

## **THE MORAY LICENSING BOARD**

### **MINUTE OF THE MEETING OF THE MORAY LICENSING BOARD**

The Moray Council Chambers, Council Headquarters, High Street, Elgin on Thursday 10 December 2015

#### **PRESENT**

Councillors: G Cowie  
J Divers  
M Howe  
G Leadbitter  
M McConachie  
A McLean  
R Shepherd  
C Tuke

#### **APOLOGIES**

Apologies were intimated on behalf of Councillor J Allan, D Slater.

#### **IN ATTENDANCE**

Sean Hoath, Depute Clerk to the Licensing Board  
Sergeant Gavin Jardine, Police Scotland (during item 4 of applications Appendix 1 until the end of the meeting)

#### **1. PRIOR MINUTES**

- (i) The Minutes of the Meeting held on 1 October 2015 were submitted and approved.

- (ii) The Minutes of the Special Meeting held on 30 November 2015 were submitted and approved after the amendment of Councillor Divers leaving the meeting after the Elgin visit.

## **2. LIST OF DECISIONS FOR APPLICATIONS FOR PREMISES LICENCES**

### **(i) Application for a Premises Licence at Allarburn Farm Dairy Ltd, Allarburn Farm Shop, Edgar Road, Elgin, IV30 6XQ**

The Depute Clerk introduced the application and advised the applicant had been cited to the meeting. Hilary Anderson represented the applicant. The Depute Clerk advised that all paperwork was in order and that there were no objections or representations. After hearing from the applicant the Board agreed to grant the licence.

### **(ii) Application for a Variation to Premises Licence Cullen Bowling and Tennis Club, Reidhaven Place, Cullen, AB56 4RN**

The Depute Clerk introduced the application and advised the applicant had been cited to the meeting. Sandra Douglas as Secretary of the Club represented the applicant. The Depute Clerk advised that all paperwork was in order and that there were no objections or representations. After hearing from the applicant the Board agreed to grant the licence.

### **(iii) Application for Transfer of Premises Licence under s34 at Rehab, 3 West Church Street, Buckie, AB56 1BN**

The Depute Clerk introduced the application and advised the applicant had been cited to the meeting. The applicant was in attendance. He also advised in this case that the landlord of the premises had given consent to transfer the licence as the current licence holder had not taken over the lease of the premises and had since left the area. There was notification of a relevant conviction for a connected person. After hearing from the applicant and with no recommendation from Police Scotland the Board agreed to grant the transfer.

### **(iv) Application for Transfer of Premises Licence under s34 at Bowl 2000, 2 Moycroft Industrial Estate, Elgin, IV30 1XZ**

The Depute Clerk introduced the application and advised the applicant had been cited to the meeting. The applicant was in attendance and Neil Ross, solicitor, represented the current licence holder. Neil Ross objected to the application as it had been made outwith the 28 days on transfer of business stipulated in s34, and it should be dismissed. The applicant, Darren Margach, outlined his reasons for requesting transfer of the current licence. The Board requested further information from Neil Ross who advised he would

have to return to his client for further instruction. After consideration Councillor Tuke made a motion to defer the application to the next meeting in order that further information could be provided and this was seconded by Councillor Howe. Councillor Leadbitter asked if Councillor Tuke would consider adding to the motion that guidance on what constitutes the transfer of business also be supplied for the next meeting. Councillor Tuke and Councillor Howe agreed to the addition to the motion therefore it was the decision of the Board that the application be deferred to the next meeting of the Board on 18<sup>th</sup> February 2016 to allow further evidence to be placed before them.

**3. Gambling Act 2005 – Revised Statement of Policy**

The Depute Clerk introduced the report and outlined the recommendations within the report. The Board agreed to the recommendations.

**4. Licensing (Scotland) Act 2005 – Proposals for the Processing of Occasional Licence Applications**

The Depute Clerk introduced the report and outlined the recommendations within the report. The Board agreed to the recommendations of the report.

**6. Child Sexual Exploitation (CSE) and Licensing**

The Depute Clerk introduced and outlined the report advising that he could put any of the Board Member's questions to the relevant officer. The Board noted the report and confirmed they would assist in the dissemination of information to licence holders.