

## **INVERCLYDE LICENSING BOARD**

**THURSDAY 5 SEPTEMBER 2019 AT 10.00 A.M.**

**Present:** Councillors Ahlfeld, Crowther, McEleny, McVey and Robertson.

**Chair:** Councillor Ahlfeld presided.

**In attendance:** Mr James Douglas, Anne Sinclair, Fiona Denver (for Clerk to the Board); Sergeant Manjit Singh-Kaila (Police Scotland); Roisin Dillon and Crawford Brown (Licensing Standard Officers)

**Apologies:** Councillors Moran, Murphy and Wilson. Councillor McVey substituting for Councillor Wilson.

**Declarations of Interest:** There were no declarations of interest intimated.

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

Decision as per attached list.

### **LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR PROVISIONAL PREMISES LICENCE**

Decision as per attached list.

### **LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR EXTENDED HOURS**

Decision as per attached list.

### **LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR PERSONAL LICENCE**

Decision as per attached list.

### **LICENSING (SCOTLAND) ACT 2005 FESTIVE SEASON POLICY**

The Board considered a report by the Depute Clerk to determine the 2019 - 2020 Festive Season Policy with regard to extended hours of Premises Licences and Occasional Licence applications.

Mr Douglas advised the Board that the report is in similar terms as previous years and Police Scotland intimated that they have no objections to a similar Policy being adopted for this year. Mr Douglas reminded Members that at their meeting on 7 March 2019 consideration was given to an extended hours application by Lapwine Limited for Word Up premises in respect of a Hogmanay event 1.00 a.m. – 4.30 a.m. and the Board agreed the agents comments at that time, would be taken into consideration when revising this year's Policy.

Councillor McEleny requested Members to consider extending the terminal date of the Policy to Saturday 4 January 2020.

A short discussion took place in this regard followed by Councillor McEleny moving that the dates of the Festive Season Policy 2019 -2020 be extended up to and including Saturday 4 January 2020 which was unanimously agreed.

There followed a discussion on the terms of previous year's Policy and the possibility of increasing the terminal hour for nightclub premises and premises which already operate the later core licensing hours in relation to premises that provide significant entertainment. Sergeant Singh-Kaila advised that if the hours of the Policy were to be increased, Police Scotland would like the opportunity to make comment on the proposals. Members discussed the administration process and how to ensure that everyone's concerns would be taken into account. It was felt that submission of an extended hours application may suit this purpose with applications being considered at an additional meeting in November.

Councillor Ahlfeld moved:-

- (i) the Festive Season Policy 2019 – 2020 be granted as amended in the same terms as previous years;
- (ii) extended hours applications be submitted in respect of nightclub premises / premises with significant entertainment licences seeking the terminal hour outwith with main Policy to be considered at a meeting to be arranged in November.

Members unanimously agreed the motion.

#### **LICENSING (SCOTLAND) ACT 2005 POLICE SCOTLAND ANNUAL REPORT 2018 -2019**

The Chair advised that he was encouraged by the contents of the Chief Constable's Report and commented that the co-operation between Licensing Board staff and Police Scotland staff is commended and he hopes that this will continue. He also paid tribute to all their work over the past year.

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LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Martin McColl Limited c/o Lockett & Co Lockett House 13 Church Street Kidderminster Worcestershire	<b>McColls</b> 70/74 Inverkip Road Greenock	Amendment to layout plan of premises with increase in alcohol display area to 22.22 sq. m.  <b>Existing</b> 15.30 sq.m.	<b>GRANTED</b>
2.	Amarjit Singh c/o Neill Clerk & Murray 3 Ardgowan Square Greenock	<b>Lifestyle Express</b> 62-64 Tower Drive Gourock	Increase off sales terminal core licensing hour Monday – Sunday to 10.00 p.m.  <b>Existing</b> Monday – Sunday 10.00 a.m. – 8.00 p.m.	<b>GRANTED</b>

Ms Loudon, Messrs TLT LLP was present representing the applicant. Mr Mark Layton, Area Manager was in attendance.

Mr Douglas advised that no objections or representations had been received and the application was within the Board's Policy.

Ms Loudon addressed the Board and provided information on the application and operation of the premises.

Councillor Ahlfeld moved grant of the application which was unanimously agreed.

Ms Ward, Messrs Neill Clerk & Murray was present representing the applicant.

Mr Douglas advised that no objections or representations had been received and the application was within the Board's Policy.

Ms Ward addressed the Board and provided information on the application and the operation of the premises over the past few years.

Councillor Ahlfeld commented that previous applications were controversial; noted that the Licensing Standard Officers visited the premises and no

issues were reported; and that CCTV had been installed to view both inside and outside the premises. Councillor Ahlfeld asked Police Scotland if they wished to make any comment, Sergeant Singh-Kaila confirmed no further comments.

Councillor Ahlfeld moved grant of the application which was unanimously agreed.

