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STEWARTRY DIVISIONAL LICENSING BOARD

Meeting of Tuesday 30 August 2022
at 10.30am – Remote Hearing

Dougie Campbell – Dee and Glenkens;
Iain Howie – Castle Douglas and Crocketford;
Kim Lowe – Abbey;
Andy McFarlane – Dee and Glenkens;
Vacancy –

VLAD VALIENTE
Clerk to the Licensing Board

Stewartry Divisional Licensing Board

Meeting of Tuesday 30 August 2022
at 10.30am – Remote Hearing

1. **APPOINTMENT OF CONVENER**
2. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**
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Next Meeting Date: Friday, 7 October 2022

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DUMFRIES AND GALLOWAY LICENSING BOARDS

Minute of Conjoined Meeting of Friday 19 November 2021
at 10.00am by Remote Hearing

MEMBERS PRESENT

ANNANDALE AND ESKDALE DIVISIONAL LICENSING BOARD

Archie Dryburgh (Convener) - Annandale East and Eskdale
Douglas Fairbairn - Annandale North
Stephen Thompson - Annandale North

NITHSDALE DIVISIONAL LICENSING BOARD

David McKie - North West Dumfries
Elaine Murray - Nith
Davie Stitt - Abbey

STEWARTRY DIVISIONAL LICENSING BOARD

Iain Howie (Convener) - Castle Douglas and Crocketford
Jane S Maitland - Dee and Glenkens
John Young - Castle Douglas and Crocketford

WIGTOWN DIVISIONAL LICENSING BOARD

Jim McColm (Convener) - Mid Galloway and Wigtown West
Katie Hagmann - Mid Galloway and Wigtown West
David Inglis - Mid Galloway and Wigtown West
Ros Surtees - Stranraer and the Rhins

APOLOGIES

Dougie Campbell (Stewartry Board) - Dee and Glenkens
Ian Carruthers (A&E Board) - Annandale South
Rob Davidson (Stewartry Board) - Abbey
Jim H Dempster (Nithsdale Board) - Mid and Upper Nithsdale
Ivor Hyslop (Convener Nithsdale Board) - Lochar
Jeff Leaver (Nithsdale Board) - Lochar
Henry McClelland (A&E Board) - Annandale South
Tommy Sloan (Wigtown Board) - Stranraer and the Rhins

IN ATTENDANCE

Caroline Treanor - Solicitor
Julia Farroll - Licensing Standards Officer

Vladimir Valiente
Clerk to the Licensing Boards

13 Members present via MS Teams and 8 apologies.

1. APPOINTMENT OF CONVENER

AGREED to appoint Archie Dryburgh as Convener.

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

Apologies - Councillors Dougie Campbell, Ian Carruthers, Rob Davidson, Jim Dempster, Ivor Hyslop, Jeff Leaver, Henry McClelland, Tommy Sloan

13 Members present via MS Teams as **AGREED** by the Convener and 8 apologies.

3. DECLARATIONS OF INTEREST

NONE declared.

4. LICENSING (SCOTLAND) ACT 2005: DUMFRIES AND GALLOWAY LICENSING BOARDS ANNUAL FINANCIAL REPORT 2020/21 - Report by the Clerk to the Licensing Boards

Decision

AGREED

4.1 to approve the Annual Financial Report for 2020 – 2021; and

4.2 to authorise the Clerk to the Board to proceed with the publication of the Annual Financial Report.

5. LICENSING (SCOTLAND) ACT 2005: DUMFRIES AND GALLOWAY LICENSING BOARDS ANNUAL FUNCTIONS REPORT 2020/21 - Report by the Clerk to the Licensing Boards

Decision

AGREED

5.1 to approve the Annual Functions Report for 2020/2021; and

5.2 to authorise the Clerk to the Board to proceed with the publication of the Annual Functions Report.

6. GAMBLING ACT 2005: SECTION 349 - PREPARATION OF STATEMENT OF PRINCIPLES (2022 to 2025) - Report by the Clerk to the Licensing Boards

Decision

AGREED

6.1 to approve and adopt the revised Statement of Principles; and

6.2 authorise the Clerk to the Boards and his staff to arrange advertising and publication of the revised Statement of Principles and its Notice of Intention as legally required.

7. **GAMBLING HARM PILOT** - Report by the Clerk to the Licensing Boards

Decision

NOTED the terms of this report.

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STEWARTRY DIVISIONAL LICENSING BOARD

**Minute of Meeting of Wednesday 24 November 2021
at 2.00pm via Teams**

MEMBERS PRESENT

Iain Howie (Convener)	-	Castle Douglas and Crocketford
Dougie Campbell	-	Dee and Glenkens
Rob Davidson	-	Abbey
Jane S Maitland	-	Dee and Glenkens
John Young	-	Castle Douglas and Crocketford

IN ATTENDANCE

Mary Irving	-	Licensing Standards Officer
Sergeant Julia McKie	-	Police Scotland
Caroline Treanor	-	Solicitor

VLAD VALIENTE
Clerk to the Licensing Board

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

5 Members present via MS Teams, no apologies were received and the Convener approved Members' remote participation at the Hearing.

2. **DECLARATIONS OF INTEREST**

NONE

3. **MINUTE OF MEETING 10 MARCH 2021**

Decision

AGREED

4. **MINUTE OF MEETING 4 MAY 2021**

Decision

AGREED

5. **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 authority during the period from 27 February 2021 until 7 November 2021:

Occasional Licences: Applied for by a Personal Licence Holder

Total number issued 197

Occasional Licences: Applied for by a Premises Licence Holder

Total number issued 1

Occasional Licences: Applied for by a Voluntary Organisation

Total number issued 4

Extended Hours

Total number issued 4

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

Decision

NOTED that the applications detailed in **Appendix 1** had been granted under delegated authority.

7. **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 detailed in **Appendix 2** had been granted under delegated authority.

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

Decision

NOTED that the licence detailed in **Appendix 3** had been surrendered.

9. **LICENSING (SCOTLAND) ACT 2005: NOTICE OF CONVICTIONS – TESCO STORES LTD – REPORT BY THE CLERK TO THE BOARDS**

Decision

The Board **NOTED** the terms of the report and **AGREED** to take no further action.

10. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR NEW PREMISES LICENCE – BRAMBLES DELICATESSEN, 48A ST MARY STREET, KIRKCUDBRIGHT – REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant, Police Scotland and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application as detailed in **Appendix 4**.

11. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR NEW PREMISES LICENCE – ERNESPIE FARM CENTRE, CASTLE DOUGLAS – REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant's representative, Police Scotland and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application as detailed in **Appendix 5**.

12. LICENSING (SCOTLAND) ACT 2005: SECTION 12A - CHIEF CONSTABLE'S ANNUAL REPORT 2020-2021 – REPORT BY THE CLERK TO THE BOARDS

Decision

AGREED to receive the Chief Constable's report and to note its terms.

APPENDIX 1

**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY 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 0028S</u>	
Name & Address of Applicant or Agent	Co-operative Group Food Limited 1 Angel Square Manchester M60 0AG
Name & Address of Premises	Co-operative Food Cotton Street Castle Douglas DG7 1AN
Nature of variation	Change of Designated Premises Manager to Stuart Galloway
Effective Date of Minor Variation	25 May 2021

<u>Application No. 2 – Ref 0060S</u>	
Name & Address of Applicant or Agent	Karen Louise Clachrie St Cuthbert Place Kirkcudbright DG6 4DH
Name & Address of Premises	Steam Packet Inn St Cuthbert Place Kirkcudbright DG6 4DH
Nature of variation	Internal alterations decreasing capacity from 130 to 124 and change of premises name to The Steamie.
Effective Date of Minor Variation	5 August 2021

<u>Application No. 3 – Ref 0007S</u>	
Name & Address of Applicant or Agent	Gell Leisure Limited 104 Moorlands Road Bradford BD11 2BP
Name & Address of Premises	Barend Bar & Restaurant Barend Holiday Village Sandyhills Dalbeattie DG5 4NN
Nature of variation	Change of Designated Premises Manager to Duncan Gell and change of premises name to The Beagle Country Pub.
Effective Date of Minor Variation	9 August 2021

<u>Application No. 4 – Ref 0081S</u>	
Name & Address of Applicant or Agent	Punch Partnerships (PTL) Limited Elsley Court 20-22 Great Titchfield Street London W1W 8BE
Name & Address of Premises	Anchor Hotel Kippford Dalbeattie DG5 4LN
Nature of variation	Change of Designated Premises Manager to Garry Gibson
Effective Date of Minor Variation	30 September 2021

