

INVERCLYDE LICENSING BOARD

THURSDAY 5 NOVEMBER 2015 AT 10.00 A.M.

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

Chair: Councillor Ahlfeld presided.

In attendance: Mr James Douglas and Fiona Denver (for Clerk to the Board); Inspector D Kane and Inspector S McInnes (Police Scotland).

Apologies: John Cushnaghan, Licensing Standards Officer.

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

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

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR EXTENDED HOURS OF PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR PROVISIONAL PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005 FESTIVE SEASON POLICY 2015 – 2016

The Board considered a report by the Depute Clerk to determine the 2015 – 2016 Festive Season Policy with regard to extended hours of Premises Licences and Occasional Licence applications.

Mr Douglas advised the Board on the background of the report for consideration.

Inspector Kane addressed the Board on this year's proposal and gave an overview of how well last year's Policy was run in practice and would be supportive of a similar Policy this year. He also intimated

that it was helpful that licence holders advised them of the dates they would be uptaking within the Policy for administrative purposes.

After discussion the Board unanimously agreed the 2015 – 2016 Festive Policy as follows:-

- (a) 'blanket' extension be adopted in terms of Section 67 of the Act;
- (b) to cover the period Friday 11 December 2015 to Saturday 2 January 2016 inclusive;
- (c) the terminal hour for licensed premises as follows:-

Premises Licences (except Nightclubs)

Sunday - Wednesday 1.00 a.m.
Thursday – Saturday 2.00 a.m.

Premises Licences (Nightclubs)

Sunday – Wednesday 2.00 a.m.
Thursday – Saturday 3.30 a.m.
(Bar to close 3.00 a.m.)

- (d) the event being held must relate to the festive season e.g. Christmas Party Night, Hogmanay;
- (e) the curfew be relaxed to 1.00 a.m. on the evening of 31 December 2015 in to 1 January 2016;
- (f) licence holders are asked to notify Police Scotland of the days and hours they wish to uptake within the Policy period by 1 December 2015 if possible; and
- (g) an occasional licence application for festive events being held within a Community Hall must comply with the Policy in the event that the extended hours available are sought.

The Board thanked Police Scotland and other emergency services for their work undertaken during this busy time of year.

PRODUCTION OF BOARD PAPERS

NOTICE OF MOTION BY COUNCILLOR CAMPBELL-STURGESS

Councillor Campbell-Sturgess addressed the Board on receiving Board papers in advance of the meeting for consideration of licensing applications, review hearings and major variations and moved his proposals to the Board.

Following a full discussion, Councillor Ahlfeld moved amendment that any papers are provided to Members at the time the application / licence is being considered at the Board Meeting. On a vote, 6 Members voted for the amendment and 1 Member for the motion.

Mr Douglas confirmed the amendment carried and where applicable, papers will be provided to Members at the Board Meeting when the item is being heard.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Name & Address of Applicant</u>	<u>Address of Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Royal Gourock Yacht Club Ashton Road Ashton Gourock	Royal Gourock Yacht Club Ashton Road Ashton Gourock	<p>Amend On Sales Core Licensing Hours to:-</p> <p><u>Summer Season (April to September)</u></p> <p>Monday 6.00 p.m. – 11.00 p.m.</p> <p>Tuesday – Thursday 12 Noon – 2.30 p.m. & 5.30 p.m. – 11.00 p.m.</p> <p>Friday 12 Noon – 2.30 p.m. & 5.30 p.m. – 1.00 a.m.</p> <p>Saturday 12 Noon – 1.00 a.m.</p> <p>Sunday 12.30 p.m. – 11.00 p.m.</p> <p><u>Winter Season (October – March)</u></p> <p>Monday 6.00 p.m. - 11.00 p.m.</p> <p>Tuesday – Thursday 12 Noon - 2.30 p.m. & 6.00 p.m. – 11.00 p.m.</p> <p>Friday & Saturday 12 Noon - 2.30 p.m. & 6.00 p.m. – 1.00 a.m.</p> <p>Sunday 12.30 p.m. - 11.00 p.m.</p> <p>Existing</p> <p><u>Summer Season (April – September)</u></p> <p>Monday – Thursday 11.00 a.m. – 11.00 p.m.</p> <p>Friday & Saturday 11.00 a.m. – 1.00 a.m.</p> <p>Sunday 12.30 p.m. – 11.00 p.m.</p> <p><u>Winter Season (October – March)</u></p> <p>Monday – Thursday 12 Noon – 2.00 p.m. & 5.00 p.m. – 10.00 p.m.</p> <p>Friday 12 Noon – 3.00 p.m. & 5.00 p.m. – 1.00 a.m.</p> <p>Saturday 11.00 a.m. – 1.00 a.m.</p> <p>Sunday 12.30 p.m. – 10.00 p.m.</p>	GRANTED

Mr Tomlinson, Messrs Neill Clerk & Murray was present representing the licence holder.

Mr Douglas advised that no objections or representations had been submitted and the application is within the Board's Policy.

