Inverclyde Licensing Board

ALL MEMBERS OF THE LICENSING BOARD

Direct Line:01475 712109Enquiries To:Fiona DenverE-mail:fiona.denver@inverclyde.gov.ukOur Ref:FDYour Ref:28 May 2024

Dear Member

Please attend a meeting of the INVERCLYDE LICENSING BOARD to be held on THURSDAY 6 JUNE 2024 at 10.00 a.m.

The Licensing Board Meeting will be held in hybrid format. Members may attend the meeting in person or access the meeting by remote online access. The joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Fiona Denver by 12 noon on Tuesday 4 June regarding how they intend to access the meeting.

Meetings of the Licensing Board are held in public with the exception of any business which requires to be dealt with in private. Members of the public are free to attend the public part of the meeting in person or via remote online access. Any member of the public who wishes to attend the meeting remotely should contact Fiona Denver no later than 12 noon on Wednesday 5 June in order to request a web link to the meeting.

Please note that this meeting will be recorded only for the purposes of preparation of the Minute of the meeting. Further information relating to the recording of meetings can be found at the end of this notice.

Yours faithfully

Clerk

AGENDA

- 1. Apologies, Substitutions and Declarations of Interest
- 2. Minutes of Meeting held on 7 March 2024. The Minutes of the Meeting of the Licensing Board held on 7 March 2024 are submitted for approval.
- 3. Licensing Board Appointment of Clerk The Depute Clerk will report.
- 4. Licensing (Scotland) Act 2005: Application for Variation of Premises Licence A list of applications is enclosed.
- 5. Licensing (Scotland) Act 2005: Application for Provisional Premises Licence A list of applications is enclosed.

- 6. Licensing (Scotland) Act 2005: Application to Extend Provisional Premises Licence A list of applications is enclosed.
- 7. Licensing (Scotland) Act 2005: Application for Transfer of Premises Licence A list of applications is enclosed
- 8. Licensing (Scotland) Act 2005: Application for Occasional Licence A list of applications is enclosed.
- 9. Licensing (Scotland) Act 2005: Finance and Functions Report Report to follow.
- **10.** Licensing Board Children and Young Persons Policy Report by Clerk enclosed.
- 11. Applications Granted under Delegated Authority for the Period from 1 February to 30 April 2024

A list of granted licences is enclosed.

The reports are available publicly on the Inverclyde Licensing Board's website and the Minute of the meeting will be submitted to the next standing meeting of the Licensing Board. The agenda for the meeting of the Inverclyde Licensing Board will be available publicly on the Licensing Board's website.

Please note: this meeting may be recorded for the purpose of preparation of the Minute of the meeting.

You should be aware that the Inverclyde Licensing Board is a Data Controller under the Data Protection Act 2018. Please note that all administrative functions of the Board is administered by the Inverclyde Council. Data collected during any recoding will be retained in accordance with the Council's published policy.

If you are participating in the meeting, you acknowledge that you may be filmed and that any information pertaining to you contained in the recording of the meeting, will be used for the purpose of preparing Minutes of the meeting. In making this use of your information the Council is processing data which is necessary for the performance of a task carried out in the public interest. If you are asked to speak at the meeting then your submission to the Licensing Board will be captured as part of the recording.

If you have any queries regarding this and, in particular, if you believe that use and/ or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact the Information Governance Team at dataprotection@inverclyde.gov.uk

INVERCLYDE LICENSING BOARD

THURSDAY 7 MARCH 2024 AT 10.00 A.M.

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

Chair: Councillor Brooks presided.

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

Apologies: There no apologies intimated.

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

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

LICENSING (SCOTLAND) ACT 2005 MINUTES OF MEETINGS HELD ON 7 DECEMBER 2023

The Chair moved approval of the Minutes of the previous meeting 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.

LICENSING (SCOTLAND) ACT 2005 REVIEW OF PREMISES LICENCE – ANNUAL FEES

Decision as per attached list.

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

Decision as per attached list.

APPLICATIONS GRANTED UNDER DELEGATED AUTHORITY FOR THE PERIOD FROM 1 NOVEMBER 2023 TO 31 JANUARY 2024

Noted

INVERCLYDE LICENSING BOARD - 7 MARCH 2024

LICENSING (SCOTLAND) ACT 2005

(3) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	Applicant	Premises	Variation Details	Decision
1.	Alliance Property Holdings Limited	Morrisons Daily 70/74 Inverkip Road Greenock	Add home delivery service to any other activities to be provided as follows:- A home delivery shopping service may be operated from the store.	GRANTED
			Existing The premises will be open outwith core hours for the sale of other items such as tobacco products, newspapers, confectionery and a range of groceries and dairy products.	

Mr Alex Green, Gosschalks Solicitors was present representing the applicant. Ms Caroline Montgomery, Area Manager was in attendance.

Ms Sinclair advised that Police Scotland has submitted a representation to the application, requesting that additional conditions be placed on the licence, if granted. Ms Sinclair read the contents of the Chief Superintendent's letter dated 5 February 2024, copies of which had previously been circulated to Members.

Sergeant Robertson confirmed that the letter is a standard letter with details of conditions which Police Scotland wish to seek in relation to all delivery of alcohol services.

Mr Green addressed the Board providing background information on the operation of the store and advised that delivery companies will be used for delivery of alcohol, such as Just Eat and Deliveroo, who strictly follow the rules and regulations for such deliveries. Mr Green advised that section 119 of the 2005 Act and Section 17 of the Board's Licensing Policy set out what is permitted in relation to delivery of alcohol and his client will comply with the law and the Board's Policy. Referring to the condition regarding mandatory training of delivery drivers, he stated that such training is intended for shop staff and is not intended to include third party companies. He requested that the Board's Policy condition requiring appropriate training is mirrored here.

Mr Brown advised he had no comments to make regarding the application other than confirming that the site notice was displayed appropriately.

