

MINUTE
of
EAST RENFREWSHIRE LICENSING BOARD

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock, on 10 August 2023

Present: Councillors Paul Edlin (Chair), David MacDonald and Andrew Morrison

Attending: Gerry Mahon (Clerk to the Board): Inspector Gareth Griffiths, Police Scotland: Dominic McMahon, Licensing Standards Officer (LSO)

Chair Cllr Paul Edlin

1. **Apologies:** Councillor Angela Convery and Provost Mary Montague
2. **Minutes of meeting held on 25 May 2023:** Approved.
3. **Declarations of Interest:** None
4. **Applications under the Licensing (Scotland) Act 2005:-**

a) Application for Major Variation - Murco, 692 Clarkston Road, Clarkston, G44 3YR

Mr Peter Lawson of Hill Brown Licensing attended as representative for the Applicant and was accompanied by the Area Retail Manager for the company owning the premises.

Mr Lawson advised the Board that this application was for a major variation seeking approval for a modest increase in the area in which alcohol would be offered for sale within the premises from 5 to 7 square metres. This followed a change in internal layout within the petrol station premises which had undergone a significant refit. It was intended to utilise this space to sell a wider range of alcoholic drinks to meet customer expectation of wider choice and in particular to stock a range of spirits. Mr Lawson also asked the Board to note for future administrative purposes that the premises would now trade as Esso Londis rather than Murco.

There were no objections to the application from the public. Police Scotland confirmed they also had no objection. The LSO also indicated that he had no adverse comment in respect of the application.

The Board, having considered its terms and the lack of objections, thereafter unanimously agreed to grant the application.

b) Application for Personal Licence –

c)

The Applicant failed to attend. The Board, having confirmed with the Clerk that the Applicant had received notification of today's proceedings, determined to consider the matter in her absence. Police Scotland advised that they objected to the application on the basis that the applicant was not a fit and proper person to hold a licence and that grant would be at odds with at least two of the licensing objectives, namely securing public safety and preventing crime and disorder. They advised that the Applicant had both a previous conviction for assault in late 2021, narrating the terms of the incident and the disposal of the criminal court, and a further pending charge of assault and breach of the peace. The LSO further noted that the Applicant had also submitted an application for a personal licence to Glasgow City Council but as of yet, this did not appear to have been determined.

The Board queried the level of violence involved in the incident giving rise to the conviction and were advised by Police Scotland that it was significant insofar as blows were struck to the back of the victim's head and hair torn from her scalp. Following further consideration of these facts and circumstances the Board considered that the licensing objectives would not be satisfied in the event of grant and unanimously determined to refuse the application.

5. Date of next meeting – 26 October 2023