

INVERCLYDE LICENSING BOARD

FRIDAY 24 JULY 2020 AT 1.30 P.M.

The meeting was held remotely by Cisco Webex due to the Public Health coronavirus pandemic

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

Chair: Councillor Ahlfeld presided.

In attendance: Mr Gerard Malone, Clerk to the Board; Ms Anne Sinclair and Fiona Denver (for Clerk to the Board); Chief Inspector Paul Cameron and PC Michelle Mooney, Road Traffic Specialist (Police Scotland); Gail MacFarlane, Head of Shared Roads Service and Transportation; Steven Walker, Service Manager (Roads and Transportation); and Paul John Coulter, Communications Officer.

Apologies: Councillor Moran and Wilson.

Substitutions: Councillor McVey substituting for Councillor Moran.

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

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR OCCASIONAL LICENCE**

Decision as per attached list.

INVERCLYDE LICENSING BOARD – 24 JULY 2020

LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR OCCASIONAL LICENCE

<u>No.</u>	<u>Applicant / Licence Holder</u>	<u>Premises</u>	<u>Event Details</u>	<u>Decision</u>
	Roland Toma	Café Continental 40 Kempock Street Gourock	Outdoor Drinking / Dining Area Tables and chairs on roadway across from Cafe Continental for patrons of Cafe Continental. Wednesday 15 July to Tuesday 28 July 2020 11.00 a.m. – 10.00 p.m. Monday – Sunday Breakfasts, brunches, teas, coffees, soft drinks from 10.00 a.m. Provision of Outdoor Area due to Public Health Covid-19 Virus.	GRANTED AS AMENDED

Mr Robin Morton, Messrs Robin Morton Licensing Ltd was present representing the applicant. Mr Bill Regan, Director of Café Continental was in attendance.

Ms Sinclair advised on the background of the application in that applications had been submitted for Occasional Licences in terms of the Licensing Board's Temporary Policy on outdoor drinking during the coronavirus pandemic and intimated that Police Scotland submitted an objection to the application, copies of which were previously e-mailed to Members. Ms Sinclair read the contents of the Police objection.

Chief Inspector Cameron addressed the Board in the terms of the Chief Superintendent's comments and in particular to public safety measures. He spoke of the traffic management of the area, warning signs for motorists, the proposed barriers to be utilised near to the pelican crossing and safety of children. Chief Inspector Cameron also addressed concerns to the Bye-Laws in relation to no drinking in public places and the terminal hour applied for.

Mr Morton addressed the Board in terms of the objection. Mr Morton confirmed that during discussion with the Roads Department and neighbouring properties, the layout plan of the proposed area had been amended to cover a smaller area than originally proposed. Mr Morton provided detailed information on the proposals and addressed concerns raised in the Chief Superintendent's letter. He advised that the equipment and safety barriers in place meet the required safety regulations. He also advised on the staffing levels, licensing hours and operation of the sale of alcohol within the proposed licensed area.

The Chair advised Mr Morton that in terms of the Licensing Board's temporary policy in relation to outdoor drinking areas, following on from the First Minister's guidance about the easing of licensing restrictions during the coronavirus pandemic, that the terminal hour within that Policy would normally be 9.00 p.m., although there was provision for licence holder's to make a written application for a terminal hour, not later than 11.00 p.m., which would fall to be considered by a Licensing Board Sub-Group. Mr Morton having taken instructions confirmed that a terminal hour of 9.00 p.m. was acceptable and the application was amended accordingly.

Ms MacFarlane addressed the Board on the guidance issued by the Scottish Government in relation to public spaces being utilised for outdoor dining/drinking. She spoke on the safety barriers, signage and ongoing discussions between all parties concerned. Mr Walker also provided information regarding the equipment and signage. Ms MacFarlane and Mr Walker suggested a site visit with Police Scotland Traffic Officers to view the safety equipment and consider placement of signage etc.

After discussion, the Chair moved grant of the application as amended with subsequent consecutive licences every 14 days, with the condition that the Roads Department and Police Scotland arrange a site visit to review the licensed area and traffic signage all to the satisfaction of Gail MacFarlane who requires to provide a report to the Clerk of the Licensing Board within 7 days confirming same. Members unanimously agreed the motion.