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NITHSDALE DIVISIONAL LICENSING BOARD

Meeting of Wednesday 19 June 2024
at 10.00am – Remote Hearing

Tony Berretti – Mid and Upper Nithsdale;
John Campbell – Nith;
Linda Dorward – Lochar;
Ivor Hyslop – Lochar;
Emma Jordan – North West Dumfries;
Tracey Little – Lochar;

VLAD VALIENTE
Clerk to the Licensing Board

Nithsdale Divisional Licensing Board

Meeting of Wednesday 19 June 2024
at 10.00am – Remote Hearing

- | | | |
|-----|---|---------|
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Next Meeting Date: Friday, 20 September 2024

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NITHSDALE DIVISIONAL LICENSING BOARD

**Minute of Meeting of Tuesday 30 April 2024 at 10.00pm
Remote Hearing**

MEMBERS PRESENT

Tony Berretti	-	Mid and Upper Nithsdale
John Campbell	-	Nith
Linda Dorward	-	Lochar
Ivor Hyslop (Convener)	-	Lochar
Emma Jordan	-	North West Dumfries;

APOLOGIES

Tracey Little	-	Lochar
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IN ATTENDANCE

Stuart Davidson	-	Licensing Standards Officer
Cheryl Syme	-	Snr Licensing Officer (Board Services)
Caroline Treanor	-	Solicitor

**VLAD VALIENTE
Clerk to the Licensing Boards**

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**

5 Members present via MS Teams, the Convener approved Members' remote participation at the Hearing.

2. **DECLARATIONS OF INTEREST**

NONE

3. **MINUTES OF MEETING 16 NOVEMBER 2024**

Decision

AGREED

4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED that the following Occasional Licences and Extended Hours had been granted under delegated powers during the period from **26 October 2023 until 14 April 2024**:

Occasional Licences : Applied for by a Personal Licence Holder

Total number issued 136

Occasional Licences : Applied for by a Premises Licence Holder

Total number issued 31

Occasional Licences : Applied for by a Voluntary Organisation

Total number issued 24

Extended Hours

Total number issued 16

5. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED that the applications in **Appendix 1** were granted under delegated authority

6. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR TRANSFER OF PREMISES LICENCE (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED that the applications in **Appendix 2** were granted under delegated authority

7. **LICENSING (SCOTLAND) ACT 2005 – SURRENDER OF PREMISES LICENCE – REPORT BY THE CLERK TO THE BOARDS**

Decision

Noted in **Appendix 3**

8. **LICENSING (SCOTLAND) ACT 2005: CONFIRMATION OF PREMISES LICENCES (GRANTED UNDER DELEGATED AUTHORITY) REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED that the applications in **Appendix 4** were granted under delegated authority

9. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE – ALDI, GLASGOW ROAD, DUMFRIES – REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant's agent and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application, as shown in **Appendix 5**.

10. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE – MORRISONS DAILY, DUMFRIES – REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant's agent and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application, as shown in **Appendix 6**.

11. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE – FARMERS ARMS, THORNHILL – REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application, as shown in **Appendix 7**.

12. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE – CROWN INN, SANQUHAR – REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application, as shown in **Appendix 8** (during consideration of this item, Councillor Jordan left the meeting)

APPENDIX 1**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD****THE LICENSING (SCOTLAND) ACT 2005 : SECTION 29
APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES
GRANTED UNDER DELEGATED AUTHORITY**

<u>Application No. 1 – Ref L.6/001N</u>	
Name & Address of Applicant or Agent	Tesco Stores Limited Shire Park Kestrel Way Welwyn Garden City AL7 1TW
Name & Address of Premises	Tesco Dumfries Extra Cuckoo Bridge Retail park Glasgow Road Dumfries DG2 9BF
Nature of variation	Change of Designated Premises Manager to Sean McCarter
Effective Date of Minor Variation	9 November 2023

<u>Application No. 2 – Ref L.6/098N</u>	
Name & Address of Applicant or Agent	Iceland Foods Ltd Second Avenue Deeside Industrial Estate Deeside Flintshire CH5 2NW
Name & Address of Premises	Iceland 165-171 High Street Dumfries DG1 2RD
Nature of variation	Change of Designated Premises Manager to Dana Mullen
Effective Date of Minor Variation	21 November 2023

<u>Application No. 3 – Ref L.6/015N</u>	
Name & Address of Applicant or Agent	Tesco Stores Limited Shire Park Kestrel Way Welwyn Garden City AL7 1TW
Name & Address of Premises	Tesco Superstore Peel Centre Lockerbie Road Dumfries DG1 3PF
Nature of variation	Change of Designated Premises Manager to Hung Van Pham
Effective Date of Minor Variation	1 December 2023

<u>Application No. 4 – Ref L.2/016N</u>	
Name & Address of Applicant or Agent	John Ross Farmers Arms 50 Drumlanrig Street Thornhill DG3 5LJ
Name & Address of Premises	Farmers Arms 50 Drumlanrig Street Thornhill DG3 5LJ
Nature of variation	Change of Designated Premises Manager to Andrew Morrison
Effective Date of Minor Variation	5 December 2023

<u>Application No. 5 – Ref L.6/075N</u>	
Name & Address of Applicant or Agent	Alliance Property Holdings Ltd Hilmore House Gain Lane Bradford West Yorkshire BD3 7DL
Name & Address of Premises	Morrisons Daily Troqueer Mount Troqueer Road Dumfries DG2 7DF
Nature of variation	Change of Designated Premises Manager to Kendra Kennedy
Effective Date of Minor Variation	14 December 2023

<u>Application No. 6 – Ref L.2/009N</u>	
Name & Address of Applicant or Agent	Whitbread group plc Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable Bedfordshire LU5 5XE
Name & Address of Premises	The Solway Gate Annan Road Dumfries DG1 3JX
Nature of variation	Change of Designated Premises Manager to Heather Stewart
Effective Date of Minor Variation	21 December 2023

<u>Application No. 7 – Ref L.6/063N</u>	
Name & Address of Applicant or Agent	C J Lang & Son Limited 78 Longtown Road Dundee DD4 8JU
Name & Address of Premises	Spar Convenience Store 1 Rosevale Street Dumfries DG1 2EP
Nature of variation	Change of Designated Premises Manager to Brionney Prowse
Effective Date of Minor Variation	21 December 2023

<u>Application No. 8 – Ref L.1/033N</u>	
Name & Address of Applicant or Agent	Adam Moore Trigony House Hotel Closeburn Thornhill DG3 5EZ
Name & Address of Premises	Trigony House Hotel Closeburn Thornhill DG3 5EZ
Nature of variation	Change of Designated Premises Manager to Adam Moore
Effective Date of Minor Variation	22 December 2023

<u>Application No. 9 – Ref L.6/05133N</u>	
Name & Address of Applicant or Agent	Scottish Midland Co-operative Society Ltd Hillwood House 2 Harvest Drive Newbridge EH28 8QJ
Name & Address of Premises	Scotmid 202/204 Lochside Road Dumfries DG2 0EB
Nature of variation	Change of Designated Premises Manager to Michaela McQuinn
Effective Date of Minor Variation	9 January 2024

<u>Application No. 10 – Ref L.2/038N</u>	
Name & Address of Applicant or Agent	Hawthorn Leisure Scotco Limited One St Peter's Square Manchester M2 3DE
Name & Address of Premises	Lochside tavern Carrick Road Lochside Dumfries DG2 9PR
Nature of variation	Change of Designated Premises Manager to Alison Roberts
Effective Date of Minor Variation	11 January 2024

<u>Application No. 11 – Ref L.6/009N</u>	
Name & Address of Applicant or Agent	Kokulabavan Jeyarasa 5 Orchid Way Dumfries DG1 3WF
Name & Address of Premises	Nisa Calside Road Dumfries DG1 4HA
Nature of variation	Change of Designated Premises Manager to Thivvigan Veeravaku
Effective Date of Minor Variation	19 January 2024

<u>Application No. 12 – Ref L.6/100N</u>	
Name & Address of Applicant or Agent	Thileepan Veeravaku 51B Tarmachan Road Dunfermline KY11 8LA
Name & Address of Premises	Mr News Convenience 108-112 Friars Vennel Dumfries DG1 2RE
Nature of variation	Change of Designated Premises Manager's home address
Effective Date of Minor Variation	5 February 2024

<u>Application No. 13 – Ref L.2/054N</u>	
Name & Address of Applicant or Agent	Milligan group Ltd 272 Bath Street Glasgow G2 4JR
Name & Address of Premises	The Steamboat Inn Carsethorn DG2 8DS
Nature of variation	Change of Designated Premises Manager to Cassie Milligan
Effective Date of Minor Variation	15 February 2024

