

MINUTE

OF

EAST RENFREWSHIRE LICENSING BOARD

Minute of meeting held at 10am in the Council Chamber, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock on 15th May 2025

Present: Councillor Paul Edlin (Chair), Councillor Colm Merrick, Councillor David MacDonald, Councillor Andrew Morrison, Councillor Kate Campbell

Attending: Rebecca Auld (Solicitor), Inspector Alan Ferris; Police Scotland, Dominic McMahon; Licensing Standards Officer (LSO) and David Higgins; Civic Licensing Enforcement Officer

Convener: Dr Edlin

- 1. Apologies:** Provost Mary Montague
- 2. Minutes of meeting held on 20th February 2025:** Approved.
- 3. Declarations of Interest:** No declarations made.
- 4. Application for Occasional Licence:-**

(a) Eaglesham Beer Festival

Mr Fraser Wilson, Lead Organiser and Mr Richard Malloy, Licensee, appeared personally. Mr Wilson advised the Board that this would be the ninth Beer Festival and it is a respected one day event. Mr Wilson addressed the board on the event's ethos and issues that had been raised in relation to the festival held in 2024.

Mr Wilson acknowledged that the event takes place in a conservation village and can bring inevitable disruption to local residents, however the event has a positive impact on over 2000 people who spend money in the village before and after the event. Mr Wilson explained the efforts taken to make the event as environmentally friendly as possible with the use of reusable plastic cups and split waste recyclables. Mr Wilson acknowledged that in 2024 the event, without malice, deviated from the Public Entertainment Licence granted in an effort to improve the offering of the event, specifically in relation to the 'Rave Tent'. Mr Wilson apologised and stated that both himself and Mr Malloy live and work in the village and are committed to improving their processes to host an event that is created for the village.

Mr Malloy confirmed that he is a personal licence holder for the event and he is committed to improving the festival by taking on board the comments by the Police and LSO. He will undertake a review to ensure the vendors have adequate training records in place. Mr Malloy confirmed a Challenge 25 policy is in place. Attendees will be age verified upon entry with

those under 18 receiving a wristband and a child friendly stamp. Those over 18 will receive a 'beer' stamp. The event is happy to accept the recommendations by the LSO and have updated their alcohol management plan to address concerns raised.

Inspector Alan Ferris advised that 11 special condition points had been raised by Police in their representation letter but the updated alcohol management plan addressed those concerns so there is now No Police Objection.

The Licensing Standards Officer confirmed all points of concern have been addressed by the Applicant and he would support the grant of the licence if his recommendations are attached as a condition of the licence.

Cllr Andrew Morrison sought clarity on the wristband and stamp system for under 18's, highlighting that under 18's could take their wristband off. Cllr Morrison suggested it would be more sensible to provide over 18s with the wristbands. The Applicants accepted this.

Cllr David MacDonald raised concern about the responsible selling and consumption at the event. He sought clarity on how attendees would be considered as intoxicated and whether the four drinks per person per transaction condition should be limited to two. Inspector Ferris advised the Board that the four drink condition is standard but there will be further measures in place at the event to ensure safety and responsible drinking. Cllr MacDonald highlighted to the applicants that communication between the vendors will be key to ensure safety and manage any overconsumption.

The licence was unanimously granted subject to the following conditions as recommended in LSO report:

- Revise alcohol management plan so that it reflects that patrons must, rather than should, have a four-drink maximum per person/per transaction, so as to mitigate excessive drinking.
- Compliance with Alcohol Management Plan.
- A 4 drink limit is placed on all sale of alcohol (4 drinks per person at any one time)
- Off Sales must be sold in a sealed container and stewards instructed to seize any open containers
- No glass in the park and all drinks decanted into plastic or PET containers
- Management structure and phone numbers to contact management on the day distributed to all vendors
- Any SIA (or basic) stewarding with details of the company, phone numbers for the company and persons on site with full details of SIA badge numbers.

(b) Ibiza Orchestra/Sausage & Cider/Summer in Nashville – Rouken Glen Park

Mr Martin Barker appeared personally as representative of the Applicant. Mr Barker advised the Board that the application is for three individual day events taking place over the weekend of Friday 5th – Sunday 7th September. This is the 5th year running this format of event but the first time bringing the event to East Renfrewshire. The event has ran on 52 occasions previously and is due to take place on 18 occasions in 2025. The event has operated previously in Dundee and Aberdeen.

Mr Barker explained the safety measures in place such as Challenge 25, use of wristbands for Under 18s and a 1:100 SIA stewarding ratio.

Inspector Ferris advised the Board that the Police representation letter was submitted as although there had been productive conversations with the event organisers, Police had not had sight of the revised Alcohol Management Plan. Inspector Ferris asked for further clarification on unaccompanied children and their access to bars. Mr Barker confirmed there will be vendors who sell no alcohol at all.

The LSO advised there had been very productive conversations with the applicants. The LSO sought clarity on the number of personal licence holders per bar. Mr Barker confirmed there would be one personal licence holder per bar, with the larger bars having two.

