

DUMFRIES AND GALLOWAY LICENSING BOARD

Meeting of Thursday 23 January 2025
at 10.30am – Remote Hearing

Tony Berretti – Mid and Upper Nithsdale;
Linda Dorward – Lochar;
Archie Dryburgh MBE – Annandale East and Eskdale;
Iain Howie – Castle Douglas and Crocketford;
Ivor Hyslop (Convener) – Lochar;
David Inglis – Mid Galloway and Wigtown West;
Kim Lowe – Abbey;
Gail Macgregor – Annandale North;
Jackie McCamon – Mid Galloway and Wigtown West;
Stephen Thompson – Annandale North;

VLAD VALIENTE
Clerk to the Licensing Board

Dumfries and Galloway Licensing Board

Meeting of Thursday 23 January 2025
at 10.30am

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES OF MEETING - 13 DECEMBER 2024** 1 - 4
4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS GRANTED UNDER DELEGATED AUTHORITY** 5 - 8
5. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PROVISIONAL PREMISES LICENCE** 9 - 14
6. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR NEW PREMISES LICENCES** 15 - 22
7. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR VARIATION OF PREMISES LICENCES** 23 - 50

Next Meeting Date: Tuesday, 4 March 2025

DUMFRIES AND GALLOWAY LICENSING BOARD

Minute of Meeting of Friday 13 December 2024 at 11.00am
Remote Hearing

MEMBERS PRESENT

Tony Berretti	-	Mid and Upper Nithsdale
Linda Dorward	-	Lochar
Iain Howie	-	Castle Douglas and Crocketford
Ivor Hyslop	-	Lochar
Kim Lowe	-	Abbey
Jackie McCamon	-	Mid Galloway and Wigtown West
Stephen Thompson	-	Annandale North

APOLOGIES

Archie Dryburgh MBE	-	Annandale
Gail Macgregor	-	Annandale North

IN ATTENDANCE

Sharon Davidson	-	Licensing Manager
Stuart Davidson	-	Licensing Standards Officer
Julia Farroll	-	Licensing Standards Officer
Marcus Parham	-	Solicitor
A/Inspector Amy Ritchie	-	Police Scotland
Cheryl Syme	-	Senior Licensing Officer

VLAD VALIENTE
Clerk to the Licensing Boards

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

6 Members present via MS Teams with two apologies from Councillor Dryburgh MBE and Councillor Macgregor at the start of the meeting. The Convener approved Members' remote participation at the Hearing.

2. DECLARATIONS OF INTEREST

Councillor Dorward declared an interest in Item 6 by virtue of the fact that she knew the applicant and had determined that her interest was such that she would leave the meeting during consideration of this item.

3. MINUTES OF MEETING – 13 NOVEMBER 2024

Decision

AGREED

4. LICENSING (SCOTLAND) ACT 2005: APPLICATION GRANTED UNDER DELEGATED AUTHORITY

Decision

NOTED the applications granted under delegated authority as detailed in the report.

MEMBER – Tony Berretti joined the meeting during discussion of this item – 7 Members present.

5. LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR NEW PREMISES LICENCE

Decision

Application for 11a Gala Park, Lockerbie - having heard from the applicant's agent and the Licensing Standards Officer, **AGREED** to grant the application

6. LICENSING (SCOTLAND) ACT 2005: PERSONAL LICENCE APPLICATION – GRAEME WALDEN

Decision

Members considered the applicant's written submission and heard from the Chief Constable's representative and having considered all matters before them, **AGREED** to grant the application but to advise the applicant that the Licensing Board expects that there will be no repeat of any behaviour or poor judgement that may result in a further hearing of the Board.

7. LICENSING (SCOTLAND) ACT 2005: REVIEW OF PERSONAL LICENCE – CALLUM SCOTT

Members heard from the licence holder's representative, Jimmy Scott and the Chief Constable's representative and considered all matters before them.

MOTION by **Linda Dorward** seconded by **Jackie McCamon** to issue a written warning letter in respect of the standards expected by the Licensing Board.

AMENDMENT by **Iain Howie** seconded by **Ivor Hyslop** that the licence be endorsed as the Board is minded that it is necessary for the purposes of the Licensing Objectives (a) Preventing Crime and Disorder and (b) Securing Public Safety (c) Preventing Public Nuisance

On a vote taken by roll call, members voted as follows:-

MOTION – 3 votes being:

Tony Berretti, Linda Dorward, Jackie McCamon

AMENDMENT – 4 votes being:

Ivor Hyslop, Iain Howie, Kim Lowe and Stephen Thompson

The Amendment vote was carried.

Decision

AGREED that the licence be endorsed as the Board is minded that it is necessary for the purposes of the Licensing Objectives (a) Preventing Crime and Disorder and (b) Securing Public Safety and (c) Preventing Public Nuisance.

MEMBER – Councillor Stephen Thompson left the meeting - 6 Members present

8. GAMBLING ACT 2005: SECTION 349 – PREPERATION STATEMENT OF PRINCIPLES (2025-2028)

Decision

AGREED

8.1 To approve and adopt the revised Statement of Principles; and

8.2 To 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.

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DUMFRIES AND GALLOWAY LICENSING BOARD

**THE LICENSING (SCOTLAND) ACT 2005
APPLICATIONS GRANTED UNDER DELEGATED AUTHORITY**

1. Summary

This report details licences which have been granted under delegated powers, by the Clerk to the Licensing Board during the period starting from 21 November 2024 to 7 January 2025 and invites Members to note the report and appendices.