<u>Application No. 14 – Ref L.6/051N</u>	
Name & Address of Applicant or Agent	Scottish Midland Co-operative Society Ltd Hillwood House 2 Harvest Drive Newbridge EH28 8QJ
Name & Address of Premises	Scotmid 202/204 Lochside Road Dumfries DG2 0EB
Nature of variation	Change of Designated Premises Manager's surname to Michaela Docherty
Effective Date of Minor Variation	15 February 2024

<u>Application No. 15 – Ref L.6/110N</u>	
Name & Address of Applicant or Agent	TLT LLP For Aldi Stores Limited Holly Lane Atherstone Warwickshire CV9 1NU
Name & Address of Premises	Aldi Glasgow Road Dumfries DG2 0NW
Nature of variation	Change to layout plan – no change to capacity
Effective Date of Minor Variation	20 February 2024

<u>Application No. 16 – Ref L.6/002N</u>	
Name & Address of Applicant or Agent	TLT LLP For Aldi Stores Limited Holly Lane Atherstone Warwickshire CV9 1NU
Name & Address of Premises	Aldi Annan Road Dumfries DG1 3HB
Nature of variation	Change to layout plan – decrease in capacity from 31.71486m ² to 31.51426m ²
Effective Date of Minor Variation	20 February 2024

<u>Application No. 17 – Ref L.2/013N</u>	
Name & Address of Applicant or Agent	Bar Elle Ltd 96 High Street Dalbeattie DG5 4HB
Name & Address of Premises	Dickies Bar 48-52 English Street Dumfries DG1 2BY
Nature of variation	Change of address of Designated Premises Manager address
Effective Date of Minor Variation	12 March 2024

<u>Application No. 18 – Ref L.6/071N</u>	
Name & Address of Applicant or Agent	Ewen Murray Fairdally Southernness Dumfries DG2 8BZ
Name & Address of Premises	New Abbey Store 6 The Square New Abbey Dumfries DG2 8BX
Nature of variation	Change of address of Designated Premises Manager to Ewen Murray
Effective Date of Minor Variation	12 April 2024

<u>Application No. 19 – Ref L.3/023N</u>	
Name & Address of Applicant or Agent	The Partnership of Peter and David Byrne 2 Victoria Road Dumfries DG2 7NU
Name & Address of Premises	Crumb 53 St Michael Street Dumfries DG1 2QB
Nature of variation	Change of address of Designated Premises Manager to Claire Gidney
Effective Date of Minor Variation	17 April 2024

**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005
APPLICATIONS FOR TRANSFER OF PREMISES LICENCES
GRANTED UNDER DELEGATED POWERS**

<u>Application No 1. – Ref L.2/016N – SECTION 33</u>	
Name & Address of Applicant or Agent	John Ross Farmers Arms 50 Drumlanrig Street Thornhill DG3 5LJ
Name & Address of Transferee or Agent	Farmers Arms (Thornhill) Limited 2 Craignelder Gate West Linton Peebleshire EH46 7JL
Name & Address of Premises	Farmers Arms 50 Drumlanrig Street Thornhill DG3 5LJ
Effective Date of Transfer	5 December 2023

<u>Application No 2. – Ref L.1/031N – SECTION 33</u>	
Name & Address of Applicant or Agent	Kenneth Hutchison The Manor Country House Hotel Torthorwald Dumfries DG1 3PT
Name & Address of Transferee or Agent	Queensberry Event Hire Limited Auchenlays Kirkmahoe Dumfries DG1 1RE
Name & Address of Premises	The Manor Country House Hotel Torthorwald Dumfries DG1 3PT
Effective Date of Transfer	8 December 2023

<u>Application No 3. – Ref L.1/033N – SECTION 33</u>	
Name & Address of Applicant or Agent	Partnership of Janet & Adam Moore Trading as Trigony House Hotel Closeburn Thornhill DG3 5EZ
Name & Address of Transferee or Agent	Adam Moore Trigony House Hotel Closeburn Thornhill DG3 5EZ
Name & Address of Premises	Trigony House Hotel Closeburn Thornhill DG3 5EZ
Effective Date of Transfer	22 December 2023

<u>Application No 4. – Ref L.2/054N – SECTION 33</u>	
Name & Address of Applicant or Agent	The New Steamboat Inn Ltd The Steamboat Inn Carsethorn Dumfries DG2 8DS
Name & Address of Transferee or Agent	Milligan Group Ltd 272 Bath Street Glasgow G2 4JR
Name & Address of Premises	The Steamboat Inn Carsethorn DG2 8DS
Effective Date of Transfer	15 February 2024

<u>Application No 5. – Ref L.1/022N – SECTION 33</u>	
Name & Address of Applicant or Agent	JHS Law 8/10 Bank street Dumfries DG1 2NS
Name & Address of Transferee or Agent	Firm of Mabie House Hotel Mabie House Hotel New Abbey Road Dumfries DG2 8HB
Name & Address of Premises	Mabie House Hotel New Abbey Road Dumfries DG2 8HB
Effective Date of Transfer	20 March 2024

<u>Application No 6. – Ref L.2/080N – SECTION 33</u>	
Name & Address of Applicant or Agent	William Pool 9 Catherinefield Crescent Locharbriggs Dumfries DG1 1XJ
Name & Address of Transferee or Agent	Graeme Pool 9 Catherinefield Crescent Locharbriggs Dumfries DG1 1XJ
Name & Address of Premises	The Lochside Labour Club 250 Lochside Road Dumfries DG2 0EB
Effective Date of Transfer	11 April 2024

Appendix 3

**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 28(6)
SURRENDER OF PREMISES LICENCES**

<u>No. 1 – Ref L.6/080N</u>	
Name & Address of Licence Holder	C J Lang & Sons Limited 78 Longtown Road Dundee DD4 8JU
Name & Address of Premises	Spar 73-74 Whitesands Dumfries DG1 2RT
Date Licence Surrendered	1 November 2023

**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 46
APPLICATION FOR CONFIRMATION OF PROVISIONAL PREMISES LICENCE
GRANTED UNDER DELEGATED POWERS**

<u>Application No 1. – Ref L.6/118N</u>	
Name & Address of Applicant or Agent	Iceland Foods Limited Second Avenue Deeside Industrial Park Deeside Flintshire CH5 2NW
Name & Address of Premises	Food Warehouse Unit 3 Cuckoo Bridge Retail Park Dumfries DG2 9BF
Date of Grant of Provisional Licence	31 August 2023
Effective Date of Confirmation	24 November 2023

Appendix 5

Nithsdale Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	TLT LLP For Aldi Stores Limited Holly Lane Atherstone Warwickshire CV9 1NU
Address of Premises	Aldi Glasgow Road Maxwelltown Industrial Estate Dumfries DG2 0NW
Nature of Variation	<p><u>Operating Plan</u></p> <p>Add 'Recorded Music' as permitted activity, during and outwith licensed hours</p> <p>Amend wording at Q5 to read "background music may be played during and outwith core hours"</p> <p>Amend wording at Q5(f) to read "Sale of other goods consistent with the business of a supermarket. Home Deliveries, Click & Collect Service, and on-line sales may also take place."</p> <p>Amend off-sales capacity to 39.03676m² (<i>currently 31.71486m²</i>)</p> <p><u>Layout Plan</u></p> <p>Reconfiguration of store layout, resulting in increase of off-sales capacity from 31.71486m² to 39.03676m²</p>
Last Date for Objections/Representations	Friday 22 March 2024

Nithsdale Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Gosschalks LLP For Alliance Property Holdings Limited Hilmore House Gain lane Bradford BD3 7DL
Address of Premises	Morrisons Daily Troqueer Mount Troqueer Road Dumfries DG2 7DF
Nature of Variation	<p><u>Operating Plan</u></p> <p>The applicant seeks a variation of the information contained within 5(f) of the Operating Plan. This is to be amended to add the following: ‘A home delivery shopping service may be operated from the store.’</p> <p><u>Change to description of premises to read:</u></p> <p>This is a neighbourhood convenience store selling a broad range of fresh, chilled and ambient products together with cigarettes and alcoholic drinks for consumption off the premises. The store is in a terrace in a residential area.</p>
Last Date for Objections/Representations	Friday 15 March 2024

Appendix 7

Nithsdale Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Farmers Arms (Thornhill) Limited 2 Craigengar Gate West Linton Peebleshire EH46 7JL
Address of Premises	Farmers Arms 50 Drumlanrig Street Thornhill DG3 5LJ
Nature of Variation	<p><u>Operating Plan</u></p> <p>Add Bar Meals and Films within core hours</p> <p>Change of wording for 'Any Other Activities' to read:</p> <p>Darts and Pool Table, pub quiz, bingo nights, film nights, card nights or other similar social events will take place throughout the year during core licensed hours.</p> <p>Occasional Market Activities on the hard standing to the front of the property i.e. food and craft stalls for pop up markets.</p> <p>The sale of hot bar snacks i.e pizza, pies during core licensed hours.</p> <p><u>Children and Young Persons</u></p> <p>Allow Children and Young Persons entry when alcohol is being sold for consumption on the premises.</p> <p>TERMS – Children and Young Persons must be accompanied by a responsible adult at all times.</p> <p>AGES – All ages of Children and Young Persons will be allowed entry. Baby changing and nappy disposal facilities will be provided in a designated baby change toilet.</p> <p>TIMES – Children are allowed entry until 9pm unless attending a private function when they are permitted to the end of that function. Young Persons are allowed entry until 10pm unless attending a private function or participating in an organised event when they are permitted to the end of that function/event.</p> <p>PARTS – MAIN BAR – Children and Young Persons will be permitted in the games areas and seated at tables,</p>