No Applicant Premises

Variation Details

Councillor Robertson sought clarification on the condition referring to sealed containers, and Sergeant Robertson confirmed this is a standard condition due to local Bye-laws.

Following discussion, Councillor McVey moved grant of the application with conditions as per the Board's Policy which was unanimously agreed.

2. Howarth's Way Limited

Hole in the Wa' Bar 1 Argyle Street Greenock Extend commencement core licensing hour for both on sales and **GRANTED** off sales on Sunday to 11.00 am.

Existing
On Sales11.00 am - 12 MidnightMonday – Thursday11.00 am - 12 MidnightFriday & Saturday11.00 am - 1.00 amSunday12.30 pm - 12 Midnight

 Off Sales
 11.00 am - 10.00 pm

 Sunday
 12.30 pm - 10.00 pm

Ms Sinclair advised that the licence holder has submitted her apologies as she is unable to attend the meeting.

Ms Sinclair confirmed no objections or representation had been received.

Mr Brown advised he had no comment to the application and confirmed the site notice was displayed appropriately.

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

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	Variation Details		Decision
3.	Ishtiaq Mohammed	Supersave 6 Cromdale Road	Extend terminal core I	icensing hour on Sunday to 8.00 pm.	GRANTED
		Port Glasgow	Existing (Off Sales)		
		-	Monday - Thursday	10.00 am - 8.00 pm	
			Friday & Saturday	10.00 am - 9.00 pm	
			Sunday	10.00 am - 3.00 pm	

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

Ms Sinclair confirmed no objections or representation had been received.

Mr Maciver addressed the Board advising that the premises have been refurbished since his client took over the premises and due to customer demand requested to extend the Sunday core licensing hour to 8.00 p.m.

Mr Robertson advised he had no comments to the application and confirmed the site notice was displayed appropriately.

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

4. Stewart McCartney

Spinnaker Hotel 121 Albert Road Gourock (a) Extend commencement core licensing hour for both on sales **GRANTED** and off sales on Sunday to 11.00 am.

Existing

On Sales Monday - Wednesday 11.00 am - 12 Midnight Thursday - Saturday 11.00 am - 1.00 am Sunday 12.30 pm - 12.30 am

Off Sales

Monday – Saturday	11.00 am - 10.00 pm
Sunday	12.30 pm - 10.00 pm

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	Varia	ation Details	Decision
		Spinnaker Hotel 121 Albert Road Gourock	. ,	Amend seasonal variation to open on Christmas Day and New Year's Day at 4.30 pm.	GRANTED AS AMENDED
			Existing		
				 The premises close at 3.30 p.m. on Christmas Day and New Years Day in any year. 	
				 Extensions over the festive period will be operated in accordance with Inverclyde Licensing Board Policy. 	
				(iii) Any local or national holidays defined by Inverclyde Licensing Board.	

Mr Stewart McCartney, licence holder was present.

Ms Sinclair confirmed no objections or representation had been received.

Mr Robertson advised no comments to the application and confirmed the site notice was displayed appropriately.

Mr Stewart addressed the Board and confirmed that the time applied for in respect of Xmas Day and New Year's Day is the closing time.

Ms Sinclair confirmed the application is amended to close at 4.30 pm on Xmas Day and New Year's Day.

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

INVERCLYDE LICENSING BOARD - 7 MARCH 2024

LICENSING (SCOTLAND) ACT 2005

(4) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	Applicant	<u>Premises</u>	Proposed Licence Details	Decision
1.	Ardgowan Distillery Company Limited	Titan Rum Ardgowan Estate Inverkip	Description of Premises Warehouse, dispatch and retail unit within wider Ardgowan Estate.	GRANTED
			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, recorded music and films to be provided both during and outwith core licensing hours. (Tick Box – Yes)	
			<u>Activities – Further Details</u> The premises operate as storage, dispatch and retail unit. Ancillary meetings and presentations may occur during and outwith core hours and certain activities, noted above, may be available during this time.	
			Any Other Activities The premises operate as a storage, dispatch and retail unit.	
			Children and Young Persons N/A	
			6	

No Applicant

Premises

Proposed Licence Details

Decision

Titan Rum Ardgowan Estat Inverkip Capacity of Premises Zero

Designated Premises Manager To be confirmed.

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

Ms Sinclair confirmed that no objections or representations had been received and that the planning section 50 Certificate is in place.

Ms Simpson addressed the Board and intimated that Ms Jessica Skelton, Ardgowan Distillery and Mr Stephen McGowan, TLT LLP both apologise for not being in attendance. Ms Simpson explained that Titan Rum will operate from a small unit within the Estate. She advised that this is an upcoming brand providing a small production and distribution centre with a counter for walk-in customers.

Councillor Brooks requested information on the activities requested and Ms Simpson confirmed that these are included as they may be provided in the future, for example, to show production films and meetings.

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

2. GRS Retail Limited

97 Shore Street Gourock **Description of Premises** Single storey general convenience store. GRANTED

Core Licensing Hours – On Sales N/A

Core Licensing Hours – Off Sales Monday – Sunday 10.00 am – 10.00 pm

Seasonal Variations None

Premise	es	Proposed Licence Details	Decision
97 Sho Gouroc	p re Street :k	Activities None (Tick Box – No)	
		<u>Any Other Activities</u> Being a general convenience store, the premises may operate outwith the core licensed hours for the provision of services and the sale of non-alcohol products.	
		Children and Young Persons N/A	
		Capacity of Premises Alcohol Display Area 29.033 sq.m.	
		Designated Premises Manager To be confirmed.	

Mr Archie Maciver, Brunton Miller Solicitors was present representing the applicant. Mr Steven Singh, Director was in attendance.

Ms Sinclair confirmed no objections or representations had been received and that the planning section 50 Certificate is in place.

