

INVERCLYDE LICENSING BOARD

FRIDAY 8 OCTOBER 2021 AT 10.00 A.M.

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

Chair: Councillor Ahlfeld presided.

In attendance: Ms Anne Sinclair (Clerk to the Board), Fiona Denver, Siobhan MacMaster (for Clerk to the Board); Inspector David Christie (Police Scotland).

Apologies: Councillor Murphy, Roisin Dillon (Environmental & Public Protection) and Crawford Brown (Licensing Standards Officer).

Substitutions: Councillor McVey substituting for Councillor Murphy.

Declarations of Interest: There were no declarations of interest intimated.

The meeting was conducted in Hybrid format with Councillor Ahlfeld attending the Council Chambers, Councillors Crowther, Curley, Jackson, McEleny, McVey, Moran and Wilson attending remotely.

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR EXTENDED HOURS OF PREMISES LICENCE**

Decision as per attached list.

INVERCLYDE LICENSING BOARD – 8 OCTOBER 2021

LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR EXTENDED HOURS OF PREMISES LICENCE

<u>No.</u>	<u>Applicant</u>	<u>Premises</u>	<u>Event Details</u>	<u>Decision</u>
1.	Lapwine Limited	Industry (to be re-named Text) 208 Dalrymple Street Greenock	<p>Friday 15 October to Thursday 11 November 2021</p> <p>Monday & Tuesday Midnight – 1.00 a.m. Wednesday Midnight – 2.00 a.m. Thursday 1.00 a.m. – 2.00 a.m. Friday & Saturday 1.30 a.m. – 3.30 a.m. (Bar to Close 3.00 a.m.) Sunday Midnight – 1.30 a.m.</p> <p>To allow the premises to move back to nightclub hours on a temporary basis in order to allow the business to recover from the impact of Coronavirus and trade on a commercially viable basis until the major variation application is considered at a future meeting of the Board.</p> <p>Existing</p> <p>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 12.15 p.m. – 12 Midnight</p>	GRANTED

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2.	Lapwine Limited	Industry (to be re-named Text) 208 Dalrymple Street Greenock	<p>Friday 12 November to Thursday 9 December 2021</p> <table> <tr> <td>Monday & Tuesday</td> <td>Midnight – 1.00 a.m.</td> </tr> <tr> <td>Wednesday</td> <td>Midnight – 2.00 a.m.</td> </tr> <tr> <td>Thursday</td> <td>1.00 a.m. – 2.00 a.m.</td> </tr> <tr> <td>Friday & Saturday</td> <td>1.30 a.m. – 3.30 a.m. (Bar to Close 3.00 a.m.)</td> </tr> <tr> <td>Sunday</td> <td>Midnight – 1.30 a.m.</td> </tr> </table> <p>To allow the premises to move back to nightclub hours on a temporary basis in order to allow the business to recover from the impact of Coronavirus and trade on a commercially viable basis until the major variation application is considered at a future meeting of the Board.</p> <p>Existing</p> <table> <tr> <td>Monday – Wednesday</td> <td>11.00 a.m. – 12 Midnight</td> </tr> <tr> <td>Thursday</td> <td>11.00 a.m. – 1.00 a.m.</td> </tr> <tr> <td>Friday & Saturday</td> <td>11.00 a.m. – 1.30 a.m.</td> </tr> <tr> <td>Sunday</td> <td>12.15 p.m. – 12 Midnight</td> </tr> </table>	Monday & Tuesday	Midnight – 1.00 a.m.	Wednesday	Midnight – 2.00 a.m.	Thursday	1.00 a.m. – 2.00 a.m.	Friday & Saturday	1.30 a.m. – 3.30 a.m. (Bar to Close 3.00 a.m.)	Sunday	Midnight – 1.30 a.m.	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	12.15 p.m. – 12 Midnight	GRANTED
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To allow the premises to move back to nightclub hours on a temporary basis in order to allow the business to recover from the impact of Coronavirus and trade on a commercially viable basis until the major variation application is considered at a future meeting of the Board.

Existing

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	12.15 p.m. – 12 Midnight

NOTE

The licence holder has submitted a minor variation application to reduce the commencement hour of the existing Premises Licence, which is to run in conjunction with the above extended hours applications, if granted. As a result, it is intended that the licensing hours of the premises will be as follows:-

Monday & Tuesday	8.00 p.m. – 1.00 a.m.
Wednesday & Thursday	8.00 p.m. – 2.00 a.m.
Friday & Saturday	7.00 p.m. – 3.30 a.m. (Bar to Close 3.00 a.m.)
Sunday	7.00 p.m. – 1.30 a.m.

Members agreed to consider the three applications stated above all together as the representations and submissions referred to all three applications.

Mr S McGowan, Messrs TLT LLP was in attendance with Mr J White, Director of Lapwine Limited.

Ms Sinclair advised that the applications had been submitted seeking to operate nightclub hours on a temporary basis until consideration of the pending major variation application is determined. She confirmed that a minor variation application had also been submitted to reduce the commencement hour of the existing licence and highlighted to Members the information within the Agenda to this effect. Ms Sinclair advised that Police Scotland lodged letters dated 21 September 2021 in respect of all three applications requesting consideration be given to additional conditions being placed on the licence, if granted. Ms Sinclair advised that the contents were identical and read the details of one letter to Members, copies of which had previously been circulated to Members.

Inspector Christie advised that Police Scotland have no objection to the application, however request that additional Late Night Opening Conditions be added to the licence as associated with Nightclub premises. Inspector Christie advised that Police Scotland met with Mr White and Mr McGowan to discuss the proposals for the premises prior to submitting the applications.

Mr McGowan addressed the Board and confirmed the meeting with Police Scotland and explained the difference between the extended hours applications that were previously placed before the Board and the current applications. Mr McGowan referred to the Note on the Agenda which summarised the position proposed. He spoke of the premises currently trading and the reasons the licenceholder wishes to revert to nightclub hours. Mr McGowan intimated that the extended hours applied for would apply up to the decision of the major variation application which is due to be considered by the Board in December. Mr McGowan confirmed acceptance of the additional Police Conditions outlined in their letters.

There followed questions and answers between Members and Mr McGowan.

After a private discussion of Members, upon returning to the public session, Councillor McEleny moved grant of all three applications, as an amendment Councillor Jackson moved refusal of all three applications. On a vote, one Member voted for refusal (Cllr Jackson), one Member abstained (Cllr Ahlfeld), and six Members (Cllrs McEleny, Crowther, Curley, McVey Moran and Wilson) voted for the motion which was declared carried.

Ms Sinclair confirmed all three applications as granted.