

**ABERDEENSHIRE LICENSING BOARD  
NORTH DIVISION**

Minute of Meeting of the **LICENSING BOARD** for the  
**NORTH DIVISION of ABERDEENSHIRE**, held in the  
**COUNCIL CHAMBER, ARBUTHNOT HOUSE,**  
**BROAD STREET, PETERHEAD** on **WEDNESDAY 25<sup>th</sup>**  
**NOVEMBER 2009 AT 10.00a.m.**

- Present –

Mrs. A. Allan, Mr. J. Duncan, Mr. S. Mair, Mr. S. Pratt, Mr. N. Smith and  
Mr. R. Thomas

- In Attendance -

Fiona M. Stewart, Depute Clerk to the Board and Anne McLaren,  
Administration Assistant

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Mr. I. Gray, Mrs. A. Norrie and Mr. A. Duncan

**2. MINUTES OF MEETING OF BOARD ON 28<sup>th</sup> October 2009 AND SPECIAL  
MEETING OF 6<sup>th</sup> NOVEMBER 2009**

The Minutes of the Board Meeting of 28<sup>th</sup> October 2009 and Special Meeting of 6<sup>th</sup> November were submitted and approved.

**A: LICENSING (SCOTLAND) ACT 2005**

**3. APPLICATIONS FOR PERSONAL LICENCES ISSUED UNDER DELEGATED POWERS**

Following consideration of a report by the Clerk the Board NOTED the action taken by the Clerk in approving in terms of the Scheme of Delegation the applications for Personal Licences listed at Appendix 1 to this Minute and as shown in the Register of Applications appointed to be kept in terms of Sections 9(2) and 146(2) of the Licensing (Scotland) Act 2005 and paragraph 7 of the Licensing Register (Scotland) Regulations 2007.

**4. APPLICATIONS FOR REVIEW PERSONAL LICENCE  
JOHN BATES**

Having considered the terms of a report by the Depute Clerk in relation to the review of a personal licence following notice of convictions, dated 13<sup>th</sup> November 2009, copies of which had been circulated to Members in advance; and having considered the nature of the conviction, the police report and the licence holder's written explanation, Mr. S. Mair, seconded by Mr. Thomas, moved as a motion that there was sufficient evidence before the Board to allow a determination to be made, that for the purposes of the crime prevention objective the licence should be endorsed and the licence holder issued with a written warning. No amendment was proposed. The motion was passed unanimously on a show of hands.

**5. OCCASIONAL LICENCES – LICENCES ISSUED UNDER DELEGATED POWERS**

Following consideration of a report by the Clerk the Board NOTED the action taken by the Clerk in approving in terms of the Scheme of Delegation the applications for Occasional Licences listed at Appendix 2 to this Minute and as shown in the Register of Applications appointed to be kept in terms of Sections 9(2) and 146(2) of the Licensing (Scotland) Act 2005 and paragraphs 5 and 6 of the Licensing Register (Scotland) Regulations 2007.

## **6. REVIEW OF PREMISES LICENCE PRELIMINARY HEARING – LATE PAYMENT OF FEES**

Having considered the terms of a report by the Depute Clerk in relation to the review of various premises licences following late/non payment of annual fees, dated 12<sup>th</sup> November 2009, copies of which had been circulated to Members in advance; and having considered the terms of reports by the Licensing Standards Officers and written explanations submitted by the Licence Holders, Mr. Mair seconded by Mr. Pratt, moved as a motion that the Board would accept late payment in this instance for all premises save the Village Inn, New Byth. This premises was to be deferred to the next available meeting for a Full Hearing. Further, all licence holders were to be issued with a written warning that future late payments would immediately initiate a full review of the premises licence and written submissions would not be accepted for late payment in future. No amendment was proposed. The motion was passed unanimously on a show of hands.

## **7. APPLICATION FOR PROVISIONAL PREMISES LICENCE**

	<b>Name and address Of Applicant</b>	<b>Address of Premises</b>	
a)	Iceland Foods Limited Second Avenue Deeside Industrial Park Deeside Flintshire CH5 2NW	Iceland 1-5 Broad Street Fraserburgh AB43 5AE	Granted, having heard the applicant's agent. The Board also granted the application for confirmation of the premises licence to be issued on receipt of the appropriate Section 50 certificates.

## **8. INFRASTRUCTURE SERVICES COMMITTEE – REVIEW PANELS**

Having considered the terms of a request from the Head of Administration and Regulatory Services for nominations from the Board to a Review Board established under the Housing (Scotland) Act 2006 and the Estate Agents Act 1979 the Board nominated Mr. Pratt (Convener) and Mr. Smith with Mr. Thomas as a Substitute Member

## **9. IRRESPONSIBLE DRINKS PROMOTIONS**

The Clerk circulated information provided by the Licensing Standards Officers in relation to irresponsible promotions, which information is attached as Appendix 3 to this Minute. Following a discussion, the Board concluded that, until such time as there was clear national guidance on this issue, this was not an issue on which the Board was in a position to formulate a policy. The Board instructed the Clerk to write to the Scottish Government to ask if Notional Guidance on this issue can be published as a matter of urgency.

## **10. ANY OTHER COMPETENT BUSINESS**

### **a) ALCOHOL VENDING MACHINES**

The Clerk circulated an Information Sheet published by the Scottish Government on alcohol vending machines, a copy of which is attached as Appendix 4 to the Minute. The Board noted the contents of the Information Sheet.

### **b) OCCASIONAL LICENCES FOR THE CASTLE BAR, BANFF**

The Clerk advised that objections had been received in respect of the Castle Bar, Banff in relation to occasional Licence Applications. The Board instructed the Clerk to arrange a Special Meeting to consider the applications in consultation with the Convener.

**S. PRATT  
CONVENER**