

**INVERCLYDE LICENSING BOARD**  
**THURSDAY 6 JUNE 2013 AT 10.00 A.M.**

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

**Chair:** Councillor Ahlfeld presided.

**In attendance:** Mr James Douglas and Fiona Denver (for Clerk to the Board), Inspector Ian Wood, Sergeant Steven Espie and Ms Pamela Stevenson, (Police Scotland) and Ms Andrina Hunter (Community Health & Care Partnership).

**Apologies:** Councillors Louhgran and McEleny with Councillor McColgan substituting for Councillor Loughran; 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 TRANSFER OF 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**  
**REVIEW OF PREMISES LICENCE**

Decision as per attached list.

**LICENSING (SCOTLAND) ACT 2005**  
**CHILDREN AND YOUNG PERSONS POLICY**

The Board considered a Report by the Clerk seeking the Board's decision on its Children and Young Persons Policy following a formal request to consider the matter by Inverclyde Licensing Forum.

Mr Douglas advised Members on the background of the report and explained the Appendices attached thereto. Ms Hunter, Community Health & Care Partnership addressed the Board on the findings of the Licensing Forum and their recommendations.

After a full discussion the Board agreed:-

- (a) to make no change to the Board's current Policy; and
- (b) refuse to adopt the supplementary form being added to the Occasional Licence application form.

The Chair instructed the meeting that a long debate had taken place with regard to reaching a decision on this matter and confirmed that future applications will not be granted outwith the said Policy.

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.	Lapwine Limited 7 Clarence House Hood Street Greenock	<b>Harwoods</b> 208 Dalrymple Street Greenock	<p>(a) To permit Children and Young Persons on the premises as follows:-</p> <p>(i) Children are permitted until 11.00 p.m. when attending a family function or having a meal.</p> <p>(ii) Young Persons are permitted until 1.00 a.m. when attending a family function or having a meal.</p> <p><b>Existing</b> When alcohol is being sold for consumption on the premises children or young persons <b>will not</b> be allowed entry.</p> <p>(b) Variation to Core Licensed Hours for consumption on premises to allow daytime trading as follows:</p> <table border="0"> <tr> <td>Monday – Thursday</td> <td>11.00 a.m. – 1.00 a.m.</td> </tr> <tr> <td>Friday and Saturday</td> <td>11.00 a.m. – 2.00 a.m.</td> </tr> <tr> <td>Sunday</td> <td>12.15 p.m. – 1.00 a.m.</td> </tr> </table> <p><b>Existing</b></p> <table border="0"> <tr> <td>Monday</td> <td>Closed</td> </tr> <tr> <td>Tuesday – Thursday</td> <td>8.00 p.m. – 1.00 a.m.</td> </tr> <tr> <td>Friday and Saturday</td> <td>7.00 p.m. – 2.00 a.m.</td> </tr> <tr> <td>Sunday</td> <td>7.00 p.m. – 1.00 a.m.</td> </tr> </table>	Monday – Thursday	11.00 a.m. – 1.00 a.m.	Friday and Saturday	11.00 a.m. – 2.00 a.m.	Sunday	12.15 p.m. – 1.00 a.m.	Monday	Closed	Tuesday – Thursday	8.00 p.m. – 1.00 a.m.	Friday and Saturday	7.00 p.m. – 2.00 a.m.	Sunday	7.00 p.m. – 1.00 a.m.	<p>AMENDED TO 10.00 P.M. (FUNCTIONS ONLY) AND GRANTED</p> <p>GRANTED WITH THE CONDITION THAT THE PREMISES ONLY OPEN WHEN A FUNCTION IS BEING HELD</p>
Monday – Thursday	11.00 a.m. – 1.00 a.m.																	
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<u>No</u>	<u>Name and Address of Applicant</u>	<u>Address of Premises</u>	<u>Variation Details</u>	<u>Decision</u>
			(c) Variation to include bar meals as an activity within the premises during Core Licensed Hours. (Tick box to Yes)	GRANTED WITH THE CONDITION THAT THIS FACILITY IS ONLY AVAILABLE FOR THE PROVISION OF FOOD AT A FUNCTION AND NOT GENERAL PUBLIC
			<b>Existing</b> Tick Box - No	

Mr S McGowan, TLT was present representing the applicant together with Mr J White, Director, Ms P Cannon, Designated Premises Manager and Ms G MacLachlan.

Mr Douglas read the Police Scotland objection and Community Health & Care Partnership representation. The report attached to the Police Scotland objection was circulated to Members.

The Board heard Ms Hunter in support of the Community Health & Care Partnership representation and Inspector Wood in support of the Police objection.

Mr McGowan addressed the Board on the points raised and provided information on the terms of the application on behalf of the applicant. He intimated his client's willingness to amend the application as follows:-

- (i) close the premises at 10.00 p.m. prior to the nightclub opening at 11.00 p.m.;
- (ii) daytime hours only be operated when a function is being held;
- (iii) children and young persons permitted on the premises, when attending a family function up to 10.00 p.m.;
- (iv) bar meals facility is provided only for the purposes of catering at functions, for the avoidance of doubt, no food is to be served to general public.

After discussion Councillor Shepherd moved grant of the application as amended which was unanimously agreed.

