

**ABERDEENSHIRE LICENSING BOARDS
SOUTH DIVISIONAL LICENSING BOARD**

DRAFT

**Minute of Meeting of the SOUTH ABERDEENSHIRE DIVISIONAL LICENSING BOARD
held in the BETTRIDGE CENTRE, NEWTONHILL on 4 DECEMBER 2019 at 10AM.**

- Present -

*Councillors Peter Argyle (Convenor), Alistair McKelvie, Rosemary Bruce, Jeff Hutchison,
Dennis Robertson*

- In Attendance –

*Peter Robertson, Depute Clerk to the Licensing Board
Keith Simpson, Senior Licensing Standards Officer,
Delsya Borland, Licensing Admin Team*

1. APOLOGIES FOR ABSENCE

Cllrs Alastair Bews, Colin Pike and Leigh Wilson

2. DECLARATIONS OF INTEREST

None

3. STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Board AGREED, in terms of Section 149 of the Equality Act, 2010:-

- (1) The Board would have due regard to the need to:-
 - (a) Eliminate discrimination, harassment and victimisation;*
 - (b) Advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and*
 - (c) Foster good relations between those who share a protected characteristic and persons who do not share it.**
- (2) Where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.*

4. MINUTES OF BOARD MEETING OF - FOR APPROVAL

The Minutes of the South Board Meeting of 2 October 2019 were APPROVED as a correct record.

**5. LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR EXTENDED HOURS-
BURNETT ARMS, BANCHORY.**

The Depute Clerk advised that the application had been withdrawn

6. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR REVIEW OF PERSONAL LICENCE-JAMES SCOTT-HEARING**

The Depute Clerk advised the Board that the licence holder had indicated that he was unwell and would be unable to attend the hearing and had requested that the matter be deferred. The Board agreed to defer the hearing until the February Board meeting.

7. **LICENSING (SCOTLAND) ACT 2005:APPLICATION FOR PREMISES LICENCE**

The Board granted the following applications

Name of Applicant	Name and Address of Premises	Description of Premises and operation	Remarks (if any)
MFGF Events Limited Banchory Business Centre, Burn o Bennie Rd Banchory	78 High Street Banchory	Retail Unit. Off sales only.	The applicant adjusted their application following representations by Police and LSO
Lodge St Laurence High Street Laurencekirk	High Street, Laurencekirk	Members Club	The applicant adjusted their application following representations by Police and LSO

8. **LICENSING (SCOTLAND) ACT 2005:APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCES**

The Board granted the following applications in the terms set out

Name of Applicant	Name and Address of Premises	Premises Licence No.	Variation Applied For	Remarks (if any)
Highlands Hospitality Limited	Invercauld Arms Hotel, Braemar	AB-S-P104	1. Change of Premises Manager. 2. Seasonal Hours; Friday and Saturday preceding 25 December and 24, 25 and 26 December and	

			<p><i>Friday and Saturday preceding 31 December and 1 January, all until 0130hrs following day</i></p> <p><i>31 December until 03:00hrs on 1Jan</i></p> <p>3. Change to permitted activities to include theatre, gaming and indoor and outdoor sports and gaming.</p> <p>4. Change to layout to include public bar in old steading behind hotel</p> <p>5. Increase terminal hour Friday and Saturday to 01:00hrs.</p> <p>6. Increase terminal hour on Sunday to 00:00hrs.</p> <p>7. Increase commencement on Sunday to 11:00 for on and off sales</p> <p>8. Increase capacity to 400</p>	
<i>S Lee Limited</i>	<i>Molly's Café Bar The Promenade Stonehaven</i>	<i>AB-S-P131</i>	<p>1 Increase terminal hour to 00:00 on Friday and Saturdays and also on any other evening where there is a pre-booked function</p> <p>Adopt seasonal variations as in Board policy</p> <p>2 Add receptions etc within core hours in 5(b) in operating plan</p> <p>3 Add live performances within core hours in 5(g) in operating plan</p>	

			<i>4 To allow young persons entry to the premises at the manager's discretion until 21:00 or until terminal hour if accompanied by an adult</i>	
--	--	--	---	--

9. LICENSING (SCOTLAND) ACT 2005: PREMISES CEASED TO HAVE EFFECT

The Board agreed that terms of Section 28 (5)(b) of the Licensing (Scotland) Act 2005, the premises licence noted below had ceased to have effect because the premises in respect of which the licence was issued had ceased to be used for the sale of alcohol:-

*Newtonhill Stores
2/4 Skateraw Road
Newtonhill*

*ABV Craft Drinks
22 Dee Street
Banchory*

*Spar
13 High Street
Laurencekrk*

*Glen Lui Hotel
14 Invercauld Road
Ballater*

10. ADDITIONAL REPORTS

(i) Board dates

Having considered a report from the Depute Clerk the Board agreed the following dates for Board meetings from April 2020 onwards;-

*1 April 2020
3 June 2020
26 August 2020
7 October 2020
2 December 2020
3 February 2021
7 April 2021*

(i) Non Payment of Fees

The Board noted a report from the Senior Licensing Standards Officer on steps taken to collect outstanding fees. The Board thanked the Senior LSO for his efforts and persistence with those premises who were late in paying their annual fee.

(ii) Review of Licensing Board Structure in Aberdeenshire

The Board considered a report from the Clerk to the Board and indicated that they were in principle agreeable to a single Board for Aberdeenshire subject to ensuring that so far as possible there would be an even representation from across all the six Aberdeenshire Council Areas, and noted:-

that there will be a public consultation in the terms set out in the report from the 20th December to the 19th January; and

that the outcome of the public consultation would be reported to each of the Boards in February 2020 so that the Boards are given an opportunity to comment before determination at Council in March 2020;

11. DATE OF NEXT MEETING – 5 February in Banchory Town Hall

Signed Cllr Peter Argyle

Date 05/02/2020