2. Applications

2.1 The undernoted table details the number of occasional licences, extended hours and personal licences granted:

Application Type	Total number granted
Occasional licences – applied for by a personal licence holder	58
Occasional licences – applied for by a premises licence holder	2
Occasional licences – applied for by a voluntary organisation	15
Extended Hours	35
Personal Licences	19

2.2 The following appendices further detail applications granted in respect of:-

Minor variation of premises licences - Appendix 1

Confirmation of provisional premises licence - Appendix 2

Cheryl Syme
Senior Licensing Officer
Kirkbank House
English Street
Dumfries
DG1 2HS

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries
DG2 2HS

15 January 2025

Appendix 1**APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES**

	<u>Licence Holder</u>	<u>Name and address of Premises</u>	<u>Type of variation</u>	<u>Granted date</u>
1.	Gretna Green Group Limited	The Foodhall at Gretna Green Gretna Green Dumfries & Galloway DG16 5EA	Change of DPM to Danielle Mai	09/12/2024
2.	J & J Wilson (Shops) Ltd	J & J Wilson Supermarket Gillfoot Southernness Holiday Park Southernness	Change of DPM to Adrienne Kerr	12/12/2024
3.	Wong On Ho	Lucky Date 14-16 Church Place Annan DG12 6DS	Change of DPM to Tsz Wai To	19/12/2024
4.	The Buccleuch Limited	Buccleuch Arms Hotel High Street Moffat DG10 9ET	Change DPM to Lawrence Smith	19/12/2024
5.	Sarah Whorlow & William Hodge	The Grapes 4-6 Bridge Street Stranraer DG9 7HY	Change DPM to Catriona McGhie	20/12/2024
6.	Heather Bignami	Carlo's 211 King Street Castle Douglas DG7 1DT	Change of DPM to Janette Guinety	20/12/2024
7.	Kokulabavan Jeyarasa	Nisa Calside Road Dumfries DG1 4HA	Change of DPM to Linshan Kanapathippillai	23/12/2024
8.	Co-operative Group Food Limited	Co-op Glenesk Road Langholm DG13 0ES	Change of DPM to Wendy Anne Warren	24/12/2024
9.	Diane Mary Hunter	Mount Stewart Hotel South Crescent Portpatrick Stranraer DG9 8LE	Change of DPM to Ian McCutcheon	07/01/2025

Appendix 2**APPLICATION FOR CONFIRMATION OF PROVISIONAL PREMISES LICENCE**

	<u>Licence Holder</u>	<u>Name and address of Premises</u>	<u>Date of grant of provisional premises licence</u>	<u>Effective date of confirmation</u>
1.	PTLL Limited	Tesco Express 20 Bruce Street Lochmaben DG11 1PD	15/09/2023	11/12/2024

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DUMFRIES AND GALLOWAY LICENSING BOARD

**LICENSING (SCOTLAND) ACT 2005: SECTION 23
APPLICATION FOR PROVISIONAL PREMISES LICENCE**

1. Reason for Report

This report details an application received for a provisional premises licence. The Board is statutorily obliged to hold a Hearing in respect of such applications.

2. Background

2.1 The application received by the Licensing Service is listed below and is detailed in the attached hearing summary. The hearing summary contains details of the application and associated relevant material, for Members to consider and determine.

Application received

Hearing 1	Days Inn Hotel, Welcome Break, Gretna Green Services Appendix 1 – details of application Appendix 2 – LSO report
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2.2 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).

2.3 In terms of the law, the Board is obliged to advertise notice of such applications on its website for a continuous period of 21 days. 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 in respect of the application.

3. Determining the application

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

- 3.2 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.

3.3 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.

4. Recommendation

Members are asked to either GRANT or REFUSE the application.

Cheryl Syme
Senior Licensing Officer
Kirkbank House
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Dumfries
DG1 2HS

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

15 January 2025

Hearing 01 – Appendix 1

Applicant/Agent	Welcome Break Group Limited 2 Vantage Court Tickford Street Newport Pagnell Buckinghamshire MK16 9EZ
Address of Premises	Days Inn Hotel Welcome Break Gretna Green Services Gretna DG16 5HQ
Description	Single storey hotel situated at Gretna Green. The hotel provides a number of additional services for customers including vending machines, ATM on site, lounge area and a coffee house on site.
Core Times	<u>On Sales</u> Sunday to Wednesday 11am – 11.00pm Thursday to Saturday 11.00am – 12 midnight <u>Off Sales</u> Monday to Sunday 11.00am – 10.00pm
Activities	Seasonal Variations – The premises would like to take advantage of any additional hours that are permitted as part of the Dumfries and Galloway’s Licensing Board policy in that regard. Include Accommodation, Recorded Music, Films and Televised Sports within and outwith core hours. Include Bar Meals within core hours. Outwith Core Hours information – recorded music may be played at background level for the benefit of staff and customers. All hotel bedrooms have TVs which may show sport or films. There may also be a TV showing films/televised sport in the reception/lounge area. Any Other Activities – The hotel provides a number of additional services for customers including vending machines, ATM on site, lounge area within reception and coffee house onsite.
Capacity	164
Last Date for Objections/Representations	Friday 27 December 2024

