

THE MORAY LICENSING BOARD

MINUTE OF THE MEETING OF THE MORAY LICENSING BOARD

The Moray Council Chambers, Council Headquarters, High Street, Elgin on Thursday 11 August 2016

PRESENT

Councillors: J Allan
G Cowie
M Howe
M McConachie
A McLean
R Shepherd
D Slater
C Tuke

APOLOGIES

Apologies were intimated on behalf of Councillors J Divers and G Leadbitter.

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 2 June 2016 were submitted and approved.

2. LIST OF DECISIONS FOR APPLICATIONS FOR PREMISES LICENCES

(i) Application for a New for Premises Licence The Polish Deli, 28 Commerce Street, Elgin

The Depute Clerk introduced the application and advised the applicant had been cited to the meeting, Neil Ross, solicitor represented the applicant. The Depute Clerk advised that all paperwork was in order. After hearing from Neil Ross the Board agreed to grant the licence.

(ii) Application for a Variation to Premises Licence Portknockie Bowling Club, Seafeld Terrace, Portknockie

The Depute Clerk introduced the application and advised the applicant was represented by Mr Miles. The Depute Clerk advised that all paperwork was in order and that there were no objections or representations. The Board agreed after discussion it was agreed that only on sales were required for what they were trying to do, the applicant agreed. The Board agreed to grant on that basis.

(iii) Application for a Variation to Premises Licence Royal Hotel, Station Road, Elgin

The Depute Clerk introduced the application and advised the applicant was in attendance. He explained the changes were to bring it in line with other premises. After listening to all the changes the Board agreed unanimously to grant the variation.

3. Licensing (Scotland) Act 2005 – Personal Licence Application Hearing Following Disclosure of Relevant Conviction on Application (Case 3 of 2016)

The Depute Clerk introduced the application and advised the Board the applicant was in attendance. Councillor Tuke declared an interest and left the meeting for the duration of the item. The Depute Clerk reminded the Board of the test. After hearing from both sides and gaining clarification that the applicant's job was not threatened because of this, Councillor Howe moved to grant the licence, Councillor Allan seconded the motion. Councillor McLean made an amendment to refuse the application, he had no seconder therefore the motion was carried.

4. Licensing (Scotland) Act 2005 – Annual Review of Licensing Fees

The Depute Clerk outlined the various options open to the Board after giving them a briefing on the performance for profit and loss over the last year. It was agreed to accept the fee structure at Appendix III with a review in a year.

5. Licensing (Scotland) Act 2005 – The Air Weapons and Licensing (Scotland) Act 2015 – Changes to the Statement of Licensing Policy

The Board noted the recommendations and approved the licensing policy period.

6. Licensing (Scotland) Act 2005 – Re-establishment Best Bar None Scheme, Moray

The Board noted the recommendations.