

**INVERCLYDE LICENSING BOARD**  
**THURSDAY 2 JUNE 2016 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); Inspector D Kane and Sergeant J Curran (Police Scotland).

**Apologies:** Provost Moran, 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 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**  
**APPLICATION FOR PERSONAL LICENCE**

Decision as per attached list.

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

Decision as per attached list.

The Chair proposed to consider Agenda Item 2 as the last item which Member's unanimously agreed.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Name &amp; Address of Applicant</u>	<u>Address of Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Hawthorn Leisure Scotco Limited Pinewood Court Coleshill Road Marston Green Birmingham	<b>Lithgows</b> 96/100 Cathcart Street Greenock	Increase Licensing Core Hours for both On and Off Sales on a Sunday to 11.00 a.m.  <b>Existing:</b> <b>On Sales</b> 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  <b>Off Sales</b> Monday – Saturday 11.00 a.m. – 10.00 p.m. Sunday 12.30 p.m. – 10.00 p.m.	<b>GRANTED AS PER LICENSING BOARD POLICY</b>

Mr Stephen McGowan, Messrs TLT was present representing the applicant and Mr John Cairns, designated premises manager was in attendance.

Mr Douglas advised that no objections or representations had been received. He also advised that the Board's Policy for Sunday morning opening has the condition that any alcohol sold on a Sunday must be ancillary to a sit down table meal and no vertical drinking is permitted until 12.15 p.m.

Mr McGowan addressed the Board in support of the licence holder and confirmed acceptance of the condition as per the Board's Policy.

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

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(3) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Name &amp; Address of Applicant</u>	<u>Address of Premises</u>	<u>Type of Premises and Core Licensing Hours</u>	<u>Decision</u>
1.	Lidl UK GmbH 19 Worple Road London	<b>Lidl</b> 1 Customhouse Way Greenock	Supermarket with Off Sale facility.  Core Licensing Hours:- Monday – Sunday 10.00 a.m. – 10.00 p.m.  Alcohol Display Area:- 43.63 sq. m.	<b>GRANTED</b>

Mr Andrew Hunter, Messrs Harper Macleod was present representing the applicant and Mr Cameron Hall, Lidl Operations Manager was in attendance.

Mr Douglas advised that an objection has been submitted by Health and Social Care Partnership and read the contents of their letter received on 4 April 2016, a copy of which was also circulated to Members. He also advised that no public or Police objections or representations had been received, the relevant Section 50 Certificate is in place and the application is within the Board's Policy.

Mr Hunter addressed the Board in support of the applicant.

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

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(4) APPLICATION FOR PERSONAL LICENCE

<u>No</u>	<u>Name and Address of Applicant</u>	<u>Decision</u>
1.	Megan Sarah Hubbard 6C Cardwell Road GOUROCK	<b>GRANTED</b>

The applicant was not present or represented.

Mr Douglas advised that Police Scotland confirmed the applicant has a relevant offence and read the contents of their letter dated 25 April 2016.

Inspector Kane addressed the Board in terms of the Chief Constable's comments.

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

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(5) REVIEW OF PREMISES LICENCE

<u>No</u>	<u>Name and Address of Licence Holder</u>	<u>Address of Premises</u>	<u>Decision</u>
1.	Aldi Stores Limited Holly Lane Atherstone Warwickshire	<b>Aldi</b> 1 Patrick Street Greenock	<b>NO ACTION</b>
2.	Aldi Stores Limited Holly Lane Atherstone Warwickshire	<b>Aldi</b> Unit 1 Clydebuilt Retail Park Port Glasgow	<b>NO ACTION</b>

Mr Douglas advised that as matters relate to both the above premises licences these agenda items should be considered together. He intimated that a health and safety breach had occurred at an Aldi Store in England resulting in a conviction for a relevant offence. The applicant's Solicitor was advised that attendance was not necessary at the meeting today, however a written submission of the incident had been submitted. Mr Douglas summarised the contents thereof and asked if Member's wished to hear the full submission.

The Chair proposed that the full submission need not be heard and moved that no action be taken which was unanimously agreed.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(2) APPLICATION FOR PREMISES LICENCE

<u>No</u>	<u>Name &amp; Address of Applicant</u>	<u>Address of Premises</u>	<u>Type of Premises and Core Licensing Hours</u>	<u>Decision</u>
1.	Mrs Harvinder Kaur 17 Nursery Grove Kilmacolm	<b>55 Bute Avenue</b> Port Glasgow	Convenience Store with Off Sale facility.  Core Licensing Hours:- Monday – Sunday 10.00 a.m. – 10.00 p.m.  Alcohol Display Area:- 16.99 sq. m.	<b>GRANTED</b>

Mr Maciver, Messrs Brunton Miller was present representing the applicant and Mrs Harvinder Kaur, applicant and Mr James Miscandlon, proposed designated premises manager were in attendance.

Prior to deliberations being heard, Mr Maciver intimated a preliminary issue in that the Police objection referred to a connected person and in terms of the law, this person is not deemed as a connected person and as such pages 3, 4 and part of 5 should not be considered by the Board.

Inspector Kane addressed the Board and advised that the Chief Constable's position is that the information provided is relevant to the operation of the business and the Board should have all the facts before them in considering the application and the objection should be heard in its entirety.

The Chair called a short recess to consider the points raised.

On return, the Chair intimated that Members concurred with Mr Maciver's comments and pages 3, 4 and part of 5 shall not be heard.

Mr Douglas read the relevant content of the Police Scotland objection dated 12 May 2016, a redacted copy of which was circulated to Members. He also advised that no NHS or public objections or representations had been received, the relevant Section 50 Certificates are in place and the application is within the Board's Policy.

Mr Maciver addressed the Board in support of the applicant, during which he informed the Board that Mr Sanjeev Singh would have no involvement in the sale of alcohol and that it is Mrs Kaur's intention that all staff selling alcohol are Personal Licence Holders.

Inspector Kane addressed the Board in support of the Chief Constable's objection.

After discussion, Councillor Wilson moved grant of the application with the Condition that Mr Sanjeev Singh is not involved in the sale of alcohol at any time, which was unanimously agreed.

The Chair commended the applicant in hearing the proposal that staff involved with alcohol sales will hold Personal Licences and encouraged this practice and hoped it would continue to be the case.