

## **PERTH AND KINROSS LICENSING BOARD**

### **Minute of Meeting of the Licensing Board**

**Held virtually on 23 September 2021**

#### **Present:-**

Councillors Baird; Brock; Duff; Gray; James; Parrott and Wilson.

Councillor Baird presiding.

Also present: Sarah Rodger, Depute Clerk to the Licensing Board; Stuart McQueen, Solicitor; and Shona Douglas, Licensing Paralegal; Sergeant James Gordon and Police Constable Robyn Jamieson, both of Police Scotland.

#### **1. WELCOME AND APOLOGIES**

The Convenor welcomed those present.

Apologies were received from Councillors McCall, Pover and Reid.

#### **2. DECLARATIONS OF INTEREST**

Councillor Duff declared an interest in item 9.

#### **3. MINUTE**

The Minute of the Meeting of 12 August 2021 was submitted and approved as a true record and authorised for signature.

**4. CHIEF CONSTABLES ANNUAL LICENSING REPORT FOR 2020/2021**

Constable Robyn Jamieson 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. PREMISES LICENCE APPLICATIONS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
11 South St John's Place Perth PH1 5SU	Fair City Developments Limited	Grant subject to mandatory conditions, and  Local Conditions  (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: (i) dispersal of patrons (ii) litter and waste management (2) Electrical socket covers shall be in place on the premises to protect children aged 5 and under
Westlands of Pitlochry 160 Atholl Road Pitlochry PH16 5AR	Ionut Deciu	Grant subject to mandatory conditions.

**6. PROVISIONAL REMISES LICENCE APPLICATIONS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Unit 75 South Cultybraggan Camp Comrie Perthshire PH6 2AB	Vino Fandango Limited	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: (i) the taking of orders and subsequent delivery of alcohol out with the premises

**7. VARIATION (MAJOR) APPLICATIONS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Co-op Coupar Angus Road Rosemount Blairgowrie Perth PH10 6JR	Co-operative Group Food Limited	Grant subject to amending the premises licence as follows:  <u>Operating Plan</u>  5(f) Insert: 'The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to

		<p>customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.'</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 style="padding-left: 40px;">(i) the taking of orders and subsequent delivery of alcohol out with the premises.</p>
<p>Co-operative Food 3 Market Square Alyth PH11 8AA</p>	<p>Co-operative Group Food Limited</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5(f) Delete existing and insert instead: 'The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.'</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>

		(i) the taking of orders and subsequent delivery of alcohol out with the premises.
The Co-operative Group Food Limited 13 Bridge Street Dunkeld PH8 0AH	Co-operative Group Food Limited	Grant subject to amending the premises licence as follows:  <u>Operating Plan</u>  5(f) Delete existing and insert instead: 'The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.'  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.
Dunkeld Smoked Salmon The Village Shop 12 Bridge Street Dunkeld PH8 0AH	Preston-Jones Ltd	Grant subject to amending the premises licence as follows:  <u>Premises Licence</u>  Amend the Name of the Premises to:

