

# Public Document Pack

## **ANNANDALE AND ESKDALE DIVISIONAL LICENSING BOARD**

Meeting of Wednesday 28 September 2022  
at 2.00pm – Remote Hearing

Ian Carruthers (Convener) – Annandale South;  
Archie Dryburgh – Annandale East and Eskdale;  
George Jamieson – Annandale South;  
Gail Macgregor – Annandale North;  
Stephen Thompson – Annandale North;  
Vacancy –

**VLAD VALIENTE**  
**Clerk to the Licensing Board**

## **Annandale and Eskdale Divisional Licensing Board**

Meeting of Wednesday 28 September 2022  
at 2.00pm – Remote Hearing

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**
2. **DECLARATIONS OF INTEREST**
3. **MINUTE OF MEETING 1 JULY 2022** 3 - 16  
**FOR APPROVAL**
4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARD** 17 - 18
5. **LICENSING (SCOTLAND) ACT 2005 : APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARD** 19 - 22
6. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR TRANSFER OF PREMISES LICENCE (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARD** 23 - 24
7. **LICENSING (SCOTLAND) ACT 2005: SURRENDER OF PREMISES LICENCE - REPORT BY THE CLERK TO THE BOARD** 25 - 26
8. **LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR VARIATION OF PREMISES LICENCE - SPAR, 3 MELBOURNE AVENUE, EASTRIGGS - REPORT BY THE CLERK TO THE BOARD** 27 - 34
9. **LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR VARIATION OF PREMISES LICENCE - CROWN HOTEL, 95 HIGH STREET, LOCKERBIE - REPORT BY THE CLERK TO THE BOARD** 35 - 40
10. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PROVISIONAL PREMISES LICENCE - PAVILLION AT KINMOUNT HOUSE, ANNAN - REPORT BY THE CLERK TO THE BOARD** 41 - 48

Next Meeting Date: Friday, 9 December 2022

**ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

**Minute of Meeting of Friday 1 July 2022 at 10.30am  
Via Teams**

**MEMBERS PRESENT**

**Ian Carruthers** - Annandale South  
**George Jamieson** - Annandale South  
**Gail Macgregor** - Annandale North

**APOLOGIES**

**Archie Dryburgh** - Annandale East and Eskdale  
**Stephen Thompson** - Annandale North

**IN ATTENDANCE**

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

**VLAD VALIENTE**  
**Clerk to the Licensing Board**

1. **APPOINTMENT OF CONVENER**

**AGREED** unanimously that Ian Carruthers be appointed Convener of the Divisional Board for the term until after the next local authority election.

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

3 Members present via MS Teams. The Convener approved Members' remote participation at the Hearing.

3. **DECLARATIONS OF INTEREST**

**NONE**

4. **MINUTE OF MEETING 9 MARCH 2022**

**Decision**

**AGREED** to defer consideration to the next meeting of the Board as no members present today were at that meeting.

5. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) – Report by the Clerk to the Licensing Boards**

**Decision**

**NOTED** that the following Occasional Licences and Extended Hours had been granted under delegated powers during the period from 16 February 2022 until 22 June 2022:

**Occasional Licences : Applied for by a Personal Licence Holder**

Total number issued      215

**Occasional Licences : Applied for by a Premises Licence Holder**

Total number issued      14

**Occasional Licences : Applied for by a Voluntary Organisation**

Total number issued      14

**Extended Hours**

Total number issued      6

6. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY)** – Report by Clerk to the Licensing Boards

**Decision**

**NOTED** 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 Licensing Boards

**Decision**

**NOTED** the application 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 Licensing Boards

**Decision**

**NOTED** the application detailed in **Appendix 3** had been granted under delegated authority.

9. **LICENSING (SCOTLAND) ACT 2005: APPLICATION OF PREMSIES LICENCE – ATWAL CONVENIENCE STORE, 69 SPRINGBELLS ROAD, ANNAN -** Report by the Clerk to the Licensing 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**

10. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE – LONSDALE CINEMA, ANNAN -** Report by the Clerk to the Licensing 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 5**

11. **LICENSING (SCOTLAND) ACT (SECTION 28): PREMISES CEASED TO BE USED FOR THE SALE OF ALCOHOL – BRIG INN, 5 BRIDGE STREET, BRYDEKIRK –** Report by the Clerk to the Licensing Boards

## Decision

Councillor Carruthers noted a late declaration of interest at this point, that he had been involved from a planning perspective and had spoken to locals and the new owners but confirmed that he is neutral and has no bias in relation to this matter and was happy to carry on. The Board **AGREED**, having heard from the LSO and from the information before them that the premises had ceased to be used for the sale of alcohol.

