

INVERCLYDE LICENSING BOARD
THURSDAY 31 OCTOBER 2024 AT 10.00 A.M.

Present: Councillors Brooks, Cassidy, Law, McCormick, McVey, Reynolds and Robertson.

Chair: Councillor Brooks presided.

In attendance: Ms Anne Sinclair and Fiona Denver (for Clerk to the Board); Sergeant Ian Robertson (Police Scotland); and Colin Robertson (Licensing Standards Officer).

Apologies: There were no apologies intimated.

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

The meeting was held at the Municipal Buildings, Greenock with Councillors Brooks, Cassidy, McVey and Robertson present in the Chamber and Councillors Law, McCormick, Reynolds and Sergeant Robertson attending remotely.

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 BOARD FESTIVE SEASON POLICY 2024 – 2025

There was submitted a report by the Depute Clerk of the Board on the proposed terms of the Festive Season Policy 2024 – 2025.

Ms Sinclair advised that the proposed Policy has been based on the Board's previous Festive Season Policies and that only events which relate to the festive season are applicable.

Sergeant Robertson confirmed that Police Scotland accept the same conditions as last year and in the event of any premises applying for later hours than those stipulated in the Policy, an objection would be submitted.

Councillor Brooks spoke about the possibility of Nightclub premises having later hours similar to a neighbouring licensing board area. There followed a discussion between Members on this subject.

Councillor Brooks moved grant of the Policy with an amendment to increase the nightclub terminal hour on 24 December, 25 December, 31 December 2024, and 1 January 2025 to 4.00am with bar to close at 3.30am.

As an amendment, Councillor McVey moved grant of the Policy as outlined in Appendix 2. On a vote, 2 Members (Councillors Brooks and Law) voted for the Motion and 5 Members (Councillors Cassidy, McCormick, McVey, Reynolds and Robertson) voted for the amendment which was declared carried.

Ms Sinclair confirm grant of the Policy as follows:-.

Decided:

- (a) that 'blanket' extensions under section 67 of the Act for licensed premises (except Off Sales) shall be permitted;
- (b) that the Festive Season Policy will cover the period from Friday 6 December 2024 to Monday 1 January 2025 inclusive;
- (c) that licensed premises (except nightclubs) may open until 1.00 a.m. on Sunday to Wednesday and 2.00 a.m. Thursday to Saturday and nightclubs may open until 2.00 a.m. on Sunday to Wednesday and 3.30 a.m. (Bar to close 3.00 a.m.) on Thursday to Saturday;
- (d) that the terminal hour on Tuesday 24 December, Wednesday 25 December, Tuesday 31 December 2024 and Wednesday 1 January 2025 has the same terminal hour as Thursday to Saturday;
- (e) that the event being held must relate to the festive season e.g. Christmas Party Night, Hogmanay, and not to Birthday Parties, Weddings etc.;
- (f) that to assist the administration process, licence holders should notify the Police Scotland Licensing Department as soon as possible of those dates within the Festive Season Policy they intend to utilise; and
- (g) that occasional licence applications made for non-licensed premises e.g. Greenock Town Hall, Gamble Halls, Port Glasgow Town Hall, Community Halls etc for an event within the festive period may have the same hours granted in terms of the Festive Season Policy for events solely related to festive activities.

POLICE SCOTLAND ANNUAL REPORT 2023 – 2024

Sergeant Robertson addressed the Board on the Police Scotland Annual Report highlighting points of interest to Members and concluded that it is a positive report for the Inverclyde Licensing Board.

Councillor Brooks thanked Sergeant Robertson for the work carried out and their support over the last year.

Members Noted the report.

GAMBLING ACT 2005: GAMBLING STATEMENT OF PRINCIPLES CONSULTATION

Ms Sinclair advised that a consultation will be starting shortly in relation to review of the Board's Gambling Policy, summarised the process for such consultation, and advised that a report will be submitted to a future meeting of the Board on the outcome of the consultation. Ms Sinclair also advised that the policy requires to be reviewed every three years and that the review requires to be concluded by 13 April 2025, prior to expiry of the existing policy. A re

Members noted the verbal report.

INVERCLYDE LICENSING BOARD – THURSDAY 31 OCTOBER 2024

LICENSING (SCOTLAND) ACT 2005

(2) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Devinder Dhesi	Cleats Bar 4 Kempock Street Gourock	(a) Add outdoor drinking/ dining area to premises licence. Outdoor Area located at side of premises including raised decking area and ground level seating area at side of premises. Layout plan amended accordingly. (b) Add outdoor drinking to activities be provided on the premises during core licensing hours. (Tick Box Yes) Existing Tick Box - No	CONTINUED

Mr Lamb, Messrs Maitlands, was present representing the applicant.

Ms Sinclair advised that Police Scotland had submitted a representation in response to the application and read the contents of the Chief Superintendent's letter dated 6 August 2024. Police Scotland requested that additional conditions are placed on the licence if granted.