		<p style="text-align: center;">‘Redwood Wines’</p> <p>Amend the Description of Premise to read:  ‘Licensed delicatessen and café situated on the Main Street of Dunkeld’</p> <p><u>Operating Plan</u></p> <p>1(b) Amend to ‘NO’  1(c) Amend to ‘YES’  2 Add Board social demand hours  5 Amend activities as follows:  Restaurant facilities           YYY  Receptions                       YYY  Club/group meetings           YYY  Recorded music                 YYY</p> <p>Box after 5(e)           Add as follows:  ‘ACTIVITIES MAY OCCUR BEFORE THE CORE LICENSING HOURS DURING OPENING HOURS’</p> <p>5(f) Delete existing and insert as follows:  ‘THE SALE OF FOOD AND NON-FOOD ITEMS WILL TAKE PLACE 7 DAYS PER WEEK WITHIN AND OUTWITH CORE HOURS. ALCOHOL TASTINGS; TAKEAWAYS &amp; DELIVERIES BY THE PREMISES, THROUGH THE USE OF A COURIER AND THROUGH THE USE OF A THIRD PARTY ORGANISATION. ALCOHOL WILL ONLY BE DELIVERED IN TERMS OF AND IN COMPLIANCE WITH THE RELEVANT PROVISIONS OF THE LICENSING (SCOTLAND) ACT 2005.’</p> <p>6(a) Amend to ‘Yes’  6(b) Amend to:</p>
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		<p>'ALL CHILDREN &amp; YOUNG PERSONS WILL BE ALLOWED IN THE PUBLIC AREAS OF THE PREMISES, CHILDREN MUST BE ACCOMPANIED BY AN ADULT'</p> <p>6(c) Amend to '0-17 years' 6(d) Amend to 'Until 11pm' 6(e) Amend to 'All public areas' 7 Amend as follows: 'Off-sales capacity - 1.44m2 On-sales capacity - 22 Persons'</p> <p><u>Layout Plan</u></p> <p>Amend location/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 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:</p> <ul style="list-style-type: none"><li>(i) noise mitigation</li><li>(ii) dispersal of patrons</li><li>(iii) the taking of orders and subsequent delivery of alcohol out with the premises</li></ul> <p>(2) Between the hours of 11pm and 7am, no noise by way of music whether amplified or not or singing</p>
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		<p>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 125Hz octave bands in any neighbouring property.</p>
<p>Howies Bistro 23 Atholl Street Dunkeld PH8 0AT</p>	<p>Naomi Lamb</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Condition</u></p> <p>Remove local condition as follows:</p> <p>Richard Robert Howie shall not be involved in any way in the management or day to day running (whether front or back of house) of the premises.</p> <p><u>Operating Plan</u></p> <p>1(a) Amend to 'NO' 1(c) Amend to 'YES' 3 Add off sales hours: 11am to 10pm, 7 days per week 4 Amend to 'NO' and delete existing narrative 5(f) Delete existing and insert instead: 'The provision of alcohol for on sales is ancillary to the provision of food and non alcoholic drinks on the premises.' 7 Add 'Off-sales Nil' 8 Add details for Anika Pesti as sought</p>



<p>Wasted Degrees Brewing Unit 11 Sawmill Yard Blair Atholl PH18 5TL</p>	<p>It's Braw Limited t/a Wasted Degrees Brewing</p>	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Operating Plan</u></p> <p>5 Amend activities as follows: Televised Sport YYN Outdoor drinking YYY</p> <p>Box after 5(e) Add at the end of the first paragraph: 'The outdoor area will only be used for alcohol during licensed hours but may be used for non-alcohol from 9am'.</p> <p>7 Amend off sales capacity to, '1.08m2'</p> <p><u>Layout Plan</u></p> <p>Amend layout plan as sought</p>
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Councillor Duff left the meeting before consideration of Items 8 and 9.

**8 DECISION NOT TO HOLD A HEARING**

The Board decided not to hold a hearing for Item 9 and to proceed by way of written representations.

**9 OCCASIONAL LICENCE APPLICATIONS**

<b>Premises</b>	<b>Applicant</b>	<b>Decision</b>
Boreland Farm Dalcharian Fearnan Aberfeldy PH15 2PG (OCC/PK/11547)	Dirk Bunskoek	Grant subject to mandatory conditions and the following:  Local Condition (1) The licence holder and all staff involved in the sale of alcohol shall comply with any relevant legislation, directions and guidance of the Scottish Government in relation to coronavirus, including whether the licence can be operated, and if so, what measures must be followed such as increased hygiene measures and social distancing.
Boreland Farm Dalcharian Fearnan Aberfeldy PH15 2PG (OCC/PK11548)	Dirk Bunskoek	Grant subject to mandatory conditions and the following:  Local Condition (1) The licence holder and all staff involved in the sale of alcohol shall comply with any relevant legislation, directions and guidance of the Scottish Government in relation to coronavirus, including whether the licence can be operated, and if so, what measures must be followed such as increased hygiene measures and social distancing.