

INVERCLYDE LICENSING BOARD

THURSDAY 21 JUNE 2012 AT 10 AM

Present: Provost Moran, Councillors Ahlfeld, Brennan, Campbell-Sturgess, Loughran, Shepherd and McColgan.

Chair: Councillor Ahlfeld presided.

In attendance: Mr James Douglas (for Clerk to the Board), Superintendent Nedley and Sergeant David MacDonald (Strathclyde Police) and Andrina Hunter (Community Health & Care Partnership)

Apologies: Councillor McEleney and Wilson with Councillor McColgan substituting for Councillor Wilson.

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

LICENSING (SCOTLAND) ACT 2005 ELECTION OF CHAIR AND VICE-CHAIR

The Depute Clerk requested the Board to appoint a Chairperson and Vice-Chairperson to the Board.

Provost Moran moved Councillor Ahlfeld as Chairperson and Councillor McColgan moved Councillor Wilson as Vice-Chairperson.

Both motions were unanimously agreed.

The Depute Clerk declared Councillor Ahlfeld as Chairperson and Councillor Wilson as Vice-Chairperson duly elected.

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

Decision as per attached list.

GAMBLING ACT 2005 APPLICATION TO VARY PREMISES LICENCE

Mecca Bingo Club, Waterfront, Container Way, Greenock

Decision as per attached paper.

LICENSING (SCOTLAND) ACT 2005 REVIEW OF PREMISES LICENCE

Star Hotel Ltd., 19/21 John Wood Street, Port Glasgow

Mr Harvey, Blair and Bryden, was present representing the licence holder with Ms Ruth Isaac, Sole Director and Designated Premises Manager.

The Depute Clerk advised the Board Strathclyde Police requested review of the Premises Licence at Star Hotel, 19/21 John Wood Street, Port Glasgow.

The Board agreed that grounds for review were met.

The Board heard Superintendent Nedley in support of their request and informed the Board of pending cases in connection with the incidents related to the Board.

The Board heard Mr Harvey in support of the licence holder. Mr Harvey lodged several papers for the Board's attention. The papers had not been intimated on Strathclyde Police. Mr Harvey advised that there was a categoric and fundamental rejection of the Police position by his client.

After discussion, Councillor Loughran moved continuation of the Hearing, there being no amendments, 6 Members voted for the motion.

The Depute Clerk confirmed the Review Hearing to be continued to the next meeting of the Board to allow Strathclyde Police to consider the documentation submitted by Mr Harvey and the possibility of the pending court cases being concluded prior the next Board date.

Loreto Social and Recreation Club, 14 Houston Street, Greenock

Mr Dunn, President and Ms Donnachie, Manageress of the Club were present.

The Depute Clerk advised the Board Strathclyde Police requested review of the Premises Licence at Loreto Social and Recreation Club, 14 Houston Street, Greenock.

The Board agreed that grounds for review were met.

Mr Douglas read the letter from Strathclyde Police in support of their application.

The Board heard Superintendent Nedley in support of their request and submitted copies of photographic evidence of their findings and the Signing in Register held by the Club which were circulated to Members after Mr Dunn gave his permission to do so.

The Board heard Mr Dunn and Ms Donnachie. Mr Dunn explained to the Board the procedures they have now put in place following this incident including retraining of all staff and to employ licensed door stewards when football matches are taking place.

After discussion, Councillor Shepherd moved, in light of the new procedures the Club have put in place that a warning be given and any further serious issues will be taken seriously by the Board.

The Board unanimously agreed the motion.

LICENSING (SCOTLAND) ACT 2005 LICENSING BOARD MEETING DATES

The Depute Clerk requested the Board to consider a report to determine whether the Board wishes to arrange for meetings of the Board to take place at pre-determined intervals for the life of the current Board.

The Board agreed to assign the first Thursday in March, June, September and December with the caveat that other meetings may be assigned as and when required.

LICENSING (SCOTLAND) ACT 2005 DELEGATED AUTHORITY

The Depute Clerk requested the Board consider a report to seek Member's approval on matters which may be delegated to the Clerk of the Board are duly delegated.

Councillor Campbell-Sturgess moved to grant delegated authority to the Clerk of the Board as stated in the report with an amendment that Occasional Licence applications be lodged, where possible, 10 weeks prior to the proposed event date to allow legal formalities to be adhered to in the event of objections or representations being received in respect of the application.

The Board unanimously agreed the motion.

ADDITIONAL ITEM LICENSING (SCOTLAND) ACT 2005: OCCASIONAL LICENCE APPLICATION

The Depute Clerk requested the Board to consider an Occasional Licence application on behalf of Port Glasgow Juniors Boys Club by Mrs Sarah Peacock for an event to take place on 23 June 2012 within St John's Hall, Port Glasgow from 7.00 p.m. – 12.30 a.m. with Children and Young Persons permitted to terminal licensing hour.