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

LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PROVISIONAL PREMISES LICENCE

PREMISES: DAYS INN HOTEL, WELCOME BREAK, GRETNA GREEN SERVICES, GRETNA, DG16 5HQ

APPLICANT: WELCOME BREAK GROUP LIMITED, 2 VANTAGE COURT, TICKFORD STREET, NEWPORT PAGNELL, BUCKHAMSHIRE, ML16 9EZ

1. This application relates to a hotel situated at Gretna Green Services, which is situated off the A74(M) Glasgow to Carlisle motorway, junction 21.
2. The primary activity undertaken at the premises will be the normal associated business of a hotel and it will also provide additional services for customers including vending machines, ATM on site, lounge area and a coffee house on site, as per the description applied for.
3. The premises are currently licensed for the sale of alcohol (on-sales) by use of Occasional Licences and have utilised thirty-six 14-day applications from 21 August 2023 until 5 January 2025. All have been granted without any issues or concerns from a licensing perspective.
4. The hours applied for are: -

On Sales

Sunday to Wednesday	11am – 11pm
Thursday to Saturday	11am – 12am (midnight)

Off Sales

Monday to Sunday	11am – 10.00pm
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All of which are within Annandale and Eskdale area of Dumfries and Galloway Licensing Board's Hours Policy.

5. The premises are well established and already operate a similar premises hotel in the region which is situated just off the A74(M) Glasgow to Carlisle motorway also, this is found at junction 17, Johnstonebridge.
6. Other activities that are applied for are detailed within the application, and state.
 - 6.1 **Seasonal Variations** – The premises would like to take advantage of any additional hours that are permitted as part of the Dumfries and Galloway's Licensing Board policy in that regard.
 - 6.1.2 This is covered at 1.8.2 in the Dumfries and Galloway Licensing Policy Statement and confirms that The Board (for Annandale and Eskdale area) has introduced a Festive Hours Policy for on sales premises only to allow up to 1am on 24, 25, 26, 31 December and 1 January-without requirement of providing entertainment.

6.1.3 Include Accommodation, Recorded Music, Films and Televised Sports within and outwith core hours.

6.1.4 Include Bar Meals within core hours.

6.1.5 Outwith Core Hours information – recorded music may be played at background level for the benefit of staff and customers. All hotel bedrooms have TVs which may show sport or films. There may also be a TV showing films/televised sport in the reception/lounge area.

6.1.6 Any Other Activities – The hotel provides a number of additional services for customers including vending machines, ATM on site, lounge area within reception and coffee house onsite.

6.1.7 The activities applied for at the premises are extremely routine for a hotel business of this nature and more than reasonable to add to the operating plan.

7. The application was advertised on the Board's website page from Friday 6 December 2024, simultaneously a notice was displayed at the premises. The Notice was checked on Tuesday 10 December 2024 at which time it was correctly displayed.

8. I met with an employee at the premises on Tuesday 10 December 2024 and found them extremely helpful and professional as well as already having statutory signage in place.

9. I have no adverse comments to make.

Stuart Davidson
Licensing Standards Officer
10 December 2024

DUMFRIES AND GALLOWAY LICENSING BOARD

**LICENSING (SCOTLAND) ACT 2005: SECTION 23
APPLICATION FOR NEW PREMISES LICENCE**

1. Reason for Report

This report details an application received for a new premises licence. The Board is statutorily obliged to hold a Hearing in respect of such applications.

2. Background

2.1 The application received by the Licensing Service is listed below and is detailed in the attached hearing summary. The hearing summary contains details of the application and associated relevant material, for Members to consider and determine.

Application received

Hearing 1	<p>Roadhouse Blues Ltd, The Galloway Fisherman, Carsluith DG8 7DN Appendix 1 – details of application Appendix 2 – LSO report Appendix 3 – Police Notice dated 30 October 2024</p> <p>Late Objection – Police Scotland submitted a further letter dated 30 October 2024 objecting to the application. The last date for objections was 29 October 2024. As the objection is late, the Board can treat it as not made. After hearing from Police Scotland detailing reasons as to why the objection was received late, Members will require to determine whether there is good reason for lateness and whether to treat it as made and entertain it. If there is good reason, the Board must then consider whether it is in the interests of justice to postpone or adjourn the hearing at which the application is to be determined</p>
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2.2 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).

2.3 In terms of the law, the Board is obliged to advertise notice of such applications on its website for a continuous period of 21 days. 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 in respect of the application.

3. Determining the application Page 15

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

3.2 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.

3.3 **The section 23(5) grounds for refusal are:-**

- The subject premises are excluded premises
- The application must be refused under section 25(2), 64(2) or 65(3)
- That the Licensing Board consider that, having regard to the Licensing Objectives, that the applicant is not a fit and proper person to be the holder of a premises licence

- Licensing Objectives ground of refusal

The Licensing Board considers that the granting of the application would otherwise 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

- 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.

4. Recommendation

Members are asked to either GRANT or REFUSE the application.