APPENDIX 2

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

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

<u>Application No. 1 – Ref 0008S – SECTION 33</u>	
Name & Address of Applicant or Agent	Samantha McCormick East View 29 Main Street Twynholm DG6 4NX
Name & Address of Transferee or Agent	Susan Farnes 1 Kirkbrae Twynholm DG6 4NX
Name & Address of Premises	Burnbank Hotel Twynholm DG6 4NX
Effective Date of Transfer	8 October 2021

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

**THE LICENSING (SCOTLAND) ACT 2005
SURRENDER OF PREMISES LICENCES**

<u>No. 1 – Ref 0006S</u>	
Name & Address of Licence Holder	Brandedleys Holiday Park Ltd Registered Office Armillan Caravan Park Girvan KA26 0MP
Name & Address of Premises	Quinns Bar Park of Brandedleys Crocketford DG2 8RG
Date Licence Surrendered	19 August 2021

<u>No. 2 – Ref 0003S</u>	
Name & Address of Licence Holder	CJ Lang & Son Limited 78 Longtown Road Dundee DD4 8JU
Name & Address of Premises	Spar 61 High Street Dalbeattie DG5 4HA
Date Licence Surrendered	5 November 2021

APPENDIX 4

Applicant/Agent	Knight Training - Shaun Ward Per Caroline Anne Merrick Halifax 5 Mews Lane Kirkcudbright DG6 4DN
Address of Premises	Brambles Delicatessen 48A St Mary Street Kirkcudbright DG6 4DN
Description	Delicatessen retail shop selling artisan cheese / chocolates / world foods / ceramics and bespoke hampers. Off sales.
Core Times	<u>Off Sales</u> Monday 10:00am – 9:00pm Tuesday 10:00am – 9:00pm Wednesday 10:00am – 9:00pm Thursday 10:00am – 9:00pm Friday 10:00am – 9:00pm Saturday 10:00am – 9:00pm Sunday 10.00am – 9:00pm
Activities	None
Children and Young Persons	N/A
Capacity	1.584 sqm Whisky area 5.566 sqm Wine area Total = 7.150 sqm
Last Date for Objections/Representations	Monday 1 November 2021

Applicant/Agent	Ernespie Farm Centre Limited Dumfries Enterprise Park Heathhall Dumfries DG1 3ST
Address of Premises	Ernespie Farm Centre Castle Douglas DG7 3JG
Description	A rural visitors centre that employs 30 part time and full time staff. It comprises of soft play, outdoor play, restaurant, gift shop and garden centre. Licence will be used to offer alcoholic drinks as part of table service in the restaurant and also to sell a limited range of alcohol in the gift shop.
Core Times	<p><u>On Sales</u></p> <p>Monday 10:30am – 12:00 midnight Tuesday 10:30am – 12:00 midnight Wednesday 10:30am – 12:00 midnight Thursday 10:30am – 12:00 midnight Friday 10:30am – 12:00 midnight Saturday 10:30am – 12:00 midnight Sunday 10.30am – 12:00 midnight</p> <p><u>Off Sales</u></p> <p>Monday 10:30am – 10:00pm Tuesday 10:30am – 10:00pm Wednesday 10:30am – 10:00pm Thursday 10:30am – 10:00pm Friday 10:30am – 10:00pm Saturday 10:30am – 10:00pm Sunday 10.30am – 10:00pm</p>
Activities	<p>Add Restaurant facilities, Receptions, Club and Group Meetings, Recorded Music and Live Performances within core licensed hours.</p> <p>Add Outdoor Drinking within core licensed hours.</p> <p><u>Any other activities</u></p> <p>Soft play area and Outdoor play area</p>
Children and Young Persons	TERMS – Children and Young Persons will only be allowed entry when supervised by an adult.

	<p>AGES – 0-17</p> <p>TIMES – Children and Young Persons will be allowed entry from 10:00am to 9:00pm</p> <p>PARTS – Children and Young Persons will be allowed entry to all public parts of the premises.</p>
Capacity	On Sales: 100 inside, 30 outside Off Sales: 3.2m x 1.6m = 5.12 sqm
Last Date for Objections/Representations	Tuesday 9 November 2021

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY 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 16 February 2022 until 9 August 2022 the following Occasional Licences and Extended Hours were granted:

Occasional Licences: Applied for by a Personal Licence Holder

Total number issued 205

Occasional Licences: Applied for by a Premises Licence Holder

Total number issued 4

Occasional Licences: Applied for by a Voluntary Organisation

Total number issued 23

Extended Hours

Total number issued 2

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

Vlad Valiente
Clerk to the Licensing Boards
Council Offices
Municipal Chambers
Buccleuch Street, Dumfries

Date of Report: 22 August 2022

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY 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 0134S</u>	
Name & Address of Applicant or Agent	Joanne Hird Whitecroft Farm Dalbeattie DG5 4PG
Name & Address of Premises	The Galloway Soup Company Farm Shop and Tea Room 17 High Street Dalbeattie DG5 4AD
Nature of variation	Change of Designated Premises Manager to Lucy Carson
Effective Date of Minor Variation	13 January 2022

<u>Application No. 2 – Ref 0057S</u>	
Name & Address of Applicant or Agent	Michelle Robertson 26 Main Street Crossmichael DG7 3AU
Name & Address of Premises	The Thistle Hotel 51-55 Main Street Crossmichael DG7 3AU
Nature of variation	Change of Designated Premises Manager to Michelle Robertson
Effective Date of Minor Variation	26 January 2022

<u>Application No. 3 – Ref 0065S</u>	
Name & Address of Applicant or Agent	Sharon Rice t/a Hillrigg Ltd Imperial Hotel 35 Kind Street Castle Douglas DG7 1AA
Name & Address of Premises	Imperial Hotel & Bar 35 King Street Castle Douglas DG7 1AA
Nature of variation	Change of Designated Premises Manager to Thomas Anthony Horgan
Effective Date of Minor Variation	2 February 2022

<u>Application No. 4 – Ref 0134S</u>	
Name & Address of Applicant or Agent	Joanne Hird Whitecroft Farm Dalbeattie DG5 4PG
Name & Address of Premises	The Galloway Soup Company Farm Shop and Tea Room 17 High Street Dalbeattie DG5 4AD
Nature of variation	Change of Premises name to 'Acorns Tearoom & Shop'
Effective Date of Minor Variation	9 February 2022

<u>Application No. 5 – Ref 0114S</u>	
Name & Address of Applicant or Agent	Wong Cho Ho 40 Oakfield Drive Georgetown Dumfries DG1 4PD
Name & Address of Premises	Sea Horse Restaurant 15 Mill Street Dalbeattie DG5 4HE
Nature of variation	Change of Designated Premises Manager to Keny Ho
Effective Date of Minor Variation	11 February 2022

<u>Application No. 6 – Ref 0034S</u>	
Name & Address of Applicant or Agent	Gallagher Property Limited George Street Dumfries DG1 1EB
Name & Address of Premises	The Garret Hotel 116 High Street Kirkcudbright DG6 4JQ
Nature of variation	Change of Designated Premises Manager to Mark McLean
Effective Date of Minor Variation	11 February 2022

<u>Application No. 7 – Ref 0034S</u>	
Name & Address of Applicant or Agent	Gallagher Property Limited George Street Dumfries DG1 1EB
Name & Address of Premises	The Garret Hotel 116 High Street Kirkcudbright DG6 4JQ
Nature of variation	Change of Designated Premises Manager to Melissa Maxwell
Effective Date of Minor Variation	22 February 2022

<u>Application No. 8 – Ref 0059S</u>	
Name & Address of Applicant or Agent	William Chalmers 18F Castleblair Park Dunfermline KY12 9DW
Name & Address of Premises	Wrights Store 17 Main Street St Johns Town of Dalry Castle Douglas DG7 3UP
Nature of variation	Change of Designated Premises Manager to William Chalmers and change of name of Premises to 'Wrights Store'
Effective Date of Minor Variation	7 April 2022

<u>Application No. 9 – Ref 0124S</u>	
Name & Address of Applicant or Agent	The National Trust for Scotland Enterprise Ltd Hermiston Quay 5 Cutlins Road Edinburgh EH11 4DF
Name & Address of Premises	Threave Estate Castle Douglas DG7 1RF
Nature of variation	Change of Designated Premises Manager to Christopher Jeffries
Effective Date of Minor Variation	26 April 2022

<u>Application No. 10 – Ref 0130S</u>	
Name & Address of Applicant or Agent	New Galloway Community Shop High Street New Galloway DG7 3RN
Name & Address of Premises	New Galloway Community Shop High Street New Galloway DG7 3RN
Nature of variation	Change of Designated Premises Manager to Gail Emo
Effective Date of Minor Variation	19 May 2022

