

## **INVERCLYDE LICENSING BOARD**

**THURSDAY 31 JANUARY 2013 AT 10.00 A.M.**

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

**Chair:** Councillor Ahlfeld presided.

**In attendance:** Mr James Douglas and Fiona Denver (for Clerk to the Board), Sergeant David Macdonald (Strathclyde Police) and Jan Graham (Community Health & Care Partnership).

**Apologies:** Apologies for absence were intimated on behalf of Councillors McEleny and Wilson and Andrina Hunter (Community Health & Care Partnership).

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

Prior to the commencement of business, the Chair offered the Board's congratulations to Sergeant Macdonald in his new appointment of Inspector and thanked him for his support over the past few years. These comments were echoed by Mr Tomlinson. Sergeant Macdonald thanked the Board for their good wishes.

### **LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR TRANSFER OF PREMISES LICENCE**

Decision as per attached list.

### **LICENSING (SCOTLAND) ACT 2005 PREMISES LICENCE ANNUAL FEE PAYMENTS 2012 - 2013**

Mr Douglas advised the Board on the updated position of outstanding payments of Premises Licence annual fees being £6,000 with respect to 23 premises as at 30 January 2013. Mr Douglas requested Members to authorise that those licence holders who have delayed payment be written to requesting fees within 14 days. If no payment is received within that timescale, the premises shall be cited to the next calling of the Board for the purposes of a review hearing.

The Chair moved the recommendation which was unanimously agreed.

### **GAMBLING ACT 2005 REVISED STATEMENT OF PRINCIPLES**

Mr Douglas advised the Board that the consultation process for the Gambling Act 2005 Revised Statement of Principles had been concluded and no responses from the list of Consultees in Agenda Item 3 Appendix 1 were received although, comments were lodged by Your Voice.

The comments from Your Voice were considered by Members to be generic to the Gambling legislation itself and not particular to the consultation carried out however, noted the comments therein and welcomed their input.

After discussion it was agreed to implement the new Revised Statement of Principles for the years 2013 – 2016 and a hard copy be sent to all Community Councils within Inverclyde area.

**LICENSING (SCOTLAND) ACT 2005  
REVIEW OF PREMISES LICENCE**

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR TRANSFER OF PREMISES LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Address of Premises</u>	<u>Current Licence Holder</u>	<u>Proposed Licence Holder</u>	<u>Decision</u>
1.	Charon Singh 131 Finnart Street Greenock	<b>15 Birkmyre Avenue</b> Port Glasgow  (Off Sales)	Charon Singh 131 Finnart Street Greenock	Raman Kumar Flat 1/2 31 Nursery Street Glasgow	REFUSED

Mr Tomlinson, Neill Clerk & Murray, was present representing the applicant, Mr Raman Kumar, applicant and Mr Sota Ram, brother of applicant were also present.

Mr Douglas advised the Board that Strathclyde Police had made an objection to the application and read the terms of the Police objection to the Board.

The Board heard Sergeant Macdonald in support of the Police recommendations.

The Board heard Mr Tomlinson in support of the applicant.

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

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(4) REVIEW OF PREMISES LICENCE

<u>No</u>	<u>Name and Address of Licenceholder</u>	<u>Address of Premises</u>	<u>Decision</u>
1.	Ahmed Trading (Glasgow) Ltd Address to be confirmed	<b>Wemyss Bay Hotel</b> Greenock Road Wemyss Bay	WRITTEN WARNING

Mr Douglas advised the Board the licence holder and his agent were unable to attend the Board.

Mr Douglas addressed the Board as to the reason for the review, namely non payment of annual fees over the past two years. Mr Douglas advised that payment had been made in full in the past few days and moved the Board to consider the grounds of review were met and a written warning be given.

The Board agreed the terms for review were met and agreed that a written warning be given to the licence holder and to ensure that future annual fees must be paid by the due date or a review of the Premises Licence will be undertaken immediately.