Appendix 1

**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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

<b><u>Application No. 1 – Ref L.1/638A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Keith Douglas Bryan Parr Moffat House High Street Moffat DG10 9HL
<b>Name &amp; Address of Premises</b>	Moffat House High Street Moffat DG10 9HL
<b>Nature of variation</b>	Change of Designated Premises Manager to Jim Hughes
<b>Effective Date of Minor Variation</b>	1 March 2022

<b><u>Application No. 2 – Ref L.1/642A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Eastmoor LLP 10 Abbey park Place Dunfermline KY12 7NZ
<b>Name &amp; Address of Premises</b>	Queens Hotel Annan Road Lockerbie DG11 2RB
<b>Nature of variation</b>	Change of Designated Premises Manager to Megan Gibson
<b>Effective Date of Minor Variation</b>	2 March 2022

<b><u>Application No. 3 – Ref L.3/618A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Pinsent Mason LLP For PizzaExpress Limited Hunton House Highbridge Estate Oxford Road Uxbridge Middlesex UB8 1LX
<b>Name &amp; Address of Premises</b>	PizzaExpress Unit 60/61 Gretna Gateway Outlet Village Glasgow Road Gretna DG16 5GG
<b>Nature of variation</b>	Change of Designated Premises Manager to Zuzanna Borowicz
<b>Effective Date of Minor Variation</b>	22 March 2022

<b><u>Application No. 4 – Ref L.1/638A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Keith Douglas Bryan Parr Moffat House High Street Moffat DG10 9HL
<b>Name &amp; Address of Premises</b>	Moffat House High Street Moffat DG10 9HL
<b>Nature of variation</b>	Change of Designated Premises Manager to Keith Parr
<b>Effective Date of Minor Variation</b>	30 March 2022

<b><u>Application No. 5 – Ref L.6/612A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	TLT Solicitors For C J Lang & Son Limited 78 Longtown Road Dundee DD4 8JU
<b>Name &amp; Address of Premises</b>	101 Central Avenue Gretna DG16 5AQ
<b>Nature of variation</b>	Change of layout plan to show reconfiguration of premises and reduction to capacity from 22.70m <sup>2</sup> to 22.30m <sup>2</sup>
<b>Effective Date of Minor Variation</b>	1 April 2022

<b><u>Application No. 6 – Ref L.6/601A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	TLT Solicitors For C J Lang & Son Limited 78 Longtown Road Dundee DD4 8JU
<b>Name &amp; Address of Premises</b>	Spar 53 Butt Street Annan DG12 5BD
<b>Nature of variation</b>	Change of layout plan to show reconfiguration of premises and reduction to capacity from 26.53m <sup>2</sup> to 26.49m <sup>2</sup>
<b>Effective Date of Minor Variation</b>	1 April 2022

<b><u>Application No. 7 – Ref L.3/620A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Rajpal Kaur Singh 263 Whitehill Street Flat0/1 Dennistoun Glasgow G31 2PF
<b>Name &amp; Address of Premises</b>	Spice India Lower Craignelder High Street Moffat DG10 9ED
<b>Nature of variation</b>	Change of Designated Premises Manager to Rajpal Kaur Singh
<b>Effective Date of Minor Variation</b>	20 April 2022

<b><u>Application No. 8 – Ref L.1/601A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	TLT Solicitors For Greene King Retailing Limited Westgate Brewery Bury St Edmunds Suffolk IP33 1QT
<b>Name &amp; Address of Premises</b>	Stag Hotel 21-23 High Street Moffat DG10 9HL
<b>Nature of variation</b>	Change of Designated Premises Manager to Jennifer Miller
<b>Effective Date of Minor Variation</b>	28 April 2022

<b><u>Application No. 9 – Ref L.6/691A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Tesco Stores Limited Tesco House Shire park Kestrel Way Welwyn Garden City Hertfordshire AL7 1GA
<b>Name &amp; Address of Premises</b>	Tesco Store Goods Station Road Lockerbie DG11 2DB
<b>Nature of variation</b>	Change of Designated Premises Manager to Michelle Payne
<b>Effective Date of Minor Variation</b>	4 May 2022