Agenda Item 3

PUBLIC

	not at the bar. LOUNGE BAR – Children and Young Persons will be permitted and seated at tables, not at the bar. Children and Young Persons will be permitted in corridors and toilet areas.
Last Date for Objections/Representations	Friday 5 April 2024

Appendix 8

Nithsdale Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Elizabeth Clark 60 High Street Sanquhar DG4 6BL
Address of Premises	Crown Inn 58 High Street Sanquhar DG4 6BL
Nature of Variation	<p><u>Operating Plan</u></p> <ul style="list-style-type: none"> • Increase capacity of outdoor drinking area by addition of 260 persons • Add Bar Meals within core hours • Add Indoor/outdoor Sports within core hours • Add wording to 'Any other Activities' – Charity Events, Quiz Nights, Catering permitted to be brought into the premises on occasion <p><u>Children and Young Persons to read:</u></p> <p>TERMS – Children and Young Persons must be accompanied by an adult AGES – 0-17 TIMES – All Times PARTS – All Public Parts</p> <p><u>Layout Plan</u></p> <p>Change to layout plan to include the extension of outdoor drinking area and bar sited within the outdoor drinking area.</p> <p><u>Any other changes</u></p> <p>Change of description to now read:</p> <p>The Premises are a mid-terraced public house known as The Crown Inn, 58 High Street, Sanquhar, comprising public and lounge bars on the ground floor, function suite on the first floor, courtyard and outdoor drinking area to the rear.</p>
Last Date for Objections/Representations	Friday 15 March 2024

**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 SECTION 56 AND 68
APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS
GRANTED UNDER DELEGATED AUTHORITY**

For the information of the Licensing Board, during the period from 15 April 2024 until 3 June 2024 the following Occasional Licences and Extended Hours were granted:

Occasional Licences : Applied for by a Personal Licence Holder

Total number issued 54

Occasional Licences : Applied for by a Premises Licence Holder

Total number issued 6

Occasional Licences : Applied for by a Voluntary Organisation

Total number issued 14

Extended Hours

Total number issued 0

Cheryl Syme
Senior Licensing Officer (Board Services)
Licensing
Ext: 63353

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries

Date of Report: 11 June 2024

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 29
APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES
GRANTED UNDER DELEGATED AUTHORITY**

<u>Application No. 1 – Ref L.6/001N</u>	
Name & Address of Applicant or Agent	Tesco Stores Limited Shire Park Kestrel Way Welwyn Garden City AL7 1TW
Name & Address of Premises	Tesco Store Goods Station Road Lockerbie DG11 2DB
Nature of variation	Change of Designated Premises Manager to Derek Hanson
Effective Date of Minor Variation	23 April 2024

<u>Application No. 2 – Ref L.2/064N</u>	
Name & Address of Applicant or Agent	JD Weatherspoon (Scot) Limited Weatherspoon House Reeds Crescent Watford WD24 4QL
Name & Address of Premises	Robert the Bruce 81/83 Buccleuch Street Dumfries DG1 2AB
Nature of variation	Change of Designated Premises Manager to Andrew Daish
Effective Date of Minor Variation	8 May 2024

<u>Application No. 3 – Ref L.4/003N</u>	
Name & Address of Applicant or Agent	Dumfries and Galloway Council Council Offices English Street Dumfries DG1 2DD
Name & Address of Premises	Dumfries Ice Bowl King Street Dumfries DG2 9AN
Nature of variation	Change to layout plan (addition of second bar) – no change to capacity
Effective Date of Minor Variation	20 May 2024

<u>Application No. 4 – Ref L.6/112N</u>	
Name & Address of Applicant or Agent	Dynamic Retail Limited 78 Longtown Road Dundee DD4 8JU
Name & Address of Premises	Scot Fresh Unit 1 78 Glasgow Street Dumfries DG2 9AQ
Nature of variation	Change of Designated Premises Manager to Elaine McFarlane
Effective Date of Minor Variation	23 May 2024

<u>Application No. 5 – Ref L.6/064N</u>	
Name & Address of Applicant or Agent	WM Morrison Supermarket plc Hillmore House Gain Lane Bradford BD3 7DL
Name & Address of Premises	Morrisons Brooms Road Dumfries DG1 2SH
Nature of variation	Change of Designated Premises Manager to Christopher Jamieson
Effective Date of Minor Variation	23 May 2024

<u>Application No. 6 – Ref L.3/031N</u>	
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Name & Address of Applicant or Agent	Herries Farm LLP Forsters LLP 31 Hill Street Mayfair London W1J 5LS
Name & Address of Premises	The Boathouse Restaurant & Shop Glencaple Quay Glencaple Dumfries DG1 4RE
Nature of variation	Change of Designated Premises Manager to Mari Glendinning
Effective Date of Minor Variation	3 June 2024

Cheryl Syme
Senior Licensing Officer (Board Services)
Licensing
Ext: 63353

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries

Date of Report: 11 June 2024

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 28(6)
SURRENDER OF PREMISES LICENCES**

<u>No. 1 – Ref L.6/115N</u>	
Name & Address of Licence Holder	Warren George Ryan 11 Middlegate Penrith CA11 7PG
Name & Address of Premises	Zabka Kini Market 88-90 Friars vennel Dumfries
Date Licence Surrendered	22 May 2024

Cheryl Syme
Senior Licensing Officer (Board Services)
Licensing
Ext: 63353

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries

Date of Report: 11 June 2024

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

LICENSING (SCOTLAND) ACT 2005: SECTION 30

APPLICATION: MAJOR VARIATION

PREMISES: NEW BAZAAR, 38-39 WHITESANDS, DUMFRIES

PREMISES LICENCE HOLDER: QUANYI CHEN, 28 LINDOM AVENUE, CHESTER-LE-STREET, DURHAM

1. Reason for Report

1.1 As this is a major variation application, the Board is statutorily obliged to hold a Hearing.

1.2 Members are asked to consider the application received 22 April 2024 and detailed in **Appendix 1** to this report.

2. Background

2.1 As is required by law, a copy of the application was sent to:

- Police Scotland
- The Local Authority
- Scottish Fire and Rescue Service (SFRS)
- Local Community Council
- NHS Dumfries and Galloway
- Neighbours: Persons having notifiable interest in neighbouring land (within 4 metres in any direction of any boundary of the premises).

2.2 In terms of the law, the Board is obliged to advertise notice of the application on its website for a continuous period of 21 days. The dates of display were **Friday 3 May 2024 to Saturday 25 May 2024**.

2.3 The applicant is also obliged to display a site notice of A4 size at or near the premises in a place and at a height where the notice can conveniently be read by the public on the same dates as the Board's notice.

2.4 On expiry of the 21 day advertising period the applicant must submit to the Board signed Confirmation of Site Notice before the Board may determine the application.

2.5 Signed Confirmation of Site Notice has been received.

3. Objections and Representations

3.1 The last date for objections/representations was **Friday 24 May 2024**.

3.2 No Objections have been received

4. Responses

- LSO report: no adverse comments (**Appendix 2**)
- Police Scotland: no adverse comments
- Planning: comments (**Appendix 3**)
- Environmental Health: no objections
- SFRS: no comments

5. Determining the application

5.1 As democratically elected individuals, ultimate decision making power rests with elected Members and not Council Officers. Whilst Officers can give advice, they cannot

clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision taking into account the following:

5.2 The Board must consider whether any of the grounds for refusal apply and

- (i) If NO ground of refusal applies, the Board must GRANT the application
- (ii) If ANY ground of refusal applies, the Board must REFUSE the application.

5.3 **The section 30(5) grounds for refusal are:-**

- The application must be refused under
 - Section 32(2) (where the Board has refused a premises licence variation application in respect of the same premises and seeking the same variation and this is a subsequent application received within 12 months of the refusal)
 - Section 64(2) (where the application is for 24 hour operation and exceptional circumstances justifying the sale of a 24 hour operation have not been proven)
 - Section 65(3) (the application is for off sales outwith 10am to 10pm)

- Licensing Objectives ground of refusal

The Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives (preventing crime and disorder/securing public safety/preventing public nuisance/protecting and improving public health/protecting children and young persons from harm)

- Unsuitability of the premises

That having regard to:-

- a) the nature of the activities proposed to be carried on in the premises
- b) the location, character and condition of the premises; and
- c) the persons likely to frequent the premises

the Board considers that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation.

