

INVERCLYDE LICENSING BOARD
THURSDAY 4 MARCH 2021 AT 10.00 A.M.

The meeting was held remotely by Cisco Webex due to the Public Health Coronavirus restrictions.

Present: Councillors Ahlfeld, Crowther, Curley, McEleny, Moran, Murphy and Wilson.

Chair: Councillor Ahlfeld presided.

In attendance: Ms Anne Sinclair and Fiona Denver (for Clerk to the Board); Sergeant Robertson (Police Scotland).

Apologies: Councillor Jackson; Chief Inspector Gregson (Police Scotland).

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
REVIEW OF PERSONAL LICENCE

Decision as per attached list.

TEMPORARY OUTDOOR DRINKING POLICY – CORONAVIRUS PANDEMIC

The Board discussed the possibility of introducing a Temporary Outdoor Drinking Policy due to the Coronavirus Pandemic in similar terms as the previous year. However it was noted that guidance in this regard is still to be announced by the First Minister.

Members agreed that a meeting be arranged with appropriate Officers to discuss the proposals.

INVERCLYDE LICENSING BOARD – 4 MARCH 2021

LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Surinder Singh Dhillon and Baljit Kaur Dhillon	Grosvenor Off Sales 40 Sinclair Street Greenock	(a) Increase terminal core licensing hour to 10.00 p.m. Monday – Sunday. Existing Monday – Sunday 10.00 a.m. – 9.00 p.m.	GRANTED
			(b) Amend layout plan of premises due to refurbishment with increase in alcohol display area to 12.3 sq. m. Existing 10 sq. m.	GRANTED SUBJECT TO COMPLETION OF BUILDING WARRANT
			(c) Change name of premises to Premier Express. Existing Grosvenor Off Sales	GRANTED

Mr Peter Harvey, Messrs Blair & Bryden was present representing the applicant. Mr Dhillon, premises manager was in attendance.

Ms Sinclair advised that no objections or representations had been received and the application is within the Board's Policy. She intimated that a Building Warrant is required for work undertaken and notes that this has been applied for.

Mr Harvey addressed the Board providing information on the upgrading of the premises and confirmed that a Building Warrant application has been submitted. Mr Harvey requested the Board to consider granting the application subject to the Building Warrant being completed.

Sergeant Robertson confirmed that Police Scotland had no objections or adverse comments to make on the application.

Councillor McEleny moved grant of the application subject to completion of the Building Warrant which was unanimously agreed.

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LICENSING (SCOTLAND) ACT 2005

(2) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Proposed Licence Details</u>	<u>Decision</u>
1.	P & C Partnership	Cathcart House 6 Cathcart Square Greenock	Description of Premises Café / Restaurant Premises Core Licensing Hours – On Sales Monday – Wednesday 11.00 a.m. – 12 Midnight Thursday 11.00 a.m. – 1.00 a.m. Friday & Saturday 11.00 a.m. – 1.30 a.m. Sunday 11.00 a.m. – 12 Midnight Core Licensing Hours – Off Sales Monday – Sunday 11.00 a.m. – 10.00 p.m. Seasonal Variations Festive Season extensions and other occasional extensions as authorised by Board Policy from time to time Activities <u>To be provided during and outwith core licensing hours:-</u> Restaurant facilities; Receptions including weddings, funerals, birthdays, retirements etc; Club or other group meetings; and Recorded music. (Tick box – Yes)	GRANTED WITHIN BOARD'S POLICY

No Applicant

Premises

Cathcart House
6 Cathcart Square
Greenock

Proposed Licence Details

Activities – Further Details

Food and non-alcoholic drinks may be available outwith licensed hours. Recorded music may be played outwith licensed hours. Restaurant facilities, receptions and club/group meetings may take place outwith licensed hours during opening hours.

Any Other Activities

Takeaways and deliveries.

Children and Young Persons

Terms

Children and Young Persons will be permitted entry for the purpose of having a meal or light refreshment or for ordering or collecting takeaways. Children aged 0-13 years require to be supervised by a person aged 18 or over.

