

INVERCLYDE LICENSING BOARD

THURSDAY 6 FEBRUARY 2014 AT 10.00 A.M.

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

Chair: Councillor Ahlfeld presided.

In attendance: Mr James Douglas and Fiona Denver (for Clerk to the Board); Inspector I Wood and Sergeant A O'Hare (Police Scotland).

Apologies: Councillor Loughran and 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 PROVISIONAL PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005 PREMISES LICENCE ANNUAL FEE PAYMENTS 2013 – 2014

Mr Douglas requested the Board to consider the report on outstanding 2013 – 2014 annual fee payments of premises licences. He advised that a couple of premises have paid their fee since the time of preparing report and confirmed 13 premises remain outstanding with an accumulated balance of £3,300.

After a short discussion it was unanimously agreed to:-

- (i) remit to the Clerk to write a warning letter to the licence holders concerned if payment not made their licence will be called before the Board for review; and
- (ii) remit to the Clerk to arrange Review Hearings as necessary in this regard.

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.	Whitbread Restaurants Limited Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable	The Point & Premier Inn 1 – 3 James Watt Way Greenock	(a) Amend layout plan incorporating extension to premises with increase in the number of rooms provided therefore increase in the licensed area. (b) Increase Premier Inn occupancy capacity to 188 persons, with relevant total increased to 395 persons. Existing The Point – 207 persons; Premier Inn – 120 persons; Total: 327 persons 6.72 sq. m. off sale capacity	GRANTED
<p>Mr P Robson, John Gaunt & Partners was present representing the applicant together with the Depute Manager of the premises.</p> <p>Mr Douglas advised the Board on the background of the application.</p> <p>The Board heard Mr Robson in support of the application.</p> <p>After discussion Councillor Wilson moved grant of the application which was unanimously agreed.</p>				
2.	J D Wetherspoon (Scot) Limited c/o Brunton Miller Solicitors Herbert House 22 Herbert Street GLASGOW	James Watt 80/92 Cathcart Street Greenock	(a) Variation to commencement Core Hour on Sunday for On and Off Sales to 11.00 a.m. (b) Variation to terminal Core Hour on Friday and Saturday to 1.30 a.m.	GRANTED

**Existing
On Sales**

Monday – Wednesday 11.00 a.m. – 12 Midnight

Thursday – Saturday 11.00 a.m. – 1.00 a.m.

Sunday 12.30 p.m. – 12 Midnight

Off Sales

Monday – Saturday 11.00 a.m. – 10.00 p.m.

Sunday 12.30 p.m. – 10.00 p.m.

Mr A Maciver, Brunton Miller was present representing the applicant.

Mr Douglas advised the Board that no adverse comments or objections have been received and the application is within the Board's Policy.

The Board heard Mr Maciver in support of the application.

After a short question and answer session, Councillor Campbell-Sturgess moved grant of the application. As an amendment Councillor Brennan moved refusal of the Friday and Saturday night hours and grant the Sunday morning hour. Following a vote, three Members voted for the amendment and four Members for the motion which was declared carried.

Mr Douglas confirmed the application granted.

3.	Fig Promotions Ltd 12 Cross Shore Street Greenock	Red Nightclub 12 Cross Shore Street Greenock	Variation to terminal Core Hour on Friday and Saturday to 3.30 a.m. (Bar to Close 3.00 a.m.)	CONTINUED TO FURTHER MEETING OF THE BOARD
			Existing Monday – Wednesday Closed Thursday 7.00 p.m. – 2.00 a.m. Friday & Saturday 7.00 p.m. – 3.00 a.m. (Bar to Close 2.30 a.m.) Sunday 7.00 p.m. – 1.30 a.m.	

Mr Hamil, Director of Fig Promotions Ltd and Mrs Fung, objector were present.

Mr Douglas advised the Board that no adverse comments were received from Police, Community Health & Care Partnership or other Authorities however, public objections had been submitted and read the public objections to the Board.