<u>Application No. 11 – Ref 0033S</u>	
Name & Address of Applicant or Agent	Tesco Stores Limited Tesco House Shire Park Kestrel Way Welwyn garden City Hertfordshire AL7 1GA
Name & Address of Premises	Tesco 52 St Cuthbert Street Kirkcudbright DG6 4DZ
Nature of variation	Change of Designated Premises Manager to Leonard McEwan
Effective Date of Minor Variation	1 June 2022

<u>Application No. 12 – Ref 0044S</u>	
Name & Address of Applicant or Agent	The Firm of VRA Partnership 18A Nelson Street Kilmarnock KA1 1BD
Name & Address of Premises	The Birchtree Hotel 1 Maxwell Street Dalbeattie DG5 4AH
Nature of variation	Change of Designated Premises Manager to Matthew Brown
Effective Date of Minor Variation	30 June 2022

<u>Application No. 13 – Ref 0037S</u>	
Name & Address of Applicant or Agent	Anderson Strathern LLP 1 Rutland Court Edinburgh EH3 8EY
Name & Address of Premises	Scotmid 129 King Street Castle Douglas DG7 1LX
Nature of variation	Change of Designated Premises Manager to Nadia Kosic
Effective Date of Minor Variation	4 August 2022

<u>Application No. 14 – Ref 0065S</u>	
Name & Address of Applicant or Agent	Sharon Rice T/A Hillrigg Ltd Imperial Hotel 35 King Street Castle Douglas DG7 1AA
Name & Address of Premises	Imperial Hotel 35 King Street Castle Douglas DG7 1AA
Nature of variation	Change of Designated Premises Manager to Heather O'Sullivan
Effective Date of Minor Variation	10 August 2022

Agenda Item 7

PUBLIC

Cheryl Syme
Senior Licensing Officer (Board Services)
Licensing

Ext: 63353

Date of Report: 22 August 2022

Vlad Valiente
Clerk to the Licensing Boards
Municipal Chambers
Buccleuch Street
Dumfries DG1 2AD

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

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

<u>Application No. 1 – Ref 0057S – SECTION 33</u>	
Name & Address of Applicant or Agent	James Adamson Parker 53 Main Street Crossmichael Castle Douglas DG7 3AU
Name & Address of Transferee or Agent	Michelle Robertson 26 Main Street Crossmichael DG7 3AU
Name & Address of Premises	The Thistle Hotel 51-55 Main Street Crossmichael Castle Douglas DG7 3AU
Effective Date of Transfer	25 January 2022

<u>Application No. 2 – Ref 0034S – SECTION 33</u>	
Name & Address of Applicant or Agent	Kelly KBT Ltd 72 St Marys Street Kirkcudbright DG6 4EJ
Name & Address of Transferee or Agent	Gallagher Property Limited 37 George Street Dumfries DG1 1EB
Name & Address of Premises	The Garret Hotel 116 High Street Kirkcudbright DG6 4JQ
Effective Date of Transfer	11 February 2022

<u>Application No. 3 – Ref 0059S – SECTION 33</u>	
Name & Address of Applicant or Agent	Lyndsay Ann Wright 17 Main Street St Johns Town of Dalry Castle Douglas DG7 3UP
Name & Address of Transferee or Agent	William Chalmers 18F Castleblair Park Dunfermline KY12 9DW
Name & Address of Premises	Wrights Shop 17 Main Street St Johns Town of Dalry Castle Douglas DG7 3UP
Effective Date of Transfer	7 April 2022

<u>Application No. 4 – Ref 0074S – SECTION 33</u>	
Name & Address of Applicant or Agent	TLT Solicitors For Mcmillan Hotels Ltd Northwest Castle Hotel Stranraer DG9 8EH
Name & Address of Transferee or Agent	Guelder Three Limited 210 Cygnet Court Centre Park Warrington WA1 1PP
Name & Address of Premises	Cally place Hotel and Golf Course Gatehouse of Fleet DG7 2DL
Effective Date of Transfer	1 June 2022

<u>Application No. 5 – Ref 0052S – SECTION 34</u>	
Name & Address of Applicant or Agent	TLT Solicitors 140 West George Street Glasgow G2 2HG
Name & Address of Transferee or Agent	C J Lang & Son Ltd 78 Longtown Road Dundee DD4 8JU
Name & Address of Premises	E Kinnaird & Son The Cross High Street Dalbeattie DG5 4HD
Effective Date of Transfer	9 June 2022

<u>Application No. 6 – Ref 0082S – SECTION 33</u>	
Name & Address of Applicant or Agent	Gilson Gray 160 West George Street Glasgow G2 2HG
Name & Address of Transferee or Agent	Yumilicious Limited 19 Perceval Square College Road Harrow HA1 1GU
Name & Address of Premises	Crown Hotel 25 King Street Castle Douglas DG7 1AA
Effective Date of Transfer	7 July 2022

Cheryl Syme
Senior Licensing Officer (Boards)

Ext: 63373

Date of Report: 22 August 2022

Vlad Valiente
Clerk to the Licensing Boards
Municipal Chambers
Buccleuch Street
Dumfries DG1 2AD

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

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

<u>No. 1 – Ref 0008S</u>	
Name & Address of Licence Holder	Susan Farnes Burnbank Hotel 1 Kirkbrae Twynholm Kirkcudbright DG6 4NX
Name & Address of Premises	Burnbank Hotel 1 Kirkbrae Twynholm Kirkcudbright DG6 4NX
Date Licence Surrendered	19 May 2022

Colin Brown
Senior Licensing Officer (Board Services)
Licensing
Ext: 63373

Vladimir Valiente
Clerk to the Licensing Boards
Municipal Chambers
Buccleuch Street
Dumfries DG1 2AD

Date of Report: 16 November 2021

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

LICENSING (SCOTLAND) ACT 2005: SECTION 30

APPLICATION: MAJOR VARIATION

PREMISES: SPAR, FLEETVALE, HIGH STREET, GATEHOUSE OF FLEET

PREMISES LICENCE HOLDER: C J LANG AND SON LIMITED, 78 LONGTOWN ROAD, DUNDEE

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 28 April 2022 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 27 May 2022 to Saturday 18 June 2022**.

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 17 June 2022**.

3.2 No Objections or Representations have been received.

4. Responses

- LSO report: no adverse comments **Appendix 2**
- Police Scotland: no adverse comments
- Environmental Health: no objections
- 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
Council Offices
Municipal Chambers
Buccleuch Street, Dumfries

22 August 2022

Stewartry Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	TLT Solicitors For CJ Lang & Son Limited 77 Longtown Road Dundee DD4 8JU
Address of Premises	Spar Fleetvale High Street Gatehouse of Fleet DG7 2HP
Nature of Variation	<p><u>Operating Plan</u></p> <p>Q5) add gaming as an activity during and outwith core hours (to cover the use of the National Lottery outlet etc);</p> <p>Q5) amend and add the following wording – The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.’</p> <p>Q5f) amend and add the following wording - The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wine/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & Collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities.’</p> <p>Q7) amend capacity to 28.39m²</p> <p><u>Layout Plan</u></p> <p>Reconfiguration of store resulting in an increase in the alcohol display capacity to 28.39m²</p>
Last Date for Objections/Representations	Friday 17 June 2022

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

**LICENSING (SCOTLAND) ACT 2005:
APPLICATION FOR VARIATION OF PREMISES LICENCE
SPAR, FLEETVALE, HIGH STREET, GATEHOUSE OF FLEET DG7 2HP
LICENCE HOLDER: CJ LANG & SON LTD**

1. This application contains a change to the layout plan resulting in an increase in off-sale capacity from 18.49 m² to 28.39 m².

1.1 The increase in capacity is due to an internal reconfiguration of the shop, with additional shelving marked "A" and refrigerated area marked "C" on the attached plan.