Ages

0 – 17 years

Times

They will be allowed entry until 11.00 p.m.

Parts

They will be allowed entry to all public areas.

Capacity of Premises

Off Sales – 9 sq. m.

On Sales – 120 persons

Designated Premises Manager

To be advised.

Decision

Mr Lawson, Solicitor and Ms Fox, Trainee Solicitor, Messrs Hill Brown Licensing were present representing the applicant. The applicant was not in attendance.

Ms Sinclair advised that the necessary Planning Section 50 Certificate is in place. She advised that the terms to which Children and Young Persons would be permitted on the premises has been amended to "Children and Young Persons will be permitted entry for the purpose of having a meal or light refreshment, attending a function or for ordering or collecting takeaways. Children and Young Persons aged 0-17 years require to be supervised by a person aged 18 or over."

Ms Sinclair also intimated that no public objections had been received and advised that Police Scotland submitted a representation to the application which requested additional conditions be placed on the licence, if granted. Ms Sinclair read the contents of the Chief Superintendent's letter dated 3 March 2021, a copy of which had previously been e-mailed to Members.

Sergeant Robertson addressed the Board on the Chief Superintendent's comments and reasons for the request of additional conditions on the licence.

Mr Lawson addressed the Board and confirmed acceptance of the conditions as presented by Police Scotland. Mr Lawson provided information on the proposed operation of the premises being a food led, family friendly premises. He advised that the applicant company is the landlord of the premises who are keen to seek a tenant to operate the premises and the licence being in place would be beneficial.

Following discussion, Councillor Crowther briefly left the meeting. The Chair confirmed the meeting remains quorate and to proceed.

Councillor Moran moved grant of the application within the Board's Children and Young Persons Policy which was unanimously agreed.

Councillor Crowther returned to the meeting prior to consideration of the next item.

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LICENSING (SCOTLAND) ACT 2005

(3) REVIEW OF PERSONAL LICENCE

<u>No</u>	<u>Licence Holder</u>	<u>Personal Licence Details</u>	<u>Decision</u>
1.	Kenneth Charleson	Personal Licence No. IC0037 Initial Licence Issued: 1 September 2009 – 31 August 2019 Current Licence Issued: 1 September 2019 – 31 August 2029	WARNING LETTER

Mr Charleson was present.

Ms Sinclair advised that Mr Charleson had notified the Licensing Board in terms of section 82 of the Licensing (Scotland) Act 2005 that he had been convicted of a relevant offence. Police Scotland confirmed the offence as required under section 83(4)(b) of the Act. Ms Sinclair read the contents of Mr Charleson's letter dated 10 September 2020 and the Chief Superintendent's letter dated 6 November 2020, copies of which had previously been e-mailed to Members.

Sergeant Robertson addressed the Board and confirmed nothing further to add to the Chief Superintendent's comments.

Mr Charleson addressed the Board explaining the circumstances of the offence and actions which he has taken since.

Following discussion, Councillor Crowther moved a warning be given to the licence holder, as an amendment, Councillor Wilson moved to note the terms and no action be taken. On a vote, three Members voted for the amendment (Councillor Wilson, McEleny and Moran) and four Members for the motion (Councillor Crowther, Curley, Murphy and Ahlfeld) which was declared carried.

Ms Sinclair confirmed the Board's decision that a warning to be intimated to Mr Charleson.

<u>No</u>	<u>Licence Holder</u>	<u>Personal Licence Details</u>	<u>Decision</u>
2.	Eamonn Magee	Personal Licence No. IC0942 Initial Licence Issued: 3 April 2019 – 2 April 2029	CONTINUED TO A FURTHER MEETING

Ms Sinclair advised that it has come to light that Mr Magee no longer resides at the address as stated on his licence and in order to adequately intimate the Review Hearing to Mr Magee requested the Board to consider a continuation of this item.

The Chair and Members unanimously agreed the request.