Aideen Sloan
 Senior Licensing Officer
 Kirkbank House
 English Street
 Dumfries
 DG1 2HS

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

15 January 2025

Hearing 1 - Appendix 1

Applicant/Agent	Colin Offord Roadhouse Blues Ltd The Galloway Fisherman Carsluith DG8 7DN
Address of Premises	Roadhouse Blues Ltd The Galloway Fisherman Carsluith DG8 7DN
Description	Restaurant at side of A75
Core Times	<u>On Sales</u> Monday 12 noon to 22:00 Tuesday 12 noon to 22:00 Wednesday 12 noon to 22:00 Thursday 12 noon to 22:00 Friday 12 noon to 23:00 Saturday 12 noon to 23:00 Sunday 12 noon to 23:00
Activities	Bar meals, Receptions, Club/Group Meetings, Live performances, Gaming, Indoor/Outdoor sports, Televised Sport and Outdoor Drinking Facilities within core hours. Restaurant facilities and Recorded Music both within and outwith core hours. <u>Outwith Core Hours Information</u> May open earlier for breakfast with background music. <u>Any other activities</u> Takeaway food, quiz nights, fundraising events, food deliveries
Children and Young Persons	TERMS – Children and Young Persons allowed entry during core licensed hours when accompanied by adults. AGES – 0-17 TIMES – 9am to 22:00 hours daily (or to 23:00 hours if attending a function) PARTS – Children and Young Persons can access all public parts of the premises.
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Capacity	Total 52 Inside 40 Outside 12
Last Date for Objections/Representations	29 October 2024

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

LICENSING (SCOTLAND) ACT 2005: SECTION 45

APPLICATION FOR PREMISES LICENCE

**PREMISES: ROADHOUSE BLUES LTD, THE GALLOWAY FISHERMAN,
CARSLUITH DG8 7DN**

APPLICANT: COLIN OFFORD, ROADHOUSE BLUES LTD

1. This application relates to a restaurant situated next to the Galloway Smokehouse shop and formerly operated as a non-licensed café, photos attached.

1.2 The premises serve a range of meals, snacks, coffees, etc. and also hosts live music. It has been operating since June 2023.

1.3 To date, 9 Occasional Licences have been granted for the premises to allow for the sale of alcohol in relation to various events at the premises.

2. The building consists of the restaurant area and outdoor drinking area at front, both accessible by a ramp and steps. The indoor capacity is 40 persons and the outdoor area 12 persons.

3. The on-sale hours applied for are:-
Monday to Thursday 12 noon to 10pm
Friday to Sunday 12 noon to 11pm

3.1 These times are within the Board's Licensed Hours Policy.

3.2 Children and young persons access is also in line with the Board's policy.

3.3 The premises may open prior to the core hours for the sale of food and non-alcoholic drinks.

4. The application was advertised on the Board's website page from Tuesday 8 October 2024. At the same time a notice must be displayed at the premises.

4.1 A visit was made on 16 October 2024, at which time the notice was displayed in the window at the top of the steps.

4.2 I provided the applicant with a laminated notice for display at a lower level, which could be more conveniently read by passers-by.

5. I have no adverse comments.

Julia Farroll

Licensing Standards Officer

31 October 2024



OFFICIAL SENSITIVE: POLICE AND PARTNERS**Hearing 1 – Appendix 3**

30 October 2024

Your Ref:

Our Ref: AP/COS/867796

Clerk of the Board
 Wigtown Divisional Licensing
 Kirkbank
 Council Offices
 English Street
 Dumfries
 DG1 2HS



**POLICE
 SCOTLAND**

Keeping people safe

Steven Meikle
 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
 PREMISES LICENCE**

PREMISES: ROADHOUSE BLUES RESTAURANT, CARSLUITH, 7DN.

APPLICANT: COLIN GEORGE OFFORD

I refer to the above application and in terms of Section 21(4)(b)(i) of the Licensing (Scotland) Act 2005, I have to advise you that the applicant has been convicted of the following relevant offence.

Date	Court	Crime/Offence	Disposal
28/11/2023	Glasgow & Strathkelvin Sheriff	1. Assault (domestic)	Community Payback Order 12 months. Attend at and engage with alcohol services

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

Yours faithfully

Steven Meikle
 Chief Superintendent

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DUMFRIES AND GALLOWAY LICENSING BOARD**LICENSING (SCOTLAND) ACT 2005: SECTION 30
APPLICATIONS FOR MAJOR VARIATIONS OF PREMISES LICENCES****1. Reason for Report**

This report details applications received for major variation of premises licences. The Board is statutorily obliged to hold a Hearing in respect of such applications.

2. Background

2.1 The applications received by the Licensing Service are listed below and are detailed in the attached hearings summaries. Each hearing summary contains details of the application and associated relevant material, for Members to consider and determine.

Applications received

Hearing 1	The Wanlockhead Inn, Gardendyke, Wanlockhead Appendix 1 – details of application Appendix 2 – LSO report
Hearing 2	Aldi, Land at Oakwell Road, Castle Douglas Appendix 1 – details of application Appendix 2 – LSO Report
Hearing 3	Kirkcudbright Bay Hotel, 25 St Cuthbert Street, Kirkcudbright Appendix 1 – details of application Appendix 2 – LSO report Appendix 3 – Planning comments
Hearing 4	Masonic Arms, 10 Ann Street, Gatehouse of Fleet Appendix 1 – details of application Appendix 2 – LSO report Appendix 3 – Police representation

2.2 As is required by law, a copy of each 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).

2.3 In terms of the law, the Board is obliged to advertise notice of the applications on its website for a continuous period of 21 days. 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 in respect of each application.

