

INVERCLYDE LICENSING BOARD
THURSDAY 7 MARCH AT 10.00 A.M.

Present: 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), Chief Inspector Kennedy, Sergeant MacKinnon and PC Michelle Wallace (Strathclyde Police).

Apologies: Apologies for absence were intimated on behalf of Provost Moran, Councillor McEleny, Andrina Hunter (Community Health & Care Partnership) and John Cushnaghan (Licensing Standard 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 PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005
REVIEW OF PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR OCCASIONAL LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR EXTENDED HOURS

Decision as per attached list.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(1) 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 c/o James Perman & Co 2 Bellman's Close Largs	Dakota 1/3 Tobago Street Greenock	(a) Variation to layout plan of premises to extend licensed area. (b) Amend activities held within premises as follows: (i) Addition of Club or other group meetings and Indoor/Outdoor Sports as permitted activities provided during core licensed hours. (Tick Box to Yes) Existing Tick Box – No (ii) Addition of Restaurant facilities and bar meals to be provided outwith core licensed hours. (Tick Box to Yes) Existing Tick Box – No (iii) Add to further details on activities to be provided outwith core licensed hours:- "The premises may open at 9.00 a.m. to serve breakfast, tea, coffee, cakes etc. No alcohol will be sold outwith core licensed hours." Existing Facility to screen Sky Sports. One Gaming Machine.	GRANTED SUBJECT TO COMPLETION CERTIFICATE BEING ISSUED BY BUILDING STANDARDS
			(c) Cont'd	

No	Name and Address of Applicant	Address of Premises	Variation Details	Decision
(c)			<p data-bbox="1037 185 1939 240">Amend terms to which children and young persons are permitted on the premises as follows:-</p> <p data-bbox="1037 280 1099 304"><u>Ages</u></p> <p data-bbox="1037 344 1144 368">All Ages.</p> <p data-bbox="1037 408 1144 432">Existing</p> <p data-bbox="1037 440 1368 464">2 years of age and upwards</p> <p data-bbox="1037 504 1111 528"><u>Times</u></p> <p data-bbox="1037 560 1939 616">Children and Young Persons are permitted as per Inverclyde Licensing Board Children and Young Persons in Licensed Premises Conditions.</p> <p data-bbox="1037 655 1144 679">Existing</p> <p data-bbox="1037 687 1267 711">12 Noon - 6.00 p.m.</p> <p data-bbox="1037 751 1099 775"><u>Parts</u></p> <p data-bbox="1037 807 1939 895">All public areas during the day and from 6.00 p.m. onwards Children and Young Persons will only be permitted in Bistro area where food will be served.</p> <p data-bbox="1037 935 1144 959">Existing</p> <p data-bbox="1037 967 1850 991">Restaurant, Lounge and Bar Area but not permitted near bar servery.</p> <p data-bbox="1037 1031 1111 1054"><u>Terms</u></p> <p data-bbox="1037 1086 1939 1174">Children and Young Persons will be allowed entry whilst accompanied by a responsible adult and will adhere to Inverclyde Licensing Board's Children and Young Persons in Licensed Premises Conditions.</p> <p data-bbox="1037 1214 1144 1238">Existing</p> <p data-bbox="1037 1246 1939 1302">(i) Children and Young Persons will be allowed entry only when food is being served.</p> <p data-bbox="1037 1342 1939 1398">(ii) As per Inverclyde Licensing Board's Children and Young Persons in Licensed Premises Conditions.</p>	<p data-bbox="1966 185 2141 424">GRANTED SUBJECT TO COMPLETION CERTIFICATE BEING ISSUED BY BUILDING STANDARDS</p>

Mr Tomlinson, Neill Clerk & Murray, was present representing the applicant.

Mr Douglas advised the Board that an observation had been received from Community Health & Care Partnership and informed the Board that the last sentence has been withdrawn.

Mr Douglas read the observation to the Board. He also advised that all matters applied for are in order and within Policy.