Mr Maciver addressed the Board providing background information on the premises and Mr Singh as licence holder. He intimated that the premises were previously licensed and have been refurbished and seek to re-instate the licence on the premises.

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

No Applicant

INVERCLYDE LICENSING BOARD – 7 MARCH 2024

LICENSING (SCOTLAND) ACT 2005

(5) REVIEW OF PREMISES LICENCE: ANNUAL FEES

Ms Sinclair advised that all of the undernoted reviews of Premises Licences relate to non-payment of annual fees, a breach of the licence conditions. She asked Members to note that in most cases, arrears initially arose during the Covid 19 pandemic at which time the Board took a light touch approach in relation to pursuing fees but that it is now appropriate that this matter is pursued.

<u>No</u>	Licence Holder	Premises	Year/s Due and Total Amount	Decision
1.	Ambreen Pervez	Family Stores 12 Robert Street Port Glasgow	2020–2021; 2021–2022; 2022–2023 and 2023–2024	LICENCE REVOKED
		C C	£880	

No-one was present or represented the licence holder.

Mr Brown advised that in his capacity as Licensing Standards Office he has not known the premises to be open and that the premises are in a state of disrepair.

There followed a discussion on the procedure of annual fees and letters issued in pursuance of the outstanding fees. Ms Sinclair advised that the finance section would assist the Board in regard to recovery of fees.

Councillor Robertson moved to revoke the licence and pursue the outstanding fees which was unanimously agreed.

2.	Sukhdev Boparai	Gate of India	2021-2022; 2022-2023 and 2023-2024	NOT CALLED
		1 Mansion Avenue		
		Port Glasgow	£660	

Ms Sinclair advised that the licence holder has surrendered the licence and therefore this item will not call.

<u>No</u>	Licence Holder	Premises	Year/s Due and Total Amount	Decision
3.	lain Love	The Big Night Inn 11 Kempock Street	2022–2023 and 2023-2024	LICENCE REVOKED
		Gourock	£560	

No-one was present or represented the licence holder.

Mr Brown advised that this premises is now operating as clothes shop and no longer trading as an off sales. He could not confirm as to when this change may have taken place, however stated it may be a couple of years.

Councillor Reynolds confirmed that the premises have changed and moved to revoke the licence and pursue the outstanding fees which was unanimously agreed.

 4.
 Afzal Muhammad
 24/26 Corlic Street
 2019-2020; 2020-2021; 2021-2022; 2022 NOT CALLED

 Greenock
 2023 and 2023-2024

£1,100

Ms Sinclair advised that the licence holder has paid the full amount of outstanding fees and therefore, this item will not call.

5.	Hoi Cheung Lam	The Cathay Royale	2020–2021; 2021-2022; 2022-2023 and	LICENCE
	5	134 West Blackhall Street	2023-2024	SURRENDERED /NOT
		Greenock		CALLED
			£1,120	

Mr Hoi Cheung Lam was present.

Ms Sinclair advised that the usual letters had been sent requesting the annual fee payments.

Mr Lam addressed the Board and advised that since lockdown he has not been running the restaurant, only take-away food and does not require the licence. He advised that he wishes to surrender the licence.

Mr Lam provided written confirmation of his surrender of licence and Ms Sinclair confirmed that as such, this item does not require to be considered.

<u>No</u>	Licence Holder	Premises	Year/s Due and Total Amount	Decision	
6.	Trustee	Greenock Police Athletic & Literary Club	2021-2022; 2022-2023 and 2023-2024	LICENCE REVOKED	
		Thom Street Greenock	£540		
	No-one was present or represe	nted the licence holder.			
	Mr Brown advised that the pren	nises have been closed for a long period of	time and he has never known it to be operating].	
	Ms Sinclair confirmed that the li	cence is held by a Trustee.			
	Councillor Cassidy moved to re	voke the licence which was unanimously ag	reed.		
7.	Fig Promotions Ltd	Red Nightclub 12 Cross Shore Street	2022-2023 and 2023-2024	LICENCE REVOKED	
		Greenock	£560		
	No-one was present or represe	nted the licence holder.			
	Mr Robertson advised that the	premises have been closed for a long period	d of time and he has never known it to be opera	ating.	
	Councillor Brooks moved to revoke the licence which was unanimously agreed.				
8.	Lapwine Ltd	Fenwick 47	2022-2023 and 2023-2024	LICENCE REVOKED	
		47 West Blackhall Street Greenock	£500		

Ms Lynn Simpson, TLT LLP was present representing the licence holder.

Ms Sinclair advised that Mr Stephen McGowan, TLT LLP had submitted an e-mail this morning offering formal apologies to the Board and advised that the licence holder is making arrangements to pay the fee today. Ms Sinclair read the contents of the e-mail to the Board,

Mr Robertson advised that the premises appear to be closed and that they have been unable to hand deliver letters to the premises.

No Licence Holder P

Premises

Year/s Due and Total Amount

Decision

Ms Simpson echoed Mr McGowan's apologies and re-iterated that it had only come to the attention of her client that morning that the annual fees were outstanding. She confirmed that payment was being arranged today. She asked that the Board take no action at this time.

There followed a discussion on the closed premises and annual fee payments.

Following private discussion, Ms Simpson confirmed that the licence holder has now paid the outstanding fees this morning. She requested the Board to consider continuing the item to allow confirmation of payment rather than taking any action at the present time. She re-iterated that it was a genuine oversight and that immediate steps have been taken to resolve it.

There followed discussion between Members and the Clerk confirming details of the letters which had been issued to the registered address of the licence holder.

Ms Simpson spoke on the proportionality of the decision the Board requires to consider.

The Board agreed to go into private session, following which, Councillor McVey moved to revoke the licence, and as an amendment Councillor Brooks moved to continue the item. On a vote, one Member (Councillor Brooks) voted for the amendment and six Members (Councillors Cassidy, Jackson, McCormick, McVey, Reynolds and Robertson) voted for the motion, which was declared carried.

