

INVERCLYDE LICENSING BOARD

THURSDAY 26 JANUARY 2012 AT 10 AM

Present: Councillors Ahlfeld, Brooks, Dorrian, Moran, Wilson and White.

Chair: Councillor Wilson presided.

In attendance: Mr James Douglas (for Clerk to the Board), Sergeant David MacDonald (Strathclyde Police).

Apologies: Councillors Grieve and McCallum.

LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR GRANT OF PREMISES LICENCE

Three Sisters Bake LLP, Sommerville Weir Hall, Faith Avenue, Quarriers Village, Bridge of Weir

Mr Douglas advised the Board that the applicant had requested further continuation of the application as the Section 50 Certificate from Building Standards still remains outstanding.

The Board agreed to continue the application to the next meeting of the Board.

LICENSING (SCOTLAND) ACT 2005 REVIEW OF PREMISES LICENCE

Marks & Spencer, 33 Hamilton Way, Greenock

Mr Douglas advised the Board that notification under Section 43 of the Licensing (Scotland) Act 2005 had been received in connection with Marks & Spencer, 33 Hamilton Way, Greenock, to which the Chief Superintendent confirmed in terms of Section 44(4)(b).

The Board considered the written submissions from Bond Pearce, Solicitors on behalf of their client.

The Board agreed that this matter be noted.

The Willow Bar, 203 Roxburgh Street, Greenock

Mr Douglas advised the Board that notification under Section 43 of the Licensing (Scotland) Act 2005 had been received in connection with The Willow Bar, 203 Roxburgh Street, Greenock, to which the Chief Superintendent confirmed in terms of Section 44(4)(b).

The Board considered the written submissions from Brunton Miller, Solicitors on behalf of their client.

Sergeant MacDonald, informed the Board the incident related to a Director of the Company and not in respect of how the premises are conducted.

The Board agreed that this matter be noted.

Port & Harbour, Customhouse Place, Greenock

Mr Douglas advised the Board that HM Revenue and Customs requested review of the Premises Licence at Port & Harbour, Customhouse Place, Greenock. The matter was brought before the Licensing Board at their meeting on 1 December 2011 where Members agreed to the continuation of the review at the request of the Solicitor acting for the licence holder as her client had been out of the country and the Solicitor had only received documentation.

The Solicitor made a written request to further continue this item due to another commitment.

The Board raised concerns regarding a further continuation and asked that the Solicitor be advised that the Hearing must go ahead at the next meeting.

Mr Douglas advised the Board that the Depute Clerk had previously spoken with the Solicitor on those terms and she was advised that there would be little prospect of any further continuations.

The Board agreed to continue the review to the next meeting of the Board.

Port & Harbour, Customhouse Place, Greenock

Mr Douglas advised the Board that the Chief Superintendent, Strathclyde Police requested review of the Premises Licence at Port & Harbour, Customhouse Place, Greenock.

The Solicitor acting for the licence holder made a written request to continue this item due to another commitment.

The Board agreed to continue the review to the next meeting of the Board.

Wemyss Bay Hotel, 23 Greenock Road, Wemyss Bay

Mr Douglas advised the Board that HM Revenue and Customs and the Chief Superintendent, Strathclyde Police, requested review of the Premises Licence at Wemyss Bay Hotel, 23 Greenock Road, Wemyss Bay. The matter was brought before the Licensing Board at their meeting on 1 December 2011 where Members agreed to the continuation of the review at the request of the Solicitor acting for the licence holder as her client had been out of the country and the Solicitor had only received documentation.

The Solicitor made a written request to further continue this item due to another commitment.

The Board raised concerns regarding a further continuation and asked that the Solicitor be advised that the Hearing must go ahead at the next meeting.

Mr Douglas advised the Board that the Depute Clerk had previously spoken with the Solicitor on those terms and she was advised that there would be little prospect of any further continuations.

The Board agreed to continue the review to the next meeting of the Board.

Wemyss Bay Hotel, 23 Greenock Road, Wemyss Bay

Mr Douglas advised the Board that the Chief Superintendent, Strathclyde Police, requested review of the Premises Licence at Wemyss Bay Hotel, 23 Greenock Road, Wemyss Bay.

The Solicitor acting for the licence holder made a written request to continue this item due to another commitment.

The Board agreed to continue the review to the next meeting of the Board.

LICENSING (SCOTLAND) ACT 2005 LICENSING FORUM REPORT ON OVERPROVISION

Mr Douglas requested the Board to consider the Overprovision Report by the Licensing Forum and the recommendations on Page 11 of the Report.

During discussion the Board heard from Kevin Hutchinson, Member of the Licensing Forum and Sergeant MacDonald.

The Board agreed to remit to the Depute Clerk to:-

- (i) write to the Forum requesting Community Councils be consulted on the report;
- (ii) provide further information in relation to the percentage of sales with regard to the larger off sales such as Morrisons and Tesco compared to the smaller convenience stores;
- (iii) ask for clarification as to whether the Forum regarded all Premises Licences as being intrinsically the same when drafting the report;
- (iv) asked the Clerk to the Board to write to the Forum outlining their views on the report;
- (v) consider a meeting of the Board, Forum, Police, CHCP and other interested third parties to discuss the issues each have in relation to licensing; and
- (vi) an updated report on their findings be brought back to the Board for consideration.