The Board heard Mr Tomlinson in support of the applicant.

Councillor Campbell-Sturgess moved grant of the application subject to the Completion Certificate being granted being issued by Building Standards, which was unanimously agreed.

2.	Windyhill Restaurant Ltd 4 The Ladeside Quarriers Village Bridge of Weir	Windyhill Restaurant 4 St James Terrace Kilmacolm	(a) Variation to on sales core licensing hours as follows:- Monday - Closed Tuesday – Saturday 12 Noon – 5.00 p.m. Sunday - Closed Existing Monday – Closed Tuesday & Wednesday 12 Noon – 3.00 p.m. & 6.00 p.m. – 10.00 p.m. Thursday & Friday 12 Noon – 3.00 p.m. & 6.00 p.m. – 11.00 p.m. Saturday 6.00 p.m. – 11.30 p.m. Sunday - Closed	GRANTED
			(b) Amend activities to be held in premises to include Restaurant facilities and recorded music outwith core licensing hours. (Tick Box to ‘Yes’)	GRANTED
			Existing Tick Box ‘No’	
			(c) Remove live music to the activities held within the premises. (Tick Box to ‘No’)	GRANTED
			Existing Tick Box ‘Yes’	

Mr Scobey, Director of Windyhill Restaurant Ltd was present.

Mr Douglas advised the Board that all matters applied for are in order and within Policy.

The Board agreed to grant the application.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(2) APPLICATION FOR PREMISES LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Address of Premises</u>	<u>Decision</u>
1.	Ms Ruth Isaac c/o Blair & Bryden Solicitors 27 Union Street Greenock	The Star Hotel 19/21 John Wood Street Port Glasgow (On Sales)	GRANTED

Mr Harvey, Blair & Bryden was present representing the applicant.

Mr Douglas advised the Board that the observation submitted by Community Health & Care Partnership had been withdrawn. He advised Members on the background of the application and confirmed all matters applied for are within Policy and this application is identical to how the premises had previously operated.

The Board heard Mr Harvey in support of the applicant.

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

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(3) REVIEW OF PREMISES LICENCE

<u>No</u>	<u>Name and Address of Licence Holder</u>	<u>Address of Premises</u>	<u>Review Requested By</u>	<u>Decision</u>
1.	Mr Hoi Cheung Lam Flat 1/R 136 West Blackhall Street Greenock	The Cathay Royale 134 West Blackhall Street Greenock	Clerk to Inverclyde Licensing Board	WRITTEN WARNING

Mr Harvey, Blair & Bryden was present representing the licence holder.

Mr Douglas advised the Board on the background of the review and confirmed the annual fee payment had been paid outwith the 14 day deadline the Board previously agreed at their last meeting.

The Board agreed the ground for review was met.

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

The Board agreed a written warning be given to the licence holder with a Direction that future annual fee payments are paid on 1 October each year.

2.	Firstform (155) Limited The Port & Harbour Customhouse Place Greenock	The Firth Hotel 1 Ashton Road Gourock	Clerk to Inverclyde Licensing Board	WRITTEN WARNING
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Mr Lamb, Maitlands was present representing the licence holder.

Mr Douglas advised the Board on the background of the review and confirmed the annual fee payment had been paid outwith the 14 day deadline the Board previously agreed at their last meeting.

The Board agreed the ground for review was met.

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

The Board agreed a written warning be given to the licence holder with a Direction that future annual fee payments are paid on 1 October each year.

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| 3. | Ahmed Trading (Glasgow) Limited
Port & Harbour Hotel
Customhouse Place
Greenock | Port & Harbour
Customhouse Place
Greenock | Clerk to Inverclyde Licensing Board | WRITTEN
WARNING |
|----|--|--|-------------------------------------|--------------------|

Mr Lamb, Maitlands was present representing the licence holder.

Mr Douglas advised the Board on the background of the review and confirmed the annual fee payment had been paid outwith the 14 day deadline the Board previously agreed at their last meeting.