2. The other changes applied for are consistent with the activities carried on in a shop of this type.

2.1 These activities represent a very precise and thorough list detailing the many services available.

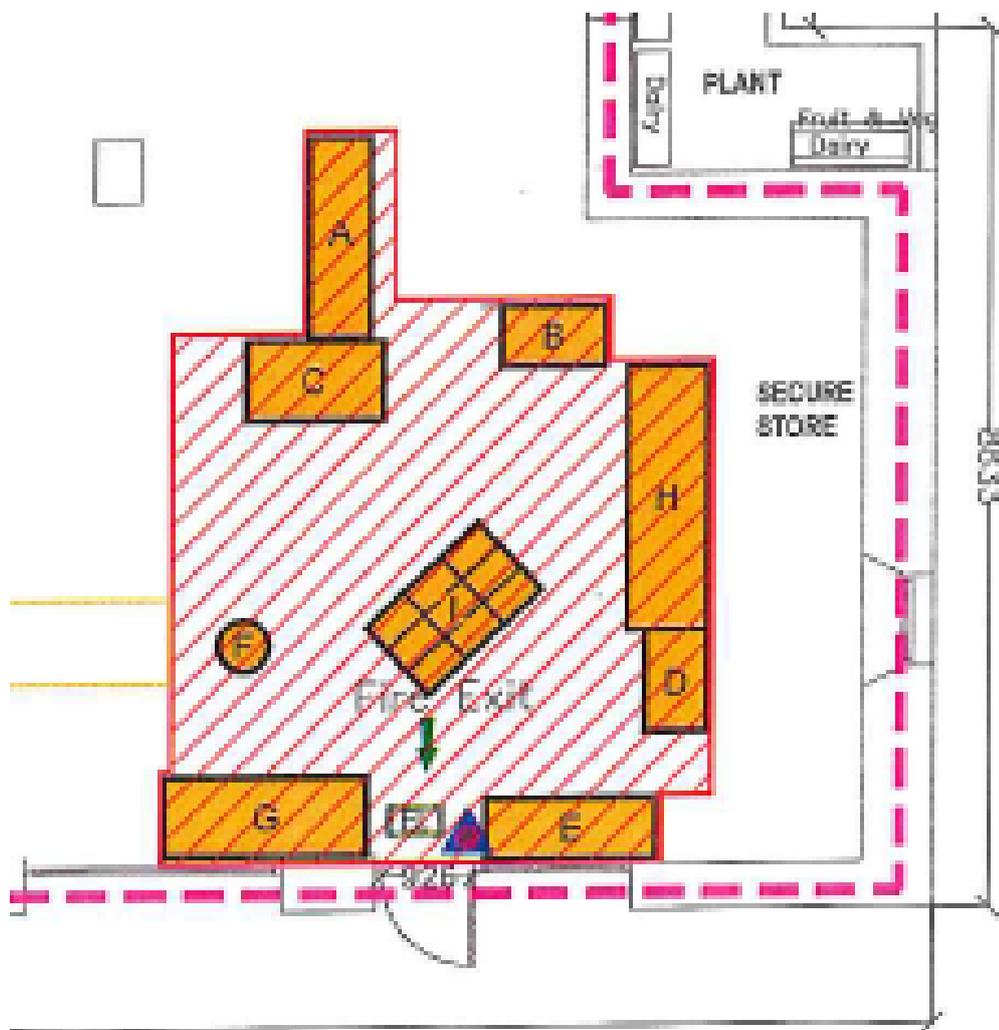
3. The application was advertised on the Board's website page from Friday 27 May 2022. Simultaneously a notice must be displayed at the premises.

3.1 The Notice was checked on 2 June 2022 at which time it was displayed prominently at the entrance of the premises.

4. I have no adverse comments to make.

Julia Farroll
Licensing Standards Officer

10 June 2022



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

LICENSING (SCOTLAND) ACT 2005: SECTION 30

APPLICATION: MAJOR VARIATION

PREMISES: KIRKCUDBRIGHT BOWLING CLUB, CHURCH PLACE, KIRKCUDBRIGHT

PREMISES LICENCE HOLDER: KIRKCUDBRIGHT BOWLING CLUB, CHURCH PLACE, KIRKCUDBRIGHT

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 5 July 2022 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 22 July 2022 to Saturday 13 August 2022**.

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 At the time of writing this report no signed Confirmation of Site Notice has been received.

3. Objections and Representations

3.1 The last date for objections/representations was **Friday 12 August 2022**.

3.2 At the time of writing this report no Objections or Representations have been received.

4. Responses

- LSO report: no adverse comments **Appendix 2**
- Police Scotland: no adverse comments
- Environmental Health: no objections
- 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
Council Offices
Municipal Chambers
Buccleuch Street, Dumfries

22 August 2022

Stewartry Divisional Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Kirkcudbright Bowling Club Church Place Kirkcudbright DG6 4AF
Address of Premises	Kirkcudbright Bowling Club Church Place Kirkcudbright DG6 4AF
Nature of Variation	<p><u>Operating Plan</u></p> <ul style="list-style-type: none"> • Remove Seasonal Variations • Music – Yes – within core hours • Live Performance – Yes – within core hours • Dance – yes – within core hours • Indoor/outdoor Sports – Yes – outwith core hours • TV Sports – Yes – within core hours • Outdoor Drinking – Yes – outwith core hours • Any Other Activities – Yes – Bingo and Indoor/Outdoor Sports, Fundraising & Community Events – Food provided by outside caterers & club members • Change Children & Young Persons - Yes <ul style="list-style-type: none"> ○ TERMS – 0-12 years accompanied by an adult; 13-17 years unaccompanied until 9pm then accompanied thereafter. ○ AGES – 0-17 years ○ TIMES – 9am until 8pm unless attending a social function then terminal hour for al ages ○ PARTS – All public parts of the premises • Activities – Yes – Clubhouse open prior to 11am core hours, to provide tea/coffee, in outdoor/indoor area, outwith core hours, together with indoor/outdoor sports.
Last Date for Objections/Representations	Friday 12 August 2022

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

**LICENSING (SCOTLAND) ACT 2005:
APPLICATION FOR VARIATION OF PREMISES LICENCE
KIRKCUDBRIGHT BOWLING CLUB
LICENCE HOLDER: KIRKCUDBRIGHT BOWLING CLUB**

1. Kirkcudbright Bowling club is a licensed Members Club catering for outdoor bowling for all ages.

1.1 In terms of the Licensing (Scotland) Act 2005, no person can be supplied with alcohol on the premises unless that person is-

- (a) a member of the club;
- (b) a person who is on the premises at the invitation of a member of the club and is accompanied by that member; or
- (c) a member of another club.

1.2 The on-sale operating hours for the premises are currently:-
Monday to Thursday 11am to 11pm;
Friday to Sunday 11am to midnight.

1.3 On a routine visit to the premises, the possibility of changes to the operating plan were discussed which would allow the Club greater flexibility for fundraising activities : hence the application for major variation.

2. The application involves the undernoted variances to the current Premises Licence as follows:-

- Remove seasonal variations;
- Add music, live performances and dance facilities within core hours;
- Add indoor/outdoor sports outwith core hours. *The Clubhouse opens prior to 11am;*
- Add televised sport within core hours;
- Add outdoor drinking facilities outwith core hours. *As The clubhouse opens prior to 11am, this would allow teas/coffees to be provided both within the indoor and outdoor areas;*
- Add 'Any other Activities' to include bingo and indoor/outdoor bowling, fundraising and community events, food provided by outside caterers and club members;
- Change of arrangements for the admittance of children and young persons as follows:-

Terms:-

0-12 years accompanied by an adult; 13-17 years unaccompanied until 9pm then then accompanied thereafter;
(currently – when under 18's are on the premises they are not allowed near the bar. Younger children must be under the supervision of their parents or an adult at all times)

Ages:-

0-17 years
(currently - young bowlers can begin at age 10 years)

Times:-

9am until 8pm unless attending a social function then terminal hour for all ages;
(currently – until 8pm)

Parts:-

All public parts of the premises
(currently – conservatory)

2. All variances are in accordance with the Stewartry Divisional Licensing Board's Policy Statement.
3. The application was advertised on the Board's website page from Friday 22 July, 2022, simultaneously a notice should be displayed at the premises. The Notice was checked on 11 August, 2022, at which time it was correctly displayed.

Mary Irving
Licensing Standards Officer

11 August 2022

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

**LICENSING (SCOTLAND) ACT 2005 (2005 Act): SECTION 28
PREMISES CEASED TO BE USED FOR THE SALE OF ALCOHOL
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT
LICENCE HOLDER: HIGH STREET APARTMENT HOTEL GROUP LIMITED**

1 Reason for Report

Members are asked to determine whether the above premises have ceased to be used for the sale of alcohol, the consequence of which is that the Premises Licence will cease to have effect.

2 Background

2.1 In terms of section 28 (5) (b) 2005 Act, a premises licence ceases to have effect if the premises to which the licence relates have ceased to be used for the sale of alcohol.

2.2 The effect of a premises licence ceasing to have effect is that it may not thereafter be resurrected. It cannot be transferred. It is therefore treated as 'void' in law.