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|---|---|---|
| 2. MacAdam McDonald Ltd<br>2 Blythswood Square<br>Glasgow | <b>Roxburgh Bar</b><br>37 Roxburgh Street<br>Greenock | (a) Variation to change of use of premises to Convenience Store with Off Sale facility. REFUSED   |
|   |   | <b>Existing</b><br>Premises operate as a public house.  |
|   |   | (b) Amend Operating Plan in accordance with the functions of a convenience store including sale of alcohol for consumption off premises as permitted (Monday – Sunday 10.00 a.m. – 10.00 p.m.) with alcohol display area of 23.4 sq. m. REFUSED |

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

Mr Douglas read the representation received from Community Health & Care Partnership and the public objections.

The Board heard Ms Hunter in support of the Community Health & Care Partnership representation, Mr McKay in support of his objection, Mr Tomlinson in support of the applicant and Inspector Wood on comments raised.

After discussion Councillor Wilson moved grant of the application, as an amendment Councillor Brennan moved refusal of the application as it breaches the licensing objectives. On a vote one Member voted for the motion and five Members voted for the amendment which was declared carried.

Mr Tomlinson requested a Section 32 direction which was granted.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(2) 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.	Mr Kashmira Singh Bhatti c/o Winehouse 3 Octavia Buildings Bridge of Weir Road Kilmacolm	<b>Winehouse</b> 3 Octavia Buildings Bridge of Weir Road Kilmacolm  (Off Sales)	Mr Kashmira Singh Bhatti c/o Winehouse 3 Octavia Buildings Bridge of Weir Road Kilmacolm	Kilmacolm Stores Ltd 3 Octavia Buildings Bridge of Weir Road Kilmacolm	GRANTED WITH CONDITION

Mr Harvey, Blair & Bryden was present representing the applicant together with the Mr Nirmal Singh, Director.

Mr Douglas advised the Board that additional documentation had been received yesterday afternoon from the applicant's Solicitor which had also been served on Police Scotland. Inspector Wood confirmed that the documentation had been received. The documentation was circulated to Members.

Mr Douglas read the Police objection letter dated 18 March 2013 which identified Mr Sanjeev Singh as a connected person.

The Board heard Inspector Wood and Ms Stevenson in support of the Police objection, Mr Harvey and Mr N Singh in support of the application. Mr Harvey provided the updated position in respect of the Directors of the Kilmacolm Stores Ltd which had been amended from 23 April 2013.

After discussion Councillor Wilson moved grant of the application with the condition that Mr Sanjeev Singh is not involved in the control or management of the premises which was unanimously agreed.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(3) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Address of Premises</u>	<u>Decision</u>
1.	Aldi Stores Ltd Holly Lane Atherstone Warwickshire	<b>Aldi</b> Grey Place Greenock  (Off Sales)	GRANTED
<p>Mr N Hassard, Lindsays was present representing the applicant together with Mr Doyle, Manager, Aldi Stores Ltd.</p> <p>Mr Douglas read the representation received from Community Health &amp; Care Partnership.</p> <p>The Board heard Ms Hunter is support of the Community Health &amp; Care Partnership representation and Mr Hassard in support of the applicant.</p> <p>Councillor Ahlfeld moved grant of the application which was unanimously agreed.</p>			
2.	Marstons Operating Ltd Marston's House Brewery Road Wolverhampton WV1 4JT	<b>Bar Restaurant</b> Land North of Ardgowan Street (part of former Scott Lithgow & East Glen Yard) Port Glasgow  (Both - On and Off Sales)	GRANTED WITHIN POLICY AND ADDITIONAL CONDITIONS BY POLICE SCOTLAND

Mr J Gaunt, John Gaunt & Partners was present representing the applicant.

Mr Douglas read the representation received from Police Scotland.

The Board heard Inspector Wood in support of the Police representation and Mr Gaunt in support of the applicant. Mr Gaunt advised that his client had sought the ability to provide off sales as they believed this was necessary for the purposes of outside drinking. Given that this is superfluous and not required the off sales permission was withdrawn.

After discussion Councillor Wilson moved grant of the application, as an amendment Councillor Ahlfed moved grant as amended and within Policy. On a vote, two Members voted for the motion and five Members for the amendment which was declared carried.

3. Amarjit Singh **2/8 Fife Road** GRANTED  
101 Newton Street  
Greenock  
Greenock  
(Off Sales)

Mr Tomlinson, Neill Clerk & Murray was present representing the applicant. None of the objectors were present.

Mr Douglas read the Community Health & Care Partnership representation and public objections.

The Board heard Ms Hunter in support of the Community Health & Care Partnership representation and Mr Tomlinson in support of the applicant.

Provost Moran moved grant 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 Licence Holder</u>	<u>Address of Premises</u>	<u>Review Requested By</u>	<u>Decision</u>
1.	Rosemount Taverns Ltd 5 Fitzroy Place GLASGOW	The Double A 9 Inverkip Street Greenock	Police Scotland	CONTINUED TO FUTURE MEETING OF THE BOARD

Mr Douglas advised the Board the applicant's Solicitor had requested a continuation of the application prior to today's meeting by telephone call due to unforeseen circumstances. Mr Barr, Designated Premises Manager also sought a continuation and had intimated his unavailability on 27 June 2013.

The Board agreed to continue the application to a further meeting of the Board.