The Board agreed the ground for review was met.

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

The Board agreed a written warning be given to the licence holder with a Direction that future annual fee payments are paid on 1 October each year.

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| 4. | Ahmed Trading (Glasgow) Limited
Port & Harbour Hotel
Customhouse Place
Greenock | Port & Harbour
Customhouse Place
Greenock | Strathclyde Police | (1) SUSPEND
FOR MINIMUM
PERIOD OF 4
WEEKS AND
(2) VARIATION
TO PREMISES
LICENCE |
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Mr Lamb, Maitlands was present representing the licence holder.

Mr Douglas advised the Board that Strathclyde Police had requested review of the Premises Licence at Port & Harbour, Customhouse Place, Greenock and read the letters dated 20 February 2013 and 28 February 2013 from the Chief Superintendent.

The Board agreed that grounds for the review were met.

The Board heard Chief Inspector Kennedy in support of the review.

The Board heard Mr Lamb in support of the licence holder and requested the Board consider a variation to the Premises Licence in that no functions, including live bands will take place within the premises and the core licensing hours be reduced to close at 11.00 pm. Sunday to Thursday and close 12 Midnight Friday and Saturday.

After discussion, Councillor Ahlfeld moved:-

- (a) to accept with immediate effect the recommendations to vary the Premises Licence namely:-
 - (i) no functions including live bands will be permitted to take place on the premises; and
 - (ii) the core licence hours be amended to close at 11.00 p.m. Sunday to Thursday and 12 Midnight Friday and Saturday; and
- (b) the Premises Licence be suspended for a 4 week period commencing immediately in order for staff to be fully re-trained and this training must be verified by Strathclyde Police and the Licensing Standard Officer before the premises may open, if not satisfactory, the suspension period will continue until all matters are complied with.

As an amendment Councillor Campbell-Sturgess moved the Premises Licence be revoked.

Following a vote, two Members voted for the amendment and four Members for the motion which was declared carried.

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(4) APPLICATION FOR OCCASIONAL LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Date, Time, Place and Type of Event</u>	<u>Decision</u>
1.	Mr Anthony Buckley Inverclyde Catering & Events Ltd 31 Turnberry Drive Gourock	Saturday 1 June 2013 7.30 p.m. – 12.30 a.m. Port Glasgow Town Hall Port Glasgow Boys Club Presentation Dance	GRANTED

Mr Buckley was present.

Mr Douglas advised the Board that Strathclyde Police has lodged an objection and recommend refusal of the occasional licence application by Mr Buckley.

Mr Douglas read the letter dated 11 January 2013 from the Chief Superintendent.

The Board heard Chief Inspector Kennedy in support of the Police recommendations and Mr Buckley in support of the application.

After discussion, the Board agreed to grant the application.

Councillor Ahlfeld asked Mr Douglas to address the meeting on further matters in this regard.

Mr Douglas advised the meeting that the Board will be discuss and agree a definitive Policy which will strictly be adhered to in future with regard to Presentation nights involving children's sporting clubs.

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(5) APPLICATION FOR EXTENDED HOURS

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Premises</u>	<u>Date, Time and Type of Event</u>	<u>Decision</u>
1.	Fiona Hamil Fig Promotions Ltd 12 Cross Shore Street Greenock	Red Nightclub 12 Cross Shore Street Greenock	Evening of Sunday 31 March 2013 to Monday 1 April 2013 1.30 a.m. – 3.00 a.m. (Bar to Close 2.30 a.m.) Easter Sunday Party	GRANTED

Mr Hamil, Director was present.

Mr Douglas advised the Board that Strathclyde Police had submitted an objection to the extended hours application for the premises at Red Nightclub.

Mr Douglas read the letter dated 11 February 2013 from the Chief Superintendent.

The Board heard Chief Inspector Kennedy in support of the Police objection and Mr Hamil in support of the application.

The Board agreed to Grant the application.