Ms Sinclair confirmed the licence is revoked.

INVERCLYDE LICENSING BOARD - 6 JUNE 2024

LICENSING (SCOTLAND) ACT 2005

(4) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	Var	iation Details	<u>Decision</u>
1.	Parkdean Holiday Parks Ltd	Wemyss Bay Holiday Park Wemyss Bay	(a)	Add External Retail Outlet and Seating Area; Extend Outdoor Beer Garden; Internal Alterations; and Amend Layout Plan.	
				Description To permit the addition of new ice cream stall called "Scoops" selling confectionery, soft drinks, teas & coffees and ice cream. New food servery facilities called "Retail Outlet" to provide snacks meals, soft drinks, teas & coffees and the sale of alcohol. New Seating Area for 84 customers. Extend beer garden and internal changes to add a corridor between the Pool Area and the Coffee Lounge and a reduction in the bar within the Lounge Bar / Restaurant area. Update layout plan covering full area and a detailed plan to include complex, outdoor beer garden, seating areas and new food and ice cream venues outdoors.	
			(b)	Add the following text to Seasonal Variations:-	
				The premises will operate additional hours during the Festive Season and any other period stated in accordance with the Inverclyde Licensing Board's Licensing Policy or as notified by Inverclyde Licensing Board.	
				Existing The winter season is determined as 1 November - 28/29 February in any year.	

<u>No</u> <u>Applicant</u>	Premises	Variation Details	Decision
	Wemyss Bay Holiday Park Wemyss Bay	(c) Amend Occupancy Capacity Figures as follows:-	
		Complex (Showbar 540 and Lounge/Restaurant 135) = Total 675.	
		Outdoor (Beer Garden 164, Container Area for Retail Outlet and Scoops 84) = Total 248	
		Total capacity – 923 persons	
		Existing	

500 persons

INVERCLYDE LICENSING BOARD - 6 JUNE 2024

LICENSING (SCOTLAND) ACT 2005

(5) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	Applicant	Premises	Proposed Licence Details	<u>Decision</u>
1.	Motor Fuel Ltd	Greenock (Rue End) Service Station Rue End Street Greenock PA15 4RN	 Description of Premises A general convenience store adjacent to petrol/derv filling station forecourt. The site has car parking separate from the fuel pumps. The premises do not form part of the nearby retail supermarket premises. The petrol/derv filling station forecourt area is not part of the area to be licensed. The premises offer substantial general convenience separate from, and supplementary to, the offer of petrol/derv. Core Licensing Hours – On Sales N/A Core Licensing Hours – Off Sales Monday – Sunday 10.00am – 10.00pm 	
			Seasonal Variations None	
			Activities Recorded music to be provided both during and outwith core licensing hours.	
			<u>Further Details</u> The premises may play background music in the retail areas	

of the store. The premises may operate outwith alcohol licensing hours, up to 24 hour basis.

No Applicant

Premises

Proposed Licence Details

Greenock (Rue End) Service Station Rue End Street Greenock PA15 4RN

Any other Activities

The premises comprise of general convenience store with off sale facility adjacent to petrol/derv filling station forecourt. The premises offer takeaway "food on the go". Customers may order groceries, food and drinks, including alcoholic drinks for home delivery from the premises.

Children and Young Persons N/A

Capacity of Premises Alcohol Display Area – 8.90046m²

Designated Premises Manager To be confirmed.

INVERCLYDE LICENSING BOARD - 6 JUNE 2024

LICENSING (SCOTLAND) ACT 2005

(6) APPLICATION TO EXTEND PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Applicant</u>	<u>Premises</u>	Details	Decision
1.	Ardgowan Distillery Company Ltd	Ardgowan Distillery Company Ltd Ardgowan Estate Inverkip PA16 0DW	<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.	
			Provisional Licence Dates 6 June 2019 - 6 June 2023	

I June 2023 extension granted to 6 June 2024

Request to extend expiry date by one year.

INVERCLYDE LICENSING BOARD – 6 JUNE 2024

LICENSING (SCOTLAND) ACT 2005

(7) APPLICATION FOR TRANSFER OF PREMISES LICENCE

<u>No</u>	Applicant	Premises	Current Licence Holder	Proposed Licence Holder	Decision
1.	Ayub Traders Limited	Broomhill Off Sales and Convenience Store 4 Broomhill Way Greenock PA15 4HE	Ayub Traders Limited	Malhorta Scot Brothers Ltd	

INVERCLYDE LICENSING BOARD – 6 JUNE 2024

LICENSING (SCOTLAND) ACT 2005

(8) APPLICATION FOR OCCASIONAL LICENCE

<u>No.</u>	Applicant	Premises	Event Details	<u>Decision</u>
1.	Blair Fisher	Café / Bistro 118 - 120 Cathcart Street	Café / Bistro / Outdoor Seating Area	
		Greenock	Monday - Saturday 11.00am - 11.00pm	
		PA15 1BQ	Sunday 1.00pm - 11.00pm	
			Premises offering - restaurant facilities, recorded music, outdoor drinking facilities.	
			Takeaway of food with non-alcoholic drinks is provided throughout the day from 9.00am -	
			11.00pm	
			Application Dates	
			7 June – 15 June 2024	
			16 June – 29 June 2024	
			30 June – 13 July 2024	
			14 July – 27 July 2024	
			28 July – 10 August 2024	

AGENDA ITEM NO:

Report To:	Inverclyde Licensing Board	Date:	6 June 2024
Report By:	Clerk to Inverclyde Licensing Board	Report No:	LS/042/24
Contact Officer:	Anne Sinclair	Contact No:	01475 712034
Subject:	Licensing Board: Children and Yo	ung Persons P	Policy

1.0 PURPOSE AND SUMMARY

- 1.1 ⊠For Decision □For Information/Noting
- 1.2 The purpose of this report is to request that members of the Licensing Board consider whether any changes are necessary to the Board's Children and Young Person's Policy within the existing Licensing Board Policy Statement.
- 1.3 The Licensing Board Policy Statement, including the Board's Children and Young Person's Policy, was approved by the Board at its meeting on 26 October 2023.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Licensing Board:
 - (a) consider whether it would be appropriate to review its Children & Young Person's policy within the Licensing Board Policy Statement, and if so, determine what changes, if any, are required be made to the policy;
 - (b) agree to grant delegated authority to the Clerk and Depute Clerk of the Licensing Board, in consultation with the Chair of the Board, to make such further changes as are deemed necessary further to the Board's decision today, and thereafter to publish the updated Licensing Board Policy Statement.