2.3 However, the Coronavirus (Scotland) Act 2020 inserts a new section 28(5A) into the 2005 Act and provides that 'For the avoidance of doubt, a licensed premises does not cease to be used for the sale of alcohol, for the purposes of subsection (5)(b), if the premises cease to be used for the sale of alcohol for a temporary period for a reason relating to coronavirus.'

2.4 There are also issues with regard to non payment of the annual fees.

2.5 When a premises licence is in effect or suspended, a mandatory condition of the licence is that the premises licence holder must pay the annual fee in accordance with the Licensing (Scotland) Fee Regulations 2007.

2.6 Annual fees for all premises are due on 1 October each year or, if that day is a Saturday or Sunday, they are due on the following Monday.

2.7 The full annual fee due in respect of the Royal Hotel is £220 annually and the following annual fees remain unpaid constituting breach of mandatory condition of the licence:

- 2021/2022: outstanding annual fee of £220
- 2020/2021: outstanding annual fee of £220
- 2019/2020: outstanding annual fee of £220

2.8 With regard to this matter, the following written correspondence has been sent to relevant named persons at various address:

11 September 2020 – Letter regarding the 2019/20 annual fee addressed to the Licence Holder – **Appendix 1**

25 February 2021 – Letter regarding the 2019/20 annual fee addressed to the Licence Holder – **Appendix 2**

10 March 2021 – Letter regarding the 2019/20 and 2020/21 annual fees, addressed to the Partner/Director of Licence Holder company (from the details held on our system) – **Appendix 3**

13 May 2021 – Letter regarding the 2019/20 annual fees and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company. – **Appendix 4**

24 August 2021 – Letter regarding the 2019/20 annual fees and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company. – **Appendix 5**

24 August 2021 – Letter regarding the 2019/20 annual fees and updated Licence Holder information, addressed to Lee Anderson at the new registered address for the Licence Holder company, taken from Companies House – **Appendix 6**

15 September 2020 – Letter regarding 2020/21 annual fee, addressed to the Licence holder at the address held on our licensing system. – **Appendix 7**

13 May 2021 - Letter regarding the 2020/21 annual fees and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company. – **Appendix 8**

24 August 2021 – Letter regarding 2020/21 annual fee and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company. – **Appendix 9**

24 August 2021 - Letter regarding the 2020/21 annual fees and updated Licence Holder information, addressed to Lee Anderson at the new registered address for the Licence Holder company, taken from Companies House – **Appendix 10**

8 September 2021 – Letter regarding the 2021/22 annual fee, addressed to Lee Anderson at the Licence Holder company address, taken from Companies House – **Appendix 11**

12 May 2022 – Letter regarding all matters outstanding and urging contact to be made with the Licensing Service, sent to all persons (Licence Holder, Director (information held by Licensing), Director (information held on Companies House) and sent to all addresses held by Licensing and Companies House – **Appendix 12**

12 August 2022 – letter advising of Licensing Board hearing date, sent to all persons (Licence Holder, Director (details held by Licensing), Director (details held on Companies House) and sent to all addresses held by Licensing and Companies House – **Appendix 13**

2.9 Two articles from The Galloway News on 4 August 2022 and 11 August respectively, reported that the premises is now open and trading as an Air B&B – **Appendix 14** and **Appendix 15**.

3 Considerations

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.

3.2 Notwithstanding all the steps detailed above, the annual fee remains fully unpaid for 2019/20, fully unpaid for 2020/21 and fully unpaid for 2021/22 and it appears that the premises have ceased to be used for the sale of alcohol.

3.3 Furthermore, no verbal or written correspondence has been received by the Licensing team in relation to the attached correspondence detailed within Appendices **1 to 13**.

4 Recommendation

4.1 Members are asked to make a determination as to whether they are satisfied that the premises have ceased to be used for the sale of alcohol and therefore the premises licence has ceased to have effect.

4.2 In doing so, Members will be mindful that, in law, they cannot make this determination if the premises have ceased to be used for the sale of alcohol for a temporary period for reasons relating to coronavirus.

Vlad Valiente
Clerk to the Licensing Boards
Municipal Chambers
Buccleuch Street, Dumfries

22 August 2022

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Your Ref:

Our Ref: 0012S CS/012

11 September 2020

High Street Apartment Hotel Group Ltd
The Stables
Colzium Farm Estate
Colzium
Kirknewton
EH27 8DH

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sirs

**THE LICENSING (SCOTLAND) ACT 2005
ANNUAL FEE 2019/20
PREMISES : ROYAL HOTEL, KIRKCUDBRIGHT**

I am writing regarding the annual fee for the above premises for the year 2019/20 which was due on 1 October 2019. I note from our records that this payment remains outstanding. The outstanding amount due is £220.00. I would be grateful if you can ensure that this sum is paid to us by 30 September 2020.

I understand that this is an extremely difficult time for the licensed trade due to Covid-19 but unfortunately, the Scottish Government have not issued any guidance on changes that can be made to payment of annual fees. Therefore, the Licensing Board is required in law to continue to collect annual fees as normal.

Yours faithfully



Interim Clerk to the Licensing Boards

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Your Ref:

Our Ref: 0012S CS/019

25 February 2021

High Street Apartment Hotel Group Ltd
The Stables
Colzium Farm Estate
Colzium
Kirknewton
EH27 8DH

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

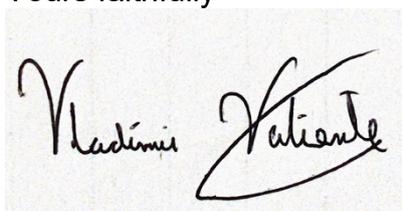
Dear Sirs

**THE LICENSING (SCOTLAND) ACT 2005
ANNUAL FEE 2019/20
PREMISES : ROYAL HOTEL, KIRKCUDBRIGHT**

I am writing regarding the annual fee for the above premises for the year 2019/20 which was due on 1 October 2019. I note from our records that this payment remains outstanding. The outstanding amount due is £220.00. I would be grateful if you can arrange to make payment on or before Friday 12 March 2021.

I understand that this is an extremely difficult time for the licensed trade due to Covid-19 but unfortunately, the Scottish Government have not issued any guidance on changes that can be made to payment of annual fees. Therefore, the Licensing Board is required in law to continue to collect annual fees as normal.

Yours faithfully



Clerk to the Licensing Boards

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Your Ref:

Our Ref: 0012S CS/020

10 March 2021

David Stuart Mackman
The Stables
Colzium Farm Estate
Kirknewton
EH27 8DH

Licensing

Stewartry Divisional Licensing Board

Council Offices

Buccleuch Street

Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail licensing@dumgal.gov.uk

Dear Sir

LICENSING (SCOTLAND) ACT 2005**ANNUAL FEE 2019/20 – DUE 1 OCTOBER 2019 - £220****ANNUAL FEE 2020/21 – DUE 1 OCTOBER 2020 - £220****PREMISES : ROYAL HOTEL, 50 ST CUTHBERT STREET, KIRKCUDBRIGHT**

I am writing regarding the above, outstanding annual fees for the above premises in the total amount of £440.00. I have been trying to send letters to the Licence Holder's address but as these are being returned by Royal Mail I am writing to you as Partner/Director of that company.

I understand that this is an extremely difficult time for the licensed trade due to Covid-19 but unfortunately, the Scottish Government have not issued any guidance on changes to the matter of annual fees. Therefore, the Licensing Board are required to continue to collect annual fees as normal. Payment of the annual fee is a specific condition of the Premises Licence (Mandatory Condition 10). I would be grateful if you could make payment in order to bring your account up-to-date.

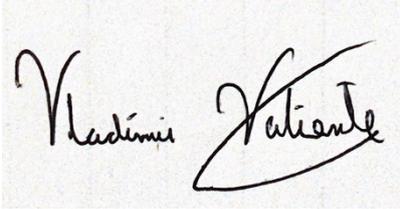
We are looking for payments to be made as a matter of urgency and would appreciate if you could bring both annual fee years up-to-date by Thursday 25 March 2021.

You can either pay in full by cheque or over the phone, we are not taking cash payments at the moment or you can request an invoice to be raised.

If/...

If you wish to discuss this, please do not hesitate to get in touch.

Yours faithfully

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and reads "Madeline Katiende".

Clerk to the Licensing Boards

Your Ref:

Our Ref: 0012S CS/021

13 May 2021

Lee Anderson
Harvieston Hall
Gorebridge
EH23 4QA

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
THE LICENSING (FEES) (SCOTLAND) REGULATIONS 2007
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT
ANNUAL FEE: 2019/20**

I have obtained your name and address from Companies House as the sole director of the Licence Holder company of the above licensed premises. We have not been formally notified of any changes to your company, which is a condition of the licence. Our records still show that David Mackman is the only Director, and contact we have for the premises and that the Licence Holder address is High Street Apartment Group Ltd, The Stables, Colzium Farm, Colzium, Kirknewton.