The Board heard Mrs Fung in support of her objection and Mr Hamil in support of the application.

There followed a discussion on issues of concern including noise levels filtering through to Mrs Fung's premises, after which, Councillor Ahlfeld moved continuation of the application for monitoring tests to be carried out and discussion to take place between Mrs Fung and Mr Hamil.

Mr Douglas confirmed the application as continued to a further meeting of the Board to permit:-

- (i) Environmental Health Officers to monitor noise levels within Ms Fung's premises and submit a report to the Board of their findings;
- (ii) An Environmental Health Officer be cited to attend the appropriate Board; and
- (iii) Mr Hamil to negotiate with the objector with a view to alleviating matters where possible.

4.	Mr Devinder Dhesi 22 Broomberry Drive Gourock	Cleats Bar 4 Kempock Street Gourock	Variation to terminal Core Hour on Friday and Saturday to 1.30 a.m. Existing Monday – Wednesday 11.00 a.m. – 12 Midnight Thursday 11.00 a.m. – 12.45 a.m. Friday & Saturday 11.00 a.m. – 1.00 a.m. Sunday 12.30 p.m. – 12 Midnight	GRANTED
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Mr P Harvey, Blair & Bryden was present representing the applicant.

Mr Douglas advised the Board no adverse comments or objections have been received and the application is within the Board's Policy.

The Board heard Mr Harvey in support of the applicant and confirmation from Inspector Wood on discussion.

After discussion, Councillor McEleny moved grant of the application. As an amendment Councillor Brennan moved refusal. Following a vote, three Members voted for the amendment and four Members for the motion which was declared carried.

Mr Douglas confirmed the application granted.

5.	JPW Bars Limited Clarence House 1 Haig Street Greenock	Word Up 210 Dalrymple Street Greenock	Variation to terminal Core Hour on Friday and Saturday to 3.30 a.m. (Bar to Close 3.00 a.m.) Existing Monday & Tuesday 5.00 p.m. / 7.00p.m. – 1.00 a.m. Wednesday & Thursday 5.00 p.m. / 7.00 p.m. – 2.00 a.m. Friday & Saturday 5.00 p.m. / 7.00 p.m. – 3.00 a.m. (Bar to Close 2.30 a.m.) Sunday 5.00 p.m. / 7.00 p.m. – 2.00 a.m.	GRANTED
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Mr McGowan, TLT was present representing the application together with Mr J White, Director and D Gunn, Designated Premises Manager.

Mr Douglas advised the Board on the background of the application and that an objection has been submitted by Police Scotland. Mr Douglas read the Police Scotland letter dated 27 January 2014. The objection included a Crime and Incident Report around the premises, the letter of objection and report were circulated to Members.

The Board heard Mr McGowan in support of the applicant and lodged a number of documents for Member's information. These documents consisted of Staff Training Records, Policies in place to promote the Licensing Objectives, Stewards nightly reports and incident sheets and further Policies introduced since November 2013 including supervisor duties to be carried out each evening with regard to cleaning any spillages/breakages, checking toilets and clearing glasses.

The Board heard Inspector Wood in support of the Police recommendations.

After a full discussion, Councillor Wilson moved grant of the application. On a vote, five Members voted for the motion and two Members abstained.

Mr Douglas confirmed the application granted.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(2) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Address of Premises</u>	<u>Decision</u>
1.	T J Morris Ltd t/a Home Bargains Axis Business Park Portal Way Gillmoss Liverpool	Home Bargains Unit 4 Waterfront Retail Park Customhouse Way Greenock (Off Sales)	GRANTED

Mr D Crank, DWF was present representing the applicant together with Danielle De Marco, Area Manager.

Mr Douglas advised the Board that no adverse comments were received from Police Scotland and no public objections had been submitted however, an objection had been lodged from Community Health & Care Partnership and read the objection to the Board.

The Board heard Mr Crank in support of the application.

Following discussion, Councillor Shepherd moved grant of the application which was unanimously agreed.

Mr Douglas confirmed the application granted.