Lynsey Brown Clerk to the Board

3.0 BACKGROUND AND CONTEXT

- 3.1 In terms of section 6 of the Licensing (Scotland) Act 2005 ("the 2005 Act") the Licensing Board Policy Statement was approved by the Licensing Board at it's meeting on 26 October 2023. Prior to approving its Policy Statement the Board carried out a public consultation and consulted with relevant stakeholders, including Police Scotland and the Alcohol Licensing Forum. The Board's Policy Statement was considered by the Board at public meetings on 28 June, 1 August, and 18 September 2023. A copy of the Board's Policy Statement can be accessed at the following link: Policy Statement Inverclyde Council
- 3.2 At its meeting on 26 October 2023 the Board agreed the terms of its Children and Young Person's policy as set out in section 9.3 of its Licensing Board Policy Statement. The 2005 Act defines a "child "as a person aged 15 years or younger, and a "young person "as a person aged 16 or 17 years of age. A copy of the existing conditions which may be imposed on a premises licence or an occasional licence where children are to be allowed entry are set out in Appendix 1 to this report with a copy of the previous conditions in place until 26 October 2023 set out in Appendix 2.
- 3.3 In terms of the existing Children and Young Person's policy, the conditions which may currently be imposed when granting a premises licence or when granting an occasional licence where children and young persons are to be allowed entry are as follows:

(i) Children shall be accompanied and supervised by a suitable adult or adults when they are in licensed premises as follows:

- Children may be in licensed premises until 8pm;
- Children may be in licensed premises between 8pm and 11pm while they and/or the accompanying adult(s) are having a meal;
- Children may be in licensed premises between the hours of 8pm and 1am while accompanied and supervised by a suitable adult or adults whilst attending **a family orientated private function** (such as weddings, golden anniversaries or special birthday celebrations e.g. an 18th birthday party)

In terms of the previous Children and Young Person's policy, prior to the Board's decision on 26 October 2023, the following conditions applied:

- Children may be in licensed premises until 8pm;
- Children may be in licensed premises between 8pm and 11pm while they and/or the accompanying adult (s) are having a meal;
- Children may be in licensed premises between the hours of 8pm and 11pm while attending **a function** such as a wedding or an 18th birthday party.
- 3.4 It was previously considered by Licensing officers that the previous condition permitting children to be present within licensed premises between 8pm and 11pm was sufficiently wide as to permit children to be present in Licensed premises for non family related events, such as, but not restricted to, award ceremonies and events held within the local Town Halls and other venues.

4.0 PROPOSALS

4.1 In terms of the existing Children and Young Person's Policy children cannot be within licensed premises after 8pm unless they are having a meal or attending a family orientated function. There is currently no provision for children to attend non family orientated functions, such as award ceremonies, charity events or functions in the local Town Halls. Members are requested to consider the conditions in the most up to date Children and Young Person's Policy within the Licensing Board Policy Statement in relation to the presence of children in licensed premises and determine whether any amendment to the existing policy conditions are considered appropriate.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial			Х
Legal/Risk	Х		
Human Resources			Х
Strategic (LOIP/Corporate Plan)			Х
Equalities & Fairer Scotland Duty			Х
Children & Young People's Rights & Wellbeing			Х
Environmental & Sustainability			Х
Data Protection			Х

5.2 Finance

There are no financial implications as a result of this report or proposed policy.

5.3 Legal/Risk

There is a potential risk of legal challenge in relation to the Board's Children & Young Person's Policy if children are unable to be in licenced premises after 8pm unless they are having a meal or attending a family orientated function,

5.4 Human Resources

None.

6.0 CONSULTATION

6.1 The Board consulted widely in relation to its Licensing Board Policy Statement which was approved by the Board on 26 October 2023.

7.0 BACKGROUND PAPERS

7.1 None.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

CHILDREN AND YOUNG PERSONS IN LICENSED PREMISES CONDITIONS

- 1 **Children** (15 years and under) shall be accompanied and supervised by a suitable adult or adults when they are in licensed premises as follows;
 - Children may be in licensed premises until 8pm;
 - Children may be in licensed premises between 8pm and 11pm while they and/or the accompanying adult(s) are having a meal;
 - Children may be in licensed premises between the hours of 8pm and 1am whilst attending a family orientated private function (such as a wedding, golden/silver anniversary or special birthday celebration e.g. 18th birthday party);

Young Persons (aged 16 years and 17 years) shall be accompanied by a suitable adult or adults when they are in licensed premises as follows;

- Young persons may be within licensed premises until 11pm while accompanied by a suitable adult;
- Young persons may be in licensed premises between 11pm and 1am while they and the accompanying adult(s) are having a meal;
- Young persons may be in licensed premises between the hours of 11pm and 1am while attending a family orientated private function (such as a wedding, golden/silver anniversary or special birthday celebration e.g. 18th birthday party);

Young Persons (aged 16 and 17 years) may be within a restaurant until 11pm unaccompanied by an adult while having a meal.