Mr Tomlinson addressed the Board in support of the licence holder.

Councillor Ahlfeld moved grant of the application which was unanimously agreed.

2.	Jasbir Kaur Lalley 101 Newton Street Greenock	Lalley's Express (formerly Westfield Stores) 19/21 Gleninver Road Greenock	Increase Off Sales Core Licensing Hours to:- Monday – Sunday 10.00 a.m. – 10.00 p.m. Existing Monday – Thursday 10.00 a.m. – 8.00 p.m. Friday & Saturday 10.00 a.m. – 9.00 p.m. Sunday 10.00 a.m. – 3.00 p.m. & 6.30 p.m. – 8.30 p.m.	GRANTED
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Mr Tomlinson, Messrs Neill Clerk & Murray was present representing the licence holder.

Mr Douglas advised that an objection has been submitted by Health and Social Care Partnership and read the contents of their letter dated 1 October 2015. He advised that no public or Police objections or representations had been received and the application is within the Board's Policy.

Mr Tomlinson addressed the Board in support of the licence holder.

After discussion, Councillor Brennan moved grant of the application which was unanimously agreed.

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(2) APPLICATION FOR EXTENDED HOURS OF PREMISES LICENCE

<u>No</u>	<u>Address of Premises</u>	<u>Event Details</u>	<u>Decision</u>
1.	The Waterwheel Gallagher Shopping Park Greenock Road Port Glasgow	Thursday 31 December 2015 12 Midnight – 1.00 a.m. New Year's Eve Celebrations Request children to be permitted at the premises throughout the event whilst accompanied by an appropriate adult.	GRANTED

Ms Margaret Turner, General Manager of the premises was present.

Mr Douglas advised the Board on the background of the application and in particular to the request for children to be permitted to the terminal hour of the event being 1.00 a.m. which is outwith the Board's Policy of 11.00 p.m. for children attending a function.

Ms Turner addressed the Board and provided full and precise information as to how the Hogmanay event would be managed.

Following discussion, Councillor Wilson moved grant of the application, as an amendment, Councillor Campbell-Sturgess moved grant of the application with the Condition that children under 5 years of age are not permitted to attend. On a vote, 2 Members voted for the amendment and 5 Members for the motion which was declared carried.

Mr Douglas confirmed the application as granted.

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LICENSING (SCOTLAND) ACT 2005

(3) APPLICATION FOR PREMISES LICENCE

<u>No</u>	<u>Name & Address of Applicant</u>	<u>Address of Premises</u>	<u>Type of Premises and Core Licensing Hours</u>	<u>Decision</u>
1.	McKendry Properties Limited c/o James Perman & Company 2 Bellman's Close Largs	119 West Blackhall Street Greenock	Restaurant <u>On Sales</u> Monday – Thursday 11.00 a.m. – 12 Midnight Friday & Saturday 11.00 a.m. – 1.00 a.m. Sunday 12.30 p.m. – 12 Midnight	GRANTED
Mr Lamb, Messrs Maitlands was present representing the applicant.				
Mr Douglas advised that no objections or representations had been submitted; the application is within the Board's Policy and is within the overprovision area.				
Mr Lamb addressed the Board in support of the applicant. He intimated the premises had been previously licensed and the hours sought are identical to that of the previous licence and the operating plan is on the same guidelines.				
Following discussion, Councillor Shepherd moved grant of the application which was unanimously agreed.				
2.	Vino 13 Ltd 75 Lochwinnoch Road Kilmacolm	Vino 13 Ltd 13 St James Terrace Kilmacolm	Off Licence and wine tasting <u>On Sales</u> Monday – Sunday 12 Noon – 10.00 p.m. <u>Off Sales</u> Monday – Saturday 10.00 a.m. – 10.00 p.m. Sunday 12 Noon – 10.00 p.m.	GRANTED AS AMENDED

Mr Kelly, Sole Director was present.

Mr Douglas advised that Mr Kelly had amended his application by removal of the on sales hours applied for. He also advised that no objections or representations had been submitted and the application is within the Board's Policy.

Mr Kelly addressed the Board and confirmed amendment of his application.

After discussion, Councillor Wilson moved grant of the application which was unanimously agreed.

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(4) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Name & Address of Applicant</u>	<u>Address of Premises</u>	<u>Type of Premises and Core Licensing Hours</u>	<u>Decision</u>
1.	Aldi Stores Limited Holly Lane Atherstone Warwickshire	Aldi Unit 1 Clydebuilt Retail Park Port Glasgow	Supermarket <u>Off Sales</u> Monday – Sunday 10.00 a.m. – 10.00 p.m.	GRANTED

Mr Hassard, Messrs Lindsays was present representing the applicant together with Mr David MacLeod, Senior Manager.

Mr Douglas advised that an objection has been submitted by Health and Social Care Partnership and read the contents of their letter dated 1 October 2015. He advised that no public or Police objections or representations had been received and the application is within the Board's Policy.

Mr Hassard addressed the Board in support of the applicant and Members heard Mr MacLeod confirm some points raised.

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