**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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

<b><u>Application No 1. – Ref L.2/612A – SECTION 33</u></b>	
<b>Name &amp; Address of Previous Premises Licence Holder</b>	AG (Moffat) Ltd 23 Saville Row London W1S 2ET
<b>Name &amp; Address of Transferee or Agent</b>	Away Resorts Ltd Imex 575-599 Maxted Road Hemel Hempstead Hertfordshire HP2 7DX
<b>Name &amp; Address of Premises</b>	The Lakeside Tavern Beattock Country Park Beattock Moffat DG10 9RE
<b>Effective Date of Transfer</b>	29 April 2022

<b><u>Application No 2. – Ref L.6/398A – SECTION 34</u></b>	
<b>Name &amp; Address of Previous Premises Licence Holder</b>	TLT Solicitors 140 West George Street Glasgow G2 2HG
<b>Name &amp; Address of Transferee or Agent</b>	Rachael Wilkinson, Toby Banfield & Robert Lewis As joint Administrators of Martin McColl Ltd c/o PWC 7 More London Riverside London SE1 2RT
<b>Name &amp; Address of Premises</b>	McColls 72 High Street Annan DG12 6DL
<b>Effective Date of Transfer</b>	16 June 2022

<b><u>Application No 3. – Ref L.6/698A – SECTION 33</u></b>	
<b>Name &amp; Address of Previous Premises Licence Holder</b>	Rachael Wilkinson, Toby Banfield & Robert Lewis As joint Administrators of Martin McColl Ltd c/o PWC 7 More London Riverside London SE1 2RT
<b>Name &amp; Address of Transferee or Agent</b>	Alliance Property Holdings Ltd Hilmore House Gain Lane Bradford West Yorkshire BD3 7DL
<b>Name &amp; Address of Premises</b>	McColls 72 High Street Annan DG12 6DL
<b>Effective Date of Transfer</b>	16 June 2022

**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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

<b><u>No. 1 – Ref L.6/706A</u></b>	
<b>Name &amp; Address of Licence Holder</b>	Double Trouble Drinks Ltd Stennies Waterfoot Bantpath Langholm DG13 0NN
<b>Name &amp; Address of Premises</b>	Stennies Waterfoot Bantpath Langholm DG13 0NN
<b>Date Licence Surrendered</b>	8 March 2022

Appendix 4**Annandale & Eskdale Divisional Licensing Board**  
**Application for Variation of Premises Licence**

<b>Applicant/Agent</b>	J&A Stores 69 Springbells Road Annan DG12 6LQ
<b>Address of Premises</b>	Atwal Convenience Store 69 Springbells Road Annan DG12 6LQ
<b>Nature of Variation</b>	<b><u>Operating Plan</u></b>  To amend Q5 'Any Other Activities' to read:  To provide a delivery service:  Local deliveries of goods and alcohol by hand to the doorstep  Non-local deliveries utilising a courier service  Deliveries will be seven days per week between the hours of 6am and midnight
<b>Last Date for Objections/Representations</b>	<b>Monday 6 June 2022</b>

**Annandale & Eskdale Divisional Licensing Board**  
**Application for Variation of Premises Licence**

<b>Applicant/Agent</b>	RJ Towers & Partners 121 Central Avenue Gretna DG16 5AQ
<b>Address of Premises</b>	Lonsdale Cinema Lady Street Annan DG12 5DA
<b>Nature of Variation</b>	<b><u>Operating Plan</u></b>  Proposed changes to the core times when alcohol will be sold for consumption on premises to bring in line with our opening times. Everyday 11.30-21.30
<b>Last Date for Objections/Representations</b>	<b>Monday 6 June 2022</b>

**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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**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 23 June 2022 until 4 September 2022, the following Occasional Licences and Extended Hours were granted:

**Occasional Licences : Applied for by a Personal Licence Holder**

Total number issued 105

**Occasional Licences : Applied for by a Premises Licence Holder**

Total number issued 10

**Occasional Licences : Applied for by a Voluntary Organisation**

Total number issued 14

**Extended Hours**

Total number issued 10

Cheryl Syme  
Senior Licensing Officer  
Licensing  
Ext: 63353

Date of Report: 20 September 2022

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

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**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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