There have been reminders sent regarding the annual fee for 2019/20 and I enclose the ones sent on 11 September 2020, 25 February 2021 and 10 March 2021, advising that the Premises Licence annual fee in respect of the above premises was due to be paid.

You will be aware that payment of the annual fee is a statutory requirement and is a mandatory condition of your premises licence (mandatory condition 10). Failure to pay the annual fee on time is breach of your licence terms and can give rise to a review of your premises licence with the ultimate sanction revocation (loss) of your licence.

Notwithstanding the reminders sent to your company advising that the annual fee was due, I note that I have not received payment or a response from your company.

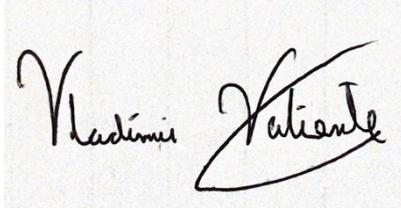
Accordingly, please accept this letter as a last request to pay your outstanding annual fee due for the period 2019/2020. If payment is not received by Friday 28 May 2021, then this matter will be referred to the Licensing Board and a Hearing will take place to consider this matter.

Can I also ask that you formally notify us that Mr Mackman is no longer a Partner/Director and that you have taken over this role, we need your full name, address, and date of birth. If the licence holder address of the company has changed I will also need notification of this and for you to return the principal premises licence or to give us a reason why the premises licence cannot be returned, we will then make changes to the licence to update it.

I look forward to hearing from you as a matter of urgency.

You may wish to take independent legal advice with regard to this matter.

Yours faithfully

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and appears to read "Vladimir Katicic".

Clerk to the Licensing Boards

Your Ref:

Our Ref: 0165W CS/023

24 August 2021

Lee Anderson
8 Borthwick Castle Road
Gorebridge
Midlothian
EH23 4QS

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

LICENSING (SCOTLAND) ACT 2005
THE LICENSING (FEES) (SCOTLAND) REGULATIONS 2007
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT
ANNUAL FEE: 2019/20

I have obtained your name and address from Companies House as the sole director of the Licence Holder company of the above licensed premises. We have not been formally notified of any changes to your company, which is a condition of the licence. Our records still show that David Mackman is the only Director, and contact we have for the premises and that the Licence Holder address is High Street Apartment Group Ltd, The Stables, Colzium Farm, Colzium, Kirknewton.

There have been reminders sent regarding the annual fee for 2019/20 on 15 August 2019, 11 September 2020, 25 February 2021, 10 March 2021 and 13 May 2021 (copies enclosed), advising that the Premises Licence annual fee in respect of the above premises was due to be paid.

You will be aware that payment of the annual fee is a statutory requirement and is a mandatory condition of your premises licence (mandatory condition 10). Failure to pay the annual fee on time is breach of your licence terms and can give rise to a review of your premises licence with the ultimate sanction revocation (loss) of your licence.

Notwithstanding the reminders sent to your company advising that the annual fee was due, I note that I have not received payment or a response from your company.

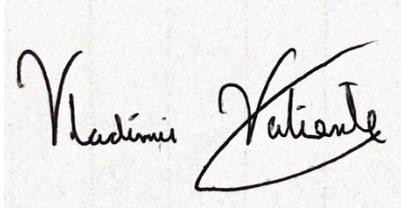
Accordingly, please accept this letter as a last request to pay your outstanding annual fee due for the period 2019/2020. If payment is not received by Wednesday 1 September 2021, then this matter will be referred to the Licensing Board and a Hearing will take place to consider this matter.

Can I also ask that you formally notify us that Mr Mackman is no longer a Partner/Director and that you have taken over this role, we need your full name, address, and date of birth. If the licence holder address of the company has changed I will also need notification of this and for you to return the principal premises licence or to give us a reason why the premises licence cannot be returned, we will then make changes to the licence to update it.

I look forward to hearing from you as a matter of urgency.

You may wish to take independent legal advice with regard to this matter.

Yours faithfully

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and appears to read "Vladimir Katicic".

Clerk to the Licensing Boards

Your Ref:

Our Ref: 0165W CS/024

24 August 2021

Lee Anderson
High Street Apartment Hotel Group Ltd
14 Rutland Square
Edinburgh
EH1 2BD

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

LICENSING (SCOTLAND) ACT 2005
THE LICENSING (FEES) (SCOTLAND) REGULATIONS 2007
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT
ANNUAL FEE: 2019/20

I have obtained your name and address from Companies House as the sole director of the Licence Holder company of the above licensed premises. We have not been formally notified of any changes to your company, which is a condition of the licence. Our records still show that David Mackman is the only Director, and contact we have for the premises and that the Licence Holder address is High Street Apartment Group Ltd, The Stables, Colzium Farm, Colzium, Kirknewton.

There have been reminders sent regarding the annual fee for 2019/20 on 15 August 2019, 11 September 2020, 25 February 2021, 10 March 2021 and 13 May 2021 (copies enclosed), advising that the Premises Licence annual fee in respect of the above premises was due to be paid.

You will be aware that payment of the annual fee is a statutory requirement and is a mandatory condition of your premises licence (mandatory condition 10). Failure to pay the annual fee on time is breach of your licence terms and can give rise to a review of your premises licence with the ultimate sanction revocation (loss) of your licence.

Notwithstanding the reminders sent to your company advising that the annual fee was due, I note that I have not received payment or a response from your company.

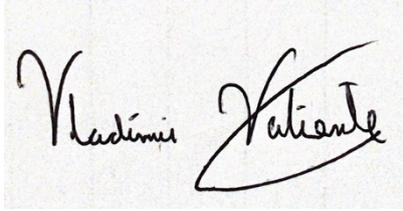
Accordingly, please accept this letter as a last request to pay your outstanding annual fee due for the period 2019/2020. If payment is not received by Wednesday 1 September 2021, then this matter will be referred to the Licensing Board and a Hearing will take place to consider this matter.

Can I also ask that you formally notify us that Mr Mackman is no longer a Partner/Director and that you have taken over this role, we need your full name, address, and date of birth. If the licence holder address of the company has changed I will also need notification of this and for you to return the principal premises licence or to give us a reason why the premises licence cannot be returned, we will then make changes to the licence to update it.

I look forward to hearing from you as a matter of urgency.

You may wish to take independent legal advice with regard to this matter.

Yours faithfully

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and reads "Vladimir Katicic".

Clerk to the Licensing Boards

Your Ref:

Our Ref: 0012S CS/017

15 September 2020

High Street Apartment Hotel Group Ltd
The Stables
Colzium Farm Estate
Colzium
Kirknewton
EH27 8DH

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sirs

**THE LICENSING (SCOTLAND) ACT 2005
ANNUAL FEE 2020/21 – DUE 1 OCTOBER 2020
PREMISES : ROYAL HOTEL, KIRKCUDBRIGHT**

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 2020.

I understand that this is an extremely difficult time for the licensed trade due to Covid-19 but unfortunately, the Scottish Government have not issued any guidance on changes to the matter of annual fees. Therefore, the Licensing Board are required to continue to collect annual fees as normal.

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

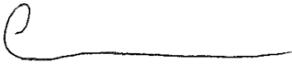
- In Full – by cheque (made payable to Dumfries and Galloway Council) or debit or Credit Card on or before 1 October 2020. We will not be accepting cash payments at this time.
- By direct debit – in 4 or 12 instalments over the course of the year. If you currently pay by direct debit, this will continue 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.
- On Invoice – you must contact the Licensing Office on the above telephone number to arrange for an invoice to be issued to you before payment is made. Again, it would be helpful if you could provide an email address to ensure invoices are issued more efficiently.

Please do not make payment by BACS payment without asking for an invoice to be issued. This allows us to match your payment to our system and your customer account.

I would/...

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

Yours faithfully

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a horizontal line that tapers to the right.

Interim Clerk to the Licensing Boards

Your Ref:

Our Ref: 0165W CS/022

13 May 2021

Lee Anderson
Harvieston Hall
Gorebridge
EH23 4QA

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
THE LICENSING (FEES) (SCOTLAND) REGULATIONS 2007
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT
ANNUAL FEE: 2020/21**

I refer to my letters regarding the above premises dated 15 August 2020 and 10 March 2021 advising that the Premises Licence annual fee in respect of the above premises was due to be paid.

You will be aware that payment of the annual fee is a statutory requirement and is a mandatory condition of your premises licence (mandatory condition 10). Failure to pay the annual fee on time is breach of your licence terms and can give rise to a review of your premises licence with the ultimate sanction revocation (loss) of your licence.