Cllr MacDonald sought further clarity on the process for wristbands and over intoxication. Mr Barker explained the wrist bands are single use so cannot be transferred from one person to another. There is a welfare and medical tent and attendees can be removed from event if necessary. The event is expected to appeal to those aged 30+ across all three days and also families.

Cllr Morrison asked whether a bond is in place for protection of the park and Mr Barker confirmed it was and he will be working with the Parks team.

The licence was unanimously granted subject to the following conditions as recommended in LSO report:

- Compliance with Alcohol Management Plan
- Finalised Stewarding Plan with SIA Numbers and placement info submitted as soon as ticket numbers confirmed
- Signage placed that children cannot congregate at any of the bar areas and no access unless accompanied by a person ages 21 or over
- Spirit Measures set as max 50ml
- A 4 drink limit is placed on all sale of alcohol (4 drinks per person at any one time)
- No “Doubling up” of spirits

- Personal Licence Holder at each bar or placed at each bar area for onsite supervision

5. Application for Provisional Premises Licence: Eastwood Twelve Golf Club House

Audrey Junner represented the applicant. Ms Junner advised the Board that the owners bought the golf club in 2017 and have been working on plans to bring it back to life. The intention is to open the club next month. The new space is modest with one open space as a café/restaurant and outdoor area. Ms Junner explained that the application had sought on sales from 9:30am each day but the operating plan has now been amended to confirm this is only for funeral purveys and no other purpose and on sales would commence from 11am. Inspector Ferris confirmed there is no police objection.

The LSO confirmed the points raised by him in his report have been addressed.

Cllr Morrison asked for clarification as it appeared from the application there was a bias towards outdoor drinking. Ms Junner advised the board that the maximum capacity inside and outdoors is 135 due to toilet facilities. Further Ms Junner confirmed there is CCTV in place which covers all external space. Patrons will often drive to the location so the applicants are not expecting alcohol consumption to be the primary use.

The concerns raised by the LSO having been addressed by the applicant, the licence was unanimously granted by the Board.

6. Application for Major Variation – Glasgow Newton Mearns Premier Inn

Patrick Robson represented the applicant. Mr Robson Advised the Board that the premises are planning a greater focus on the hotel accommodation and the footprint of the restaurant will be reduced.

Both Police and the LSO had no comments.

Cllr Campbell queried why the restaurant would be reduced so significantly when the rooms are being increased. Mr Robson confirmed the focus is to cater for hotel guests as opposed to the general public. The restaurant will still however be open to the public.

The Board unanimously agreed to grant the application.

7. Application for Major Variation – Golden Valley, Newton Mearns

Robert MacLeod represented the applicant. Mr MacLeod advised that appropriate consents had been given and this application sought a variation to allow the premises to be extended

into the next shop and increase capacity. The Licence would remain subject to the same conditions and this application deals solely with the extension.

Both Police and the LSO had no comments.

Cllr Merrick sought clarification on the increased capacity and Mr MacLeod confirmed it would be increased from 80 to 100.

The Board unanimously agreed to grant the application.

8. Application for Major Variation – Malletsheugh, Newton Mearns

Gordon Emslie represented the applicant. Mr Emslie advised the Board that the premises had been refurbished in 2023. This variation was for the addition of dancing inside core hours, primarily to allow use of the function suite proposed to open this year. The variation also sought outside drinking inside core hours. The premises had occasional licenses last year with a terminal hour of 9pm for outdoor drinking and the area is covered by CCTV.

Police had no comments. The LSO had no objections to the grant subject to the condition of a 9pm terminal hour for outdoor drinking.

The Board unanimously agreed to grant the application subject to the following condition:

- 9pm terminal hour for outside drinking.

9. Application for Major Variation – Mel's Food, Eaglesham

Gordon Emslie represented the applicant. Mr Emslie advised the Board that the variation was to allow home delivery which would be via the Snappy Shopper app which had a prompt of Challenge 25 for the off sales of alcohol. Otherwise the variation sought tidying up of the operating plan in relation to the use of recorded music, addition of lottery and a pay point and an extension of the Off Sale terminal hour from 9pm to 10pm, in line with industry standard.

Police had no comments. The LSO had sought clarification on how the home delivery would comply with the legislation and robust Challenge 25 procedures which had been addressed by Mr Emslie.

The Board unanimously agreed to grant the application.

10. Application for Major Variation – Neilston Bowling Club

Andrew Gourlay, Applicant, appeared personally. Mr Gourlay advised the Board that the variation seeks to bring the licence up to date with Board policy. Historically the premises operated solely as a Bowling Club but the committee is now engaging with a number of different community clubs. The variation is sought to drive the club forward and make changes positive changes in line with Board Policy.

Police had no comments. The LSO stated that he has met with the committee and to sum it up, the current licence had a number of self-imposed conditions which were not required.

This variation aligns the premises licence with board policy.

The Board unanimously agreed to grant the application.