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(2) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Proposed Licence Details</u>	<u>Decision</u>
1.	Waverley Portfolio Limited c/o Maitlands 6A Brougham Street Greenock	<b>204 Dalrymple Street</b> Greenock	<p><b>Description of Premises</b> Entertainment Premises on two floors with bar, toilets and cellarage accommodation on ground floor. Provision for dancing and disco type entertainment with bar and store accommodation on first floor.</p> <p><b>Core Licensing Hours – On Sales</b>  Monday &amp; Tuesday 7.00 p.m. – 1.00 a.m.  Wednesday &amp; Thursday 7.00 p.m. – 2.00 a.m.  Friday &amp; Saturday 7.00 p.m. – 3.00 a.m. (Bar to Close 2.30 a.m.)  Sunday 7.00 p.m. – 1.30 a.m.</p> <p><b>Activities</b>  Recorded Music; Live Performances; and Dance facilities to be provided during core licensing hours.  (Tick Box – Yes)</p> <p>The venue will be a discotheque and normally there will be recorded music played and dance facilities available, from time to time it is intended that there should be live performances to supplement the recorded music provided.</p> <p><b>Children and Young Persons</b>  N/A</p> <p><b>Capacity of Premises</b>  225 persons</p> <p><b>Designated Premises Manager</b>  To be appointed</p>	<b>GRANTED</b>

Mr Lamb, Messrs Maitlands was present representing the applicant. Ms Loudon, TLT LLP was present on behalf of the objector.

Mr Douglas advised that the application is within the Board's Policy and the necessary Section 50 Certificate is in place. He intimated that Police Scotland submitted a representation to the application and one objection had been received. Mr Douglas read the contents of the Police Scotland representation and the letter of objection, copies of which were circulated to Members.

Mr Lamb addressed the Board on the terms of the Police representation and the objection. He provided information on the background of the premises and that it is the landlord who is seeking to re-licence the premises. Mr Lamb confirmed that any prospective lease holder will submit any required applications to the Board.

Ms Loudon addressed the Board on the concerns of the objector and the proposed running of the premises against the details provided within the application form.

Following a discussion between all parties, Councillor Robertson moved grant of the application which was unanimously agreed.

2.	GKOK Ltd c/o Maitlands 6A Brougham Street Greenock	<b>The Thistle Bar</b> 100/102 Lynedoch Street Greenock	<b>Description of Premises</b> The premises are situated on the ground floor of a tenement building with residential property above and operates as a public house.	<b>GRANTED</b>
			<b>Core Licensing Hours – On Sales</b> Monday – Thursday      11.00 a.m. – 12 Midnight Friday & Saturday      11.00 a.m. – 1.00 a.m. Sunday                      12.30 p.m. – 11.00 p.m.	
			<b>Activities</b> Recorded Music; Live Performances; Gaming; Indoor/Outdoor Sports and Televised Sport to be provided during core licensing hours. (Tick Box – Yes)	
			<b>Children and Young Persons</b> N/A	
			<b>Capacity of Premises</b> 95 persons	

**Designated Premises Manager**

To be appointed

Mr Lamb, Messrs Maitlands was present representing the applicant. The objector was not present or represented.

Mr Douglas advised that the application is within the Board's Policy and the necessary Section 50 Certificate is in place. He intimated that Police Scotland submitted a representation to the application and one objection had been received. Mr Douglas read the contents of the Police Scotland letter and the objection, copies of which were circulated to Members.

Mr Lamb addressed the Board and confirmed the Directors of the applicant company. He spoke on the proposed operation of the premises and addressed the concerns raised by the objector.

Following discussion, Councillor McEleny moved grant of the application which was unanimously agreed.

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(3) APPLICATION FOR EXTENDED HOURS OF PREMISES LICENCE

<u>No.</u>	<u>Applicant</u>	<u>Premises</u>	<u>Event Details</u>	<u>Decision</u>
1.	Lapwine Limited c/o TLT LLP 140 West George Street Glasgow	<b>Word Up</b> 210 Dalrymple Street Greenock	Evening of Sunday 8 September to Monday 9 September 2019  2.00 a.m. – 3.30 a.m. (Bar to Close 3.00 a.m.)  To cater for increased demand due to the bank holiday weekend – an event of local or national significance.  Additional staffing and stewarding will be on site throughout the extended hours.	<b>GRANTED 2.00 a.m. – 3.00 a.m. (Bar to Close 2.30 a.m.)</b>

Ms Loudon, Messrs TLT LLP was present representing the applicant.

Mr Douglas advised that the application is outwith the Board's Policy and outwith delegated authority. He advised that the bank holiday Policy Hours for nightclub premises are normally granted 2.00 a.m. – 3.00 a.m. with the bar to close at 2.30 a.m. He intimated that Police Scotland submitted a representation to the application and read the contents thereof, copies of which were circulated to Members.

Ms Loudon addressed the Board in terms of the application and in particular to the reasons an extension is sought beyond the Policy Hours.

There followed a discussion between all parties.

Councillor Robertson moved to refuse the hours applied for and proposed grant of the application within the Board's Policy Hours of 2.00 a.m. – 3.00 a.m. with the bar to close at 2.30 a.m.

Ms Loudon accepted the proposal and Councillor Robertson's motion was unanimously agreed.

Mr Douglas confirmed the application is granted for the hours 2.00 a.m. – 3.00 a.m. (Bar to close 2.30 a.m.).



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(4) APPLICATION FOR PERSONAL LICENCE

<u>No</u>	<u>Applicant</u>	<u>Decision</u>
1.	Annemarie Collins	<b>REFUSED</b>

The applicant was not present or represented.

Mr Douglas advised that Police Scotland had identified that the applicant has a relevant offence in terms of the Act and recommends refusal of the application. A copy of the Police Scotland letter was circulated to Members. Mr Douglas invited Members to read the Chief Superintendent's comments, he did not read the contents of the letter to the Board as Ms Collins was not present.

Following discussion, Councillor Ahlfeld moved refusal of the application which was unanimously agreed.