

INVERCLYDE LICENSING BOARD
THURSDAY 1 JUNE 2023 AT 10.00 A.M.

Present: Councillors Brooks, Cassidy, McCormick, McVey, Reynolds and Robertson.

Chair: Councillor Brooks presided.

In attendance: Ms Anne Sinclair (Depute Clerk to the Board); Fiona Denver (for Clerk to the Board); Sergeant Ian Robertson (Police Scotland); Roisin Dillon (Public Protection Manager/Licensing Standards Officer); Crawford Brown (Licensing Standards Officers) and Karen Barclay (Corporate Policy & Performance Officer).

Apologies: Councillor Jackson and Alan Best, Inverclyde HSCP. There were no substitutions.

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

The meeting was held at the Municipal Buildings, Greenock with Councillors McCormick, McVey and Sergeant Robertson attending by video-conference.

LICENSING (SCOTLAND) ACT 2005
MINUTES OF MEETING HELD ON 2 MARCH AND 26 APRIL 2023

The Chair moved approval of the Minutes of the previous meetings which was unanimously agreed.

LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR VARIATION OF PREMISES LICENCE

Decision as per attached list.

LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR TRANSFER WITH 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
APPLICATION TO EXTENDED PROVISIONAL PREMISES LICENCE

Decision as per attached list.

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR OCCASIONAL LICENCE**

Decision as per attached list.

**LICENSING (SCOTLAND) ACT 2005
APPLICATIONS GRANTED UNDER DELEGATED AUTHORITY FOR THE PERIOD FROM
1 FEBRUARY TO 30 APRIL 2023**

Noted.

INVERCLYDE LICENSING BOARD EQUALITY MAINSTREAMING REPORT 2023

Karen Barclay addressed the Board advising on the contents of the report.

There followed a short discussion and Karen answered Members questions.

Members noted the report.

PROPOSED DATES OF FUTURE INVERCLYDE LICENSING BOARD MEETING

Ms Sinclair requested Members approve set dates for meetings for the next year as outlined in the report with additional dates being allocated as and when required with the approval of the Chair/Vice-Chair.

Members unanimously agreed the report with meetings being set for the following dates:-

- Thursday 7 September 2023 – 10.00 a.m.
- Thursday 7 December 2023 – 10.00 a.m.
- Thursday 7 March 2024 – 10.00 a.m.
- Thursday 6 June 2024 – 10.00 a.m.

INVERCLYDE LICENSING BOARD – 1 JUNE 2023

LICENSING (SCOTLAND) ACT 2005

(3) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Tina Birk	Taj Mahal 89/91 Kempock Street Gourock	Increase on sales commencement core licensing hour to 12 Noon Monday – Sunday Existing 2.30 p.m. – 11.45 p.m. Sunday – Thursday 2.30 p.m. – 12.15 a.m. Friday & Saturday	GRANTED
<p>Mr Brian McMahon, McMahon Consultancy, was present representing the applicant.</p> <p>Ms Sinclair advised that the application is within Policy and there are no objections or representations.</p> <p>Mr McMahon advised the application is sought to provide table lunches which is not currently available.</p> <p>Councillor Brooks moved grant of the application which was unanimously agreed.</p>				
2.	Lapwine Limited	Word Up 210 Dalrymple Street Greenock	Addition of the 'Back Lane' external drinking area to premises licence, incorporating the following:- (a) Activities Add outdoor drinking facilities to activities to be held both during and outwith core licensing hours. (Tick Box – Yes) Existing Tick Box – No <u>Any other Activities</u> Add – External area at the 'Back Lane'.	WITHDRAWN

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
		Word Up 210 Dalrymple Street Greenock	Existing Quiz events, charity and fundraising events, local community and youth group meetings, plays and theatrical performances and similar artistic shows and events, hospitality events. (b) Increase occupancy capacity to 1044 persons (including 144 external area). Existing 900 persons (c) Amend layout plan to include the 'Back Lane' external drinking area	

Ms Sinclair advised that this application has been withdrawn.