- Overprovision

That the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises (taking account of the variation), in the locality.

6. Recommendation

Members are asked to either GRANT or REFUSE the application.

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street, Dumfries

11 June 2024

Nithsdale Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Quanyi Chen 28 Lindom Avenue Chester-Le-Street Durham DH3 3PP
Address of Premises	The New Bazaar 38-39 Whitesands Dumfries DG1 2RS
Nature of Variation	<p><u>Operating Plan</u></p> <p>Add Restaurant Facilities within core hours</p> <p>‘Any other Activities’ – add Takeaways/Deliveries</p> <p><u>Any other Changes</u></p> <p>Change of Description to now read ‘Chinese restaurant and takeaway – only ground floor used as licensed premises’</p> <p>Change of name of premises to ‘Chinese Chopsticks’</p>
Last Date for Objections/Representations	Friday 24 May 2024

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**DUMFRIES & GALLOWAY LICENSING BOARDS
LICENSING STANDARDS OFFICER REPORT**

LICENSING (SCOTLAND) ACT 2005

**APPLICATION FOR VARIATION OF PREMISES LICENCE, PREMISES:
THE NEW BAZAAR, 38 – 39 WHITESANDS, DUMFRIES, DG1 2RS**

1. This application has been submitted by Quanyi Chen 28 Lindom Avenue, Chester Le Street, Durham, DH3 3PP. The application seeks a variation to the current operating plan for The New Bazaar, 38 – 39 Whitesands, Dumfries, DG1 2RS.

1.1 The premises is a large prominent sandstone building on the Whitesands, Dumfries known as The New Bazaar, this comprised of a public bar with lounge, it is a 3-storey building although only ground floor used as licensed premises.

2. The premises currently has licensed hours for on sales.

- 11am to 11pm, Monday to Wednesday
- 11am to 12am, Thursday to Saturday
- 12pm to 11pm Sunday

2.1 The premises are currently licensed for off sales.

- 11am to 10pm Monday to Saturday
- 12pm to 10pm Sunday

3. The applicant has recently taken ownership of the premises last year and as such are seeking a major variation in line with their business as follows:

3.1 Operating Plan – **Add Restaurant Facilities within core hours.**

3.2 Any other Activities – **add Takeaways/Deliveries**

3.3 Any other Changes Change of Description to now read:

‘Chinese restaurant and takeaway – only ground floor used as licensed premises’.

3.4 Change of name of premises to **‘Chinese Chopsticks’**

The applicant inherited an operating plan that didn’t accommodate the nature of their business which is a Chinese restaurant with takeaway and deliveries.

On enquiry with the applicant, they are experienced with running Chinese restaurants.

Alcohol will be sold on the premises accompanying a meal in the usual manner of a restaurant. Alcohol will be displayed behind their serving counter and only accessible by trained staff.

There are off sales available also and to confirm the applicant is not looking to deliver alcohol as part of their deliveries and takeaway activities, it is Chinese meals only.

4. The application was advertised on the Board's website page from **Friday 3 May 2024**, simultaneously a request was made for the applicant to display a notice at the premises. The notice was checked on Thursday 9th May 2024 and was found to be clearly on display and easy to be read in the front window of the premises in accordance with the display guidance.

5. There are no adverse comments to be made in respect of this application.

Stuart Davidson
Licensing Standards Officer
09.05.2024

Internal Memo

Planning and Environment – Planning and Building Standards

01 May 2024

To: Licensing Department

Your ref: L.2/036N

Drop Point:

From: Lindsey Cameron, Team Leader, Planning
Applications, Militia House, English Street,
Dumfries, DG1 2HS

Our ref: LC3036

**LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION
PREMISES: THE NEW BAZAAR, 38-39 WHITESANDS, DUMFRIES
APPLICANT: QUANYI CHEN**

I refer to your e-mail dated 29 April with attached appendix regarding the above and note that a Planning Application for a Change of Use from Public House (sui generis) to restaurant/takeaway is required for this and no application for such a proposal has been received.

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

LICENSING (SCOTLAND) ACT 2005: SECTION 23

APPLICATION: PREMISES LICENCE

**PREMISES: CAERLAVEROCK CASTLE VISITOR CENTRE, CASTLE END ROAD,
DUMFRIES**

**APPLICANT: HISTORIC ENVIRONMENT SCOTLAND ENTERPRISES LIMITED,
LONGMORE HOUSE, SALISBURY PLACE, EDINBURGH**

1. Reason for Report

1.1 As this is an application for a new premises licence, the Board is statutorily obliged to hold a Hearing.

1.2 Members are asked to consider the application for a new premises licence received on 8 May 2024 and detailed at **Appendix 1**.

2. Background

2.1 As is required by law, a copy of the application was forwarded to the following:

- Police Scotland
- The Local Authority
- Scottish Fire and Rescue Service (SFRS)
- NHS Dumfries & Galloway
- Local Community Council (Disestablished)
- Neighbours (those within 4 metres in any direction of any boundary of the premises)

2.2 Satisfactory Section 50 Certificates for Planning, Building Standards and Food Hygiene and a Disabled Access and Facilities Statement have been received.

2.3 In accordance with statutory advertising requirements, the Board is required to display a notice on its website for a period of 21 days and the applicant is also required to display a site notice at or near the premises and in a place and height where it can conveniently be read by the public for the same period.

2.4 Notice of the application was published on the Board's webpage from **Monday 13 May 2024 to Tuesday 4 June 2024**

2.5 Signed Confirmation of Site Notice has been received.

3. Objections and Representations

3.1 The last date for objections/representations was **Monday 3 June 2024**

3.2 No objections or representations have been received.

4. Responses

The following responses have been received:

- LSO report – no adverse comments (**Appendix 2**)
- Police Scotland – clear notice advising no offences
- Building Standards – no adverse comments

- Planning – no planning issues
- Environmental Health – no objections
- SFRS – no comments

5. Determination of the application

5.1 As democratically elected individuals, ultimate decision making power rests with elected Members and not Council Officers. Whilst Officers can give advice, they cannot clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision and take into account the following:

5.2 The key consideration in reaching a decision is to determine whether or not a ground of refusal applies.

- (i) If no ground of refusal applies, then the Board must GRANT the application.
- (ii) If any ground of refusal applies, the Board must REFUSE the application

5.3 In terms of section 23 (5) the grounds for refusal are:-

- The premises are excluded premises
- The application must be refused under
 - Section 25(2) (where the Board has refused a premises licence and this is a subsequent application received within 12 months of the refusal)
 - Section 64(2) (where the application is for 24 hour operation and exceptional circumstances have not been shown to justify that operation)
 - Section 65(3) (the application relates to off sales outwith 10am to 10pm)
- That the Licensing Board considers, having regard to the licensing objectives, that the applicant is not a fit and proper person to be the holder of a premises licence;
- The Licensing Board considers that the granting of the application would otherwise , be inconsistent with one or more of the licensing objectives, namely: (preventing crime and disorder/securing public safety/preventing public nuisance/protecting and improving public health/protecting children and young persons from harm);
- That having regard to:-
 - i) The nature of the activities proposed to be carried on in the premises
 - ii) the location, character and condition of the premises; and
 - iii) the persons likely to frequent the premisesthe Board considers that the premises are unsuitable for use for the sale of alcohol
- The Board considers that that, if the application were to be granted, there would, as a result, be overprovision of licensed premise in the locality.

6. Recommendation

Members are asked to either GRANT or REFUSE the application.

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries
DG1 2HS

11 June 2024

Appendix 1

Applicant/Agent	Morton Fraser MacRoberts LLP For Historic Environment Scotland Enterprises Limited Longmore House Salisbury Place Edinburgh EH9 1SH
Address of Premises	Caerlaverock Castle Visitor Centre Castle Road End Dumfries DG1 4RU
Description	Visitor Centre in the grounds of Caerlaverock Castle including retail facilities and exhibition space.
Core Times	<u>Off Sales</u> Monday to Sunday 10:00 to 22:00 hours
Activities	<p>Include recorded music within and outwith core hours.</p> <p>Music may be played in the premises during the entire hours of operation and prior to the shops being open to the public.</p> <p>Include Theatre and Films within and outwith core hours.</p> <p>Theatrical presentations and Film may feature primarily but not exclusively in relation to Scottish History and Environment.</p> <p><u>Any other Activities</u></p> <ul style="list-style-type: none"> • The premises is a retail shop selling tickets for Caerlaverock Castle and for the retail and display of a range of goods. • A range of snack foods and beverages is available for consumption in the premises. • The premises may be used for the taking and dispatch of orders including by electronic commerce. • The premises may be used for tastings/sampling of whisky and other alcoholic and food products • The premises feature displays and exhibitions • The premises will be used for a range of office and administrative functions
Capacity	1.328m2
Last Date for Objections/Representations	Monday 3 June 2024

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**DUMFRIES & GALLOWAY LICENSING BOARDS
LICENSING STANDARDS OFFICER REPORT**

LICENSING (SCOTLAND) ACT 2005: SECTION 45

APPLICATION FOR PREMISES LICENCE

**PREMISES: CAERLAVEROCK CASTLE VISITOR CENTRE, CASTLE ROAD
END, DUMFRIES, DG1 4RU**

**APPLICANT: MORTON FRASER MacROBERTS LLP, FOR HISTORIC
ENVIRONMENT SCOTLAND ENTERPRISES LIMITED, LONGMORE HOUSE,
SALISBURY PLACE, EDINBURGH, EH9 1SH.**

1. This application relates to a visitors' centre in the grounds of Caerlaverock Castle, Castle Road End, Dumfries.

1.2 The premises is a small retail shop for selling tickets for Caerlaverock Castle and for the retail and display of a range of goods. The visitor centre has been in operation for a number of years.

