

PERTH AND KINROSS LICENSING BOARD

Council Building
2 High Street
Perth
PH1 5PH

Monday, 01 March 2021

A Meeting of the **Licensing Board** will be held virtually on **Thursday, 11 March 2021** 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

Thursday, 11 March 2021

***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 10 DECEMBER 2020 FOR APPROVAL AND SIGNATURE 5 - 14**
- MINUTES OF SPECIAL MEETING OF 11 FEBRUARY 2021 FOR APPROVAL AND SIGNATURE 15 - 16**
- 4 AGENDA - 11 MARCH 2021 17 - 22**
- 5 MAJOR VARIATION APPLICATIONS**
 - 5(i) DOBBIES GARDEN WORLD**
 - 5(ii) CAIRN HOTEL**
 - 5(iii) THE LODGE AT PERTH RACECOURSE**
 - 5(iv) WHISKY AUCTIONEER**
- 6 PREMISES LICENCE APPLICATION**
 - 6(i) BERTHA PARK PREMIER**
- 7 OCCASIONAL LICENCE APPLICATION**

7(i) PREMIER STORE

8 PREMISES LICENCE REVIEW

8(i) POST BOX RESTAURANT

9 PERSONAL LICENCE REVIEW

9(i) DAVID NICHOLAS WILL

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PERTH AND KINROSS LICENSING BOARD

Minute of Meeting of the Licensing Board

Held virtually on 10 December 2020

Present:-

Councillors Baird; Jarvis; Brock; Gray; James; and McCall.

Councillor Baird 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 Councillors Anderson, Duff and Pover.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The Minutes of the Meeting of 5 November 2020 were submitted and approved as a true record and authorised for signature.

4. **PREMISES LICENCE APPLICATIONS**

Premises	Applicant	Decision
B.A. Kerrigan 68 South Methven Street Perth PH1 5NX	Lyle Calum Kilbane	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.
Badvo Distillery Dalnagarn Farm Enochdhu Blairgowrie PH10 7PJ	Badvo Distillery 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.
Comrie Post Office Bridge Street Comrie	Marlene Georgina Hobson	Grant subject to mandatory conditions

Premises	Applicant	Decision
PH6 2EB		
Cullach Brewing 50 Princes Street Perth PH2 8LJ	William Bond	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.
Koku Shi 12 Princes Street Perth PH2 8NG	Artur Staszak	Grant subject to mandatory conditions
The Gin Thistle 81 High Street Auchterarder PH3 1BJ	Bryce Hospitality Limited	Grant subject to mandatory conditions

5. VARIATION (MAJOR) APPLICATIONS

Premises	Applicant	Decision
The Ice Factory 6 Shore Road Perth PH2 8BW	Centreglobal Limited	Grant subject to amending the premises licence as follows: <u>Premises Licence</u> Delete Description of Premises and insert instead:

		<p>'The Ice Factory is a hybrid entertainment venue for social demand, functions, and nightclub entertainment situated on Shore Road, Perth consisting of two rooms and a courtyard with contemporary design and state of the art technical facilities. The premises provide a wide range of entertainment catering for differing tastes. Food can be provided.'</p> <p><u>Operating Plan</u></p> <p>2 Amend the terminal licensing on sales hours to reflect the Licensing Board's social demand hours, namely Sunday to Wednesday - 12 midnight, and Thursday to Saturday - 12:30am</p> <p>4 Delete existing and insert instead: 'Festive social demand hours per Board policy Festive function hours per Board policy Festive entertainment hours per Board policy'</p> <p>5 Amend Activities to reflect change to core hours to social demand hours such that all existing activities taking place within core hours also take place out with core hours (except gaming), and add activities as follows: Conference facilities YYY Bar meals YYY</p> <p>Box after 5(e) Delete existing and insert instead: "No activities shall take place before core hours. Conference facilities, restaurant facilities, bar meals, receptions, club or group meetings, recorded music, theatre, films, indoor and outdoor sports, televised sports, outdoor drinking facilities</p>
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		<p>may take place after core hours and during function hours and entertainment hours as ancillary to the function or entertainment taking place. DJ or live performances may be accompanied by video or film footage.</p> <p>Live performances and dance facilities may take place after core hours and during entertainment hours.</p> <p>Adult entertainment may take place after core hours and during function hours.”</p> <p>5(f) Delete existing and insert instead: “Occasional charity / fund-raising events such as fashion shows, charity auctions etc. Adult entertainment is restricted to exotic dancers at private functions. Function hours per Board policy. Entertainment hours per Board policy. All areas, including the courtyard open area, can be used for social demand, festive social demand, functions, festive functions, entertainment, and festive entertainment. Smoking is permitted at any time in the courtyard area. When functions take place the provision of alcohol is ancillary to the function. No general public entry is permissible and entry is limited and controlled. The bar of the premises or parts of premises utilised for a function shall be closed such that no alcohol is sold 30 minutes prior to the commencement of the function. When entertainment takes place the provision of alcohol is ancillary to the entertainment provided.</p>
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		<p>The entertainment provided must be on continuous basis with breaks of not more than 15 minutes in any one hour. There shall be a minimum entry charge which shall be fixed by the Licensing Board each year for the year beginning 1st July and ending 30th June. For the purposes of fixing the minimum entry charge the Board shall take into account any representations from the licensees of such premises. The bar of the premises or parts of premises utilised for entertainment shall be closed such that no alcohol is sold 30 minutes prior to the commencement of the entertainment.”</p> <p>6(b) Delete existing and insert instead: “Children must be supervised by an adult unless attending an under 18s event. Young persons may be unaccompanied”</p> <p>6(c) Delete existing and insert instead: “All ages.”</p> <p>6(d) Delete existing and insert instead: “Children permitted up to 9pm and for private functions during function hours. Young persons permitted during social demand hours and for private functions during function hours. For Under 18s events- terminal hour of midnight. No alcohol available for sale and consumption at under 18s events.”</p> <p>6(e) Delete existing and insert instead: “All public areas.”</p> <p>7 Delete existing and instead instead: “On sales - 1,150 persons”</p> <p>8(c) Amend the premises manager's address.</p>
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		<p><u>Layout Plan</u></p> <p>Amend the location and layout plans as sought.</p> <p><u>Conditions</u></p> <p>Delete existing local conditions and add instead:</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"> (i) noise mitigation (ii) dispersal of patrons (iii) prevention of the use of illegal substances
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6. VARIATION (MAJOR) APPLICATION ON TRANSFER

Premises	Applicant	Decision
Darjeeling 3-5 Atholl Street Dunkeld PH8 0AR	Scotbangla Ltd	<p>Grant subject to amending the premises licence as follows:</p> <p><u>Premises Licence</u></p> <p>Amend the name of the premises to 'Dunkeld Fine Foods';</p> <p>Amend the Description of Premises to:</p> <p>"A Retail Outlet with a seated and takeaway area situated on the ground floor of a block of</p>

		commercial properties with private flats above on the Main Street of the Village of Dunkeld."
		<u>Operating Plan</u>
	1(a)	Amend to 'NO'
	1(c)	Amend to 'YES'
	2	Amend terminal 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 10am to 10pm, 7 days per week
	4	Amend to 'NO' and delete existing text
	5	Amend as follows: Receptions NNN Recorded music NNN
	5(f)	Delete existing and insert instead: "The premises will consist of a food and non-food shop supplying predominantly general groceries for customers. There is also a separate area where customers can purchase alcohol and food to eat in. This will also be a takeaway area for the sale of hot/cold food items. Deliveries of alcohol will take place by courier or our own delivery van with or without other food items, through internet or customer sales."
	6(b)	Delete existing and insert instead: "Children and young persons will be allowed entry

		<p>unaccompanied.”</p> <p>6(c) Delete existing and insert instead: “All ages”</p> <p>7 Amend as follows: “On sales - 15 persons Off sales - 0.984 m2.”</p> <p>8 Substitute new premises manager details for Fiona Fisher</p> <p><u>Layout Plans</u></p> <p>Amend the location and layout plans 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 satisfaction of the Board, for:</p> <p>(i) the taking of orders and subsequent delivery of alcohol out with the premises.</p> <p>The varied premises licence shall not be issued until there is a valid designated premises manager in place.</p>
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PERTH AND KINROSS LICENSING BOARD

Minute of Special Meeting (Committee of 3 Board Members) of the Licensing Board

Held virtually on 11 February 2021

Present:-

Councillors Baird; Brock; and Duff.

Councillor Baird presiding.

Also present: Colin Elliott, Depute Clerk to the Licensing Board; Shona Douglas, Licensing Paralegal; and Sergeant James Gordon, Detective Sergeant Ray Barnett and Inspector Jamie Allen, Police Scotland.