<b><u>Application No. 1 – Ref L.6/691A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Tesco Stores Limited Tesco House Shire Park Kestrel Way Welwyn Garden City Hertfordshire AL7 1GA
<b>Name &amp; Address of Premises</b>	Tesco Store Goods Station Road Lockerbie DG11 2DB
<b>Nature of variation</b>	Change of Designated Premises Manager to Callum McIntyre
<b>Effective Date of Minor Variation</b>	1 June 2022

<b><u>Application No. 2 – Ref L.3/613A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Leeann Tweedie 21 Preston Park Annan DG12 5HS
<b>Name &amp; Address of Premises</b>	Tweedie's Empire Bar & Eatery 49-55 High Street Annan DG12 6AD
<b>Nature of variation</b>	Change of Designated Premises Manager to Alyson Johnstone and change of premises name to 'Our Place'
<b>Effective Date of Minor Variation</b>	8 July 2022

<b><u>Application No. 3 – Ref L.2/612A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	John Gaunt and Partners For Away Resorts Ltd Imex 575-599 Maxted Road Hemel Hempstead Hertfordshire HP2 7DX
<b>Name &amp; Address of Premises</b>	The Lakeside Tavern Beattock Country Park Beattock Moffat DG10 9RE
<b>Nature of variation</b>	Change of Designated Premises Manager to Andrew Ewing
<b>Effective Date of Minor Variation</b>	2 August 2022

<b><u>Application No. 4 – Ref L.1/672A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Li Zhu Chen 30 Lytton Street Dundee DD2 1EU
<b>Name &amp; Address of Premises</b>	Crown Hotel 95 High Street Lockerbie DG11 2DA
<b>Nature of variation</b>	Change of Designated Premises Manager to Nan Chen
<b>Effective Date of Minor Variation</b>	11 August 2022

<b><u>Application No. 5 – Ref L.1/601A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	TLT Solicitors For Greene King retailing Limited Westgate Brewery Bury St Edmunds Suffolk IP33 1QT
<b>Name &amp; Address of Premises</b>	Stag Hotel 21-23 High Street Moffat DG10 9HL
<b>Nature of variation</b>	Change of Designated Premises Manager to Jennifer Miller
<b>Effective Date of Minor Variation</b>	16 August 2022

<b><u>Application No. 6 – Ref L.6/702A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Co-operative Group Food Limited 1 Angel Square Manchester M60 0AG
<b>Name &amp; Address of Premises</b>	Co-op Annan Road Gretna DG16 5DH
<b>Nature of variation</b>	Change of Designated Premises Manager to Edward Turner
<b>Effective Date of Minor Variation</b>	24 August 2022

<b><u>Application No. 7 – Ref L.2/633A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Steven Ceates Greenlea Standalane Annan DG12 5JR
<b>Name &amp; Address of Premises</b>	The Shed 7 Lady Street Annan DG12 5DA
<b>Nature of variation</b>	Change of address of Designated Premises Manager
<b>Effective Date of Minor Variation</b>	25 August 2022

<b><u>Application No. 8 – Ref L.6/695A</u></b>	
<b>Name &amp; Address of Applicant or Agent</b>	Tesco Stores Limited Tesco House Shire Park Kestrel Way Welwyn Garden City Hertfordshire AL7 1GA
<b>Name &amp; Address of Premises</b>	Tesco Store Scotts Street Annan DG12 6JH
<b>Nature of variation</b>	Change of Designated Premises Manager to Mathew Bell
<b>Effective Date of Minor Variation</b>	2 September 2022

# Agenda Item 5

PUBLIC

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

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

Date of Report: 20 September 2022

**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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

<b><u>Application No 1. – Ref L.3/613A – SECTION 33</u></b>	
<b>Name &amp; Address of Previous Premises Licence Holder</b>	Leeann Park Tweedie 21 Preston Park Annan DG12 5HS
<b>Name &amp; Address of Transferee or Agent</b>	The Wee Pub Group Ltd 272 Bath Street Glasgow G2 4JR
<b>Name &amp; Address of Premises</b>	Our Place 49-55 High Street Annan DG12 6AD
<b>Effective Date of Transfer</b>	27 July 2022