3. Determining the applications

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

3.2 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.

3.3 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.

4. Recommendation

Taking each application in turn, Members are asked to either GRANT or REFUSE each of the applications.

Cheryl Syme
Senior Licensing Officer
Kirkbank House
English Street
Dumfries
DG1 2HS

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries
DG2 2HS

15 January 2025

Dumfries and Galloway Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Elaine Helen McKelvey 24 Ramsay Road Leadhills Biggar ML12 6YA
Address of Premises	The Wanlockhead Inn Gardendyke Wanlockhead ML12 6UZ
Nature of Variation	<p><u>Operating Plan</u></p> <p>Change onsales opening times Monday-Sunday from 11am to 10am</p> <p>Add Off Sales Monday-Sunday 10.00am-10.00pm</p> <p>Add Seasonal Variations ‘Seek extra hour in line with Nithsdale policy for festive period’</p> <p>Add Accommodation, Indoor/Outdoor Sports and Televised Sports within and outwith core hours</p> <p>Add Conference Facilities, Restaurant Facilities, Bar Meals and Group Meetings outwith core hours</p> <p>Add Adult Entertainment within core hours</p> <p>Outwith Core Hours information to read ‘Funerals, weddings to start early on occasions and in line with any business demand that may require to commence before 10am. To provide breakfasts for guests.</p> <p>Any other Activities information to read ‘Fireworks, activities for bonfire night and any significant celebrated event. Market activities in line with fetes or functions.</p> <p><u>Children and Young People to read:</u></p> <p>TERMS – Children accompanied by an adult at all times. Young persons unaccompanied up until 9pm, thereafter accompanied by an adult</p> <p>AGES – Children 0-15, Young Persons 16-17</p> <p>TIMES – All children and young persons out by 10pm unless for functions to terminal hour</p>

	<p>PARTS – Children and young persons are permitted entry to all public areas.</p> <p><u>Capacity</u> – add outdoor drinking area to the capacity Total – 280 Indoors – 80 Outdoors – 200</p> <p><u>Layout Plan</u></p> <p>Changes to layout plan to show five glamping pods and outside toilets in the already licensed area.</p>
<p>Last Date for Objections/Representations</p>	<p>Friday 6 December 2024</p>

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

LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE

**PREMISES: THE WANLOCKHEAD INN, GARDENDYKE, WANLOCKHEAD, ML12 6UZ
APPLICANT: ELAINE HELEN McKELVEY, 24 RAMSAY ROAD, LEADHILLS, BIGGAR, ML12 6YA**

1. This application has been submitted by Elaine Helen McKelvey, 24 Ramsay Road, Leadhills, Biggar, ML12 6YA. The application seeks a variation to the current operating and layout plan for The Wanlockhead Inn, Gardendyke, Wanlockhead, ML12 6UZ.

2. The premises are set within the village of Wanlockhead and are well established having been operating for several years. The village of Wanlockhead is located in a remote area of the region but well visited by tourists.

3. The Wanlockhead Inn premises consists of an open plan area with distinct areas for: a small traditional public bar and then opens up to a large spacious lounge area with fixed seating. The premises have an external smoking area and an extensive beer garden with seating. There are five glamping pods available on the grounds.

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

- 11am to 12am, Monday to Thursday and a Sunday
- 11am to 1am, Friday
- 10am to 1am Saturday

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

5.1 Change on-sales opening times Monday-Sunday from 11am to 10am and add Off Sales Monday-Sunday 10.00am-10.00pm.

5.1.1 On enquiry with the applicant, the reason for this increase in on sales is for customer demand to improve their business model with tourists staying in the Glamping pods. The addition of the off-sales is to assist with the legalities of alcohol being purchased from the premises and being taken off the premises, this provision is limited in the village of Wanlockhead.

5.1.2 The on and off-sales applied for are within the Dumfries and Galloway Licensing Boards Policy for the Nithsdale area.

5.2 The applicant also seeks to Add Seasonal Variations ‘Seek extra hour in line with Nithsdale policy for festive period’

5.2.1 This request is made by the applicant to take advantage of the festive policy and ensure that they can use this without the need for Extended Hours applications. The extra hours are requested due to customer demand during the festive period. If approved, this would allow one extra hour trading following closing time for on sale provision on the following days: 26 December; 31 December and 1 January.

5.3 Add Accommodation, Indoor/Outdoor Sports and Televised Sports within and outwith core hours.

5.3.1 The applicant states this is to ensure the premises are operating legally and taking advantage of various activities that were noted to be requested by customers. The Glamping pods have been on their grounds for some time but were outwith their licensed area. The accommodation is added to provide same for the Glamping pods that are now included in the new layout plan and licensed area.

5.4 Add Conference Facilities, Restaurant Facilities, Bar Meals and Group Meetings outwith core hours

5.4.1 As above, this is to provide a full range of food in the premises outwith the core hours and provides more flexibility for patrons/customers.