3.	Lady Alice Bowling Club	Lady Alice Bowling Club Inverkip Road Greenock	Increase on sales terminal core licensing hours as follows:- Monday to 12 Midnight Thursday to 12.30 a.m. Sunday to 11.30 p.m. Existing Monday 11.00 a.m. - 11.00 p.m. Tuesday & Wednesday 11.00 a.m. - 12 Midnight Thursday 11.00 a.m. - 11.00 p.m. Friday 11.00 a.m. - 1.00 a.m. Saturday 10.00 a.m. - 1.00 a.m. Sunday 11.30 a.m. - 11.00 p.m.	GRANTED
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Mr Jim Gallacher, Treasurer was present.

Ms Sinclair advised that the application is within Policy and the there are no objections or representations.

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
			Mr Gallacher addressed the Board explaining the running of the Bowling Games and the reasons for the request of increased hours. Councillor McVey moved grant of the application which was unanimously agreed.	
4.	Kulbinder Singh	Bullseye Sports Bar 11 Brougham Street Greenock	(a)(i) Increase terminal core licensing hour on Tuesday and Wednesday to 1.00 a.m. (ii) Decrease terminal core licensing hour on Thursday and Sunday to 12 Midnight Existing Monday – Wednesday 11.00 a.m. – 12 Midnight Thursday – Sunday 11.00 a.m. – 1.00 a.m.	GRANTED GRANTED
			(b) Add table tennis and darts to further details of activities to be held on premises. Existing Recorded music is in the form of background music. Film provision is in the form of a video juke box. Indoor Sports facilities are snooker, American pool and traditional pool.	GRANTED

Mr Archie Maciver, Messrs Brunton Miller was present representing the applicant.

Ms Sinclair advised that Police Scotland had submitted a representation in respect of the application and that Mr Maciver had provided two letters of support, one from Greenock Pool League and the other from Inverclyde Darts League. Ms Sinclair read the contents of all letters to the Board, copies of which had been circulated to Members.

Mr Maciver addressed the Board providing background information on the licence holder and the operation of the premises. He explained the process of competitions being held and difficulties with timings of same, hence the requirement for increased hours on certain day. He explained that in essence, the request is to basically swap the later hours from Thursday and Sunday to Tuesday and Wednesday.

Mr Maciver also intimated that the addition of table tennis and darts is an administrative tidy up of the licence.

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
			<p>Sergeant Robertson having heard the comments from Mr Maciver mentioned that it was not only persons playing in competitions that would be attending the premises. He confirmed that there was nothing further to add to the terms of their letter, it is for Members to consider if darts and snooker is significant entertainment in order to increase the trading hours.</p> <p>Ms Dillon had no comments to make on the application.</p> <p>A discussion followed with Members, Ms Sinclair and Mr Maciver, following which, Councillor Brooks moved grant of the application which was unanimously agreed.</p>	
5.	Punch Partnership (PTL) Ltd	Cardwell Inn 49 Cardwell Road Gourrock	<p>Addition of Outdoor Drinking/Dining Area to premises licence, incorporating the following:-</p> <p>(a) Activities Add Outdoor Drinking and Conference facilities to activities to be held on premises both during and outwith core licensing hours. (Tick Box – Yes)</p> <p>Existing Tick Box – No</p> <p><u>Further Details</u> Addition of the following:-</p> <p>The outdoor seating area to the front of the premises is not to be used after 9.00 p.m. No music shall be played at any time in the outdoor seating area.</p> <p>Existing The premises may open from 8.00 a.m. Monday – Sunday for the provision of teas, coffees, breakfasts etc. No alcohol will be sold outwith core hours. The indoor activity/activities will cease 15 minutes after the terminal hour for the sale of alcohol.</p>	GRANTED

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Variation Details</u>	<u>Decision</u>
		Cardwell Inn 49 Cardwell Road Gourock	(b) Children and Young Persons Amend areas of the premises to which Children and Young Persons are allowed entry to all public parts of the premises Existing Lounge and Conservatory	GRANTED
			(c) Increase occupancy capacity to 255 persons (including 50 external area). Existing 205 persons	GRANTED AS AMENDED
			(d) Amend layout plan to include the outdoor drinking area.	GRANTED

Mr Campell Dorwood, Business Development Manager, Star Pubs and Mr Brett Clough, leaseholder and designated premises manager were present.