1.3 The building consists of a ground floor with displays throughout the building. The premises also sell hot drinks for consumption outside albeit there are four small seats within the centre of the building. There is an outdoor seating area to the front of the premises, consisting of several small wooden benches for sightseeing and tourist activity near to children's play area and walkway to the castle.

2 Activities applied for are all relevant to the day-to-day business of the premises, these are: -

2.1 Recorded music within and outwith core hours.

2.2 Music may be played in the premises during the entire hours of operation and prior to the shop being open to the public.

2.3 Include Theatre and Films within and outwith core hours.

2.4 Theatrical presentations and Film may feature primarily but not exclusively in relation to Scottish History and Environment.

2.5 Any other activities, these include: -

The premises is a retail shop for selling tickets for Caerlaverock Castle and for the retail and display of a range of goods. A range of snack foods and beverages is available for consumption in the premises. The premises may be used for the taking and dispatch of order including by electric commerce. The premises may be used for tastings/sampling of whisky and other alcoholic and food products. The premises features displays and exhibitions. The premises will be used for a range of office and administrative functions.

3. The off-sale hours applied for are: -
Monday to Sunday 10am to 10pm

3.1 These times are within the Licensed Hours Policy of the Nithsdale Divisional Licensing Board.

3.2 There will be one display of alcohol as shown on the layout plan application. This is small display and will be easily viewed by staff from the two till areas that are in operation. The display will hold alcohol, such as miniatures and larger bottles of gins, rums, whisky. It is hoped that the bulk of the bottles of alcohol will be locally produced.

3.3 There is a tasting area shown on the layout plan, but it is envisaged that this will rarely be used.

3.4 The activities listed above are all in keeping with the premises as they are, i.e. a location for tourists and locals of all ages to attend for entry to the local historic building of significant interest, Caerlaverock Castle, as well as purchasing food, beverages and/or any memorabilia.

4. The application was advertised on the Board's website page from Monday 13 May 2024. At the same time a notice must be displayed at the premises.

4.1 A visit was made on Wednesday 15 May 2024, at which time the notice was appropriately displayed and in good clear view for members of the public to see.

5. I have no adverse comments.

Stuart Davidson
Licensing Standards Officer
15 May 2024

**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

LICENSING (SCOTLAND) ACT 2005: SECTION 30

APPLICATION: MAJOR VARIATION

PREMISES: JOLLY HARVESTER, CALSIDE ROAD, DUMFRIES

**PREMISES LICENCE HOLDER: STAR PUBS & BARS LIMITED, BROADWAY PARK,
3-4 SOUTH GYLE BROADWAY, EDINBURGH**

1. Reason for Report

1.1 As this is a major variation application, the Board is statutorily obliged to hold a Hearing.

1.2 Members are asked to consider the application received 9 May 2024 and detailed in **Appendix 1** to this report.

2. Background

2.1 As is required by law, a copy of the application was sent to:

- Police Scotland
- The Local Authority
- Scottish Fire and Rescue Service (SFRS)
- Local Community Council (disestablished)
- NHS Dumfries and Galloway
- Neighbours: Persons having notifiable interest in neighbouring land (within 4 metres in any direction of any boundary of the premises).

2.2 In terms of the law, the Board is obliged to advertise notice of the application on its website for a continuous period of 21 days. The dates of display were **Monday 13 May 2024 to Tuesday 4 June 2024**.

2.3 The applicant is also obliged to display a site notice of A4 size at or near the premises in a place and at a height where the notice can conveniently be read by the public on the same dates as the Board's notice.

2.4 On expiry of the 21 day advertising period the applicant must submit to the Board signed Confirmation of Site Notice before the Board may determine the application.

2.5 Signed Confirmation of Site Notice has been received.

3. Objections and Representations

3.1 The last date for objections/representations was **Monday 3 June 2024**.

3.2 Two objections have been received

3.3 Objection 1 – received 13 May 2024 (**Appendix 2**)

3.4 Objection 2 – received 2 June 2024 (**Appendix 3**)

4. Responses

- LSO report: no adverse comments (**Appendix 4**)
- Police Scotland: no adverse comments
- Planning: no planning issues
- Building Standards: no adverse comments
- SFRS: no comments

5. Determining the application

5.1 As democratically elected individuals, ultimate decision making power rests with elected Members and not Council Officers. Whilst Officers can give advice, they cannot clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision taking into account the following:

5.2 The Board must consider whether any of the grounds for refusal apply and

- (i) If NO ground of refusal applies, the Board must GRANT the application
- (ii) If ANY ground of refusal applies, the Board must REFUSE the application.

5.3 The section 30(5) grounds for refusal are:-

- The application must be refused under
 - Section 32(2) (where the Board has refused a premises licence variation application in respect of the same premises and seeking the same variation and this is a subsequent application received within 12 months of the refusal)
 - Section 64(2) (where the application is for 24 hour operation and exceptional circumstances justifying the sale of a 24 hour operation have not been proven)
 - Section 65(3) (the application is for off sales outwith 10am to 10pm)

- Licensing Objectives ground of refusal

The Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives (preventing crime and disorder/securing public safety/preventing public nuisance/protecting and improving public health/protecting children and young persons from harm)

- Unsuitability of the premises

That having regard to:-

- a) the nature of the activities proposed to be carried on in the premises
- b) the location, character and condition of the premises; and
- c) the persons likely to frequent the premises

the Board considers that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation.

- Overprovision

That the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises (taking account of the variation), in the locality.

6. Recommendation

Members are asked to either GRANT or REFUSE the application.

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries

11 June 2024

Nithsdale Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Flint Bishop LLP For Star Pubs & Bars Limited 3-4 Broadway Park South Gyle Broadway Edinburgh EH12 9JZ
Address of Premises	Jolly Harvester Calside Road Georgetown Dumfries DG1 4HB
Nature of Variation	<p><u>Operating Plan</u></p> <p>Change on sales opening times Monday-Wednesday to 11.00am (currently 12.00pm)</p> <p>Change off sales opening times Monday-Wednesday to 11.00am (currently 12.00pm)</p> <p>Add the following wording to Seasonal Variation information: 'During the festive period as defined by the Licensing Board the premises will operate additional hours in accordance with Nithsdale Divisional Licensing Board policy'</p> <p>Add Restaurant Facilities within core hours</p> <p>Add the following wording to 'Any other Activities' information: 'Karaoke nights according to business needs. Fireworks outdoors for special occasions and on demand events.'</p> <p><u>Change of wording to Children and Young Persons:</u></p> <p>TERMS – Children are permitted to access the premises when accompanied by an adult for the purposes of having a meal and Young Persons are permitted on the premises unaccompanied for the purposes of having a meal, unless attending a private function or event in which case they will be permitted on the premises until close and without the need to be consuming a meal.</p> <p>TIMES – Children and Young Persons are permitted on the premises during the following times when food is served: Monday to Sunday: 11.00am until 22.00pm unless attending a private function or event in which case</p>

	<p>they will be permitted on the premises until close and without the need to be consuming a meal.</p> <p>PARTS – Children and Young Persons are permitted to be in all public parts of the premises.</p>
Last Date for Objections/Representations	Monday 3 June 2024

Appendix 2

From: Eric Layden <cairnalva@gmail.com>
Sent: Monday, May 13, 2024 2:44 PM
To: Licensing <licensing@dumgal.gov.uk>
Subject: EXTERNAL: jolly harvester variation of premises

You don't often get email from cairnalva@gmail.com. [Learn why this is important](#)

Dear Sir

I wish to object to the use of fireworks for special occasions and on demand events.

I see no need for this whatsoever. There is enough nuisance noise from the pub at the moment at various times without adding to this by the use of fireworks. There is no stipulation as to times or duration. These could be going off at all hours and in some cases all weekend.