<b><u>Application No 2. – Ref L.1/672A – SECTION 33</u></b>	
<b>Name &amp; Address of Previous Premises Licence Holder</b>	Punch Partnership (PTL) Limited Elsley Court 20-22 Great Titchfield Street London W1 8BE
<b>Name &amp; Address of Transferee or Agent</b>	Li Zhu Chen 30 Lytton Street Dundee DD2 1EU
<b>Name &amp; Address of Premises</b>	Crown Hotel 95 High Street Lockerbie DG11 2DA
<b>Effective Date of Transfer</b>	11 August 2022

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

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

Date of Report: 20 September 2022

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**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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

<b><u>No. 1 – Ref L.6/620A</u></b>	
<b>Name &amp; Address of Licence Holder</b>	Solway Spirits Ltd 1 Railway Cottage Cummertrees Annan DG12 5QG
<b>Name &amp; Address of Premises</b>	Solway Spirits Ltd Unit 2 Annan Business Park Stapleton Road Annan DG12 6TZ
<b>Date Licence Surrendered</b>	16 August 2022

<b><u>No. 1 – Ref L.1/676A</u></b>	
<b>Name &amp; Address of Licence Holder</b>	Stephen Frederick Montgomery The Townhead Hotel Townhead Street Lockerbie DG11 2AG
<b>Name &amp; Address of Premises</b>	The Townhead Hotel Townhead Street Lockerbie DG11 2AG
<b>Date Licence Surrendered</b>	12 September 2022

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

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

Date of Report: 20 September 2022

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**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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**LICENSING (SCOTLAND) ACT 2005: SECTION 30**

**APPLICATION: MAJOR VARIATION**

**PREMISES: SPAR, 3 MELBOURNE AVENUE, EASTRIGGS, ANNAN**

**PREMISES LICENCE HOLDER: C J LANG & SON LIMITED, 77 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 13 May 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)
- NHS Dumfries and Galloway
- Neighbours: Persons having notifiable interest in neighbouring land (within 4 metres in any direction of any boundary of the premises)
- There is no local Community Council to consult as one is not currently established.

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 objections
- SFRS: no comment
- Building Standards: no adverse 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

20 September 2022



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**Annandale & Eskdale Divisional Licensing Board**  
**Application for Variation of Premises Licence**

<b>Applicant/Agent</b>	TLT Solicitors For CJ Lang & Son Limited 77 Longtown Road Dundee DD4 8JU
<b>Address of Premises</b>	Spar 3 Melbourne Avenue Eastriggs Annan DG12 6PP
<b>Nature of Variation</b>	<p><b><u>Operating Plan</u></b></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 &amp; cakes, crisps/snacks, non-foods, toiletries, frozen &amp; chilled foods, fruit/vegetables/flowers, news &amp; magazines, toys, tobacco &amp; cigarettes, beers/wine/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click &amp; Collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling &amp; promotional activities.’</p> <p>Q7) amend capacity to 19.92m<sup>2</sup></p> <p><b><u>Layout Plan</u></b></p> <p>Reconfiguration of store resulting in an increase in the alcohol display capacity to 19.92m<sup>2</sup></p>
<b>Last Date for Objections/Representations</b>	<b>Friday 17 June 2022</b>

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Appendix 2**DUMFRIES & GALLOWAY LICENSING BOARDS  
LICENSING STANDARDS OFFICER REPORT**

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**LICENSING (SCOTLAND) ACT 2005:  
APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE  
PREMISES: SPAR, 3 MELBOURNE AVENUE, EASTRIGGS, DG12 6PP.**

1. This application has been submitted by TLT LLP on behalf of C.J. Lang & Son Limited, seeking to amend the operating plan relating to the 'Spar' licensed premises, situated in Melbourne Road, Eastriggs.
2. Spar is a global retail operation with numerous stores across the country, in addition to running various retail outlets throughout the Dumfries and Galloway region.
3. The Spar shop in Eastriggs has been licensed since 2009 and has operated without any notable issues, problems, or concerns from a licensing perspective.
4. The shop consists of a modern retail outlet, offering a wide variety of household goods, fresh and frozen produce, confectionery, stationery, and a wide range of both alcoholic and soft drinks.
5. This application seeks to amend the existing premises licence and operating plan, adding 'gaming' as an activity during and outwith core hours (to cover the use of the National Lottery outlet.)
6. In addition, the application seeks to amend and add the following wording into the operating plan, "*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.*"
7. Further changes include amending and adding the following information "*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.*'

8. The application also seeks to extend the current alcohol display area because of reconfiguring the store layout, increasing the capacity to 19.92m<sup>2</sup>, this is not deemed excessive given the size of the shop.
9. The application was advertised on the Board's website page from 27 May 2022, simultaneously a notice was displayed at the premises.  
  
