

PERTH AND KINROSS LICENSING BOARD

Minute of Meeting of the Licensing Board

Held in Chambers (Hybrid), 2 High Street, Perth on 16 August 2023 at 10am

Present:-

Bailie Ahern (except Item 9); Councillors Barrett; (Bailie) Brock; James; MacPherson; G Stewart; Parrott and (Bailie) Williamson (except Item 6(iii) House of Bruar – Warehouse).

Councillor Barrett presiding.

Apologies:-

Councillor Anderson

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Debra Gilkison, Licensing Manager (Up to and including Item 5 only); Louise Cormack, Licensing Standards Officer (Item 9 only); Shona Douglas, Licensing Paralegal; Sgt James Gordon and Constable Kerry Thomson-Craig, both Police Scotland (Items 8 and 9 only).

1. WELCOME AND APOLOGIES

The Convener welcomed those present.

2. DECLARATIONS OF INTEREST

Baillie Williamson declared a non-financial interest in Item 6(iii) (House of Bruar – Warehouse)

3. MINUTES

The Minute of the Meeting of 24 May 2023 was submitted and approved as a true record.

4. ANNUAL FUNCTIONS REPORT 2022-2023

The Board discussed and approved the Annual Functions Report for 2022-2023.

5. ANNUAL FINANCIAL REPORT 2022-2023

The Board discussed and noted the terms of the Annual Financial Report for 2022-2023 and agreed to publish the report. The Board also requested further information, to be provided informally, as to the composition of the Board Member Costs set out in the Report.

6. NEW PREMISES APPLICATIONS

Premises	Applicant	Decision
Craft Beer Bottle Shop 62 South Methven Street Perth PH1 5NX	Daniel O'Connor	Grant subject to mandatory conditions
Greens of Perth 97 Crieff Road Perth PH1 2QB	Greens Retail Ltd	Downgrade the application to a provisional premises licence Thereafter, grant subject to mandatory conditions, and Local Condition

Premises	Applicant	Decision
		<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>The House of Bruar - Warehouse By Blair Atholl Perthshire PH18 5TW</p>	<p>The House of Bruar Limited</p>	<p>Grant subject to mandatory conditions, and</p> <p>Local Condition</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>(ii) the taking of orders and subsequent delivery of alcohol out with the premises</p>
<p>The Wine Hall Box 20F Unit D "Padlock Self Storage" Arran House Arran Road Perth PH1 3DZ</p>	<p>The Wine Hall Ltd</p>	<p>Grant subject to mandatory conditions, and</p> <p>Local Conditions</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>(2) An incident book shall be kept on the premises and</p>

Premises	Applicant	Decision
		operated by the premises licence holder and all staff involved in the sale and consumption of alcohol, all to the continuing satisfaction of the Board. That incident book shall be made available to the Police and/or Licensing Standards Officer on request
Unit 3 Arran Place North Muirton Industrial Estate Perth PH1 3RN	Brownhill Whisky Company Limited	Amend the Description of the Premises to read: '151m2 unit...' Thereafter, 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: (iii) the taking of orders and subsequent delivery of alcohol out with the premises

7. VARIATION (MAJOR) APPLICATIONS

Premises	Applicant	Decision
Dunkeld Fine Foods 3-5 Atholl Street Dunkeld PH8 0AR	Dunkeld Smoke House Limited	Grant subject to amending the premises licence as follows: <u>Operating Plan</u>

Premises	Applicant	Decision
		<p>7 Amend on sales capacity to 40 persons</p> <p><u>Layout Plan</u></p> <p>Amend layout plan as sought</p>
<p>Food in the Park Museum Carpark Blair Atholl Pitlochry Perthshire PH18 5SP</p>	<p>David Mckenzie and Sally Judd t/a Food in the Park</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend the address of the premises to: 'Food in the Park Museum Carpark Blair Atholl Pitlochry Perthshire PH18 5SP'</p> <p>Amend address of the premises licence holder to: 'Old School House Blair Atholl Pitlochry Perthshire PH18 5SP'</p> <p>Amend Description of Premises by deleting the existing and insert instead:</p> <p>'Fish & Chip and Pizza Restaurant and Take Away. Purpose-built bar is adjacent to the main building with lockable cellar - this consists of two converted</p>

Premises	Applicant	Decision
		<p>shipping containers creating a courtyard. Courtyard includes a covered area between the bar and the main building for seating for the consumption of food and drink bought and served from the takeaway serving area and bar.</p> <p>The premises is situated in a rural area within its own grounds at Post Code PH18 5SP within Blair Atholl, Perthshire. The only adjacent buildings are the Information Centre and the Museum, which are open seasonally and both close at 5pm.'</p> <p><u>Operating Plan</u></p> <p>2 Amend the opening hours for on sales consumption to 12 noon, 7 days per week, and Amend the terminal on sales consumption hours to 10pm, 7 days per week.</p> <p>3 Amend the off sales opening hours to 12 noon, 7 days per week.</p> <p>4 Amend by deleting the existing and insert instead: 'The bulk of services are only open from April to October each year. Exact opening dates and closing dates vary depending on school holidays. The exception to this is that if demand allows we may continue to provide a food and drink takeaway service on reduced opening hours during the time that the rest of the business is closed (November to March) and when open, will continue to serve alcohol for off-sales.'</p>