- 2 All heating appliances in the public areas of the licensed premises must be adequately protected.
- 3 All electrical sockets in the public areas of the licensed premises must be adequately protected.
- 4 Children must not be permitted to operate any amusement with prizes or video machines which are in licensed premises.
- 5 A children's menu must be available at all times or alternatively the main menu must show that children's portions are available.
- 6 Baby's high chairs must be provided for very young children.
- 7 An adequate sized lidded bin must be provided in both male and female toilets for the disposal of soiled nappies and the bins must be clearly marked to indicate the purpose for which they are provided.
- 8 Changing facilities for infants must be provided and maintained in both male and female toilets or in the disabled toilet.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

CHILDREN AND YOUNG PERSONS IN LICENSED PREMISES CONDITIONS

1 Children and young persons shall be accompanied and supervised by a suitable adult or adults when they are in licensed premises as follows;

Children may be in licensed premises until 8 pm;

Children may be in licensed premises between 8 pm and 11 pm while they and/or the accompanying adult(s) are having a meal;

Children may be in licensed premises between the hours of 8 pm and 11 pm while attending a function such as a wedding or an 18th birthday party;

Young persons may be within licensed premises until 11 pm while accompanied by a suitable adult;

Young persons may be in licensed premises between 11 pm and 1 am while they and the accompanying adult(s) are having a meal;

Young persons may be in licensed premises between the hours of 11 pm and 1 am while attending a function such as a wedding or an 18th birthday party.

- 2 All heating appliances in the public areas of the licensed premises must be adequately protected.
- 3 All electrical sockets in the public areas of the licensed premises must be adequately protected.
- 4 No "happy hour" or similar promotion shall be in operation during the hours when children/young persons are on the premises.
- 5 Children must not be permitted to operate any amusement with prizes or video machines which are in licensed premises.
- 6 A children's menu must be available at all times or alternatively the main menu must show that children's portions are available.
- 7 Baby's high chairs must be provided for very young children.
- 8 An adequate sized lidded bin must be provided in both male and female toilets for the disposal of soiled nappies and the bins must be clearly marked to indicate the purpose for which they are provided.
- 9 Changing facilities for infants must be provided and maintained in both male and female toilets or in the disabled toilet.
- 10 Non-glass containers for alcohol will be available when children are in licensed premises.

INVERCLYDE LICENSING BOARD - 6 JUNE 2024

LICENSING (SCOTLAND) ACT 2005

(11) LICENCES GRANTED UNDER DELEGATED AUTHORITY 1 FEBRUARY TO 30 APRIL 2024

MINOR VARIATION – DPM

Premises	Applicant	Date Granted
Morrisons Rue End Street / Dellingburn Street Greenock	Wm Morrison Supermarkets Ltd	01-Feb-24
18A East Crawford Street Greenock	Adnan Afzal	06-Feb-24
Lidl 1 Customhouse Way Greenock	Lidl Great Britain Limited	13-Feb-24
Punto 4 St James Terrace Lochwinnoch Road Kilmacolm	PK4 Limited	22-Mar-24
The Liquor Shed 19 West Stewart Street Greenock	Arun Thapar	02-Apr-24

MINOR VARIATION – OTHER

Premises	Applicant	Details of Variation	Date Granted
The Green Oak Bar 8 Inverkip Street Greenock	Rosemount Taverns Ltd	Update Manager Personal Licence Details	13-Mar-24
Vest End Bar & Kitchen 21 West Blackhall Street A.G.G. (Greenock) Ltd Greenock		 Change of manager with immediate effect Change name of premises to Bird 	17-Apr-24

TRANSFER

Premises	Applicant	Previous Licence Holder	New Licence Holder	Date Granted
Eddy's Food Station 141/2 - 14b South Street Greenock	Eddy's Food Station Limited	Eddy's Food Station Limited	C J Lang & Son Ltd	26-Apr-24
Punto 4 St James Terrace Lochwinnoch Road Kilmacolm	Punto Kilmacolm Limited	PK4 Limited	Punto Kilmacolm Limited	30-Apr-24

CONFIRMATION OF PROVISIONAL PREMISES LICENCE

Premises	Licence Holder	Date Granted	
My Newsagent Too	Kerkha Ltd	04-Mar-24	
97 Shore Street	GRS Retail Limited	20-Mar-24	

EXTENDED HOURS

Premises	Start Day	Start Date	End Day	End Date	On Sale Times	Event Details	Date Granted
Britannia Social Club	Friday	05-Apr-24	Saturday	06-Apr-24	7.00pm - 12.15am	40th Birthday Party	18-Mar-24
Cleats Bar	Sunday	31-Mar-24	Monday	01-Apr-24	Midnight - 1.00am	Easter Bank Holiday Weekend Live DJ Event	18-Mar-24
Greenock Golf Club	Saturday`	16-Mar-24	Sunday	17-Mar-24	11.00pm - 1.00am	Winter League Evening	15-Mar-24
Greenock Golf Club	Friday	22-Mar-24	Saturday	23-Mar-24	11.30pm - 1.00am	Games Night	15-Mar-24
Glasgow Rangers FC Supporters Association	Sunday	07-Apr-24	Sunday	07-Apr-24	11.30am - 12.30pm	Old Firm Football Match (12 Noon kick off)	27-Mar-24
Greenock Golf Club	Sunday	14-Apr-24	Sunday	14-Apr-24	11.00am - 12 Noon	Golf Masters Event - Televised screening and Golf competition	11-Apr-24
Greenock Golf Club	Sunday	14-Apr-24	Sunday	14-Apr-24	11.00pm - 12 Midnight	Golf Masters Event - Televised screening and Golf competition	03-Apr-24

PERSONAL LICENCE

First Name/s	Surname	Application Type	Date Granted
Aidan	MacDonald	New	14-Feb-24
Abbie	McGuigan	New	14-Feb-24
Kirsty Anne	Gladwin	New	14-Feb-24
Alister	Robertson	New	14-Feb-24
Sarah Jane	Robertson	New	14-Feb-24
Ross	Laughlin	New	14-Feb-24
Ryan	Ferris	New	14-Feb-24
Debbie Marie	Docherty	New	14-Feb-24