1. WELCOME

The Convener welcomed those present.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. PERSONAL LICENCE REVIEWS

Licence Holder	Applicant	Decision
D A Paterson	Police Scotland	On the basis that it is necessary to do so for the purposes of the licensing objectives: (b) securing public safety, and (d) protecting and improving public health, endorse the licence
M I Russell	Police Scotland	On the basis that it is necessary to do so for the purposes of the licensing objectives: (b) securing public safety, and (d) protecting and improving public health, endorse the licence

4. TRANSFER OF PREMISES LICENCE

Premises	Applicant	Decision
Royal Dunkeld Hotel Atholl Street Dunkeld PH8 0AR	Thomas Melville	By majority, grant the application. The minority view of Councillor Duff was to refuse the transfer of the Royal Dunkeld Hotel premises licence to Thomas Melville on the basis that he is not a fit and proper person to be the holder of a premises licence having regard to the licensing objective (a) preventing crime and disorder.

PERTH AND KINROSS LICENSING BOARD

Meeting 11 March 2021 at 10:00 am Remotely

Licensing (Scotland) Act 2005

Variation (Major)(s)

	Premises	Applicant	Date Received	Comments
1	DOBBIES GARDEN WORLD HUNTINGTOWER PARK CRIEFF ROAD PERTH PH1 3JJ	DOBBIES GARDEN CENTRES PLC C/O SHEPHERD & WEDDERBURN 5TH FLOOR, 1 EXCHANGE CRESCENT CONFERENCE SQUARE EDINBURGH EH3 8UL	14 January 2021	Cited for 10am Participation by Video: Agent
2	THE CAIRN HOTEL ORCHIL ROAD AUCHTERARDER PERTHSHIRE PH3 1LX	ATINA HOTEL LIMITED C/O MCCASH & HUNTER 25 SOUTH METHVEN STREET PERTH PH1 5PE	11 December 2020	Participation by Written Representation: Agent
3	THE LODGE AT PERTH RACECOURSE PERTH RACECOURSE SCONE PALACE PERTH PH2 6BB	THE LODGE AT PERTH RACECOURSE LIMITED	4 February 2021	Cited for 10.15am Participation by Video: Applicant
4	WHISKY AUCTIONEER INVERALMOND INDUSTRIAL ESTATE PERTH PH1 3FN	WHISKY AUCTIONEER LIMITED C/O THORNTONS LAW LLP (DUNDEE) WHITEHALL HOUSE 33 YEAMAN SHORE DUNDEE DD1 4BJ	18 January 2021	Participation by Written Representation: Agent

PERTH AND KINROSS LICENSING BOARD**Meeting 11 March 2021 at 10:00 am Remotely****Licensing (Scotland) Act 2005**

New Grant(s)				
	Premises	Applicant	Date Received	Comments
5	BERTHA PARK PREMIER 10 DRUMMOND WAY BERTHA PARK PERTH PH1 0AQ	HAMZA ARIF MINHAS	14 January 2021	Cited for 10.30am

PERTH AND KINROSS LICENSING BOARD

Meeting 11 March 2021 at 10:00 am Remotely

Licensing (Scotland) Act 2005

Occasional(s)

	Premises	Applicant	Date Received	Comments
6	PREMIER STORE 10 DRUMMOND WAY BERTHA PARK PERTH PH1 0AQ	HAMZA ARIF MINHAS	16 February 2021	Cited for 10.30am Start date of event: 22/03/2021 End Date of Event: 04/04/2021 Sale Of Food, Non-food Items, Household Goods and Off Sales of Alcohol including Paypoint and Lottery Sales.

PERTH AND KINROSS LICENSING BOARD**Meeting 11 March 2021 at 10:00 am Remotely****Licensing (Scotland) Act 2005****Premises Licence Review(s)**

Premises		Applicant	Date Received	Comments
7	POST BOX RESTAURANT 80 GEORGE STREET PERTH PH1 5LB	PERTH AND KINROSS LICENSING BOARD	3 February 2021	Cited for 11am Participation by Video: Applicant, Video - Police

PERTH AND KINROSS LICENSING BOARD**Meeting 11 March 2021 at 10:00 am Remotely****Licensing (Scotland) Act 2005****Personal Licence Review(s)**

Licence Holder		Applicant	Date Received	Comments
8	DAVID WILL	PERTH AND KINROSS LICENSING BOARD	3 February 2021	Cited for 11am Participation by Video: Applicant, Video - Police

