

THE MORAY LICENSING BOARD

MINUTE OF THE MEETING OF THE MORAY LICENSING BOARD

The Moray Council Chambers, Council Headquarters, High Street, Elgin on Thursday 20 August 2015

PRESENT

Councillors: G Alexander
J Allan
G Cowie
J Divers
M Howe
G Leadbitter
M McConachie
A McLean
R H Shepherd (Convener)
C Tuke

IN ATTENDANCE

Sean Hoath, Depute Clerk to the Licensing Board
Sergeant Gavin Jardine, Police Scotland

1. PRIOR MINUTES

- (i) The Minutes of the Meeting held on 11 June 2015 were submitted and approved.
- (ii) The Minutes of the Special Meeting held on 4 August 2015 were submitted and approved.

2. LIST OF DECISIONS FOR APPLICATIONS FOR PREMISES LICENCES

(i) Application for Variation to Premises Licence at Lidl UK, 18 West Road, Forres, IV36 2GW

The Depute Clerk introduced the application and advised the applicant had not been cited to the meeting as the application was for a small change to layout which had increased the capacity slightly. The Board agreed to grant the variation.

(ii) Application for Variation to Premises Licence at Lidl UK, 10 East Cathcart Street, Buckie, AB56 1PJ

The Depute Clerk introduced the application and advised the applicant had not been cited to the meeting as the application was for a small change to layout which had increased the capacity slightly. The Board agreed to grant the variation.

(iii) Application for Variation to Premises Licence at Lidl UK, Station Road, Elgin, IV30 1QW

The Depute Clerk introduced the application and advised the applicant had not been cited to the meeting as the application was for a small change to layout which had increased the capacity slightly. The Board agreed to grant the variation.

(iv) Application for a New Premises Licence at Drummuir Castle, Keith, AB55 5JE

The Depute Clerk introduced the application. The manager of the premises was in attendance. The Board agreed, as there was still an outstanding Building Standards section 50 certificate, that they would grant a provisional licence to be confirmed under delegated powers once that final certificate was received.

(v) Application for a New Premises Licence at 41 The Square, Tomintoul, AB37 9ET

The Depute Clerk introduced the application. The manager of the premises was in attendance and the applicant was represented by Michael Stewart, solicitor. After hearing from the applicant's representative the Board agreed to grant the licence.

(vi) Application for a New Premises Licence at Welcome Sheddie, West Beach Caravan Park, West Beach, Hopeman, IV30 5RU

The Depute Clerk advised the Board that the applicant had asked for deferral of this application to the next meeting as the section 50 certificates were outstanding. The Board agreed to defer the application.

(vii) Application for a Provisional Premises Licence at 26-32 High Street, Fochabers, IV32 7DX

The Depute Clerk introduced the application and advised that for a provisional licence the paperwork was in order. The applicant was represented by Neil Ross, solicitor. After hearing from Neil Ross the Board agreed to grant the provisional licence, but asked that as the area was currently a building site that a further site visit was scheduled around the completion of works.

(viii) Application for a Provisional Premises Licence at 51 Harbour Street, Hopeman, IV30 5RU

The Depute Clerk introduced the application. The manager of the premises was in attendance and the applicant was represented by Michael Stewart, solicitor. After hearing from the applicant's representative the Board agreed to grant the provisional licence.

(ix) Application for a Provisional Premises Licence at OJ's Snooker and Pool, 17 West Church Street, Buckie, AB56 1BN

The Depute Clerk introduced the application. The applicant was in attendance. After hearing from the applicant and confirming details with the applicant and the police on the entry to the premises of young persons, the Board agreed to grant the provisional licence.

3. Personal Licence Application Hearing Following Disclosure of Relevant Conviction on Application (Case Number 2 of 2015)

The Depute Clerk introduced the report and outlined the recommendations within the report. Councillor Tuke made a motion to grant the licence with no hearing as there was no recommendation from the Chief Constable. Councillor Cowie seconded the motion. Councillor McConnachie made an amendment to hold a hearing which was seconded by Councillor Leadbitter. The outcome of the vote was 5 motion, 4 amendment and one abstain. Therefore the motion was carried and the licence was granted.

4. Membership of the Board and Appointment of Vice Convener

The Depute Clerk introduced the report. The Board noted the content and were minded to appoint a Vice Convener, Councillor Cowie.

5. Air Weapons and Licensing (Scotland) Bill Update

The Depute Clerk introduced the report and outlined the recommendations, and also advised that Royal Assent had been received so the Bill was now in force. The Board noted the content of the report and those areas highlighted particularly for in terms of licensing.

6. Annual Review of Licensing Fees

The Depute Clerk introduced the report and outlined the recommendations. After hearing all the recommendations the Board agreed on the first option to take no action and the current fee structure was to remain at this time.

7. Review of Statement of Licensing Policy

The Depute Clerk introduced the report and outlined the recommendations. The Board agreed to proceed with option 1 and agreed to the Policy Sub Group being Councillors McLean, Howe, Shepherd, Allan, Cowie and Divers. A meeting of the Policy Sub Group was to be arranged by the Depute Clerk. Councillor Leadbitter also suggested that the list of consultees should be extended to cover Community Associations, Community Planning Partnership, Social Services and Moray Women's Aid. The Depute Clerk noted the additions.