Ms Sinclair advised that there are no representations or objections to the application.

Ms Dillon advised that the outdoor area has been in operation since the introduction of outdoor areas during the covid pandemic and that no complaints or issues had been made to the department.

Mr Clough addressed the Board and confirmed that the occupancy capacity applied for is to be amended in line with Building Standards guidelines, therefore to remain at 205 persons. Mr Darwood also confirmed the amendment.

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

INVERCLYDE LICENSING BOARD – 1 JUNE 2023

LICENSING (SCOTLAND) ACT 2005

(4) APPLICATION FOR TRANSFER WITH VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Transfer and Variation Details</u>	<u>Decision</u>
1.	Zulfiquar Ali	Buyrite 13 Grey Place Greenock	(a) Transfer of licence holder to Buyrite Day-Today Ltd Existing Zulfiquar Ali	GRANTED
			(b) Increase off sales core licensing hours to:- 10.00 a.m. – 10.00 p.m. Monday – Sunday Existing 12 Noon – 10.00 p.m. Monday – Saturday 12.30 p.m. – 10.00 p.m. Sunday	GRANTED
			(c) Designated Premises Manager New premises manager – Faisal Mustafa Existing Zain Atlaf	GRANTED

Mr Gordon Emslie, GNE Consultancy was present representing the applicant.

Ms Sinclair advised that the application is within Policy and there are no objections or representations.

Sergeant Robertson and Ms Dillon confirmed no comments or objection to the application.

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

<u>No.</u>	<u>Applicant</u>	<u>Premises</u>	<u>Event Details</u>	<u>Decision</u>
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ADDITIONAL ITEM

The Chair intimated that the Board had been asked to consider an additional item which he proposed to consider at this juncture, prior to hearing the next two items which could be taken together. Members agreed to the Chair's request.

Ms Sinclair advised that the additional item is in relation to an occasional licence application by Royal Gourock Yacht Club in respect of which two public objections had been received. The application is for a Disco/Dance event to be held on the balcony of the Club on 10 June from 2.00 p.m. – 10.00 p.m.

One objector, Ms Murdoch had submitted her apologies that she was unable to attend the meeting. Neither objector was in attendance.

Mr Doug Haldane, Honorary Secretary, Charles Webster and Bruce Glenny Event Organisers were present.

Ms Sinclair read the contents of each objection to the Board which referred mainly to noise levels and traffic problems.

Sergeant Robertson confirmed Police Scotland has no objection to the application.

Ms Dillon advised that having checked Council records, there have been no noise complaints reported previously and the premises have held similar events in the past which were not the subject of noise complaints. She considered that the terminal hour of 10.00 p.m. is not unreasonable. Ms Dillon intimated that in relation to the traffic issue, there are double yellow lines in the area.

Ms Sinclair advised Members that traffic management is an irrelevant consideration in licensing matters.

Mr Haldane addressed the Board stating that the disco/dance event had been held last year and the music finished at 9.30 p.m. He had no comment to make on the parking issues. Mr Haldane advised that the event is important to the Club, it is not a routine event, and only one event of this kind is planned this year, albeit they will hold one more similar event. Mr Haldane also clarified that being fully aware of the complaints that notices will be displayed around and outside the premises advising of noise levels.

There followed questions from Members which Mr Haldane responded to. Mr Webster provided further information on the organisation of the event including ticket sales. He advised that (i) no tables and chairs would be located on the roadside; (ii) no person under the age of 21 is admitted; (iii) professional stewards will be in place, (iv) last orders at the bar will be 9.15 p.m.; (v) the premises will be cleared at 10.00 p.m.; (vi) a varied selection of music will be played; and (vii) the sound levels will be monitored. Mr Webster stated that a number of residents were in support and attending the event and it will run as an exact carbon copy of last year's event which passed without any problem.

