

## **PERTH AND KINROSS LICENSING BOARD**

Council Building  
2 High Street  
Perth  
PH1 5PH

12/12/2023

A hybrid meeting of the **Licensing Board** will be held in **the Council Chamber** on **Wednesday, 20 December 2023 at 10:00**.

**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



**PERTH AND KINROSS LICENSING BOARD**

**Wednesday, 20 December 2023**

**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 8 NOVEMBER 2023 FOR APPROVAL 5 - 14**
- 4 AGENDA - 20 DECEMBER 2023 15 - 16**
- 5 NEW APPLICATION**
- 5(i) THE SHOP BY BALLINTAGGART**
- 6 VARIATION (MAJOR) APPLICATION**
- 6(i) THE SCOTTISH DELI**

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.



**PERTH AND KINROSS LICENSING BOARD**

**Minute of Meeting of the Licensing Board**

**Held in Chambers (Hybrid), 2 High Street, Perth on 8 November 2023**

**Present:-**

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

Councillor Barrett presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; and Shona Douglas, Licensing Paralegal.

**1. WELCOME AND APOLOGIES**

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

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES**

The Minute of the Meeting of 27 September 2023 was submitted and approved as a true record.

4. **VARIATION (MAJOR) APPLICATIONS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Blair Athol Distillery Pitlochry Perthshire PH16 5LY	Diageo Scotland Limited	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5(f) Add at the end: ‘Both internal and external areas may be used for occasional markets where third parties exhibit and sell, food, drink and other products. No alcohol will be sold from the market stalls. Light food offerings may be provided within the premises and external areas.’</p>
Blairmore Farm Fowlis Wester Crieff PH7 3NW	Blairmore Farm & Estates Limited	<p>Refuse on the basis that it is not appropriate to licence the six accommodation units under one premises licence. They constitute separate premises.</p> <p>And, separate to the other grounds of refusal,</p> <p>Refuse on the basis that having regard to (i) the nature of the activities proposed to be carried on and (ii) the character of the premises, namely within the six accommodation units, that the Board considers that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation.</p> <p>And, separate to the other grounds of refusal,</p> <p>Refuse on the basis that the Licensing Board considers</p>

Premises	Applicant	Decision
		that the granting of the application would be inconsistent with all of the licensing objectives, due to the lack of supervision of the consumption of alcohol within the six accommodation units.
Killiecrankie House Hotel Killiecrankie Perthshire PH16 5LG	Killiecrankie Ltd	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO'  1(c) Amend to 'YES'  3 Add 10am to 10pm, 7 days per week  5(f) Add at the end as follows:  'Internet sales of alcohol take place. Deliveries take place by courier. There is no off-sales alcohol display area as off-sales are taken from a locked storage area that is not in public view.'  7 Add, 'Off sales = nil m2'</p> <p><u>Layout Plan</u></p> <p>Amend layout plan as sought</p> <p><u>Conditions</u></p> <p>Add local conditions 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</p>

Premises	Applicant	Decision
		<p>satisfaction of the Board, for:</p> <p>(i) the taking of orders and subsequent delivery of alcohol out with the premises</p>
<p>Perth Continental Store Unit 2 223 Rannoch Road Perth PH1 2DP</p>	<p>TAJS Grocer Limited</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5(f) Delete, 'No delivery service' and add as follows: 'Delivery service within core hours via delivery Apps including Snappy Shopper. Orders may be placed also by telephone. Delivery to be made by driver who will ask for ID if the individual looks under 25. If ID can't be produced the delivery will not be made. Training to be provided to staff taking orders and also the delivery drivers to ensure that they comply with the licensing objectives of not selling alcohol to under 18's or those who are drunk. Records of all orders made/fulfilled will be kept.'</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</p>



Premises	Applicant	Decision
St John's Bar & Restaurant 22 King Edward Street Perth PH1 5UT	Tartan Thistle Property Ltd	<p style="text-align: right;">delivery of alcohol out with the premises</p> <p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Delete existing description and insert instead:            'Cafe/bar/restaurant situated in heart of hospitality quarter of Perth.'</p> <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO'            1(c) Amend to 'YES'            2 Amend terminal on sales hours as follows:                Monday 12 midnight                Tuesday 12 midnight                Wednesday 12 midnight                Thursday 12:30am                Friday 12:30am                Saturday 12:30am                Sunday 12 midnight            3 Add in 11am to 10pm, 7 days per week            4 Amend to 'YES' and add narrative as follows:                'Festive social demand hours per Board policy'            5 Amend activities as follows:                Bar meals                   YYY                Receptions                 YYY                Club meetings             YYY                Recorded music           YYY                Live performances       YYN</p>