Premises	Applicant	Decision								
		<p>5 Amend as follows:</p> <table data-bbox="1227 272 1680 416"> <tr> <td>Receptions</td> <td>YYY</td> </tr> <tr> <td>Club or group meetings</td> <td>YYY</td> </tr> <tr> <td>Live performances</td> <td>NNN</td> </tr> <tr> <td>Dance facilities</td> <td>NNN</td> </tr> </table> <p>Box after 5(e) Add as follows: ‘Outwith our official opening hours our covered outdoor area is made available for clubs and community meetings where a large space is required before core hours (from 9am to 11.59am) with no services offered.’</p> <p>5(f) Delete existing and insert instead: ‘Off-sales of alcoholic and non-alcoholic drinks from the bar or takeaway serving area with or without food. There are no alcohol display areas as off-sales of alcohol are taken from storage areas that are not in public view.’</p> <p>6(b) Delete existing and insert instead: ‘Children and young persons will only be allowed entry into the premises if accompanied by a responsible adult and never left unattended. Children and young persons to be kept away from immediate bar area.’</p> <p>6(c) Delete existing and insert instead: ‘All ages of children and young persons are to be allowed entry.’</p> <p>6(d) Delete existing and insert instead: ‘Children and young persons allowed entry from 12pm – 10pm Monday to Sunday.’</p> <p>6(e) Delete existing and insert instead: ‘Children and young persons are allowed access to</p>	Receptions	YYY	Club or group meetings	YYY	Live performances	NNN	Dance facilities	NNN
Receptions	YYY									
Club or group meetings	YYY									
Live performances	NNN									
Dance facilities	NNN									

Premises	Applicant	Decision
		<p>all public areas except the immediate area around the bar.'</p> <p>7 Amend on sales capacity to 200 persons.</p> <p><u>Layout Plan</u></p> <p>Amend layout plan as sought.</p> <p><u>Conditions</u></p> <p>Within local condition 1 – delete reference to (iii); Delete local condition 2</p>
<p>Shell Strathtay Edinburgh Road Perth PH2 8DX</p>	<p>Shell UK Oil Products Limited</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5(f) Amend by deleting the existing and inserting instead: ‘The convenience store will operate during and outside of core hours (on a 24 hour basis) selling grocery products, drinks, tobacco, sandwiches, confectionary, etc. The premises will offer a delivery service which may include alcohol via a third-party delivery service provider. All deliveries which include alcohol will be made within the permitted times to deliver alcohol allowed under the Act. The premises licence holder will take steps to ensure that the delivery partner operates a Challenge 25 age verification policy.’</p> <p>7 Amend to:</p>

Premises	Applicant	Decision
		<p data-bbox="1227 236 1505 268">'Off sales – 1.77m2'</p> <p data-bbox="1128 309 1299 341"><u>Layout Plan</u></p> <p data-bbox="1128 383 1541 414">Amend layout plan as sought</p> <p data-bbox="1128 456 1281 488"><u>Conditions</u></p> <p data-bbox="1128 529 1621 561">Add at the end of local condition 1:</p> <p data-bbox="1227 568 1890 632">'(ii) the taking of orders and subsequent delivery of alcohol out with the premises'</p>
<p data-bbox="277 644 631 817">The Bunker Golf Lounge and Bar 216 - 222 South Street Perth PH2 8NY</p>	<p data-bbox="712 644 1102 708">The Bunker Golf Lounge & Bar Ltd</p>	<p data-bbox="1128 644 1845 708">Grant subject to amending the premises licence as follows:</p> <p data-bbox="1128 750 1344 782"><u>Operating Plan</u></p> <p data-bbox="1128 823 1433 855">1(a) Amend to 'NO'</p> <p data-bbox="1128 861 1451 893">1(c) Amend to 'YES'</p> <p data-bbox="1128 900 1917 963">3 Add off sales hours of 11am to 10pm, 7 days per week</p> <p data-bbox="1128 970 1576 1034">5 Amend as follows: Live performances YYN</p> <p data-bbox="1128 1040 1720 1104">6(d) Amend first paragraph as follows: 'Children allowed entry until 10pm.'</p> <p data-bbox="1128 1110 1818 1142">7 Add off sales capacity of 'Off sales nil m2'</p> <p data-bbox="1128 1184 1299 1216"><u>Layout Plan</u></p> <p data-bbox="1128 1257 1729 1289">Amend location and layout plan as sought</p>

8. **PERSONAL LICENCE REVIEW**

Licence Holder	Applicant	Decision
Lauren Ann Barrington-Hart	Police Scotland	Note the offence on the personal licence and take no other action

9. **NEW PROVISIONAL PREMISES APPLICATION**

Premises	Applicant	Decision
Premier Kinross 83-85 High Street Kinross KY13 8AA	Clanfield Stores 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: (iv) the taking of orders and subsequent delivery of alcohol out with the premises.