

INVERCLYDE LICENSING BOARD

THURSDAY 7 DECEMBER 2023 AT 10.00 A.M.

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

Chair: Councillor Brooks presided.

In attendance: Ms Anne Sinclair, Fiona Denver and Siobhan MacMaster (for Clerk to the Board); Sergeant Ian Robertson (Police Scotland); Roisin Dillon (Public Protection Manager/Licensing Standards Officer); Colin Robertson (Licensing Standards Officer).

Apologies: Councillor Jackson.

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

The meeting was held at the Municipal Buildings, Greenock with Councillors Brooks, Cassidy, McVey, Reynolds and Robertson in attendance and Councillors Law and McCormick, Sergeant Robertson and Roisin Dillon attending remotely.

LICENSING (SCOTLAND) ACT 2005

MINUTES OF MEETINGS HELD ON 7 SEPTEMBER, 18 SEPTEMBER AND 26 OCTOBER 2023

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

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.

APPLICATIONS GRANTED UNDER DELEGATED AUTHORITY FOR THE PERIOD FROM 1 AUGUST TO 31 OCTOBER 2023

Noted

INVERCLYDE LICENSING BOARD – 7 DECEMBER 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. | Aldi Stores Limited | Aldi Unit 1 Clydebuilt Retail Park Port Glasgow | <p>(a) Amend layout plan, reconfiguration to store layout including relocation of alcohol display area resulting in removal of seasonal capacity and increase in total permanent capacity to 37.78301 sq.m.</p> <p>Existing Total Alcohol Display Area 30.375 sq.m. Permanent Alcohol Display 24.75 sq. m. Additional Seasonal Display (24 November - 9 January) 5.625 sq.m.</p> <p>(b) Activities</p> <p>(i) Add recorded music to activities to be provided both during and outwith core licensing hours. (Tick Box – Yes)</p> <p>Existing Tick Box – No</p> <p>(ii) Insert the following text to further details of activities:-</p> <p>Recorded background music may be played during and outwith core hours.</p> <p>Existing No details entered</p> | <p>GRANTED</p> <p>GRANTED</p> <p>GRANTED</p> |

| <u>No</u> | <u>Applicant</u> | <u>Premises</u> | <u>Variation Details</u> | <u>Decision</u> |
|-----------|------------------|---|---|---|
| | | Aldi Unit 1 Clydebuilt Retail Park Port Glasgow | (iii) Add the following information to any further activities:- Home deliveries, click and collect service and online sales may also take place. Existing Sale of other goods consistent with the business of a supermarket including outwith core hours. | GRANTED AS AMENDED |

Ms Lynn Simpson, TLT LLP was present representing the applicant.

Ms Sinclair advised that the application has been amended to delete home deliveries and online sales. She confirmed that there are no objections or representations to the application.

Ms Simpson addressed the Board providing details of the refurbishment of the premises and information in relation to the activities applied for.

Sergeant Robertson and the Licensing Standards Officer had no comments.

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

| | | | | |
|----|--------------------|--|---|----------------|
| 2. | Inverkip Hotel Ltd | Inverkip Hotel Main Street Inverkip | (a) Addition of outdoor drinking/dining area within hotel car park to premises licence. Amend layout plan accordingly. | GRANTED |
| | | | (b) Activities (i) Add outdoor drinking to activities to be provided during core licensing hours. (Tick Box – Yes) | GRANTED |
| | | | Existing Tick Box – No | |
| | | | (ii) Insert the following information to any further activities:- The outdoor seating/dining area shall not be in use after 9.00 pm any day of the week. | GRANTED |

No Applicant

Premises

Variation Details

Decision

Inverkip Hotel
Main Street
Inverkip

No music shall be played at any time in the outdoor seating/dining area.

Existing
No details entered.

Mr Richard Dunn, Inverkip Hotel Ltd was present, Mr Alister Hardy was also in attendance. The public objector was not present.

Ms Sinclair advised that a police representation and public comments had been received and read the contents of both to the Board, copies of which had previously been circulated to Members.

Sergeant Robertson confirmed that the additional conditions requested were standard conditions applicable to any outside area.

Mr Dunn addressed the Board advising that the outdoor area has been run successfully for the past two years on occasional licences and has been a great addition to the operation of the premises. He addressed the issues raised by the objector in relation to car parking within the vicinity of the premises and the car park owned by the Inverkip Hotel.

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

INVERCLYDE LICENSING BOARD - 7 DECEMBER 2023

LICENSING (SCOTLAND) ACT 2005

(4) APPLICATION FOR PROVISIONAL PREMISES LICENCE

| <u>No</u> | <u>Applicant</u> | <u>Premises</u> | <u>Proposed Licence Details</u> | <u>Decision</u> |
|-----------|-------------------------------------|--|---|-----------------|
| 1. | Ardgowan Distillery Company Limited | Ardgowan Distillery Shop Ardgowan Estate Inverkip | Description of Premises Distillery Shop in grounds of wider Ardgowan Estate. Core Licensing Hours – On Sales N/A Core Licensing Hours – Off Sales Monday – Sunday 10.00 am – 10.00 pm Seasonal Variations None Activities Club or other group meetings and recorded music to be provided both during and outwith core licensing hours. (Tick Box – Yes) <u>Activities – Further Details</u> The premises operate as a shop. Ancillary meetings and presentations may occur during and outwith core hours and certain activities, noted above, may be available during this time. <u>Any Other Activities</u> Tastings and related events may take place. Children and Young Persons N/A | GRANTED |

| <u>No</u> | <u>Applicant</u> | <u>Premises</u> | <u>Proposed Licence Details</u> | <u>Decision</u> |
|-----------|------------------|--|--|-----------------|
| | | Ardgowan Distillery Shop Ardgowan Estate Inverkip | Capacity of Premises Alcohol Display Area 38.8.sq.m. Designated Premises Manager To be confirmed. | |

The Chair proposed that Items 1 and 2 be considered together as they are for similar applications within the same area and that Mr Stephen McGowan, TLT, LLP who was present representing the applicant can make one submission for both applications. Members agreed to this proposal.