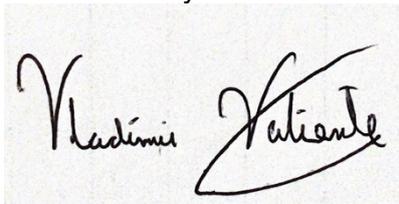
Notwithstanding the reminders sent advising that payment of the annual fee was due, I note that I have not received payment or a response.

Accordingly, please accept this letter as a last request to pay the outstanding annual fee due for the period 2020/21. If payment is not received by Friday 28 May 2021, then this matter will be referred to the Licensing Board and a Hearing will take place to consider this matter.

I look forward to hearing from you as a matter of urgency.

You may wish to take independent legal advice with regard to this matter.

Yours faithfully



Clerk to the Licensing Boards

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Your Ref:

Our Ref: 0165W CS/025

24 August 2021

Lee Anderson
8 Borthwick Castle Road
Gorebridge
Midlothian
EH23 4QS

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

LICENSING (SCOTLAND) ACT 2005
THE LICENSING (FEES) (SCOTLAND) REGULATIONS 2007
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT
ANNUAL FEE: 2020/21

I have obtained your name and address from Companies House as the sole director of the Licence Holder company of the above licensed premises. We have not been formally notified of any changes to your company, which is a condition of the licence. Our records still show that David Mackman is the only Director, and contact we have for the premises and that the Licence Holder address is High Street Apartment Group Ltd, The Stables, Colzium Farm, Colzium, Kirknewton.

There have been reminders sent regarding the annual fee for 2020/21 on 15 September 2020, 10 March 2021, 13 May 2021 (copies enclosed), advising that the Premises Licence annual fee in respect of the above premises was due to be paid.

You will be aware that payment of the annual fee is a statutory requirement and is a mandatory condition of your premises licence (mandatory condition 10). Failure to pay the annual fee on time is breach of your licence terms and can give rise to a review of your premises licence with the ultimate sanction revocation (loss) of your licence.

Notwithstanding the reminders sent to your company advising that the annual fee was due, I note that I have not received payment or a response from your company.

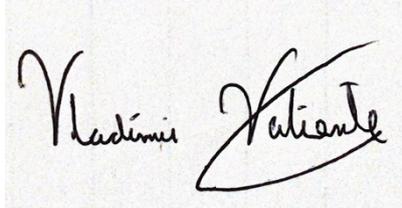
Accordingly, please accept this letter as a last request to pay your outstanding annual fee due for the period 2019/2020. If payment is not received by Wednesday 1 September 2021, then this matter will be referred to the Licensing Board and a Hearing will take place to consider this matter.

Can I also ask that you formally notify us that Mr Mackman is no longer a Partner/Director and that you have taken over this role, we need your full name, address, and date of birth. If the licence holder address of the company has changed I will also need notification of this and for you to return the principal premises licence or to give us a reason why the premises licence cannot be returned, we will then make changes to the licence to update it.

I look forward to hearing from you as a matter of urgency.

You may wish to take independent legal advice with regard to this matter.

Yours faithfully

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and appears to read "Vladimir Katicic".

Clerk to the Licensing Boards

Your Ref:

Our Ref: 0165W CS/026

24 August 2021

Lee Anderson
High Street Apartment Hotel Group Ltd
14 Rutland Square
Edinburgh
EH1 2BD

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
THE LICENSING (FEES) (SCOTLAND) REGULATIONS 2007
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT
ANNUAL FEE: 2020/21**

I have obtained your name and address from Companies House as the sole director of the Licence Holder company of the above licensed premises. We have not been formally notified of any changes to your company, which is a condition of the licence. Our records still show that David Mackman is the only Director, and contact we have for the premises and that the Licence Holder address is High Street Apartment Group Ltd, The Stables, Colzium Farm, Colzium, Kirknewton.

There have been reminders sent regarding the annual fee for 2020/21 on 15 September 2020, 10 March 2021, 13 May 2021 (copies enclosed), advising that the Premises Licence annual fee in respect of the above premises was due to be paid.

You will be aware that payment of the annual fee is a statutory requirement and is a mandatory condition of your premises licence (mandatory condition 10). Failure to pay the annual fee on time is breach of your licence terms and can give rise to a review of your premises licence with the ultimate sanction revocation (loss) of your licence.

Notwithstanding the reminders sent to your company advising that the annual fee was due, I note that I have not received payment or a response from your company.

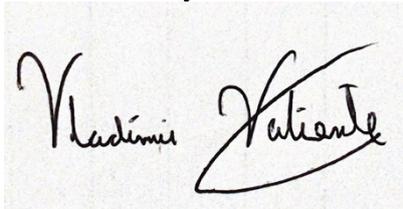
Accordingly, please accept this letter as a last request to pay your outstanding annual fee due for the period 2019/2020. If payment is not received by Wednesday 1 September 2021, then this matter will be referred to the Licensing Board and a Hearing will take place to consider this matter.

Can I also ask that you formally notify us that Mr Mackman is no longer a Partner/Director and that you have taken over this role, we need your full name, address, and date of birth. If the licence holder address of the company has changed I will also need notification of this and for you to return the principal premises licence or to give us a reason why the premises licence cannot be returned, we will then make changes to the licence to update it.

I look forward to hearing from you as a matter of urgency.

You may wish to take independent legal advice with regard to this matter.

Yours faithfully

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and reads "Vladimir Valiente".

Clerk to the Licensing Boards

Your Ref:

Our Ref: 0165W CS/027

8 September 2021

Lee Anderson
High Street Apartment Hotel Group Ltd
14 Rutland Square
Edinburgh
EH1 2BD

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Cheryl Syme

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

**THE LICENSING (SCOTLAND) ACT 2005
ANNUAL FEE 2021/22 – DUE 1 OCTOBER 2021
PREMISES : ROYAL HOTEL, KIRKCUDBRIGHT**

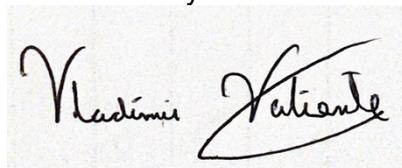
I am writing to give you notice in accordance with Regulation 9 of the Licensing (Fees)(Scotland) Regulations 2007, that the annual fee for the premises referred to above is £220 and is due for payment on or before 1 October 2021.

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

- In Full – by cheque (made payable to Dumfries and Galloway Council) or debit or Credit Card on or before 1 October 2021. 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.
- On Invoice – you must contact the Licensing Office on the above telephone number to arrange for an invoice to be issued to you before payment is made. Again, it would be helpful if you could provide an email address to ensure invoices are issued more efficiently.

Please do not make payment by BACS payment without asking for an invoice to be issued. This allows us to match your payment to our system and your customer account. 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 Boards

Your Ref:

Our Ref: 0012S CS/001

12 May 2022

High Street Apartment Hotel Group Limited
The Stables
Colzium Farm Estate
Colzium
Kirknewton
EH27 8DH

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Cheryl Syme

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sir

THE LICENSING (SCOTLAND) ACT 2005 (the Act)
UNPAID ANNUAL FEES
PREMISES : ROYAL HOTEL, KIRKCUDBRIGHT
PREMISES LICENCE HOLDER: HIGH STREET APARTMENT HOTEL GROUP LIMITED

I am writing in relation to the above premises. I am aware that the premises have been closed for some time but the premises licence remains current and therefore annual fees are still due to be paid. Despite numerous attempts to make contact for payment and to update the Licence Holder details and Partner/Director details, no payments have been made and we have not been given updated licence holder details.

The issues which need addressed as a matter of urgency are as follows:

Annual Fee 2019/20 – Due 1 October 2019 in the sum of £220.00. This amount remains unpaid.

Annual Fee 2020/21 – Due 1 October 2020 in the sum of £220.00. This amount remains unpaid.

Annual Fee 2021/22 – Due 1 October 2021 in the sum of £220.00. This amount remains unpaid.

Payment of annual fees is a mandatory condition (no 10) attached to your premises licence.

I am aware from Companies House that the Licence Holder details differ to the information we hold on our system as part of the premises licence i.e. the address of the licence holder and the connected persons, The Licensing (Scotland) Act 2005, Section 48 requires a premises licence holder to give notice to the appropriate Licensing Board of a change to the licence holder's address, not later than one month after the occurrence of the change. Additionally, Section 40A of the Act requires a premises licence holder, not later than one month after a person becomes or ceases to be a connected person in relation to the licence

holder, to give the appropriate Licensing Board notice of that fact. You have failed to comply with both of these requirements.

