Council Building 2 High Street Perth PH1 5PH

14/05/2024

A hybrid meeting of the Licensing Board will be held in the Council Chamber on Wednesday, 22 May 2024 at 09:30.

LISA SIMPSON Clerk of the Licensing Board

Those attending the meeting are requested to ensure that all mobile phones and other communication devices are in silent mode.

Members:

Members of Licensing Board C Elliott S Douglas

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Wednesday, 22 May 2024

MEMBERS ARE REMINDED OF THEIR STATUTORY DUTY TO DECLARE ANY DIRECT OR INDIRECT FINANCIAL INTEREST THEY MAY HAVE IN ANY ITEM ON THIS AGENDA

1	WELCOME AND APOLOGIES	
2	DECLARATIONS OF INTEREST	
3	MINUTES OF MEETING OF 17 APRIL 2024 FOR APPROVAL	5 - 14
4	AGENDA - 22 MAY 2024	15 - 18
5	PREMISES LICENCE APPLICATIONS	
5(i)	ELUSIVE AMBER	
5(ii)	NAE LIMITS	
5(iii)	THE FIRS GUEST HOUSE	
5(iv)	THE LAIR GLENSHEE	
6	PROVISIONAL PREMISES LICENCE APPLICATION	
6(i)	TAYMOUTH CASTLE, GROUNDS AND GOLF COURSE	
7	VARIATION (MAJOR) APPLICATION	
7(i)	ESCAPE ROUTE CAFE	

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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

Premises	Applicant	Decision
South Street Newsagents 90 South Street	Perth and Kinross Licensing Board	Grounds of Review
Perth PH2 8PD	3	Grounds of review are established on the basis of breach of mandatory condition 10(2) of the premises licence
		Steps to impose
		Suspend the premises licence with immediate effect until such time as the annual fees due are paid,
		As necessary and appropriate for the purposes of all of the licensing objectives.
The New County Hotel 22-30 County Place	Perth and Kinross Licensing Board	Grounds of Review
Perth PH2 8EE		Grounds of review are established on the basis of breach of mandatory condition 10(2) of the premises licence
		Steps to impose
		Revoke the premises licence,
		As necessary and appropriate for the purposes of all of the licensing objectives.

5. PERSONAL LICENCE REVIEW

Licence Holder	Applicant	Decision
John Charles Mitchell	Police Scotland	The personal licence holder has acted in a manner inconsistent with the licensing objectives:
	(a) preventing crime and disorder (b) securing public safety (c) preventing public nuisance (e) protecting children and young persons from harm	
		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):
		(a) preventing crime and disorder(b) securing public safety(c) preventing public nuisance(e) protecting children and young persons from harm,
		revoke the licence.

6. PREMISES LICENCE APPLICATION

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

7. VARIATION (MAJOR) APPLICATION

Premises	Applicant	Decision
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	Grant subject to amending the premises licence as follows: Operating Plan Q5(f) Delete 'There shall be no deliveries of alcohol to customers from the premises.' and insert instead:
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		Operating Plan
	Applicant	
	confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities.' 7 Amend off sales capacity to 4.26m2.	
		Layout Plan Substitute revised layout plan as sought.
		Conditions

Premises	Applicant	Decision
		Add local condition as follows: (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: (i) the taking of orders and subsequent delivery of alcohol out with the premises (ii) the taking of orders and subsequent collection of alcohol from the premises
Spar Marshall Way Luncarty PH1 3EX	C J Lang & Son Limited	Grant subject to amending the premises licence as follows: Operating Plan 3 Amend the terminal hour to 10pm, 7 days per week 5 Amend as follows: Recorded music YYY Gaming YYY Box after 5(e) Add as follows: '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." 5(f) Delete existing and insert instead: 'The primary activity undertaken in the premises is the general retail sales of the following: Groceries,

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

Applicant	Decision
	Operating Plan
	5 Amend as follows: Gaming YYY Box after 5(e) Add as follows: '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.' 5(f) Delete existing and insert instead: 'The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. Automated cash machine. Sampling & promotional activities.' 7 Increase off sales capacity to 5.38m2. Layout Plan Substitute the revised layout plan as sought. Conditions
	Applicant

Applicant	Decision
	Add local condition as follows:
	 (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: (i) the taking of orders and subsequent delivery of alcohol out with the premises (ii) the taking of orders and subsequent collection of alcohol from the premises
	Applicant

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Meeting 22 May 2024 at 9:30 am Council Chamber (Hybrid), 2 High Street, Perth, PH1 5PH

Licensing (Scotland) Act 2005

New Grant(s)

	Premises	Applicant	Date Received	Comments
1	ELUSIVE AMBER LTD 5 HIGH STREET COUPAR ANGUS PH13 9DB	ELUSIVE AMBER LTD	19 March 2024	
2	NAE LIMITS OLD MILITARY ROAD BALLINLUIG PITLOCHRY PH9 0LG	NAE LIMITS LTD C/O JANET HOOD CONSULTING KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS DD9 7XU	20 March 2024	Cited for 9.30am Participation by Agent: in person
3	THE FIRS GUEST HOUSE ST ANDREW'S CRESCENT BRIDGE OF TILT BLAIR ATHOLL PITLOCHRY PH18 5TA	LINDSAY EASTON AND PAULINE CONNOLLY (PARTNERSHIP)	27 March 2024	Cited for 9.30am Participation by Applicant - in person
4	THE LAIR GLENSHEE LIMITED GLENSHEE BLAIRGOWRIE PH10 7LP	THE LAIR GLENSHEE LTD	26 March 2024	Cited for 9.45am Participation by Applicant - in person

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Licensing (Scotland) Act 2005

Provisional(s)

	Premises	Applicant	Date Received	Comments
5	TAYMOUTH CASTLE, GROUNDS AND GOLF COURSE KENMORE PH15 2NT	TAYMOUTH CLUB LIMITED C/O TLT LLP HOBART HOUSE 80 HANOVER STREET EDINBURGH EH2 1EL	7 March 2024	Cited for 9.45am Participation by Agent and Representatives from Client Company - in person

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Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
6	ESCAPE ROUTE CAFE 3A ATHOLL ROAD PITLOCHRY PH16 5BX	KEVIN GRANT C/O HASSARD LICENSING LTD 6A RANDOLPH CRESCENT EDINBURGH EH3 7TH	2 February 2024	Continued from 17 April 2024 Cited for 10am Participation by: Agent and Applicant - in person Objectors - B Patterson & K MacLennan - TBC KG Reid - in person Dr Aquilina & Dr Briscoe - Existing Objection only

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