Mr Lamb confirmed that the Police conditions are acceptable to the applicant. He provided a brief summary of what is proposed and requested to amend the application to a reduced area.

The Board sought clarification on the amended area proposed. Ms Sinclair stated that it was understood following discussions with licensing staff that the area was to be reduced and a new layout plan was to be submitted, however no updated plan had been received.

Mr Lamb requested that the application be continued to a future meeting to allow his client to provide an updated plan.

The Board unanimously agreed to continue consideration to a further meeting of the Board.

INVERCLYDE LICENSING BOARD – THURSDAY 31 OCTOBER 2024

LICENSING (SCOTLAND) ACT 2005

(3) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Proposed Licence Details</u>	<u>Decision</u>
1.	Christine McIntyre	Jack & Remi's Newsagent 8 Grosvenor Road Greenock PA15 2DN	Description of Premises Convenience Store with off sales facility Core Licensing Hours – On Sales N/A Core Licensing Hours – Off Sales Monday – Sunday 10.00am – 10.00pm Seasonal Variations None Activities None Children and Young Persons N/A Capacity of Premises 15 sq. m. Alcohol Display Area Designated Premises Manager To be confirmed	GRANTED

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Proposed Licence Details</u>	<u>Decision</u>
-----------	------------------	-----------------	---------------------------------	-----------------

Mr Lamb, Messrs Maitlands was present representing the applicant. Ms Siobhan McIntyre, relative of the applicant was in attendance.

Ms Sinclair advised that no objections or representations have been received, and the required planning section 50 Certificate is in place.

Sergeant Robertson confirmed that Police Scotland have no comments on the application.

Mr Lamb addressed the Board providing background information on the applicant and operation of the premises.

Following a short discussion, Councillor McCormick moved grant of the application which was unanimously agreed.

2.	Vino by Tonino Ltd	Vino by Tonino 59 Kempock Street Gourock	Description of Premises Wine Bar in the retail district of Gourock on Kempock Street. The premises consist of a bar area, toilet, food preparation area and glasswash on the ground floor. The first floor is a staff area with toilet and storeroom.	GRANTED AS AMENDED WITH UNDERTAKING
			Core Licensing Hours – On Sales Monday – Wednesday 11.00am – 12 Midnight Thursday 11.00am – 1.00am Friday & Saturday 11.00am – 1.30am Sunday 11.00am – 12 Midnight	
			Core Licensing Hours – Off Sales Monday – Sunday 11.00am – 10.00pm	
			Seasonal Variations Extensions over the Festive Period operated in accordance with Inverclyde Licensing Board Policy.	

No Applicant

Premises

Vino by Tonino
59 Kempock Street
Gourock

Proposed Licence Details

Decision

Activities

Bar meals, Receptions including wedding, funerals, birthdays, retirements etc., Club or other group meetings etc., recorded music and outdoor drinking facilities to be provided during core licensing hours.

Any othe Activities

Takeaway service and home delivery of food and alcohol.
Online Wine Club sales.
Wine Tasting Classes.
Quiz nights, charity events or similar social activities.

Children and Young Persons

Terms

- (i) Children & Young Persons admitted only when accompanied by an adult.
- (ii) As per Inverclyde Licensing Board's Children and Young Persons Policy in Licensed Premises.

Ages

All ages.

Times

As per Inverclyde Licensing Board's Children and Young Persons Policy in Licensed Premises.

Parts

All public areas with exception of sitting or standing at the bar counter.

Capacity of Premises

40 persons
3 sq. m. Alcohol Display Area

No Applicant

Premises

Proposed Licence Details

Decision

Designated Premises Manager

To be confirmed

Mr Adiran Howlett, L-POS Ltd was present representing the application. Mr Antony Bonatti was in attendance.

Ms Sinclair advised that the required section 50 planning Certificate is in place. She intimated that a public objection had been received and read the contents of the objection to the Board. Ms Sinclair highlighted comments made by the Building Standards Officer confirming that the occupancy capacity figure should be 20 persons and the current layout plan will not enable food to be prepared or consumed on the premises.

Mr Howlett provided an updated layout plan showing that alterations had been carried out to the premises to permit food to be provided. A copy of the updated layout plan was circulated to Members.

Mr Howlett addressed the Board providing background information regarding his client and the proposed running of the business. He addressed the points raised by the objector and confirmed the occupancy capacity figure applied for should be amended to 20 persons as per Building Standards Regulations. Mr Howlett explained that it was anticipated the new layout plan would satisfy the Building Standards Officer that food can be provided, however he gave an undertaking to Members that if this proves not to be the case, the reference to food can be removed from the application at the point of Confirmation of the Provisional Licence, if granted.

Following discussion, Councillor Reynold moved grant of the application as amended with the undertaking which was unanimously agreed.