5.5 Add Adult Entertainment within core hours

5.5.1 This is requested to ensure any such activities, can be accommodated in-line with their operating plan, such as Stag and Hen doo's.

5.6 Outwith Core Hours information to read 'Funerals, weddings to start early on occasions and in line with any business demand that may require to commence before 10am. To provide breakfasts for guests'.

5.6.1 The applicant believes that the provision of funeral teas and weddings as described above, will ensure greater flexibility for their business and provides for potential customers to organise any such activities locally. Breakfasts are requested in line with guests from the Glamping pods.

5.7 Any other Activities information to read 'Fireworks, activities for bonfire night and any significant celebrated event. Market activities in line with fetes or functions.

5.7.1 The reason for the Firework activities is demand led from customers/patrons and is good housekeeping to include this on their operating plan. On enquiry with the applicant, it was stated that the fireworks would only likely be on Bonfire night and New Year, it certainly would not be a regular occurrence.

5.7.2 The reason for the Market activities is to take advantage of their licensed area at the front of the premises. Markets are an expanding theme in towns and villages across the region, especially at Christmas, and this change is again good housekeeping to ensure that the premises are covered should the local community wish same.

5.8 The applicant wishes would amend the Children and Young persons as follows.

TERMS – Children accompanied by an adult at all times. Young persons unaccompanied up until 9pm, thereafter accompanied by an adult

AGES – Children 0-15, Young Persons 16-17

TIMES – All children and young persons out by 10pm unless for functions to terminal hour

PARTS – Children and young persons are permitted entry to all public areas.

5.8.1 The Children and Young Persons admittance is in keeping with the Dumfries and Galloway Division Licensing Policy for the Nithsdale area and aligns with the business to have a more inclusive family feel on the premises.

5.9 Increase the capacity for the premises

Capacity – add outdoor drinking area to the capacity

Total – 280

Indoors – 80

Outdoors – 200

5.9.1 The main increase relates to the outdoor area that has been increased to take in the Glamping Pods and outdoor drinking area as well as land owned by the applicant. The outdoor area is extremely spacious as is the indoor area.

5.9.2 The layout of the licensed area has been increased as per the new layout plan provided, this is, as mentioned taking in the five Glamping pods and ensures the whole outdoor area and pods are within a licensed area and therefore within the conditions of the premises licence and operating plan. The increase of the licensed area is to ensure compliance, and this came about from a licensing inspection by the LSO earlier this year.

6. The applicant has therefore requested the variation to improve their business model by adding/amending the activities to the current operating plan and increasing the layout plan.

7. The application was advertised on the Board's website page from Friday 15 November 2024, simultaneously a notice was displayed at the premises. The Notice was checked on Tuesday 19 November 2024 at which time it was correctly displayed.

I have no adverse comments to make.

Stuart Davidson
Licensing Standards Officer
20.11.2024

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Dumfries and Galloway Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Aldi Stores Limited Holly Lane Atherstone Warwickshire CV9 2SQ
Address of Premises	Aldi Land at Oakwell Road Castle Douglas DG7 1HZ
Nature of Variation	<p><u>Operating Plan</u></p> <p>Increase in capacity from 36.52926m² to 40.29051m²</p> <p><u>Layout Plan</u></p> <p>Change to layout plan to show a reconfiguration of Off-sales display area.</p>
Last Date for Objections/Representations	Friday 27 December 2024

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

**LICENSING (SCOTLAND) ACT 2005 :
APPLICATION FOR VARIATION OF PREMISES LICENCE
PREMISES: ALDI, LAND AT OAKWELL ROAD, CASTLE DOUGLAS DG7 1HZ
APPLICANT: ALDI STORES LIMITED**

1. This is a new store which opened in November 2024 and is purpose built single storey detached building with associated car parking.

1.1 The alcohol display area is at the rear of the shop floor.

2. The variation application is in respect of the reconfiguration of the display area resulting in an increase in capacity from 36.52926 m² to 40.290521 m² with associated amendment to the layout plan.

2.2 The additional capacity is in respect of an increase to the length of the current area.

3. Off-sale hours of Monday to Sunday 10am to 10pm are in force.

4. The application was advertised on the Board's website page from 6 December 2024. A notice must be displayed at the premises on the same date.

4.1 The Notice was checked on 11 December 2024 at which time it was displayed in the window of the premises.

5. I have no adverse comments to make.

Julia Farroll
Licensing Standards Officer

12 December 2024

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Dumfries and Galloway Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	KB Hotel Ltd Unit 2a, Pavilion 2 Castle Craig Business Park Players Road Stirling FK7 7SH
Address of Premises	Kirkcudbright Bay Hotel 25 St Cuthbert Street Kirkcudbright DG6 4DJ
Nature of Variation	<p><u>Operating Plan</u> Change start time of Sunday (on-sales) to 11am (was 12.30pm)</p> <p>Change of 'outwith core hour' wording to read 'breakfast to be served to non-resident guests Monday-Sunday between 07.30-10.00. Coffee, tea and cake/pastries to be available between 10.00-12.00 all days. Light background music to be played during morning breakfast and coffee hours. Outdoor areas outwith core hours would be for breakfasts/teas/coffees and not alcohol (weather permitting). External areas will close at 22.00 to minimise noise disturbance to neighbours and guests staying in rooms.</p> <p>Add 'Any Other Activity' – Offer takeaway food</p> <p>Add Recorded Music outwith core hours. Add Outdoor Drinking Facilities within and outwith core hours.</p> <p>Increase in capacity from 77 to 124: Bar 32 (was 25) Snug – 20 Restaurant – 32 Outdoor – 40 (new)</p> <p><u>Children and Young Persons</u> – to now read: TERMS – Children 15 and under must be accompanied by an adult at all times. Young persons can be unaccompanied.</p> <p>AGES – Any Age</p>