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

Prior to consideration of the next item, The Chair advised that it was his intention to consider items 5 and 7 together and as such he proposed to take item 6 next.

INVERCLYDE LICENSING BOARD – 1 JUNE 2023

LICENSING (SCOTLAND) ACT 2005

(5) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Proposed Licence Details</u>	<u>Decision</u>
1.	Buzzworks Hospitality Ltd	Scotts Greenock Ocean Terminal Custom House Way Greenock	Description of Premises Restaurant	GRANTED
			Core Licensing Hours – On Sales 10.30 a.m. – 12.30 a.m. Monday – Thursday 11.30 a.m. – 1.30 a.m. Friday & Saturday 10.30 a.m. – 12.30 a.m. Sunday	GRANTED
			Core Licensing Hours – Off Sales 10.30 a.m. – 10.00 p.m. Monday – Thursday 11.30 a.m. – 10.00 p.m. Friday & Saturday 10.30 a.m. – 10.00 p.m. Sunday	GRANTED
			Seasonal Variations The premises will apply for and or take advantage of such additional trading hours as may be permitted by the Licensing Board for the Festive Season in each year	GRANTED
			Activities Conference facilities; Restaurant facilities; Receptions including weddings, funerals, retirements etc; Club or other group meetings etc; Recorded music; Films; Televised sport; and Outdoor drinking facilities to be provided both during and outwith core licensing hours. (Tick Box – Yes)	GRANTED
			Bar meals; Live performances; Dance facilities; and Gaming to be provided during core licensing hours. (Tick Box – Yes)	

No Applicant

Premises

Proposed Licence Details

Decision

Scotts

Greenock Ocean Terminal
Custom House Way
Greenock

Further Details

Conference facilities, restaurant facilities, receptions, meetings, staff meetings, staff events, televised sport, recorded music/films may take place outwith core hours but no alcohol will be served outwith these hours without reference to the Licensing Board.

The premises may open from 8.00 a.m. for service of breakfasts but no alcohol will be served outwith core hours.

Outside drinking facilities: hot beverages, food and non-alcoholic drink will be available for consumption on the outside terrace before core times. During core times alcohol may be purchased inside the premises and taken to the outside terrace under supervision of management and staff on duty.

Any Other Activities

Karaoke, quizzes and Theme nights may be available but no alcohol will be served outwith core hours.

Children and Young Persons

Children and Young Persons will be allowed entry as follows:-

**GRANTED
AS
AMENDED**

Terms

Children (0-15years) will be allowed entry only if accompanied by an adult whilst having a meal or attending a function.

Young persons (16-17 years) will be allowed entry whilst having a meal or attending a function.

Ages

Children (0-15 years) and Young Persons (16-17 years)

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Proposed Licence Details</u>	<u>Decision</u>
		<p>Scotts Greenock Ocean Terminal Custom House Way Greenock</p>	<p><u>Times</u> Children (0-15 years) will be allowed entry until 10.30 p.m. if accompanied by an adult for the purposes of having a meal or where a function is being attended to the terminal hour of the function. Young persons (16-17 years) will be allowed entry until 10.30 p.m. for the purpose of taking a meal or where a function is being attended to the terminal hour of the function.</p> <p><u>Parts</u> Children and Young persons will be allowed entry to all public parts of the premises.</p> <p>Capacity of Premises Ground Floor 705 persons Mezzanine Level 20 persons First Floor 282 persons</p> <p>Designated Premises Manager Michelle Martin</p>	<p>GRANTED</p> <p>NOTED</p>

Mr Brian Dunlop, Messrs Black Hay, Solicitors was present representing the applicant.

