

MORAY COUNCIL

Minute of Meeting of the Licensing Board

Wednesday, 9 February 2022

Remote Locations via Video Conference

PRESENT

Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Gordon Cowie, Councillor Ryan Edwards, Councillor Louise Nicol

APOLOGIES

Councillor Maria McLean, Councillor Amy Taylor

IN ATTENDANCE

Also in attendance were Sean Hoath, Depute Clerk to the Board, Sana Sarwar, Legal Advisor, and Lindsey Robinson, Committee Services Officer as Clerk to the meeting.

1. Chair

Councillor Gordon Cowie, as Chair of the Licensing Board, chaired the meeting.

2. Declarations of Group Decisions and Members Interests

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's Interests in respect of any item on the agenda.

3. Minute of the Meeting of 8 December 2021

The Minute of the Meeting of the Licensing Board on 8 December 2021 was submitted and approved.

4. Report on Review of Premises Licences for Non Payment of Fees

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.

Councillor Brown sought clarification on whether the licence holder was unable to pay or unwilling to pay.

The Depute Clerk advised that they were unable to pay due to lack of funds and trading.

Councillor Brown moved that the licence be suspended for 6 months and then reviewed on the basis that it was considered a ground for review had been

established and it was considered necessary or appropriate for the purposes of any of the licensing objectives.. This was seconded by Councillor Edwards.

As there was no one otherwise minded, the Board agreed to suspend the licence for 6 months followed by a review, in line with s.39(2) of the Licensing (Scotland) Act 2005.

5. 21-01735-GAMMAC - Silver Sands

The Legal Advisor introduced the application and advised the Board that all paperwork was in order and that there were no objections or representations.

The applicant's representative addressed the Board and responded to the questions raised.

Following consideration, Councillor Edwards moved to grant the application. This was seconded by Councillor Bremner and there being no one otherwise minded, the application was granted.

6. 21-01641-PREVMA - Pinefield Service Station

The Legal Advisor introduced the report and advised the Board that all paperwork was in order, there were no objections or representations and there had been no site visit.

The applicant's representative addressed the Board and responded to the questions raised.

Councillor Brown moved to approve the application. This was seconded by Councillor Edwards and there being no one otherwise minded, the application was granted.