Decision recorded at item 2.

| | | | | |
|----|-------------------------------------|--|--|---------------------------|
| 2. | Ardgowan Distillery Company Limited | Blackwoods Gin Distillery and Shop Ardgowan Estate Inverkip | Description of Premises Distillery, visitor centre and shop within grounds of wider Ardgowan Estate. Core Licensing Hours – On Sales Monday – Sunday 11.00 am – 12 Midnight Core Licensing Hours – Off Sales Monday – Sunday 10.00 am – 10.00 pm Seasonal Variations None Activities Club or other group meetings and recorded music to be provided both during and outwith core licensing hours. (Tick Box – Yes) <u>Activities – Further Details</u> The premises operate as a working distillery. Ancillary meetings and presentations may occur during and outwith core hours and certain activities, noted above, may be available during this time. | GRANTED AS AMENDED |
|----|-------------------------------------|--|--|---------------------------|

No Applicant

Premises

Proposed Licence Details

Decision

**Blackwoods Gin Distillery
and Shop**

Ardgowan Estate
Inverkip

Any Other Activities

Dispatch point for online sales incorporating distillery, storage, visitor centre and shop. Brewery tours, trade, charity and community events, tastings and related events may take place.

Children and Young Persons

Terms

Children and young persons permitted access when accompanied by an adult.

Ages

0 – 17 years

Times

Children and younger persons permitted access until 11.00 pm

Parts of the Premises allowed entry

All public parts

Capacity of Premises

Alcohol Display Area 33.99 sq.m.

Designated Premises Manager

To be confirmed.

As recorded above Mr Stephen McGowan, TLT LLP was present representing both applications. Ms Jessica Skelton, Ardgowan Distillery was in attendance.

Ms Sinclair introduced the items advising that no objections or representations had been received and that the Planning Section 50 Certificates are in place.

Mr McGowan addressed the Board providing background information on the progress of the Ardgowan Distillery project. He updated the Board on the operation of both the premises and the reasons for the hours applied for pertaining to each premises.

| <u>No</u> | <u>Applicant</u> | <u>Premises</u> | <u>Proposed Licence Details</u> | <u>Decision</u> |
|-----------|------------------|-----------------|---------------------------------|-----------------|
|-----------|------------------|-----------------|---------------------------------|-----------------|

Councillor Robertson noted that the times proposed for children and young persons to be permitted in relation to the Blackwoods Gin Distillery and Shop application, were outwith the Board's Policy and requested further information in this regard. Mr McGowan confirmed that this is not detrimental to the application and amended the application to comply with the Board's Policy.

Sergeant Robertson and the Licensing Standards Officer had no comments.

There followed discussion between all parties on the terms of the applications especially in relation to Blackwoods Gin Distillery and Shop.

After private deliberation, Councillor Cassidy moved:-

- (a) grant of the application for Ardgowan Distillery and
- (b) grant as amended of the application for Blackwoods Gin Distillery and Shop.

Both of which were unanimously agreed.

| | | | | |
|----|------------|---|--|----------------|
| 3. | Kerkha Ltd | My Newsagent Too 52 West Blackhall Street Greenock | <p>Description of Premises Convenience store with off sales facility within single unit on West Blackhall Street with shops/businesses to each side, housing above.</p> <p>Core Licensing Hours – On Sales N/A</p> <p>Core Licensing Hours – Off Sales Monday – Sunday 10.00 am – 10.00 pm</p> <p>Seasonal Variations None</p> <p>Activities Recorded music to be provided both during and outwith core licensing hours. (Tick Box – Yes)</p> | GRANTED |
|----|------------|---|--|----------------|

No Applicant

Premises

Proposed Licence Details

Decision

My Newsagent Too

52 West Blackhall Street
Greenock

Activities – Further Details

Low level background music when the unit is occupied.

Any Other Activities

Sale of food and non-food items as expected in a small convenience store. Lottery and paypoint.

Children and Young Persons

N/A

Capacity of Premises

Alcohol Display Area 9.8 sq.m.

Designated Premises Manager

To be confirmed.

Mr Brian McMahon, McMahon Consultancy was present representing the applicant. Mr Arjun Kumar Barakoti, Director and Ms Susmita Gurung were in attendance.

Ms Sinclair advised that no objections or representations have been received and that the Planning Section 50 Certificate is in place.

Sergeant Robertson and the Licensing Standard Officer had no comments.

Mr McMahon addressed the Board explaining that his clients took over the premises at the beginning of the year and that it is a small convenience store. He provided information on the running of the premises and spoke of the reasons for the request to add off sales to the business.

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