



Licensing Board

Wednesday, 14 April 2021

NOTICE IS HEREBY GIVEN that a Meeting of the **Licensing Board** is to be held at remote locations via video conference, on **Wednesday, 14 April 2021** at **09:30**.

BUSINESS

1. **Sederunt**
2. **Minute of the Meeting of the Board 17 February 2021** 5 - 8
3. **Application List 14 April 2021**

Moray Council Committee meetings are currently being held virtually due to Covid-19. If you wish to watch the webcast of the meeting please go to:
http://www.moray.gov.uk/moray_standard/page_43661.html
to watch the meeting live.

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

THE MORAY COUNCIL

Licensing Board

SEDERUNT

Councillor Gordon Cowie (Chair)
Councillor James Allan (Depute Chair)

Councillor David Bremner (Member)
Councillor Frank Brown (Member)
Councillor Paula Coy (Member)
Councillor Ryan Edwards (Member)
Councillor Maria McLean (Member)
Councillor Louise Nicol (Member)
Councillor Amy Taylor (Member)

Clerk Name:	Tracey Sutherland
Clerk Telephone:	07971 879268
Clerk Email:	tracey.sutherland@moray.gov.uk

MORAY COUNCIL

Minute of Meeting of the Licensing Board

Wednesday, 17 February 2021

remote locations via video conference,

PRESENT

Councillor James Allan, Councillor David Bremner, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Ryan Edwards, Councillor Maria McLean, Councillor Louise Nicol, Councillor Amy Taylor

APOLOGIES

Councillor Frank Brown

IN ATTENDANCE

Also in attendance at the above meeting were Sean Hoath, Senior Solicitor, Emma Rapley, Licensing Standards Officer and Tracey Sutherland, Committee Services Officer all Moray Council and Sergeant Gill Flett, Police Scotland.

1. Chair

The meeting was chaired by Councillor Gordon Cowie.

2. Minute of Meeting of 2 December 2020

The minute of the meeting of the Licensing Board on 2 December 2020 was submitted and approved.

3. Application List

- i) New Premises - Lossiemouth Seafood Restaurant and Grill, Lossiemouth

The Depute Clerk introduced the application and advised that all the paperwork was in order and no objections or representations had been received. The applicant introduced the application and answered questions. Councillor Allan proposed granting the application and there being no-one otherwise minded it was agreed to grant the application.

- ii) New Premises - Fife Arms Hotel, Keith

The Depute Clerk introduced the application and advised that all the paperwork was in order and that a representation had been received from Police Scotland. The applicant's representative, Ms Hood introduced the application and answered questions from the Board. Ms Hood further added that the applicant had no problem adhering to Police Scotland's

recommendations regarding the outdoor drinking area. Sergeant Gill Flett, from Police Scotland addressed the Board and answered questions. Councillor Bremner proposed granting the licence without the need for food to be served for children to be in attendance, this was seconded by Councillor Coy. As there was no one otherwise minded the licence was granted.

iii) Major Variation - Glenlivet Public Hall

The Depute Clerk introduced the application and advised that all the paperwork was in order and that no objections or representations had been received. The Applicant introduced the application and answered questions. Councillor Bremner proposed granting of the application and there being no-one otherwise minded it was agreed to grant to application.

iv) Provisional Premises - Co-op, Lossiemouth

The Depute Clerk introduced the application and advised that all paperwork was in order and that no objections or representations had been received. The applicant's representative introduced the application and answered questions. Councillor Edwards proposed granting the application and there being no one otherwise minded it was agreed to grant the application.

4. Review of Premises Licence Fee for Variation of Premises

A report by the Clerk to the Board asked the Board to consider and agree a proposal to amend the fee to vary a premises licence to £50 on a temporary basis specifically and solely for the purpose of allowing the addition of off sales to premises licences and allow these applications to be processed by email circulation.

Following consideration the Board agreed to a the proposal to temporarily amend the premises licence variation fee structure to add the proposed fee pursuant to the Board's power to set such fees under s.12 of the Licensing (Fees) (Scotland) Regulations 2007 and temporarily amend processing arrangements to deal with such applications as set out in para 1.1 of the report.

5. Review of Premises Licences

A report by the Clerk to the Board asked the Board to conduct a hearing to consider and determine the premises licence review proposal in respect of each of the premises listed in the schedule circulated to members separately.

The Depute Clerk updated the Board that since the publication of the papers, only 1 licence was now required to be reviewed.

Following consideration the Board agreed to suspend the licence for non payment of fees.

6. Appointment of Depute Chair

Under reference to paragraph 3 of the minute of the meeting of 2 December 2020 the Board sought to appoint a Depute Chair of the Licensing Board.

Councillor Allan nominated himself for Depute Chair and this was seconded by Councillor Macrae. As there was no one otherwise minded, Councillor Allan was appointed Depute Chair of the Board.