Premises	Applicant	Decision
		<p>Theatre YYN  Box after 5(e) Delete existing and insert instead:  ‘All activities in column 4 can commence at 0800 hours for service, takeaway or delivery of non-alcoholic drinks, hot and cold beverages, meals, picnics and snacks - These activities will continue through core hours, festive social demand hours and restaurant hours as the business dictates.’</p> <p>5(f) Add as follows:  ‘(1) Restaurant hours per board policy. After social demand hours/ festive social demand hours and during restaurant hours, the provision of alcohol is ancillary to a table meal taken by customers on the premises.  (2) Take-away of food, meals, snacks, sandwiches, picnics and alcoholic and non-alcoholic drinks and hot and cold beverages.  (3) Take-away of alcoholic drinks will only be permitted by patrons purchasing food or who are taking home eg wine etc enjoyed with a meal served on the premises. [note there is no take-away counter - any take-aways or off sales will be handed to patrons who are in the premises].  (4) Delivery of food, meals, snacks, sandwiches, picnics and alcoholic and non alcoholic drinks and hot and cold beverages. Internet and phone sales deliveries will be made by courier or premises staff.  (5) Delivery of alcoholic drinks will only be permitted by patrons purchasing food in the form of a substantial picnic or meal and in accordance with licensing board policy.’</p>

Premises	Applicant	Decision
		<p>(6) Performances by eg comedians, magicians, poetry, literature readings and other arts activities.'</p> <p>6(b) Delete existing and insert instead:  'Unaccompanied children and young persons may access the premises at discretion of management to purchase non alcoholic drinks &amp; take-away snacks and meals from 0800 - 1800.  Young persons may access the premises until 2200 unaccompanied if dining in the premises.  Children and young persons accompanied by an adult may access the premises for the purpose of dining at all times the premises are open.  All at the discretion of management and staff.'</p> <p>6(c) Delete existing and insert instead:  '0-17'</p> <p>6(d) Delete existing and insert instead:  'All times premises are open subject to terms above.'</p> <p>6(e) Delete existing and insert instead:  'All public parts of the premises.'</p> <p>7 Reduce on sales capacity to 120 persons; and add  'Off sales = nil m2'</p> <p>8(c) Amend premises manager's address as requested</p> <p>8(d) Amend premises manager's email address as requested</p> <p><u>Layout Plan</u></p> <p>Amend location and layout plans as sought</p> <p><u>Conditions</u></p>

Premises	Applicant	Decision
		<p>Delete existing local condition 1</p> <p>Add local conditions as follows:</p> <ul style="list-style-type: none"> <li>(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: <ul style="list-style-type: none"> <li>(i) noise mitigation</li> <li>(ii) the taking of orders and subsequent delivery of alcohol out with the premises</li> </ul> </li> <li>(2) All pre-recorded music and live amplified entertainment shall be subject to volume control and/or sound limiter devices shall be under the control of the premises manager and staff only</li> </ul>

**5. NEW PREMISES APPLICATIONS**

Premises	Applicant	Decision
<p>B &amp; M Store Units 1 &amp; 2 St Catherines Retail Park Old Market Place Perth PH1 5XD</p>	<p>EV Retail Limited</p>	<p>Downgrade the application to a provisional premises licence.</p> <p>Thereafter, grant subject to mandatory conditions</p>

**6. NEW PROVISIONAL PREMISES APPLICATION**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Keystore 193 High Street Perth PH1 5UN	Sanjeev Retail Ltd	Grant subject to mandatory conditions
Nandos Unit 5A Ruthvenfield Road Inveralmond Retail Park Perth PH1 3EE	Nando's Chickenland Limited	Grant subject to mandatory conditions, and  Local Conditions  (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.



---

**PERTH AND KINROSS LICENSING BOARD****Meeting 20 December 2023 at 10:00 am Council Chamber (Hybrid), 2 High Street, Perth, PH1 5PH****Licensing (Scotland) Act 2005****New Grant(s)**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	THE SHOP BY BALLINTAGGART 11 THE SQUARE ABERFELDY PH15 2DD	CHRISTOPHER AND RACHEL ROWLEY T/A BALLINTAGGART	27 October 2023	Cited for 10.00am Participation by: Applicant - in person

---

**PERTH AND KINROSS LICENSING BOARD**

**Meeting 20 December 2023 at 10:00 am Council Chamber (Hybrid), 2 High Street, Perth, PH1 5PH**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
2 THE SCOTTISH DELI 1 AND 1A ATHOLL STREET DUNKELD PERTHSHIRE PH8 0AR	PERTHSHIRE DELI LTD	13 November 2023	Cited for 10.00am Participation by: Applicant - in person