

MORAY COUNCIL

Minute of Meeting of the Licensing Board

Wednesday, 08 December 2021

Remote Locations via Video Conference

PRESENT

Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Ryan Edwards, Councillor Louise Nicol, Councillor Amy Taylor

APOLOGIES

Councillor Gordon Cowie, Councillor Maria McLean

IN ATTENDANCE

Also in attendance at the above meeting were Sergeant Gill Flett, Police Scotland, 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 James Allan, as Depute 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 the Board 20 October 2021

The Minute of the Meeting of the Board on 20 October 2021 was submitted and approved.

4. Review of Statement of Policy

A report by the Clerk to the Board advised the Board with regard to the statutory obligation to develop, consult and publish a policy statement setting out the principles the propose to apply to the exercise of their functions under the Gambling Act 2005.

Following consideration, the Board agreed to:

- i. note the statutory obligation to develop, consult upon and publish a statement of licensing policy and note that a revised policy must be in place for January 2022;

- ii. note the terms of the final policy as reviewed and developed by the Board following research produced in Appendix 1;
- iii. note the policy has been the subject of formal consultation for the period of 11 October 2021 to 30 November 2021; and
- iv. approve a final policy statement for publication.

5. 21-01452-PRELIC Highland Whisky Auctions

The Legal Advisor introduced the application and advised the Board that all paperwork was in order, there were no objections or representations, all Section 50's have been received and the applicant had accepted the Police condition.

The applicant addressed the Board and responded to the questions raised.

Following consideration, the Chair proposed granting the application and there being no one otherwise minded, the application was granted.

6. 21-01620-PRELIC Speyside Whisky Auctions

The Legal Advisor introduced the application and advised the Board that all paperwork was in order, there were no objections or representations, all Section 50's have been received and the applicant had accepted the Police condition.

The applicant addressed the Board and responded to the questions raised.

Following consideration, the Chair proposed granting the application and there being no one otherwise minded, the application was granted.

7. 21-01634-PROLIC Premier

The Legal Advisor introduced the application and advised the Board that all paperwork was in order, there were no objections or representations, all Section 50's have been received and the applicant had accepted the Police conditions.

The applicants representative addressed the Board and responded to the questions raised.

Following consideration, the Chair proposed granting the application and there being no one otherwise minded, the application was granted.

8. 21-01518-PREVMA Silver Sands

The Legal Advisor introduced the application and advised the Board that all paperwork was in order, there were no objections or representations, and the applicant has accepted the Police conditions.

The applicants representative addressed the Board and responded to the questions raised. She also stated that the applicant had been in the discussion with the Police with regards to background music being played on an occasional basis. She asked for this to be allowed and for that condition to be removed.

In response, Sergeant Flett advised that the matter was resolved and the condition had been removed.

Following consideration, the Chair proposed granting the application and there being no one otherwise minded, the application was granted.

9. 21-01586-PREVMA Badenoch's

The Legal Advisor introduced the application, and advised the Board that all paperwork was in order, and there were representations from the Licensing Standards Officer and Police Scotland.

The applicants representative address the Board and responded to questions. Sergeant Flett confirmed that there had been discussions with the applicant and the Police had withdrawn their representation.

Following consideration, the Chair proposed granting the application and there being no one otherwise minded, the application was granted.

10. 21-01636-PRETOA Foggies Bar

The Legal Advisor introduced the application and advised the Board that all paperwork was in order, there was representation from the Licensing Standards Officer but this had been withdrawn, and the applicant had confirmed acceptance of the Police conditions.

The applicant addressed the Board and confirmed acceptance of the Police conditions and responded to questions.

Sergeant Flett advised the Board that, as the conditions had been accepted, the Police representation would be withdrawn.

Following consideration, the Chair proposed granting the application and there being no one otherwise minded, the application was granted.

11. Report for Next Meeting

The Depute Clerk advised the Board that a report would be presented to the next meeting with regard to the differences in delegation between the Board and Officers.