First Name/s	Surname	Application Type	Date Granted
Yvonne	McKechnie	New	14-Feb-24
Arjun Kumar	Barakoti	New	14-Feb-24
Susmita	Gurung	New	14-Feb-24
Andrew	Smith	New	05-Mar-24
Bethany Louise	Rafferty	New	22-Mar-24
Laura Elizabeth	Docherty	New	22-Mar-24
Stephen Michael	Kane	New	04-Apr-24
Rashith Madushanka	Siriwardhana	New	04-Apr-24
Brian	McLean	New	29-Apr-24
Saugat	Barakoti	New	29-Apr-24
Paula	Anderson	New	29-Apr-24
Paul	Flood	New	29-Apr-24
Laura	Magee	New	29-Apr-24
Gary Ryan	Moore	Renewal	29-Apr-24
Sharon	Moore	Renewal	29-Apr-24
Claire	McParland	Renewal	29-Apr-24

OCCASIONAL LICENCES

Applicant	Premises	Start Date	End Date	On Sale Times	Off Sale Times	Event	Date Granted
Ludovic Houston Shaw Stewart	Ardgowan House Ardgowan Estate INVERKIP PA16 0DW	16-Feb-24	18-Feb-24	6.30pm - 11.00pm	N/A	Dining Experience	06-Feb-24
Blair Fisher	Café / Bistro 118 - 120 Cathcart Street Greenock PA15 1BQ	25-Feb-24	09-Mar-24	11.00am - 11.00pm Monday - Saturday 1.00pm - 11.00pm Sunday	N/A	Café / Bistro / Outdoor Seating Area	06-Feb-24

Applicant	Premises	Start Date	End Date	On Sale Times	Off Sale Times	Event	Date Granted
Blair Fisher	Café / Bistro 118 - 120 Cathcart Street Greenock PA15 1BQ	11-Feb-24	24-Feb-24	11.00am - 11.00pm Monday - Saturday 1.00pm - 11.00pm Sunday	N/A	Café / Bistro / Outdoor Seating Area	06-Feb-24
Gillian Wishart	Lodge Doric Kilwinning No. 68 7 Brown Street Port Glasgow PA14 5BP	16-Feb-24	16-Feb-24	3.30pm - 6.15pm	N/A	Funeral Reception	13-Feb-24
Tom Arthur Ireland	Market Stall Kilmacolm Farmers Market Lochwinnoch Road Kilmacolm	02-Mar-24	02-Mar-24	N/A	10.00am - 2.00pm	Kilmacolm Farmers Market	13-Feb-24
Mr Mark Ingram	Market Stall Gourock Farmers Market Train Station Car Park Gourock	24-Feb-24	24-Feb-24	N/A	10.00am - 2.00pm	Gourock Farmers Market	13-Feb-24
Gillian Wishart	Lodge Doric Kilwinning No. 68 7 Brown Street Port Glasgow PA14 5BP	05-Mar-24	05-Mar-24	2.30pm - 6.00pm	N/A	Funeral Reception	27-Feb-24
Mr Colin Vize	Parklea Stadium Community Hub Parklea Road Port Glasgow PA14 6TR	02-Mar-24	02-Mar-24	12 Noon - 5.00pm	N/A	Invited Guests and Team Sponsors Hospitality	27-Feb-24

Applicant	Premises	Start Date	End Date	On Sale Times	Off Sale Times	Event	Date Granted
Giulia Canata	Greenock Wanderers Rugby Football Club Fort Matilda Playing Fields 75 Octavia Terrace Greenock PA16 7PX	01-Mar-24	01-Mar-24	N/A	6.00pm - 10.00pm	Whisky Tasting / Music	27-Feb-24
Ms Jessica Emma Skelton	Ardgowan Distillery Shop Ardgowan Estate Inverkip PA16 0DW	21-Apr-24	04-May-24	N/A	10.00 a.m 10.00 p.m.	Off Sales /Remote Sales / Click and Collect Service	27-Feb-24
Ms Jessica Emma Skelton	Ardgowan Distillery Shop Ardgowan Estate Inverkip PA16 0DW	07-Apr-24	20-Apr-24	N/A	10.00 a.m 10.00 p.m.	Off Sales /Remote Sales / Click and Collect Service	27-Feb-24
Blair Fisher	Café / Bistro 118 - 120 Cathcart Street Greenock PA15 1BQ	10-Mar-24	23-Mar-24	11.00am - 11.00pm Monday - Saturday 1.00pm - 11.00pm Sunday	N/A	Café / Bistro / Outdoor Seating Area	27-Feb-24
Ms Jessica Emma Skelton	Ardgowan Distillery Shop Ardgowan Estate Inverkip PA16 0DW	24-Mar-24	06-Apr-24	N/A	10.00 a.m 10.00 p.m.	Off Sales /Remote Sales / Click and Collect Service	27-Feb-24
Ms Jessica Emma Skelton	Ardgowan Distillery Shop Ardgowan Estate Inverkip PA16 0DW	10-Mar-24	23-Mar-24	N/A	10.00 a.m 10.00 p.m.	Off Sales /Remote Sales / Click and Collect Service	27-Feb-24

