="1128 1123 1738 1155">7 Amend off sales capacity to 4.26m2.</p> <p data-bbox="1128 1198 1301 1230"><u>Layout Plan</u></p> <p data-bbox="1128 1273 1697 1305">Substitute revised layout plan as sought.</p> <p data-bbox="1128 1348 1279 1380"><u>Conditions</u></p>

Premises	Applicant	Decision
		<p>Add local condition 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> <p>(ii) the taking of orders and subsequent collection of alcohol from the premises</p>
<p>Spar Marshall Way Luncarty PH1 3EX</p>	<p>C J Lang &amp; Son Limited</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>3 Amend the terminal hour to 10pm, 7 days per week</p> <p>5 Amend as follows:</p> <p>Recorded music     YYY</p> <p>Gaming               YYY</p> <p>Box after 5(e)       Add as follows:</p> <p>‘The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.’</p> <p>5(f) Delete existing and insert instead:</p> <p>‘The primary activity undertaken in the premises is the general retail sales of the following: Groceries,</p>

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		<p>confectionery, bread &amp; cakes, crisps/snacks, non-foods, toiletries, frozen &amp; chilled foods, fruit/vegetables/flowers, news &amp; magazines, toys, tobacco &amp; cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click &amp; Collect. Home Deliveries. Paypoint payment. National lottery outlet. External automated cash machine. Sampling &amp; promotional activities.'</p> <p>7 Amend off sales capacity to 4.43m2.</p> <p><u>Layout Plan</u></p> <p>Substitute the revised 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 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>(ii) the taking of orders and subsequent collection of alcohol from the premises</p>
Spar 22 Percy Street Stanley	C J Lang & Son Limited	Grant subject to amending the premises licence as follows:

Premises	Applicant	Decision
PH1 4LU		<p data-bbox="1128 236 1346 268"><u>Operating Plan</u></p> <p data-bbox="1128 309 1485 341">5 Amend as follows:</p> <p data-bbox="1223 347 1576 379">Gaming                      YYY</p> <p data-bbox="1128 386 1630 418">Box after 5(e)            Add as follows:</p> <p data-bbox="1128 424 1921 635">'The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.'</p> <p data-bbox="1128 641 1704 673">5(f) Delete existing and insert instead:</p> <p data-bbox="1128 679 1921 1082">'The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread &amp; cakes, crisps/snacks, non-foods, toiletries, frozen &amp; chilled foods, fruit/vegetables/flowers, news &amp; magazines, toys, tobacco &amp; cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click &amp; collect. Home Deliveries. Paypoint payment. National Lottery outlet. Automated cash machine. Sampling &amp; promotional activities.'</p> <p data-bbox="1128 1088 1760 1120">7 Increase off sales capacity to 5.38m2.</p> <p data-bbox="1128 1161 1301 1193"><u>Layout Plan</u></p> <p data-bbox="1128 1235 1753 1267">Substitute the revised layout plan as sought.</p> <p data-bbox="1128 1308 1283 1340"><u>Conditions</u></p>

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