The notice has been checked and found to be correctly displayed.
10. The application has been submitted in keeping with the Annandale & Eskdale Divisional Licensing Board Policy.
11. I have no adverse comments to be made in respect of this application.

***Michael Collins***  
Licensed Standards Officer  
31 May 2022.

**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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**LICENSING (SCOTLAND) ACT 2005: SECTION 30**

**APPLICATION: MAJOR VARIATION**

**PREMISES: CROWN HOTEL, 95 HIGH STREET, LOCKERBIE**

**PREMISES LICENCE HOLDER: LI ZHU CHEN, 30 LYTTON STREET, 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 27 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 5 August 2022 to Saturday 27 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 Signed Confirmation of Site Notice has been received.

**3. Objections and Representations**

3.1 The last date for objections/representations was **Friday 26 August 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

20 September 2022

**Annandale & Eskdale Divisional Licensing Board**  
**Application for Variation of Premises Licence**

<b>Applicant/Agent</b>	Brunton Miller Solicitors For Li Zhu Chen 30 Lytton Street Dundee DD2 1EU
<b>Address of Premises</b>	Crown Hotel 95 High Street Lockerbie DG11 2DA
<b>Nature of Variation</b>	<b><u>Operating Plan</u></b>  At 5(f) Add – Takeaway Facility for Food
<b>Last Date for Objections/Representations</b>	<b>Friday 26 August 2022</b>

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**Appendix 2****DUMFRIES & GALLOWAY LICENSING BOARDS  
LICENSING STANDARDS OFFICER REPORT**

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**LICENSING (SCOTLAND) ACT 2005:  
APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE  
PREMISES: THE CROWN HOTEL, 95 HIGH STREET, LOCKERBIE.**

1. Brunton Miller Solicitors have submitted this application on behalf of Li Zhu Chen, seeking to amend the operating plan relating to the Crown Hotel, 95 High Street, Lockerbie.
2. The Crown Hotel is situated in Lockerbie town centre and is surrounded by a varied mixture of commercial businesses and private housing.
3. There are other licensed establishments in the immediate vicinity and although the Crown Hotel has been licensed since 2009, the business has successfully operated without any notable issues, problems, or concerns, from a licensing perspective.
4. This application seeks to amend the existing premises licence and operating plan, by adding a takeaway food provision, in response to consumer demand.
5. This proposal has no impact on the current operational sale of alcohol, as both 'on' and 'off-sales' are permitted and will not affect the operating hours.
6. The application was advertised on the Board's website page from 5 August 2022, simultaneously a notice was displayed at the premises.  
  
The notice has been checked and found to be correctly displayed.
7. The application has been submitted in keeping with the Annandale & Eskdale Divisional Licensing Board Policy.
8. The application is self-explanatory and unlikely to cause any issues, problems or concerns locally. I have no adverse comments to be made in respect of this application.

*Michael Collins*  
Licensed Standards Officer

10 August 2022.

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**DUMFRIES AND GALLOWAY LICENSING BOARDS  
ANNANDALE & ESKDALE DIVISIONAL LICENSING BOARD**

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**LICENSING (SCOTLAND) ACT 2005 (2005 Act): SECTION 45**

**APPLICATION: PROVISIONAL PREMISES LICENCE**

**APPLICANT: KINMOUNT CASTLE LIMITED, ESTATE OFFICE, HODDOM,  
LOCKERBIE**

**PREMISES TO BE LICENSED: PAVILION AT KINMOUNT HOUSE, ANNAN**

**1. Reason for Report**

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

1.2 Members are asked to consider the application received 5 July 2022 and detailed at **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)
- NHS Dumfries & Galloway
- Community Council
- There are no neighbours to consult as there are no persons having a notifiable interest in neighbouring land (within 4 metres in any direction of any boundary of the premises)

2.2 Both Section 50(5) Provisional Planning Certificate and 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 **Friday 30 July 2022 until Saturday 20 August 2022**.