Applicant	Premises	Start Date	End Date	On Sale Times	Off Sale Times	Event	Date Granted
lan Brown	Gourock Park Bowling Club Larkfield Road GOUROCK PA19 1XZ	16-Mar-24	16-Mar-24	6.30pm - 11.45pm	N/A	Bowling and Social Night in Clubhouse	27-Feb-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	02-Mar-24	03-Mar-24	10.00pm - 12.30am	N/A	After Show Party for cast and family of production at The Beacon	01-Mar-24
Mr Colin Vize	Parklea Stadium Community Hub Parklea Road Port Glasgow PA14 6TR	09-Mar-24	09-Mar-24	12 Noon - 5.00pm	N/A	Invited Guests and Team Sponsors Hospitality	06-Mar-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	09-Mar-24	10-Mar-24	6.30pm - 1.00am	N/A	Ardgowan Hospice Ball	06-Mar-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	15-Mar-24	16-Mar-24	6.30pm - 1.00am	N/A	Country Dancing Dance	06-Mar-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	16-Mar-24	17-Mar-24	6.30pm - 1.00am	N/A	St Andrews Football Club Sportsmans Dinner	06-Mar-24
Blair Fisher	Café / Bistro 118 - 120 Cathcart Street Greenock PA15 1BQ	07-Apr-24	20-Apr-24	11.00am - 11.00pm Monday - Saturday 1.00pm - 11.00pm Sunday	N/A	Café / Bistro / Outdoor Seating Area	18-Mar-24

Applicant	Premises	Start Date	End Date	On Sale Times	Off Sale Times	Event	Date Granted
Britannia Social Club	Britannia Social Club 15 Terrace Road Greenock PA16 0XD	06-Apr-24	06-Apr-24	11.00am - 10.30pm	N/A	Televised screening of football match & evening disco	18-Mar-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	23-Mar-24	24-Mar-24	6.30pm - 1.00am	N/A	Charity Night - Alexis Gault	18-Mar-24
Blair Fisher	Café / Bistro 118 - 120 Cathcart Street Greenock PA15 1BQ	24-Mar-24	06-Apr-24	11.00am - 11.00pm Monday - Saturday 1.00pm - 11.00pm Sunday	N/A	Café / Bistro / Outdoor Seating Area	18-Mar-24
Giulia Canata	Royal Gourock Yacht Club Ashton Road GOUROCK PA19 1DA	23-Mar-24	23-Mar-24	N/A	3.00pm - 8.00pm	Gin Tasting with Nibbles and Bottle Sales	18-Mar-24
Mr Mark Ingram	Market Stall Gourock Farmers Market Train Station Car Park Gourock	30-Mar-24	30-Mar-24	N/A	10.00am - 2.00pm	Gourock Farmers Market	18-Mar-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	30-Mar-24	31-Mar-24	6.30pm - 1.00am	N/A	Boxing Event	18-Mar-24
Ludovic Houston Shaw Stewart	Ardgowan House Ardgowan Estate INVERKIP PA16 ODW	06-Apr-24	06-Apr-24	1.30pm - 11.45pm	N/A	Wedding Ceremony & Reception	18-Mar-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	06-Apr-24	07-Apr-24	12.30pm - 1.00am	N/A	Wedding Reception	18-Mar-24

Applicant	Premises	Start Date	End Date	On Sale Times	Off Sale Times	Event	Date Granted
Ludovic Houston Shaw Stewart	Ardgowan House Ardgowan Estate INVERKIP PA16 ODW	22-Mar-24	24-Mar-24	6.30pm - 11.00pm	N/A	Dining Experience	18-Mar-24
lan Brown	Gourock Park Bowling Club Larkfield Road GOUROCK PA19 1XZ	12-Apr-24	13-Apr-24	5.45pm - 11.45pm on Friday 12 April 2024 1.00pm - 8.00pm on Saturday 13 April 2024	N/A	Bowling Club Opening Weekend	03-Apr-24
Ludovic Houston Shaw Stewart	Ardgowan House Ardgowan Estate INVERKIP PA16 ODW	20-Apr-24	21-Apr-24	2.00pm - 6.00pm	N/A	Dining Experience	03-Apr-24
Blair Fisher	Café / Bistro 118 - 120 Cathcart Street Greenock PA15 1BQ	21-Apr-24	04-May-24	11.00am - 11.00pm Monday - Saturday 1.00pm - 11.00pm Sunday	N/A	Café / Bistro / Outdoor Seating Area	03-Apr-24
Colin Vize	St John's Church Hall Brown Street Port Glasgow PA14 5BG	27-Apr-24	27-Apr-24	7.00pm - 11.30pm	N/A	Sport Speakers Fund Raising Event	03-Apr-24
Ms Linda Swift	Inverkip Bowling Club Main Street INVERKIP PA16 OAN	12-Apr-24	14-Apr-24	1.00pm - 11.55pm	N/A	Opening Weekend	03-Apr-24
Mark Deegan	Gamble Halls Shore Street Gourock	12-May-24	12-May-24	12 Noon - 4.00pm	N/A	Communion Celebration	03-Apr-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	13-Apr-24	13-Apr-24	5.30pm - 12 Midnight	N/A	Northern Soul Night	11-Apr-24

Applicant	Premises	Start Date	End Date	On Sale Times	Off Sale Times	Event	Date Granted
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	19-Apr-24	19-Apr-24	7.00pm - 12 Midnight	N/A	Oasis - v - The Stone Roses - Manchester Revisited	17-Apr-24
Mr Mark Ingram	Market Stall Gourock Farmers Market Train Station Car Park Gourock	27-Apr-24	27-Apr-24	N/A	10.00am - 2.00pm	Gourock Farmers Market	17-Apr-24
John Paul Flynn	Greenock Town Hall Clyde Square Greenock	27-Apr-24	28-Apr-24	6.30pm - 1.00am	N/A	Inverclyde Amateur Swimming Club Presentation	24-Apr-24
Emma Bilsland	Kilmacolm Primary School Churchill Road Kilmacolm PA13 4LH	26-Apr-24	26-Apr-24	6.00pm - 11.30pm	N/A	Fundraising Event / Quiz Night	24-Apr-24
Devinder Dhesi	Outdoor Drinking / Dining Area Cleats Bar 4 Kempock Street GOUROCK PA19 1NA	13-May-24	26-May-24	11.00am - 9.00pm - Monday to Saturday 12.30pm - 9.00pm - Sunday	N/A	Outdoor Drinking / Dining Area	24-Apr-24