I enclose 11 letters which show the correspondence we have sent in regard to these matters. Our Licensing Standards Officer has made contact by telephone. The letter details are as follows:

11 September 2020 – Letter regarding the 2019/20 annual fee addressed to the Licence Holder

25 February 2021 – Letter regarding the 2019/20 annual fee addressed to the Licence Holder

10 March 2021 – Letter regarding the 2019/20 and 2020/21 annual fees, addressed to the Partner/Director of Licence Holder company (from the details held on our system)

13 May 2021 – Letter regarding the 2019/20 annual fees and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company.

24 August 2021 – Letter regarding the 2019/20 annual fees and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company.

24 August 2021 – Letter regarding the 2019/20 annual fees and updated Licence Holder information, addressed to Lee Anderson at the new registered address for the Licence Holder company.

15 September 2020 – Letter regarding 2020/21 annual fee, addressed to the Licence holder address held on our system.

13 May 2021 - Letter regarding the 2020/21 annual fees and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company.

24 August 2021 – Letter regarding 2020/21 annual fee and updated Licence Holder information, addressed to Lee Anderson who, from information found on Companies House, at that time, is the sole Partner/Director of the Licence Holder company.

24 August 2021 - Letter regarding the 2020/21 annual fees and updated Licence Holder information, addressed to Lee Anderson at the new registered address for the Licence Holder company.

8 September 2021 – Letter regarding the 2021/22 annual fee, addressed to Lee Anderson at the Licence Holder company address from Companies House.

As you have failed to:-

respond to any of my correspondence

make any payments towards annual fees due for 2019/20, 2020/21 and 2021/22 (breach of mandatory condition no. 10)

notify the Licensing Board of a change to the Premises Licence Holder details and connected persons associated with the Premises Licence Holder;

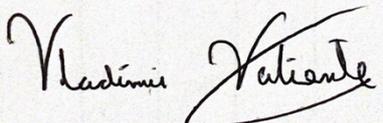
I am reporting this matter to the Stewartry Divisional Licensing Board at their next Board meeting.

In terms of section 28 (5) (b) 2005 Act, a premises licence ceases to have effect if the premises to which the licence relates have ceased to be used for the sale of alcohol. The effect of a premises licence ceasing to have effect is that it may not thereafter be resurrected. It cannot be transferred. The Board may deem that the premises have ceased to be used for the sale of alcohol.

Additionally, in terms of the law, a Licensing Board may propose to review a premises licence on the ground that one or more of the conditions to which the premises licence is subject has been breached i.e., non-payment of annual fee which is mandatory condition no. 10.

I would strongly urge you to contact the Licensing Service on the telephone number above as a matter of extreme urgency regarding the above matters in order to resolve them prior to the matter being considered by the Board. I am sending this letter to all names and addresses which we hold in connection with this premises.

Yours faithfully

A handwritten signature in black ink, appearing to read "Vladimir Vukobratovic", written over a light-colored rectangular background.

Clerk to the Licensing Boards

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Your Ref:

Our Ref: 0012S CS/001

12 August 2022

High Street Apartment Hotel Group Ltd
14 Rutland Square
Edinburgh
Midlothian
Scotland
EH1 2BD

Licensing

Stewartry Divisional Licensing Board
Council Offices,
Buccleuch Street, Dumfries DG1 2AD

Any enquiries please contact

Licensing

Direct Dial 01387 245903

E-mail Licensing@dumgal.gov.uk

Dear Sirs

**THE LICENSING (SCOTLAND) ACT 2005 (THE ACT)
PREMISES LICENCE HOLDER: HIGH STREET APARTMENT HOTEL GROUP LIMITED
PREMISES: ROYAL HOTEL, KIRKCUDBRIGHT**

I refer to previous correspondence with my most recent letter being on 12 May 2022.

In this letter I detailed that you had failed to:-

- Respond to any of my correspondence
- Make any payments towards the annual fees due for 2019/20, 2020/21 and 2021/22 (breach of mandatory condition no.10)
- Notify the Licensing Board of any change to the premises licence holder details and connected persons associated with the Premises Licence Holder

In terms of section 28 (5) (b) 2005 Act, a premises licence ceases to have effect if the premises to which the licence relates have ceased to be used for the sale of alcohol. The effect of a premises licence ceasing to have effect is that it may not thereafter be resurrected. It cannot be transferred. The Board may deem that the premises have ceased to be used for the sale of alcohol.

Additionally, in terms of the law, a Licensing Board may propose to review a premises licence on the ground that one or more of the conditions to which the premises licence is subject has been breached i.e., non-payment of annual fee which is mandatory condition no. 10.

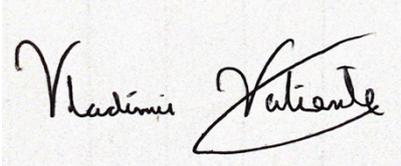
As you have not made any contact with the Licensing Service regarding these matters, as stated in my letter of 12 May 2022, I am reporting this matter to the Stewartry Divisional Licensing Board.

This matter will be considered at a remote meeting of the Board to be held on **Tuesday 30 August 2022 at 10.30am** when you should be in attendance. Please confirm which of the following means of contact is your preference.

- Telephone,
- Written representations (stating your case via email to the Board) or
- Video conference.

I would strongly urge you to contact the Licensing Service on the telephone number above as a matter of extreme urgency regarding the above matters in order to resolve them prior to the matter being considered by the Board. I am sending this letter to all names and addresses which we hold in connection with this premises.

Yours faithfully

A handwritten signature in black ink, appearing to read "Vladimir Vukobratovic". The signature is written in a cursive style with a large, sweeping flourish at the end.

Clerk to the Licensing Board

4/8/22

'Dilapidated' hotel is given a new lease of life

STUART GILLESPIE

Rooms in a hotel branded an "eyesore" less than 12 months ago are being offered for £300 a night.

The Royal Hotel in Kirkcudbright was fenced off last year after being classed as "dangerous" by the council.

But in recent months, work to improve the outside of the prominent building, including a new coat of paint, has been taking place.

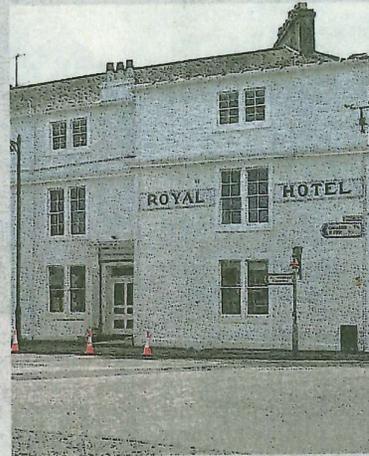
And rooms are now being advertised through Airbnb for £300 a night – plus a service fee of more than £50 – with availability from this week.

The Royal is described as an "aparthotel" on the website, with the listing and photos showing that rooms come with a kitchen – including washing machine and cooker – and a bathroom.

A similar listing on Booking.com, under the name the Kirkcudbright Hotel, lists availability from August 19, with nightly rates ranging from £71 to £239.

The News tried to contact the people behind the advert through both websites where The Royal is also listed, with no success.

Messages through a website set up in January to inform people about what was happening to The Royal have also gone unanswered.



New look The exterior of the Royal Hotel in Kirkcudbright

However, the site now states "following recent renovations, we are now open for bookings".

Former councillor Colin Wyper, who described the building as "dilapidated" and an "eyesore" last year, said he had been aware of work being carried out to the outside of the building.

The rooms listing has provoked debate on Kirkcudbright Facebook pages, with some people questioning the price being charged on the Airbnb site.



Interior illustration
A photo from websites advertising rooms

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Dangerous building notice
The Royal Hotel in Kirkcudbright



Hotel listing removed

An advert for £300 a night rooms in a hotel branded an "eyesore" less than 12 months ago has been removed.

The Royal Hotel – classed as "dangerous" by the council last year – had appeared in a listing on Airbnb last week.

It was described as an "aparthotel" with rooms being available immediately for £300 a night – plus a service fee of more than £50.

However, the listing has since disappeared and the hotel does not show up on searches for available properties in the Kirkcudbright area.

A link on www.royalhotelproject.co.uk website still takes potential customers

through to the listing on the Booking.com website.

The description has changed from "Kirkcudbright Hotel" to "Kirkcudbright Apartment" and the pictures have also changed.

And the listing also has an "exceptional" rating after being given a 10.0 review by a guest who described the property as "all newly decorated and upgraded".

Last year former councillor Colin Wyper described the building as "dilapidated" and an "eyesore".

Work was carried out to make the property safe after the council issued a dangerous building notice.

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