	<p>TIMES – Until 10pm for non-residents. Residents all times. Where functions are held then until the terminal hour of the function event if beyond 10pm.</p> <p>PARTS – Restaurant, Dining Area & Snug (which is used as restaurant overfill area), external areas (Courtyard and Garden). Children and Young Persons are not allowed access to the public bar.</p> <p><u>Layout Plan</u> Revision of layout plan to include former guest rooms 1st and 2nd floor that had been previously excluded by former proprietor and which will be brought back into use following renovations. Revision of layout plan to include external areas of hotel for drinking.</p> <p><u>Description</u> Change of description to now read 'Mid-terraced, traditional hotel premises including a restaurant, and public bar. External areas include courtyard, conservatory restaurant and garden as well as various outbuildings. All lying within the centre of Kirkcudbright.</p>
Last Date for Objections/Representations	Friday 27 December 2024

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

**LICENSING (SCOTLAND) ACT 2005 :
APPLICATION FOR VARIATION OF PREMISES LICENCE
PREMISES: KIRKCUDBRIGHT BAY HOTEL, 25 ST CUTHBERT STREET,
KIRKCUDBRIGHT DG6 4DJ
APPLICANT: KB HOTEL LTD**

1. Kirkcudbright Bay Hotel is town-centre hotel comprising letting bedrooms, conservatory restaurant, public bar, snug, courtyard and outdoor drinking area, see photos attached.

1.1 The licence was transferred to KB Hotel Ltd on 5 June 2024.

1.2 On-sale operating hours are-

- Monday to Thursday 11am to 11pm
- Friday & Saturday 11am to 12midnight
- Sunday 12.30pm to 12midnight

1.3 The proposed start-time on a Sunday is 11am which is within the Board's Licensing Hours policy.

2. The main reason behind the application is to add outdoor drinking in the courtyard and garden.

2.1 The applicant has stated the terminal hour for the outdoor drinking area will be 10pm to reduce any potential for noise disturbance.

3. Children and young persons are currently permitted in the premises up to 8.30pm.

3.1 The applicant has applied to extend the time for non-residents to 10pm or, in the event of a function, to the terminal hour. Children will require to be accompanied by an adult.

3.2 The Board has sought and allowed flexibility in relation to access by children and young persons within licensed premises. However, licence holders must operate within that flexibility in a responsible manner always mindful of the need to safeguard Licensing Objective (e) Protecting Children and Young Persons from harm.

3.3 No persons under 18 years of age are permitted in the public bar.

3.4 The proposed changes do not give rise to any concerns.

4. Other changes applied for are consistent with activities carried on within these type of premises.

5. The application was advertised on the Board's website page from Friday 6 December 2024. On the same date, a notice must be displayed at the premises.

5.1 The Notice was checked on 11 December 2024 at which time it was displayed as required.

6. I have no adverse comments.

Julia Farroll
Licensing Standards Officer

16 December 2024

Conservatory restaurant



Snug



Outdoor drinking areas



Hearing 3 – Appendix 3

From: Little, Lindsey <Lindsey.Little@dumgal.gov.uk>
Sent: Friday, December 6, 2024 4:32 PM
To: Licensing Applications <LicensingApplications@dumgal.gov.uk>
Subject: FW: Stewartry - Major Variation - Kirkcudbright Bay Hotel, Kirkcudbright

OFFICIAL

Good Afternoon,

I refer to your email below and the associated application for variation of a premises licence.

The formation of a new external drinking area may require planning permission. I would therefore advise the that the applicant submits a Pre Application planning enquiry.

Pre-application enquiry information can be found here; [Get pre-application planning advice | Dumfries and Galloway Council](#)

Kind regards

Lindsey Little
Development Management Assistant

Planning and Development
Economy and Environment
Dumfries and Galloway Council
Militia House, English Street, Dumfries
DG1 2HR

Email: Lindsey.Little@dumgal.gov.uk

Web: www.dumgal.gov.uk

Mobile: 07584 594 138



OFFICIAL

OFFICIAL

OFFICIAL

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

Sent: 04 December 2024 09:53

To: Building Standards Admin <BuildingStandardsAdmin@dumgal.gov.uk>; Planning <Planning@dumgal.gov.uk>; Environmental Health <EnvironmentalHealth@dumgal.gov.uk>; W DG Prevention and Protection <w.dgpreventionandprotection@firescotland.gov.uk>; Licensing Standards <LicensingStandards@dumgal.gov.uk>

Subject: Stewartry - Major Variation - Kirkcudbright Bay Hotel, Kirkcudbright

OFFICIAL

LICENSING (SCOTLAND) ACT 2005

APPLICATION FOR VARIATION OF PREMISES LICENCE

KIRKCUDBRIGHT BAY HOTEL, 25 ST CUTHBERT STREET, KIRKCUDBRIGHT

In terms of Sections 29 and 21(1) of the Licensing (Scotland) Act 2005 I hereby give notice that I have received an application for variation of a premises licence for the premises named in the heading of this notice. A copy of the application, operating plan and layout plan are attached to this email.