This is going against the current anti-firework attitude of the general population at the moment with regard to scaring of animals and again unnecessary noise pollution.

The barring of this does not prohibit any financial cost whatsoever to the pub that I can see.

Yours

Eric Layden

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Appendix 3

From: Ronald McDonald <ronaldmcdonald123@myyahoo.com>

Sent: Sunday, June 2, 2024 5:12 PM

To: Licensing <licensing@dumgal.gov.uk>

Subject: EXTERNAL: L.2/025N Jolly Harvester - Objection to the Licensing Application for The Jolly Harvester (Fireworks)

You don't often get email from ronaldmcdonald123@myyahoo.com. [Learn why this is important](#)

Dear Sir/Madam,

I am writing to formally object to the recent licensing application submitted by The Jolly Harvester to include fireworks as part of their new licence. As a resident of the local area, I have serious concerns about the potential negative impact this may have on our community.

One of the primary issues is the distress fireworks cause to pets, particularly dogs and cats. Our neighborhood has a significant number of pet owners whose animals are extremely frightened by the loud noises associated with fireworks. The sudden and intense sounds can cause severe anxiety, stress, and even physical harm to these animals. Many dog and cat owners have reported that their pets exhibit panic-stricken behavior during firework displays, which can include trembling, hiding, excessive barking or meowing, and attempts to escape from their homes.

Furthermore, the loud noises generated by traditional fireworks can disturb the peace and well-being of residents, particularly those who are vulnerable such as the elderly, young children, and individuals with conditions like PTSD. The disruption caused by these fireworks is not limited to the duration of the display but can have lasting effects on the mental and emotional health of those affected.

I understand that fireworks can be a popular form of entertainment; however, I believe that a compromise can be reached. Silent fireworks or low-noise alternatives, which are designed to minimize the distressing impact on animals and vulnerable individuals, could be considered. These types of fireworks offer a visual spectacle without the loud bangs that sound like bombs going off, thus reducing the adverse effects on our community.

In conclusion, while I recognize the desire to enhance entertainment options at The Jolly Harvester, I urge the licensing authority to take into account the well-being of local residents and their pets. I strongly recommend that the approval of this licence be contingent upon the use of silent or low-noise fireworks to mitigate the negative impact on our community.

Thank you for considering my objection. I trust that the licensing authority will take the necessary steps to ensure that the interests of all residents are safeguarded.

Yours faithfully,
Mr R McDonald,
Calside Road
Dumfries

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**DUMFRIES & GALLOWAY LICENSING BOARDS
LICENSING STANDARDS OFFICER REPORT**

LICENSING (SCOTLAND) ACT 2005

**APPLICATION FOR VARIATION OF PREMISES LICENCE, PREMISES:
JOLLY HARVESTER, CALSIDE ROAD, GEORGETOWN, DUMFRIES, DG1 4HB**

1.1 This application has been submitted by Flint Bishop LLP, For Star Pubs & Bars Limited, 3-4 Broadway Park, South Gyle Boardway, Edinburgh, EH12 9JZ. The application seeks a variation to the current operating plan for the Jolly Harvester, Calside Road, Georgetown, Dumfries, DG1 4HB.

1.2 The premises is a standalone building built on a single storey in its own grounds in the Calside area of Dumfries known as the Jolly Harvester.

1.3 The premises consists of an open plan area with distinct areas for: pool, darts, public bar, and fixed seating area. The premises have an external smoking area to the front of the pub and an extensive beer garden on all four sides of the pub. A wholly owned car park is also available to patrons.

2. The premises currently has licensed hours for on sales.

- 12pm to 11pm Monday to Wednesday
- 11am to 12am Thursday and Friday
- 11am to 1am Saturday
- 11am to 11pm Sunday

2.1 The premises currently has licensed hours for off sales.

- 12pm to 10pm Monday to Wednesday
- 11am to 10pm Thursday to Sunday

3. The applicant is seeking a major variation as follows:

3.1 **Change on sales opening times Monday to Wednesday to 11.00am**

3.2 **Change off sales opening times Monday-Wednesday to 11.00am**

The applicant believes there is a business demand to utilise the extra hour for on and off sales and as such have requested the change. The hours requested are within the Nithsdale Licensing Policy.

3.3 The applicant wishes to further vary the Operating Plan of the Premises Licence by adding the following wording to Seasonal Variation information: **'During the festive period as defined by the Licensing Board the premises will operate additional hours in accordance with Nithsdale Divisional Licensing Board policy'**.

The reason for this is to take advantage of the Nithsdale Licensing Policy during the festive period and will allow one extra hour trading on the following days: 26 December; 31 December and 1 January.

3.4 **Add Restaurant Facilities within core hours.**

The premises offers Bar meals already on their operating plan and they are expanding the wording in the plan to include Restaurant facilities which isn't currently included.

The premises offers a wide range of food as it is and see this as an integral part of their business to attract local trade from families of all ages as well as tourists.

3.5 Add the following wording to '**Any other Activities**' information: '**Karaoke nights according to business needs. Fireworks outdoors for special occasions and on demand events.**'

The reason for this is good housekeeping ensuring all activities planned are detailed on the plan and could be described as positive and forward thinking to promote an open an inclusive mix of patrons in the premises. On enquiry with the applicant, it was stated that the fireworks would only likely be on Bonfire night and certainly not a regular occurrence.

4. The applicant is looking to further vary the operating plan by amending the Children and Young Persons terms, times, and parts as follows.

4.1 **TERMS** – Children are permitted to access the premises when accompanied by an adult for the purposes of having a meal and Young Persons are permitted on the premises unaccompanied for the purposes of having a meal, unless attending a private function or event in which case they will be permitted on the premises until close and without the need to be consuming a meal.

4.2 **TIMES** – Children and Young Persons are permitted on the premises during the following times when food is served: Monday to Sunday: 11.00am until 22.00pm unless attending a private function or event in which case they will be permitted on the premises until close and without the need to be consuming a meal.

4.3 **PARTS** – Children and Young Persons are permitted to be in all public parts of the premises.

4.4 The Children and Young Persons admittance is in keeping with the Nithsdale Licensing Policy and aligns with the business to have a more inclusive family feel on the premises.

5. The application was advertised on the Licensing Board's website page from **Monday 13th May** simultaneously a request was made for the applicant to display a

notice at the premises. The notice was checked on Monday 13th May 2024 and was found to be clearly on display on their notice board at the front of the premises as well as a notice board within the premises and all in accordance with the display guidance.

6. There are no adverse comments to be made in respect of this application.

Stuart Davidson
Licensing Standards Officer
16.05.24

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

**LICENSING (SCOTLAND) ACT 2005 (THE ACT): SECTION 74
APPLICATION FOR A PERSONAL LICENCE
APPLICANT: EMMA JOHNSTONE**

1. Reason for Report

As the Board has received an application for a Personal Licence and the Chief Constable has submitted a Notice stating a relevant offence and recommending that the application be refused, the Board must, in law, hold a Hearing.

2. Background

2.1 Emma Johnstone submitted an application for a Personal Licence on 27 October 2023.

2.2 A Personal Licence, issued by a Licensing Board, authorises the licence holder to supervise or authorise the sale of alcohol.

2.3 The pre-licence conditions that must be met in law before an application can be granted have been met. Namely, that the applicant:

- is aged 18 or over;
- possesses a licensing qualification;
- does not already hold a Personal Licence; and
- has not held a Personal Licence that has previously been revoked within the last five years (other than it being revoked for failure to produce to the Board evidence of renewed Personal Licence Holder training)

3. Police Response

A copy of the application was forwarded to the Chief Constable and, within the 21-day statutory timeline, the Chief Constable responded with a Notice notifying relevant offences and recommending refusal of the application (**Appendix**).

4. Determining the application

4.1 As democratically elected individuals, ultimate decision making power rests with elected Members and not Council Officers. Whilst Officers can give advice, they cannot clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision taking into account the following:

4.2 In terms of Section 74(6) of the Act, the Board must, after having regard to the Chief Constable's Notice:

- (a) if satisfied that a ground of refusal applies, REFUSE the application or
- (b) if not so satisfied, GRANT the application.

4.3 The grounds for refusal are:

- (a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a Personal Licence;

- (b) That it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives (preventing crime and disorder; securing public safety; preventing public nuisance; protecting and improving public health; and protecting children and young persons from harm).

5. Recommendation

Members are asked to either GRANT or REFUSE the application.