Ms Sinclair highlighted a few matters in the application form that are out with the Board's Policy, namely the on sales hours and the details pertaining to children and young persons being permitted. She also brought to the attention of Members that the occupancy sought is to cover three levels of the building and does not relate to the restaurant premises only.

Ms Sinclair intimated that Police Scotland have submitted a representation to the application and Messrs J & H Mitchell have submitted a letter of consent. Ms Sinclair read the contents of same to the Board, copies of which had previously been circulated to Members.

Ms Sinclair advised that Police Scotland have intimated the hours applied for are outwith the Board's Policy.

Sergeant Robertson confirmed there was nothing further to add to the terms of the Chief Superintendent's representation.

Mr Brown confirmed he had no comments to the application.

No Applicant

Premises

Proposed Licence Details

Decision

Mr Dunlop addressed the Board providing background information on the company and the businesses already held. He addressed the Police comments in relation to the on sales hours sought. Mr Dunlop intimated that the premises are unique and located within a purpose built building for the arrival of cruise ship passengers. He commented that other areas of the building are to be included within the licence to allow for events/functions to take place that are not necessarily being held in the restaurant.

Following discussions on the layout and operation of the premises, the Chair invited Mr Dunlop to address the Board on the terms of the proposals in relation to Children and Young Persons permitted to attend which are outwith policy.

Mr Dunlop addressed Members and requested to amend the application in order to bring it within the Board's Children and Young Persons Policy in all aspects.

On return from private discussion, Councillor Brooks moved grant of both the provisional premises licence application and occasional licence application as amended which was unanimously agreed.

INVERCLYDE LICENSING BOARD – 1 JUNE 2023

LICENSING (SCOTLAND) ACT 2005

(6) APPLICATION TO EXTEND PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	<u>Details</u>	<u>Decision</u>
1.	Ardgowan Distillery Company Ltd	Ardgowan Distillery Company Ltd Ardgowan Estate Inverkip	<u>Description of Premises</u> Distillery and tourist attraction featuring a full working distillery and brewery, visitor centre and tourist facilities along with chalet style accommodation and letting rooms, and which also includes a restaurant, cook-school, bar, and events and retail space. <u>Provisional Licence Dates</u> 6 June 2019 - 6 June 2023 Request to extend expiry date by one year.	GRANTED

Mr Stephen McGowan, Messrs TLT LLP was present representing the applicant. Ms Jessica Skelton, Mission Controller was in attendance.

Ms Sinclair advised that no consultations or reports are required for this request.

Sergeant Robertson and Mr C Brown confirmed they have no comments to make.

Mr McGowan addressed the Board advising on the progress of the project. He intimated that with supplies and delivering of equipment being difficult over the past few years, these have delayed the construction work and therefore the requirement to request an extension to the Provisional Licence.

Councillor Cassidy moved grant of the request which was unanimously agreed.

INVERCLYDE LICENSING BOARD – 1 JUNE 2023

LICENSING (SCOTLAND) ACT 2005

(7) APPLICATION FOR OCCASIONAL LICENCE

<u>No.</u>	<u>Applicant</u>	<u>Premises</u>	<u>Event Details</u>	<u>Decision</u>
1.	Nicola Watt	Scotts Greenock Ocean Terminal Custom House Way Custom House Quay Greenock	Restaurant <u>On Sales</u> Sunday – Thursday 10.30 a.m. – 12.30 a.m. Friday & Saturday 11.30 a.m. – 1.30 a.m. <u>Off Sales</u> Sunday – Thursday 10.30 a.m. – 10.00 p.m. Friday & Saturday 11.30 a.m. – 10.00 p.m. The premises will be open each day from 8.00 a.m. for service of breakfasts. No alcohol will be served outwith licensed hours. Children (if accompanied by an adult) and young persons will be permitted entry until 10.30 p.m. for the purpose of having a meal or attending a function. <u>Application Dates</u> 14 June – 27 June 28 June – 11 July 12 July – 25 July	GRANTED AS AMENDED

As per decision at item (5) above.