- The application will be advertised on the Board's website page within the Council's website (www.dumgal.gov.uk) on **Friday 6 December 2024** and at the same time the applicant will display a notice at or near the premises. The last day for lodging an objection to the application is **Friday 27 December 2024**.

Kind regards

OFFICIAL

Cheryl

Cheryl Syme

Senior Licensing Officer (Board Services)

Enabling and Customer Services

Governance and Human Resources

Legal and Licensing Services

Dumfries and Galloway Council

Kirkbank House

English Street

Dumfries

DG1 2HS

Drop Point: 208

Tel: 01387 245903

Email: Cheryl.Syme@dumgal.gov.uk

Web: www.dumgal.gov.uk



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Dumfries and Galloway Licensing Board
Application for Variation of Premises Licence

Applicant/Agent	Masonic Arms Limited c/o DSM Limited Dee Walk Kirkcudbright DG6 4DR
Address of Premises	Masonic Arms 10 Ann Street Gatehouse of Fleet DG7 2HU
Nature of Variation	<p><u>Operating Plan</u></p> <p>Increase in outdoor capacity – addition of area to the front of the premises (24). Capacity to read:</p> <p>Total – 313 Indoors – 200 Outdoors (main) – 89 Outdoors (front) – 24</p> <p><u>Layout Plan</u></p> <p>Changes to layout plan to show additional outdoor drinking area at front of premises for 24 people and garden bar in the beer garden.</p>
Last Date for Objections/Representations	Friday 10 January 2025

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

LICENSING (SCOTLAND) ACT 2005 :
APPLICATION FOR VARIATION OF PREMISES LICENCE
PREMISES: MASONIC ARMS, 10 ANN STREET, GATEHOUSE OF FLEET DG7 2HU
APPLICANT: MASONIC ARMS LIMITED

1. The premises comprises a restaurant, bar and an enclosed outdoor drinking area at the side of the premises.

1.1 The current total capacity for the premises is 289 persons, 200 persons indoors and 89 in the garden area.

1.2 On-sale operating hours are-

- Monday to Saturday 11am to 12 midnight (1am for approved functions)
- Sunday 12.30pm to 12 midnight (1am for approved functions)

Off-sale operating hours are-

- Monday to Sunday 11am to 10pm

2. The reason behind the application is to add outdoor drinking to the front of the premises and the addition of an outdoor bar in the garden area.

2.1 This area accommodates 24 persons, 4 tables of 6, see attached photos 1&2.

2.2 The applicant has confirmed the following:

- No music will be played in the area
- Last orders will be the same as the rest of the bar but likely not be used after dark
- Staff regularly patrol the area to clean and take away glasses.

2.3 The other part of the application is the inclusion of a bar in the outdoor area located in the garden, shown in the attached photo 3.

3. The application was advertised on the Board's website page from Friday 20 December 2024. At the same time, a notice must be displayed at the premises.

3.1 I visited the premises on 23 December 2024 at which time I was unable to locate the notice.

3.2 On telephoning the applicant, he confirmed that the notice was displayed in the summer house and was capable of being read by passing public.

3.3 A further check was made on 9 January 2025 at which time the position of the notice was such that a person would have to step through an open gate into the curtilage of the premises to be able to read it, see photo 4.

4. I have no adverse comments relating to the application.

Julia Farroll
Licensing Standards Officer

14 January 2025



Photos 1 & 2 - Outdoor drinking area to the front of the premises



Photo 3 - Outdoor bar within the garden area



Photo 4 – position of notice

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23rd December 2024

Your Ref:

Our Ref: AP/HJR/885292

Clerk of the Board
Stewartry Divisional Licensing
Kirkbank House
English Street
Dumfries
DG1 2HS



**POLICE
SCOTLAND**

Keeping people safe

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

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
PREMISES: MASONIC ARMS, 10 ANN STREET, GATEHOUSE OF FLEET, DG7 2HU
APPLICANT: MASONIC ARMS LIMITED, C/O DSM LIMITED, DEE WALK,
KIRKCUDBRIGHT, DG6 4DR**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005. The variation requested consists of variations to the Operating and Layout Plans.

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

The variation includes the creation of a new outdoor seating area to the front of the premises next to a public highway.

In terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, I believe the variation in its current form should be modified so that it be granted subject to the following conditions: -

- 1) The outdoor drinking area is contained by suitable barrier structures
- 2) Plastic drinking containers to be used within the outside drinking area

The suggested location is positioned beside a main roadway, in the interest of public safety Police Scotland propose a suitable barrier structure, i.e water, rope or metal barriers, be utilised which would give clear delineation of the licensed drinking area and prevent patrons from encroaching onto the roadway

OFFICIAL: POLICE AND PARTNERS

This representation is submitted for your attention in considering this application.

Yours faithfully

Steven Meikle
Chief Superintendent