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries
DG1 2HS

11 June 2024

OFFICIAL SENSITIVE: POLICE AND PARTNERS**Appendix**16th November 2023

Your Ref: DG/N/1161

Our Ref: AR/HJR/769684

Legal and Licensing Manager
Nithsdale Divisional Licensing
Kirkbank House
English Street
Dumfries
DG1 2HS



Dumfries & Galloway Division
Police Headquarters
Cornwall Mount
Dumfries
DG1 1PZ

Dear Sir/Madam,

LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A PERSONAL LICENCE**APPLICANT: EMMA JANE JOHNSTONE, 20/06/1990****ADDRESS: 154 ARMOUR DRIVE, LOCHSIDE, DUMFRIES, DG2 9EZ.**

I refer to the above application and in terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005, I give notice that, based upon the information provided and as far as the Chief Constable is aware, the application has been convicted of the following relevant offences.

Date	Court	Crime/Offence	Disposal
10.09.2021	Merseyside Magistrates Court	Drive a Motor Vehicle with the Proportion of Specified Controlled Drug above Specified Limit	Fine £120 Costs £85 Disqualified from Driving – Obligatory 12 months. Victim Surcharge £34

On 6th March 2021 the applicant was involved in minor road traffic collision on a motorway within the Merseyside area. An Ambulance crew attended who had concerns surrounding her potentially having blacked out and in relation to her apparent changeable presentation. Police carried out a roadside drugs wipe test with Ms Johnstone which showed a positive result for cocaine. Ms Johnstone was thereafter arrested and charged as above. As this offence was committed in England, we are unable to provide any further details regarding the circumstances.

Date	Court	Crime/Offence	Disposal
04.04.2023	Dumfries Sheriff Court	Criminal Justice & Licensing (Scotland) Act 2010 Section 38(1) – Domestic Stat-Dom – Golf Club	Non-Harassment Order 18 months and to refrain from contacting or attempting to contact a

OFFICIAL SENSITIVE: POLICE AND PARTNERS

			named male person in any way
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About 0400 hours on 29th October 2022 the applicant Ms Johnstone's ex-partner was within his then partner's home address when they heard Ms Johnstone shouting within the communal stairwell.

About 0440 hours, same date, Ms Johnstone was heard banging and shouting at the front door, resulting in the occupants attending and observing Ms Johnstone standing with a golf club raised above her head. Damage was also noted to the door. Ms Johnstone was then observed to stumble back to her own property within the same block.

About 0515 hours, same date, Ms Johnstone contacted Police stating she was on the wrong side of a bridge on the A75 at Dumfries and referred to a domestic incident, alleging that she had been assaulted after she had attended with a golf club. Police traced Ms Johnstone and she was conveyed to Dumfries and Galloway Royal Infirmary for a mental health assessment prior to being formally cautioned and charged with the above offence within Loreburn Street Police Office.

I am unable to confirm the existence of any foreign offence in respect of the applicant.

With regards to this application, Police made several attempts to contact Ms Johnstone by telephone without success. Eventually an appointment was made to meet with her at her home address, however on attendance a note was left on the door stating she had an appointment to attend to. Police again attempted to phone her with no reply but left a message to return their call. The Enquiry Officers are of the opinion that Ms Johnstone was actively avoiding meeting with them.

Furthermore the applicant failed to disclose her convictions within her application and Police enquiries to trace her in respect of this matter are ongoing.

In terms of Section 73(5) of the 2005 the Chief Constable provides the following information in relation to the applicant which is relevant to the Board's consideration of the application:-

The applicant's convictions for the relevant offences detailed above highlights concerns surrounding her apparently violent, unpredictable character and lifestyle. She has also demonstrated a lack of co-operation with Police enquiries into this application and has failed to disclose relevant convictions, all of which indicates she is potentially not a fit and proper person to hold a Personal Licence.

In light of this, the Chief Constable considers that it is necessary for the purposes of the preventing crime and disorder and securing public safety licensing objectives, that the application be refused. The Chief Constable accordingly makes a recommendation to that effect in terms of section 73(4) of the 2005 Act.

Yours faithfully

John Cairns
T/Chief Superintendent

**DUMFRIES AND GALLOWAY LICENSING BOARDS
NITHSDALE DIVISIONAL LICENSING BOARD**

LICENSING (SCOTLAND) ACT 2005 (the Act)

PREMISES LICENCE REVIEW (SECTION 36)

PREMISES: TOWNHOUSE HOTEL, 208 ANNAN ROAD, DUMFRIES

PREMISES LICENCE HOLDER: BRIANNA JAYNE PROPERTIES LTD, 208 ANNAN ROAD, DUMFRIES

1. Reason for Report

As the Board has received a premises licence review application and the Convener has determined that the application should not be rejected on the grounds that it is vexatious, frivolous or does not disclose any matter relevant to any ground for review, the Board must hold a Hearing in law.

2. Background

2.1 Any person may apply to the appropriate Licensing Board in respect of any licensed premises in relation to which a premises licence has effect for a review of the licence on any of the grounds for review.

2.2 The grounds for review are:

- that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence,
- that one or more of the conditions to which the premises licence is subject has been breached, or
- any other ground relevant to one or more of the licensing objectives.

2.3 A Licensing Standards Officer may make a premises licence review application on the breach of condition ground only if—

- in relation to the alleged ground for review, they have issued to the licence holder a section 14 Notice and
- the licence holder has failed to take the action specified in the notice to the satisfaction of the Officer.

2.4 On 9 May 2024, the Licensing Standards Officer submitted a request for review of a premises licence in respect of the above named premises (**Appendix 1**).

2.5 Section 14 Notice served on the licence holder is detailed at **Appendix 2**.

2.6 In terms of non payment of the annual fee, correspondence sent to the licence holder is detailed at **Appendices 3 and 4**.

2.7 To date the licence holder has failed to pay the annual fee due and therefore has failed to take the action required in the section 14 notice.

2.8 In terms of procedure, notice of the hearing and a copy of the premises licence review application have been sent to the licence holder.

3. Determination

3.1 As democratically elected individuals, ultimate decision making power rests with elected Members and not Council Officers. Whilst Officers can give advice, they cannot clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision taking into account the following:

3.2. Board's Powers on Review

At a Review Hearing, if the Board is satisfied that a ground for review has been established (whether or not on the basis of any circumstances alleged in the Premises Licence Review Application) the Board may take any of the following steps as are considered necessary or appropriate for the purposes of any of the Licensing Objectives.

3.3 The steps that the Board may take are to:-

- issue a written warning to the licence holder;
- make a variation of the licence (the Board can provide that the variation applies for a certain time period only);
- suspend the licence for such period as the Board may determine
- revoke the licence.

3.4 The above steps take immediate effect.

3.5 It is also open to the Board to take no further action even if a ground for review is established.

3.6 Where, at a review hearing in relation to any premises licence, the Licensing Board are satisfied that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence then the Board must revoke the licence.

3.7 This revocation takes effect after a 28 day period beginning with the day on which the Board makes the decision unless, during that 28 day period:

- the premises licence holder makes an application to transfer the licence and the Board grants that transfer; or
- a variation application is made which seeks to vary the licence and the Board considers that the variation, if granted, would remove the ground on which the licence was revoked.

3.8 If the Board receives either of the above applications and grants that application, then the Board must recall its revocation.

3.9 The Board also retains the power to extend the 28 day period pending determination of either a transfer or variation application.

4. Recommendations

4.1 Members are asked to consider

- (i) whether a ground of review exists; and
- (ii) if a ground of review is established, which discretionary steps (if any) it wishes to take as per paragraphs 3.3 and 3.4 above;

4.2 If no ground of review is established then no order can be made.

4.3 If the ground of review is established that having regard to the licensing objectives the licence holder is not a fit and proper person to hold the licence then the Board must, in law, revoke the licence

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries
DG1 2HS

11 June 2024

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Stuart Davidson
Licensing Standards Officer
Council Offices
Kirkbank House
Dumfries DG1 2HS

9 May 2024

Clerk to the Board
Nithsdale Divisional Licensing Board
Kirkbank House
English Street
Dumfries DG1 2HS

Dear Clerk to the Board

LICENSING (SCOTLAND) ACT 2005
PREMISES: TOWNHOUSE HOTEL, 208 ANNAN ROAD, DUMFRIES, DG1 3HE
LICENCE HOLDER: BRIANNA JAYNE PROPERTIES LIMITED

I hereby make application to Nithsdale Divisional Licensing Board for a Premises Licence Review in terms of Sections 14(2)(a)(ii) in respect of the above premises.

The grounds for the application are that one or more of the conditions to which the premises licence is subject has been breached. The Premises Licence Holder has breached the following condition 10:

Payment of annual or recurring fees

10. (1) *The condition specified in sub-paragraph (2) applies only in relation to a premises licence in respect of which an annual or other recurring fee is to be paid by virtue of regulations under section 136(1).*
- (2) *The fee must be paid as required by the regulations.*

I confirm that a Notice in terms of Section 14 (2)(a)(i) was served on the licence holder on Monday 25th March 2024 requiring full payment of £220 for the 2023/24 annual fee by 11am on Thursday 28th March 2024. The Notice has not been complied with.

