

## MINUTE

of

### EAST RENFREWSHIRE LICENSING BOARD

**Minute of meeting held at 11.00am conducted via Teams Video Conferencing on 21 April 2022.**

#### **Present:**

Councillors Angela Convery (Chair); Charlie Gilbert, Annette Ireland and Stewart Miller.

#### **Attending:**

Jacqui McCusker, Depute Clerk; Area Commander Jane Taylor; Sergeant David Gilmore, Police Scotland; Catherine Mackay, Senior Marketing Officer; Dominic McMahon, Licensing Standards Officer; Andrew Hunter, Solicitor of Harper McLeod; Archie Maciver, Solicitor of Brunton Miller; Mrs Fallon Cowley of Mr McGregors; Michael Adair of Southside; Robin Morton for Nigiri.

#### **Convener:**

Ms Angela Convery

1. **Apologies:** None.
2. **Minutes of previous meeting:** approved.
3. **Declaration of Interest:** There were no Declarations of Interest.
4. **Applications under the Licensing (Scotland) Act 2005:-**

(a) Applications for Major Variation (Major)

- (i) Mr MacGregors, 679A Clarkston Road, Netherlee, Glasgow, G44 3SE.

Applicant: Netherlee Limited, 1 Golf Road, Clarkston, Glasgow, G76 7HU.

Mrs Fallon Cowley representing the Applicant. She explained that MacGregors sought a variation of Section 5 of the Operating Plan to permit dancing and live performances every 6-8 weeks for themed lunches between 13.00 and 17.00 at the weekend. She advised that this was a popular event with a DJ and live saxophonist and there was often dancing. There were photos of these events on Facebook where the age range was from 30s to 60s and it was popular entertainment for family celebrations as it was somewhere local with a nice meal. The drinks were all served by table service.

The LSO confirmed that there had been no concerns or complaints.

Police Scotland confirmed that they had no adverse comments.

Councillor Convery moved to grant the Application. There were no Members otherwise minded.

Application granted.

- (ii) Southside, 164 Fenwick Road, Giffnock, G46 6XF.

Applicant: Brodies Ale House Limited.

Mr Michael Adair was present and explained that the variation was for an outside seating area which would have barricades to cordon off the area. They had operated this area for some months under Occasional Licences without any difficulties or complaints. He was happy to answer any questions from the Members. There were none.

The LSO confirmed that the area had operated for about a year with Occasional Licences and there had been absolutely no concerns. There were no complaints.

Police Scotland confirmed that they had no adverse comments.

Councillor Convery moved to grant the Application. There were no Members otherwise minded.

Application granted.

- (iii) Broom Café, 269 Mearns Road, Newton Mearns, Glasgow, G77 5LU.

Applicant: James Alexander Watt.

Mr Archie Maciver of Brunton Miller, Solicitors representing the Applicant, explained that what was being sought was a slight variation of their operating hours. They had been trading for over 2 years under a planning condition that only permitted them to trade until 6.00pm. That condition had now been relaxed and the Applicant was seeking to extend trading hours to 10.00pm to reflect the new planning conditions. They had applied for a terminal hour of 10.00 Monday to Sunday.

The Community Council confirmed that they had no objections. There were no other objections.

The LSO confirmed that Mr Watt had been running the Broom Café for almost 3 years and there had been no issues or complaints.

Police Scotland confirmed that they had no adverse comments.

Councillor Convery moved to grant the Application. There were no Members otherwise minded.

Application granted.

- (iv) Nigiri, 198 Fenwick Road, Giffnock, Glasgow, G46 6UE.

Applicant: Mr John Anderson Bowman of AJRB Properties Limited.

Robin Morton of Robin Morton Licensing representing the Applicant explained that this was a family company where the Managing Director lived in Newton Mearns. They had several small businesses including

another Nigiri in Kirkintilloch. The business is a small Japanese Restaurant in Fenwick Road. Nigiri is a type of sushi containing a small ball of rice and sauce topped with seafood. The Restaurant has been running under Occasional Licences for a few months and has been very popular with a vibrant menu and Japanese cocktails together with wine and other drinks.

The Members sought assurance that the appropriate safeguards were in place for deliveries and were advised that alcohol was only sold as an accompaniment to food. It was confirmed that the staff had all received 'Challenge 25' training and had built up experience of deliveries incorporating this especially during 'lockdown'.

Mr Morton submitted that this was a good Application and recommended that it was granted by the Board.

The LSO confirmed that there were no issues with the Application and that there had been no objections.

Police Scotland confirmed that they had no adverse comments.

Councillor Convery moved to grant the Application. There were no Members otherwise minded.

Application granted.

(b) Application for Occasional Licence and Public Entertainment Licence

Event: Foodies Festival, Rouken Glen Park, Rouken Glen Road, Giffnock.

Dates: 12th, 13th and 14th August 2022.

Applicant: Jeremy Charles Hitchen of The Media Company Publications Limited, 21 Royal Circus, Edinburgh, EH3 6TL.

