

## **THE MORAY LICENSING BOARD**

### **MINUTE OF THE MEETING OF THE MORAY LICENSING BOARD**

The Moray Council Chambers, Council Headquarters, High Street, Elgin on Thursday 3 October 2013

#### **PRESENT**

Councillors: G Alexander  
S Cree  
M Howe  
B Jarvis  
A McLean  
M McConachie  
R H Shepherd (Convenor)  
C Tuke

#### **APOLOGIES**

Apologies were intimated on behalf of Councillor J Allan

#### **IN ATTENDANCE**

Sean Hoath, Depute Clerk to the Licensing Board  
Inspector Milne, Grampian Police

#### **1. PRIOR MINUTES**

- (i) The Minutes of the Meeting held on 15 August 2013 were submitted and approved.
- (ii) The Minutes of the Special Meeting held 24 September 2013 were submitted and approved.

## **2. LIST OF DECISIONS FOR APPLICATIONS FOR PREMISES LICENCES**

### **(i) Application for a New Premises Licence at Bijou, 8-10 Batchen Street, Elgin**

The Depute Clerk advised that the applicant had been cited to the meeting but as they were not in attendance the Board decided to defer hearing the application to the next meeting.

### **(ii) Application for a New Premises Licence at Spar, 183 Mid Street, Keith**

The Depute Clerk introduced the application. The applicant was in attendance. The applicant advised that the Section 50 certificate from Environmental Health was outstanding. The Depute Clerk advised the Board could consider as a provisional licence which could be confirmed under delegated powers when the certificate was in place. There being no objections to the application the Board agreed to grant as a provisional licence to be confirmed under delegated powers.

### **(iii) Application for a Variation to Premises Licence at Harbour Lights, Pitgaveny Quay, Lossiemouth**

The Depute Clerk introduced the application and advised he had cited the applicant. After hearing from the applicant and there being no objections the Board agreed to grant the variation.

### **(iv) Application for a Variation to Premises Licence at Craigellachie Hotel, Victoria Street, Craigellachie**

This item was deferred to the end of the meeting to allow Andrew Thomson, solicitor Stirling, to arrive. The Depute Clerk introduced the application. After hearing from the representative and there being no objections the Board gave the Clerk power to grant the variation as sought when the applicant requests to allow the premises to trade on its current licence until the transfer to the new owner was complete and works ready to commence.

(Note: Councillor Cree left the meeting before the decision was made for this application and was not in attendance from Item 5 onwards.)

**3. LICENSING (SCOTLAND) ACT 2005 – PREMISES LICENCE REVIEW HEARING – CASE NUMBER 1 OF 2013 CONTINUING REVIEW FOLLOWING APPLICATION FOR REVIEW BY CHIEF CONSTABLE**

The Depute Clerk updated the Board. The premises had been site visited and the Board had seen the CCTV in place. The Board agreed to close the matter after the police representative advised that they would monitor the premises and ask for a further review if necessary.

**4. LICENSING (SCOTLAND) ACT 2005 – PERSONAL LICENCE APPLICATION HEARING FOLLOWING APPLICATION FOR REVIEW BY THE CHIEF CONSTABLE (CASE NUMBER 2 OF 2013)**

The Depute Clerk introduced the application. The licence holder was not present but represented by Robert Cruickshank, solicitor. . Councillor Cree declared an interest and left the meeting for this item. After hearing from Robert Cruickshank and the police representative Councillor Tuke made a motion to endorse the licence for securing public safety and preventing public nuisance. All agreed with the motion and the decision of the Board was to endorse the licence.

**5. LICENSING (SCOTLAND) ACT 2005 – STATEMENT OF POLICY**

The Board noted the obligations and responses and agreed to adopt the policy with no further changes. They instructed the Clerk to publish the policy prior to 29 November 2013.

**6. LICENSING BILL – FURTHER OPTIONS FOR ALCOHOL LICENSING**

The Board noted the detail of the report and also noted more details would follow when the Clerk was advised.

**7. LICENSING (SCOTLAND) ACT 2005 – CHRISTMAS/NEW YEAR ARRANGEMENTS 2013/14**

The Depute Clerk introduced the report and after discussion with the police representative the Board agreed to a general extension and asked the Clerk to publicise the details to licence holders.

**8. THE MORAY COUNCIL AND MORAY LICENSING BOARD RECORDS MANAGEMENT PLAN 2013**

The Depute Clerk introduced the report. The Board noted the draft plan and asked the Depute Clerk to email them with any changes which may be made at a later date.

**9. PRIMARY AUTHORITY ARRANGEMENTS FOR DEVOLVED MATTERS IN SCOTLAND**

The Depute Clerk introduced the report. The Board noted the detail of the report.