The following background information is submitted for your information:

- The premises have not traded for some time.
- Brianna Jayne Properties Ltd have been the licence holder from 12 July 2019 with Thomas Peter Robertson as the Designated Premises Manager.
- Thomas Peter Robertson is a connected person for Brianna Jayne Properties Ltd.

- 29 August 2023 - letter requesting payment of 2023/24 annual fee was sent to the licence holder at the premises address from the Board's Senior Licensing Officer. This letter set out various options to pay.
- A second letter was sent 29 November 2023 requesting same payment.
- I attempted to call Mr Robertson and a voicemail was left at 1345hrs on 1 March 2024 regarding the overdue fees.
- I spoke with Mr Robertson by telephone at 1446hrs 19 March 2024, he assured me he would call the office the following date and make payment.
- Attempted to call Mr Robertson 1643hrs on 21 March 2024, voicemail left.
- Mr Robertson text me at 1644hrs 21 March 2024 advising he had my voicemail and asked for the office number again which I passed by text, he replied stating he had received that.
- 25 March 2024 email and letter sent to Brianna Jayne Properties Ltd advising that a Section 14 compliance notice was attached to the email and sent by post to licence holder. This provided Brianna Jayne Properties Ltd to make payment of the overdue fees by 11am on the 28 March 2024. This clearly advised the premises licence holder that there was a Breach of Mandatory Condition 10: payment of annual recurring fees and that the remedy was for Annual Fee 2023/24 to be paid in full (£220).
- Failure to pay the amount of £220 by 11am on Thursday 28 March 2024 will result in a Premises Licence Review application being submitted to the Nithsdale Divisional Licensing Board.
- Mr Robertson replied to my email (which confirmed he had received same) and that he called the office on Monday 25 March 2024 to speak to Cheryl Syme, and as she is on annual leave he said he would call her next week. Other staff in the office could have taken payment at that point.
- At 0828hrs 26 March 2024 I emailed Mr Robertson and reminded him of the ways he could pay and that others in the office could take payment.
- Mr Robertson replied and stated that he hadn't sold any alcohol since 20 March 2020 and was unlikely to sell to the public again. He questioned whether he would require a licence for manufacturing and sale of alcohol to trade. The relevant section of the Licensing (Scotland) Act 2005 was provided and encouragement to seek independent legal advice regarding this. Mr Robertson replied advising he wouldn't be paying the annual fee now until he spoke with Cheryl Syme.
- I am aware that the office called him on the afternoon of Tuesday 26 March about the overdue fees to which he confirmed he wouldn't be paying and would speak to Cheryl Syme the following week.
- The fees remain unpaid as at 1100 hrs on Tuesday 7 May 2024.

A Premises Licence Review is requested due to the aforementioned circumstances.


Yours sincerely

Licensing Standards Officer

LICENSING (SCOTLAND) ACT 2005 COMPLIANCE NOTICE UNDER SECTION 14

Notice is hereby given in terms of Section 14 (2)(a)(i) of the above Act and is issued by Stuart Davidson being a Licensing Standards Officer for Dumfries & Galloway Licensing Boards.

This notice requires action to be taken by the Licence Holder to remedy the breaches of the licensing conditions outlined below to which the Premises Licence is subject. Failure to do so to the satisfaction of the Licensing Standards Officer within the time allowed for compliance (if any) will result in an application to Nithsdale Divisional Licensing Board for a review of the Premises Licence.

Premises Licence Holder & Licence No:	Brianna Jayne Properties Ltd– L.1/032N
Premises Subject to Notice:	Brianna Jayne Properties Ltd Townhouse Hotel 208 Annan Road Dumfries DG1 3HE
Date Issued:	25 March 2024
Premises Manager Details:	Thomas Robertson
Details to Whom Issued:	Email to Thomas Robertson, connected person of Brianna Jayne Properties Ltd and posted on 25 March 2024
Details of Breach of Condition and Remedy	
<i>Licensing Standards Officer should detail the condition(s) breached and describe the remedial action required to be taken in order to comply with this notice. *</i>	
<p>(1) Breach of Mandatory Condition 10: payment of annual recurring fees (2) Remedy: Annual Fee 2023/24 to be paid in full (£220). Failure to pay the amount of £220 by 11am on Thursday 28 March 2024 will result in a Premises Licence Review application being submitted to the Nithsdale Divisional Licensing Board.</p>	
REQUIREMENT TO COMPLY	
(1)	By 11am on Thursday 28 March 2024
Licensing Standards Officer (Print Name & Signature)	
	
Stuart Davidson	

* If you are uncertain about what action you need to take in relation to this notice you should seek legal advice from a qualified solicitor.

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Your Ref:
 Our Ref: L.1/032N
 29 August 2023

Brianna Jayne Properties Ltd
 208 Annan Road
 Dumfries
 DG1 3HE

Licensing

Nithsdale Divisional Licensing Board
 Council Offices,
 Kirkbank House
 English Street
 Dumfries, DG1 2HS

Any enquiries please contact

Licensing

Direct Dial 01387 245903
 E-mail Licensing@dumgal.gov.uk

Dear Sirs

**LICENSING (SCOTLAND) ACT 2005
 ANNUAL FEE 2023/24 – DUE 1 OCTOBER 2023
 PREMISES: TOWNHOUSE HOTEL, 208 ANNAN ROAD, DUMFRIES, DG1 3HE**

I am writing to give you notice in accordance with Regulation 9 of the Licensing (Fees)(Scotland) Regulations 2007, that the annual fee for the premises referred to above is £220 and is due for payment on or before 1 October 2023. Please note that Rateable Values for premises were reassessed as of 1 April 2023. This may have changed which category of annual fee payment you fall under.

The annual fees may be paid by one of the following ways:-

- Online Payment – you can make an online payment via the link below or at www.dumgal.gov.uk using search 'online payments', 'Licensing- Premises Licence Annual Fees' and then click on the area relevant to your premises <https://ip.e-paycapita.com/AIP/itemSelectionPage.do?link=showitemSelectionPage&siteId=131&languageCode=EN&source=AIP>
- In Full – by cheque (made payable to Dumfries and Galloway Council) or debit or Credit Card on or before 1 October 2023. We will not be accepting cash payments at this time.
- By direct debit – in 4 or 12 instalments over the course of the year. If you currently pay by direct debit, this will continue unless you advise me otherwise. If you do not pay by direct debit but would wish to do so, please contact the Licensing office at Licensing@dumgal.gov.uk to request a direct debit mandate form. It would be helpful to provide the email address where you would wish the invoices sent. If you currently pay by Direct debit but choose a different payment option this year, please inform us in order that we cancel your current direct debit arrangement.
- On Invoice – you must contact the Licensing Office at Licensing@dumgal.gov.uk to arrange for an invoice to be issued to you before payment is made. Please do not make payment by BACS payment without asking for an invoice to be issued. This allows us to match your payment.

I would remind you that payment of the annual fee is a specific condition of the Premises Licence (Mandatory Condition 10).

Yours faithfully



Clerk to the Licensing Board

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Your Ref:

Our Ref: L.1/032N

29 November 2023

Brianna Jayne Properties Ltd
208 Annan Road
Dumfries
DG1 3HE

Licensing

Nithsdale Divisional Licensing Board
Council Offices,
Kirkbank House
English Street
Dumfries, DG1 2HS

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sirs

**LICENSING (SCOTLAND) ACT 2005
ANNUAL FEE 2023/24 – DUE 1 OCTOBER 2023
PREMISES: TOWNHOUSE HOTEL, 208 ANNAN ROAD, DUMFRIES, DG1 3HE**

I wrote to you recently reminding you that in accordance with Regulation 9 of the Licensing (Fees)(Scotland) Regulations 2007, that the annual fee for the premises referred to above is 220 and was due for payment on or before 1 October 2023. Please note that Rateable Values for premises were reassessed as of 1 April 2023. This may have changed which category of annual fee payment you fall under.

As I have not yet received the payment, I would be grateful if you could now arrange for this to be made.

The annual fees may be paid by one of the following ways:-

- Online Payment – you can make an online payment via the link below or at www.dumgal.gov.uk using search 'online payments', 'Licensing- Premises Licence Annual Fees' and then click on the area relevant to your premises <https://ip.e-paycapita.com/AIP/itemSelectionPage.do?link=showItemSelectionPage&siteId=131&languageCode=EN&source=AIP>
- In Full – by cheque (made payable to Dumfries and Galloway Council) or debit or Credit Card. We will not be accepting cash payments at this time.
- On Invoice – you must contact the Licensing Office at Licensing@dumgal.gov.uk to arrange for an invoice to be issued to you before payment is made. Please do not make payment by BACS payment without asking for an invoice to be issued. This allows us to match your payment.

I would remind you that payment of the annual fee is a specific condition of the Premises Licence (Mandatory Condition 10).

Yours faithfully



Clerk to the Licensing Board

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