Sue Hitchen of The Media Publications Company Limited explained that this was a family food festival with a Chefs Theatre, Cake and Bake Theatre, Drinks Theatre, Shopping Village, Street Food, Pop-up bars and a live music stage. The event would operate between 11.00 and 21.00 each day and it was anticipated that people would come and go throughout the day. They had applied for a capacity of 5,000 but didn't expect there to be more than 4,999 people at any one time. It was explained that their anticipated numbers could be as low as 3,000 on the Friday with about 1,000 more on the Saturday and Sunday. She explained that this was one of many similar events run by their company and that they had been running these events for over 18 years.

When questioned by Councillor Ireland in relation to control of the numbers she advised that there would be SIA Stewards and security controlling the numbers as people would be clicked in and out and they would always know the exact number of people at the event.

When questioned by the Members in relation to payment she advised that those attending would be encouraged to use 'iSettle'. There had been difficulties with payments at a similar event in 2021 due to wi-fi connectivity which caused queues however Ms Hitchen had been aware of these problems and assured the members that Foodies Festival would have their own satellite system to ensure that there were no difficulties of that nature.

The LSO confirmed that he and Sue Hitchen had lots of discussions and that he was very impressed with their Alcohol Management Plan which she assured the Board would be adhered to.

There were no objections.

Sergeant Gilmore of Police Scotland confirmed that there were no adverse comments.

Councillor Convery moved to grant the Application. There were no Members otherwise minded.

Application for the Occasional Licence granted.

In relation to the Public Entertainment Licence for this event, other documents including the Noise Management Plan and Child Safety and Protection of Vulnerable Adults Staff and Operations Policy were considered and the Members were satisfied by their content.

Other consultees in East Renfrewshire were satisfied with the arrangements that would be in place.

Sergeant Gilmore of Police Scotland confirmed that there were no adverse comments in relation to this Application.

There were no objections.

The Councillors had no difficulty with this application and opined that it was a good event to promote family fun in East Renfrewshire.

The Application for the Public Entertainment Licence is approved to be granted.

(c) Application for Transfer of Premise Licence

The Travellers Rest, 11/13 Kirkhill Brae, Neilston, East Renfrewshire, G78 3NT.

Applicant: Charles Jones of SK & B Inns Limited, Watt Suite, Porterfield Road, Westway Park, Renfrew, PA4 8DJ.

Mr Archie Maciver of Brunton Miller Solicitors represented the Applicant. He explained that the Application appeared to be straightforward. Travellers Rest had a chequered history and the current owners were looking to quit the site. His clients had about a dozen premises and operated a good business and were looking to bring the Premises back to their previous state. They had no connection with the current premises owner Mr John Andrew Hamilton who has consented to the Transfer of the Premises Licence.

The Premise Licence had previously been suspended due to non-payment of fees for a period of 2 years. Mr Maciver submitted that if the proposed Transferees were prepared to pay the outstanding fees the Board would be entitled to withdraw the suspension under Section 40 of the Act due to a change of circumstances.

The Board agreed to revoke the Suspension on payment of all outstanding fees.

He further explained that in relation to the Transfer of the Premises Licence as the site was currently a complete mess and an eyesore, it would be a benefit to everyone for the Premises to be refurbished.

The Members sought assurances from Mr Maciver that there would be no 18th birthday parties as they felt that this was the cause of some of the difficulties previously experienced at these premises. He assured them that these would not take place as they were renowned around the country for causing problems with underage drinkers. He explained that his clients have experience of turning ships around and had recently turned around a West Dunbartonshire Premises. They were not taking on a going concern but what they were taking on here was a blank canvas which would require substantial investment meaning that they would operate in professional manner to justify their investment. Staff would be fully trained in 'Challenge 25' and operate a Refusal Logbook. In addition there would be CCTV installed to assist with monitoring the premises. It would be all new staff rather than those previously employed when historically there had been concerns about performance of the Premises.

The LSO advised that everything had been covered that he had sought assurances about and he had no issues about the transfer.

Sergeant David Gilmore of Police Scotland advised that there had been significant concerns about the way these Premises had been operated previously. Although he confirmed that Police Scotland had no adverse comments in relation to the transfer, he advised that given the history of these Premises there would be a high level of monitoring over the initial period of operation.

The Chair moved to grant the Application Transfer the Premises Licence. There were no Members otherwise minded.

Application granted.

**5. Request for extension of Late Hours On Sales to celebrate The Queen's Platinum Jubilee.**

The Depute Clerk had submitted a Report to the Licensing Board under Section 67 of the Licensing (Scotland) Act 2005 requesting an extension of the On Sales Hours by One Hour on Thursday, 2nd June 2022 and Friday, 3rd June 2022 to celebrate The Queen's Platinum Jubilee.

Sergeant David Gilmore advised that Police Scotland had no objections to this as this was in line with the arrangements being put in place in other Councils across the country.

The Chair moved to grant an extension of 1 hour on these dates. There were no Members otherwise minded.

**6. The Chair advised that this was the last meeting of the current Licensing Board. She extended her thanks to everyone who had attended for their help and assistance. She explained that it had been a steep learning curve for her to take on the role of Chair but that due to the support of her fellow Members she had found her feet quickly.**