

INVERCLYDE LICENSING BOARD

FRIDAY 5 MARCH 2021 AT 12 NOON

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

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

Chair: Councillor Ahlfeld presided.

In attendance: Ms Anne Sinclair and Fiona Denver (for Clerk to the Board); Chief Inspector Gregson and Sergeant Robertson (Police Scotland); Sharon Lindsay (Team Leader, Environmental Protection); Roisin Dillon (Service Manager, Public Protection); and Crawford Brown (Licensing Standards Officer).

Apologies: Councillor Crowther with Councillor McVey substituting on his behalf.

Declarations of Interest: Councillor Moran declared that he is the local ward Councillor where the premises are located and confirmed that this would not preclude him from the proceedings today or influence his decision.

LICENSING (SCOTLAND) ACT 2005 REVIEW OF PREMISES LICENCE

Decision as per attached list.

INVERCLYDE LICENSING BOARD – 5 MARCH 2021

LICENSING (SCOTLAND) ACT 2005

(1) REVIEW OF PREMISES LICENCE

<u>No</u>	<u>Licence Holder</u>	<u>Premises</u>	<u>Decision</u>
1.	Mr David Carroll	The Caledonian Bar 4 Princes Street Port Glasgow	WARNING AND RECOMMEND LIAISE WITH LSO & EHO

Mr McGowan, Messrs TLT LLP was present representing the licence holder. Mr David Carroll, licence holder was in attendance. Ms Conway, private landlord was also present.

Ms Sinclair advised that a request for review of the premises licence had been received by the Team Leader, Public Protection. Ms Sinclair read the contents of the request to the Board. Ms Sinclair intimated that Ms Conway had also requested a review of the premises licence in similar terms and read the contents of the letter received. Ms Sinclair also read responses from Police Scotland and the Licensing Standards Officer. Copies of all correspondence was e-mailed to Members prior to the meeting.

Ms Lindsay addressed the Board and provided detailed information on the reason for the request for review of the premises licence. She spoke of a number of visits to the premises in an attempt to alleviate noise complaints and to record and monitor noise levels at the premises.

Members asked questions of Ms Lindsay on the visits undertaken and requested information on the practice and procedures for noise complaints.

Mr Crawford advised that he had nothing further to add to the statement provided.

Ms Conway addressed the Board in terms of her letter regarding the noise emanating from the premises. She also expressed concern regarding the difficulty in gaining access to her property due to people congregating outside the premises.

Chief Inspector Gregson confirmed to the Board that Police Scotland had carried out routine inspections at the premises which presented no concerns.

Mr McGowan addressed the Board extensively on a number of areas including the background of the premises since opening, the noise complaints and sound proofing installed. Mr McGowan provided documentation in support of the submissions made, copies of which had been e-mailed to Members prior to the meeting.

There followed a question and answer session between all parties, after which, the Chair invited Mr McGowan to summarise the contents of his submissions.

Following discussion, Councillor McEleny moved that the grounds for review were met in relation to the licensing objective of preventing public nuisance. As an amendment, Councillor Wilson moved that the grounds for review were not met. On a vote, one Member voted for the amendment (Councillor Wilson) and six Members (Councillors McEleny, Ahlfeld, Curley, McVey, Moran and Murphy) voted for the motion which was declared carried.

Councillor McEleny moved that a warning letter be issued to the licence holder with the recommendation to liaise with the Environmental Health Officer and Licensing Standards Officer to monitor noise levels at the premises. As an amendment, Councillor Murphy moved that no action be taken. On a vote, two Members voted for the amendment (Councillors Murphy and Moran) and four Members voted for the motion (Councillors McEleny, Ahlfeld, Curley and McVey) and one Member abstained (Councillor Wilson). Ms Sinclair confirmed the motion carried.