Mrs Peacock, applicant was present.

Strathclyde Police submitted an objection to the application and recommended refusal of the application.

The Board heard Superintendent Nedley in support of their objection and Mrs Peacock on her submissions in support of the application.

After a full discussion Councillor Shepherd moved:-

- (a) objection to the application as applied for;
- (b) the application be amended to permit Children and Young Persons to the event within the Board's Policy and grant the application;
- (c) the Board consider, at a future meeting, to review their Policy Statement with regard to Children and Young Persons on licensed premises when certain events are taking place.

The Board unanimously agreed the motion.

Superintendent Nedley requested a Statement of Reasons which was noted.

OTHER BUSINESS

The Chair addressed the Board on the concerns raised with future child orientated events and these will be viewed seriously by the Board. It may be, after due consideration and consultation, the Licensing Board Policy Statement be amended that no alcohol be provided, sold or consumed at these type of events or only granted in exceptional circumstances. This would follow the necessary consultations regarding Board Policy.

Provost Moran also indicated that it would be useful for Executive Members of Clubs to have a meeting with Officers to clear up any ambiguity in the running of premises and in particular when children are attending functions.

The Chair requested that the points raised be considered with the Licensing Forum.

The Depute Clerk agreed to place an item on the next Licensing Forum Agenda to discuss these matters.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(2) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Address of Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Reo's Ltd 2 Ann Street Greenock	Cruden Hall 2 Ann Street Greenock	(a) Variation to layout plan of premises to include installation of lift.	GRANTED
			(b) Variation of terminal core licensing hour for consumption on premises on a Sunday to 1.00 a.m. Existing 12 Midnight	CONTINUED TO NEXT MEETING OF THE BOARD
			(c) Variation to activities held within premises during and outwith core licensed hours:- (i) To add theatre, films and indoor/outdoor sports (ii) To include <u>all</u> activities to be provided outwith core licensed hours. No alcohol will be sold outwith core hours unless an occasional licence or extended hours licence has been granted.	CONTINUED TO NEXT MEETING OF THE BOARD

Mr Tomlinson, Neill Clerk and Murray was present representing the licence holder together with Ms Beckett, Designated Premises Manager.

The Board considered a letter dated 30 March 2012 submitted by Strathclyde Police and an objection by Community Health and Care Partnership.

The Board heard Ms Hunter in support of their objection and Superintendent Nedley who requested continuation of the application for more specific information in relation to the activities proposed to be held within the premises.

The Board heard Mr Tomlinson in support of the licence holder and circulated a list to the Members of forthcoming events scheduled to be held within the premises from 23 June to 22 September 2012.

After discussion, the Board advised Mr Tomlinson that continuation of the application would be appropriate in order to clarify matters with Strathclyde Police and of their concerns relating to section (b). Mr Tomlinson asked the Board to consider a decision on section (a) of the application independently of sections (b) and (c) rather than continuing the full application.

The Board agreed to Mr Tomlinson's request in this instance and granted section (a) and continued section (b) and (c) to the next meeting of the Board.

2.	Mecca Bingo Ltd Statesman House Stafferton Way Maidenhead Berkshire	Mecca Bingo Club Container Way Greenock	(a) Variation to opening core hour on a Sunday to 12.15 p.m. Existing 12.30 p.m.	GRANTED
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Mr McGowan, Lindsays was present representing the licence holder together with Mr Cotton, Legal and Compliance Manager, Mecca Bingo Ltd.

The Depute Clerk advised the Board the variation sought is within the Board's guidelines and no adverse comments had been received.

The Board heard Mr McGowan in support of the licence holder.

Provost Moran moved grant of the application which was unanimously agreed.

INVERCLYDE LICENSING BOARD

GAMBLING ACT 2005

(3) APPLICATION TO VARY A PREMISES LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Address of Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Mecca Bingo Ltd Statesman House Stafferton Way Maidenhead Berkshire	Mecca Bingo Club Waterfront Container Way Greenock	Variation to default condition of hours gambling is provided on the premises to:- Monday – Sunday 9.00 a.m. – 1.00 a.m. Existing As Part 2 of The Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007:- “...no facilities for gambling shall be provided on the premises between the hours of midnight and 9am on any day.”	GRANTED

Mr McGowan, Lindsays was present representing the licence holder together with Mr Cotton, Legal and Compliance Manager, Mecca Bingo Ltd.

The Depute Clerk advised the Board the application had been advertised accordingly and no adverse comments had been received.

Mr McGowan addressed the Board on the background of the application, legislation relating to the Gambling Act and reasons for applying to amend the default Conditions.

After discussion, Provost Moran moved grant of the application which was unanimously agreed.