2.5 Confirmation of Site Notice has been received.

**3. Objections and Representations**

3.1 The last date for objections/representations is **Friday 19 August 2022**.

**4. Responses**

The following responses have been received:

- LSO Report – no adverse comment (**Appendix 2**)
- Police – Objection (**Appendix 3**)
- Planning – No planning issues
- Environmental Health – No objection

- SFRS – No Comment

## 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 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, if the application were to be granted, there would, as a result, *be overprovision of licensed premises* 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

20 September 2022

**Appendix 1**

<b>Applicant/Agent</b>	TLT Solicitors Per Kinmount Castle Limited Estate office Hoddom Lockerbie DG11 1BE
<b>Address of Premises</b>	Pavilion at Kinmount House Annan DG12 5RH
<b>Description</b>	Multi purpose event/function space with outdoor area located in grounds of Kinmount House.
<b>Core Times</b>	<p><u>On Sales</u></p> <p>Monday 11.00am – 11.00pm  Tuesday 11.00am – 11.00pm  Wednesday 11.00am – 11.00pm  Thursday 11.00am – 02.00am  Friday 11.00am – 02.00am  Saturday 11.00am – 02.00am  Sunday 11.00am – 12 midnight</p> <p><u>Off Sales</u></p> <p>Monday 10.00am – 10.00pm  Tuesday 10.00am – 10.00pm  Wednesday 10.00am – 10.00pm  Thursday 10.00am – 10.00pm  Friday 10.00am – 10.00pm  Saturday 10.00am – 10.00pm  Sunday 10.00am – 10.00pm</p>
<b>Activities</b>	<p>Add Conference Facilities, Restaurant Facilities, Bar Meals, Receptions and Club and other group meetings, Recorded Music, Live Performances, Dance Facilities, Theatre, Films, Televised Sport and Outdoor Drinking Facilities both within and outwith core licensed hours.</p> <p>Add Gaming within core licensed hours only.</p> <p>Outwith core hours information – ‘Column 4 activities may commence prior to core hour but not normally before 0800 hours unless to cater for a special event including but not</p>

	<p>limited to a booking made in connection to a wedding or birthday or private function. For example breakfasts, coffees, breakfast meetings or the like. Also the showing of televised sports that commence prior to licensed hours. Alcohol will not be sold outwith hours unless in receipt of an extended hours certificate. Dance or theatre rehearsals for a performance later that day may take place prior to core licensed hours.'</p> <p>Any other Activities – 'These premises are a multi purpose event space catering for a wide array of functions and events.'</p>
<b>Children and Young Persons</b>	<p><b>TERMS</b> – Children will be permitted when accompanied by an adult for the purposes of having a meal or attending a suitable function. Young Persons will be permitted unaccompanied for the purposes of having a meal or attending a suitable function.</p> <p><b>AGES</b> – 0-17 years</p> <p><b>TIMES</b> – Until 22.00 hours normally, or the end of a private function or suitable event.</p> <p><b>PARTS</b> – All public parts but not remaining at or adjacent to the bar.</p>
<b>Capacity</b>	<p>Off Sales – 12.25m<sup>2</sup></p> <p>On Sales – 200 persons (including 168 persons outdoors however the whole capacity will not exceed 200 persons)</p>
<b>Last Date for Objections/Representations</b>	Friday 19 August 2022

Appendix 2**DUMFRIES & GALLOWAY LICENSING BOARDS  
LICENSING STANDARDS OFFICER REPORT**

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**LICENSING (SCOTLAND) ACT 2005: SECTION 20  
APPLICATION FOR PROVISIONAL PREMISES LICENCE  
PREMISES: PAVILLION AT KINMOUNT HOUSE, ANNAN.**

1. This application has been submitted by TLT Solicitors on behalf of Kinmount Castle Limited, Estate Office, Hoddum, seeking a provisional premises licence for the Pavilion at Kinmount House, which is situated near Annan.
2. Kinmount House is an historic 19<sup>th</sup> century mansion, situated within one thousand acres of woodland, lakes, and parkland. The estate has been owned and managed by the same family for generations and is currently under the control and management of George and Fiona Birbeck.
3. The estate has a varied and fascinating history, but has recently undergone major transformation, been reinvented as a bespoke wedding venue by the current owners.
4. The facilities offer a wide range of wedding packages, available to suit all budgets, and this application has been prepared and submitted, to enable the applicants the opportunity of enhancing the overall consumer experience, by offering a full range of licensed alcohol products and activities.
5. The formal launch and rollout of the wedding venue was hindered by the impact of the global Covid pandemic on the hospitality sector, but the applicants were able to use occasional licences over the last year, and have operated successfully, without any local issues, problems, or concerns.
6. This application seeks both 'on' and 'off-sales' as detailed, using the multi-purpose event/function space around the main mansion house, with indoor and outdoor facilities available for customer use.
7. Proposed 'on-sales' hours are;  
  
11.00 to 23.00 hrs, Monday to Wednesday,  
11.00 to 02.00 hrs, Thursday to Saturday, &  
11.00 to 24.00 hrs on Sundays.