11. Application for Major Variation – Giffnock Cafe

Gordon Emslie represented the applicant. Mr Emslie advised the Board that the variation sought changes to three broad categories; outdoor drinking, on and off sales from 11am and tidying up of the operating plan for use of recorded music and use of the premises for charity events, food and drink tastings and similar events. Mr Emslie advised the Board that the outdoor area has been assessed as able to hold 36 covers at peak and planters will be used to define the boundaries. The terminal hour for outdoor drinking will be 9pm and will be covered by CCTV.

The Police had no comments to make.

The LSO advised the Board that his recommendation would be a condition of a terminal hour of 9pm for the outdoor drinking area.

Cllr MacDonald asked whether this premises had previously had a licence for outdoor drinking under a previous owner. Cllr MacDonald sought clarity on what would be a safe operating capacity. Mr Emslie advised that the 36 outdoor covers had been calculated by an architect having regard to building standards. The premises has a total capacity of 50 covers spread across indoors and outdoors. The premises are run as food driven business with alcohol as an addition.

Cllr Morrison referred to the photograph of the premises which showed vehicles parked in the area proposed to be used for outdoor seating. Mr Emslie confirmed the land is owned by the property and parking is not a consideration for the grant of the licence. No adverse comments have been received from nearby residents so applicants that this as a positive use of the space. The planters will be used as a physical barrier and deterrent to the road. The area is also covered by CCTV.

The Board unanimously agreed to grant the application subject to the following condition:

- 9pm terminal hour for outside drinking.

12. Application for Major Variation – The Rest, Neilston

Joanna Millar represented the applicant. Ms Miller acknowledged that two objections had been received in respect of the application and concerns had been raised in the LSO report. The variation seeks the use of the outdoor balcony area until 9pm and occasionally prior to On Sales hours for things such as breakfasts and coffees. Ms Miller acknowledged incidents relating to particular DJs under the previous ownership and assured the Board this DJ would not be used again. The current operators intend to operate their business in a very different manner to the previous. The outdoor balcony can be locked and CCTV is in place. The intention is not for the premises to be used as a Public House but around 70% of sales will come from food and 30% being from wet purchases. The operators have over 12 years of experience and around £1million has been invested in the refurbishments. Ms Miller also sought to verbally seek a minor variation of the premises name from 'The Travellers Rest' to 'The Rest'. This minor change requires no notice.

The Police had no comments to make. The LSO stated that 9pm should be the terminal hour for the outside drinking area and no recorded or live music should be put in that area.

Cllr MacDonald highlighted that it is clear from the application the operators are serious about their business. Cllr MacDonald sought an assurance that the operators would do as much as possible to mitigate any noise in light of the objections.

Cllr Morrison sought clarity on the use of the balcony area. Ms Miller confirmed that it is intended to be used post 9pm only by smokers etc. attending the function suite. The bifold doors will be locked at 9pm. Access to the balcony post 9pm is via a separate door. The door to the function suite requires to be closed prior to accessing the balcony, mitigating any noise. Cllr Morrison questioned whether this should be permitted. Ms Miller submitted that if the balcony was not used there would be a higher concentration of smokers outside which would cause more noise. Ms Miller asked the Board to permit the use over the summer period and the matter can always be brought back for review if there are any issues.

The Board agreed to a short adjournment to consider matters.

The Board unanimously agreed to grant the application subject to the following condition:

- 9pm terminal hour for outside drinking.

The Board also agreed to grant the minor amendment to the name of the premises, namely from the Traveller's Rest to 'The Rest'.

The Board, on their own initiative also agreed unanimously to review the grant of the licence in six months' time to monitor the use of the outdoor balcony area.

13. Review under Section 14 of the Licensing (Scotland) Act 2005 – Jasmine One

There was no attendance at the Board meeting by Jasmine One or any representative thereof. The LSO had served a notice on Jasmine One on 31st March 2025 requiring a variation application to be submitted to East Renfrewshire Licensing Board to replace the Designated Premises Manager with an active Personal Licence Holder. The Board were advised that no application had been received and therefore Jasmine One were operating in breach of their licence; namely serving alcohol without their Designated Premises Manager holding a personal licence. A letter had been sent to Jasmine One on 9th May 2025 citing their attendance at the Licensing Board of 15th May 2025 to explain their reason for failing to comply with the notice.

The Board having discussed matters and Jasmine One having failed to attend the Board meeting to explain their failure to comply with the notice, unanimously agreed to suspend the sale of alcohol under the premises licence as the Designated Premises Manager does not hold a personal licence.

14. Review of the Gambling Act 2005 Statement of Principles

Having considered the Report by the Chief Officer (Legal and Procurement) and the presentation made by Rebecca Auld in relation to same, the Board unanimously agreed that:-

- The terms of the Statement of Principles be adopted with effect from 30th June 2025.
- The Board will publish a notice of its intention to publish the statement four weeks prior to the date the statement will come into effect.
- The statement will be published on the Council website to be available for the public to read at least four weeks prior to 30th June 2025.

15. Date of next meeting – 7th August 2025 at 10am