

INVERCLYDE LICENSING BOARD
FRIDAY 25 SEPTEMBER 2020 AT 1.00 P.M.

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

Present: Councillors Ahlfeld, Crowther, Curley, McEleny, Moran, and Wilson.

Chair: Councillor Ahlfeld presided.

In attendance: Ms Anne Sinclair, Fiona Denver and Lindsay Carrick (for Clerk to the Board); and Chief Inspector Paul Cameron (Police Scotland).

Apologies: Councillors Jackson and Murphy.

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

LICENSING (SCOTLAND) ACT 2005
REVIEW OF PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005
REVIEW OF PERSONAL LICENCE

Decision as per attached list.

INVERCLYDE LICENSING BOARD – 25 SEPTEMBER 2020

LICENSING (SCOTLAND) ACT 2005

(1) REVIEW OF PREMISES LICENCE

<u>No</u>	<u>Licence Holder</u>	<u>Premises</u>	<u>Decision</u>
1.	Furhan Rafiq	Nisa Day to Day 6 East Crawford Street Greenock	NO GROUNDS FOR REVIEW

Mr Stephen McGowan, Messrs TLT was present representing the licence holder together with Mr Furhan Rafiq, the licence holder.

Ms Sinclair advised that the intention would be to conjoin the Review Hearing pertaining to the Premises Licence and the Personal Licence of Furhan Rafiq as the circumstances surrounding both Reviews are essentially the same. The Board Members, Chief Inspector Cameron and Mr McGowan agreed to this procedure.

Ms Sinclair read the contents of the Police Scotland letter dated 15 July 2020 requesting the review of the Premises Licence and Police Scotland letter dated 31 August 2020 requesting the review of the Personal Licence held by Mr Rafiq. Ms Sinclair advised that a number of e-mails had been submitted by Mr McGowan and asked if the Chief Inspector is willing for all correspondence to be read prior to all matters being considered. Chief Inspector Cameron had no objections to the proposal. Ms Sinclair read the five items of supporting documentation submitted by Mr McGowan. Copies of the all the documentation to be considered was previously circulated to Members.

Chief Inspector Cameron confirmed he had nothing further to add to the information provided within the letters as read however highlighted the Police concerns.

The Chair advised that he recognised this is a difficult case as the matters being discussed are sub-judice and asked Mr McGowan to provide his comments.

Mr McGowan addressed the Board providing background information on Mr Rafiq, his family, running of the business and his deep regret of the occurrence of this incident. Mr McGowan provided details of the incident and how it escalated and the reason for Mr Rafiq's reaction in these circumstances. Mr McGowan spoke on the letters of support submitted which showed Mr Rafiq's character, how he is considered by the local community and how he supports his customers. Mr McGowan then expanded on the details within the Police letters and asked Members to take all the points raised into consideration when making their decision.

The Chair opened discussions and there followed questions and answers between all participants, after which, the Chair requested Chief Inspector Cameron and Mr McGowan to summarise their submissions to the Board.

After full discussion, Councillor McEleny moved that no grounds for review are met which was unanimously agreed

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LICENSING (SCOTLAND) ACT 2005

(2) REVIEW OF PERSONAL LICENCE

<u>No</u>	<u>Licence Holder</u>	<u>Personal Licence Details</u>	<u>Decision</u>
1.	Furhan Rafiq	Personal Licence No. GC12387 Issue Date: 24 February 2020 Issuing Authority: City of Glasgow Licensing Board	NO GROUNDS FOR REVIEW AT THIS TIME

Mr Stephen McGowan, Messrs TLT was present representing the licence holder together with Mr Furhan Rafiq, the licence holder.

Ms Sinclair advised that the intention would be to conjoin the Review Hearing pertaining to the Premises Licence and the Personal Licence of Furhan Rafiq as the circumstances surrounding both Reviews are essentially the same. The Board Members, Chief Inspector Cameron and Mr McGowan agreed to this procedure.

Ms Sinclair read the contents of the Police Scotland letter dated 15 July 2020 requesting the review of the Premises Licence and Police Scotland letter dated 31 August 2020 requesting the review of the Personal Licence held by Mr Rafiq. Ms Sinclair advised that a number of e-mails had been submitted by Mr McGowan and asked if the Chief Inspector is willing for all correspondence to be read prior to all matters being considered. Chief Inspector Cameron had no objections to the proposal. Ms Sinclair read the five items of supporting documentation submitted by Mr McGowan. Copies of the all the documentation to be considered was previously circulated to Members.

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The Chair opened discussions and there followed questions and answers between all participants, after which, the Chair requested Chief Inspector Cameron and Mr McGowan to summarise their submissions to the Board.

After full discussion, Councillor McEleny moved that no grounds for review are met at this time which was unanimously agreed.