The 2 am terminal hour is outwith Divisional Licensing Board policy but has been applied for, to enable the offering and delivery of a wider range of bespoke wedding receptions and functions.

Kinmount House sits in its own grounds and does not have any close or immediate neighbours, who are likely to be disrupted by patrons attending or leaving any such reception.

Although the 02.00 terminal hour has been applied for, it is unlikely there will be much of a demand for such a late finishing time, and over the last year, there have been no previous instance where such a late finish has been requested.

8. The application seeks various “activities” to be added to the operating plan, including conference and restaurant facilities, bar meals, receptions and club or other group meetings,

Recorded music, live performances, dance facilities, theatre, films, televised sport, and outdoor drinking facilities both within and outwith core licensed hours, have also been requested, along with gaming within core licensed hours only.

9. Other activities are as itemised on the relevant application.

10. Children and young persons will be permitted access when accompanied by an adult for the purposes of having a meal or attending a suitable function.

11. The venue capacity will cater for a maximum of two hundred people.

12. The application was advertised on the Board’s website page from Monday 30 July 2022, simultaneously a notice was displayed at the premises.

13. The notice was checked on Wednesday 3 August 2022 and was found to be correctly displayed.

14. Kinmount House is a stunning building set among beautiful surroundings. The wedding facility is proving to be a local asset and a credit to the region, if successful, this application will only enhance the attraction of the wedding venue to the wider public.

15. As the application has been submitted in keeping with Annandale & Eskdale Divisional Licensing Board policy, I have no adverse comments to make in response.

*Michael Collins*  
Licensing Standards Officer

5 August 2022.

**OFFICIAL SENSITIVE: POLICE AND PARTNERS**

1 August 2022

Your Ref:

Our Ref: JM/COS/652701

Democratic Services Manager  
 Annandale & Eskdale Divisional Licensing  
 Municipal Chambers  
 Buccleuch Street  
 Dumfries  
 DG1 2AD



**POLICE  
 SCOTLAND**

Keeping people safe

Carol McGuire  
 Chief Superintendent

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

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A  
 PROVISIONAL PREMISES LICENCE  
 PREMISES: PAVILION AT KINMOUNT HOUSE, ANNAN, DG12 5RH  
 APPLICANT: KINMOUNT CASTLE LIMITED, ESTATE OFFICE, HODDOM,  
 LOCKERBIE, DG11 1BE**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

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

In terms of Section 22(1)(b)(ii) and (iii) of the same Act I make the following objection.

The application has been reviewed by Police Scotland with each question on the operating plan being considered independently. The below question was noted to be out with the Dumfries and Galloway Licensing Board Policy for Annandale and Eskdale and Police Scotland seeks to bring it within published policy.

Question 2 – Statement of core times when alcohol will be sold for consumption ON premises

Thursday	1100 hours to 0200 hours
Friday	1100 hours to 0200 hours
Saturday	1100 hours to 0200 hours
Sunday	1100 hours to 0000 hours

**OFFICIAL SENSITIVE: POLICE AND PARTNERS**

The Board Policy Statement allows that for premises that can host entertainment such as the provision of dancing the Board considers that a 1am terminal hour would not detract from the licensing objectives so long as this is restricted to Thursday, Friday and Saturday only.

The Board has further identified that licensed hours on a Sunday would only be favourably considered where the extra hour was to celebrate a special event.

Whilst it is recognised that these premises have been operating by way of occasional licenses for a considerable time and have not come to any adverse Police attention no other premises within Annandale and Eskdale benefits from a 0200 hours terminal hour. To grant the core hours for on sales as requested would set a precedent for similar premises in the region. Police Scotland would request that this application be brought within policy.

Yours faithfully

Carol McGuire  
Chief Superintendent