

South Lanarkshire Licensing Division No. 4 - (Rutherglen and Cambuslang area)

Tower Room, Town Hall, 139 Main Street, Rutherglen

Thursday 14 March 2019 at 10am

Minutes

Present: Councillor Carol Nugent (Convener)
Councillor Robert Brown (Vice Convener)
Councillor John Bradley
Councillor Walter Brogan
Councillor Margaret Cowie

Councillor Margaret Walker
Councillor Jared Wark

Apologies: Councillor Janine Calikes
Councillor Alistair Fulton
Councillor Anne LeBlond

Also in attendance: Nicola Weir – Assistant Clerk to the Licensing Board
Lindsay Robertson – Team Leader
Paula Wells – Licensing and Registration Assistant
Frank Carroll – Licensing Standards Officer
Sgt Graeme Rankin – Police Scotland

The Chair, Councillor Nugent and other board members introduced themselves and Councillor Nugent welcomed everyone.

1 Declaration of interests - there were none

Application(s) for major variation of premises licence(s)

	Premises	Applicant	Date Received	Comments
2	Old Oak Inn 157 Calderwood Road Rutherglen G73 3SU	Punch Partnerships (PTL) Limited C/o Flint Bishop Solicitors	21 September 2018	Advert date 3 October 2018 to 31 October 2018

Amendment to Operating Plan and change to description of the premises.

Current Description	Proposed Description
Basic local public house.	Food led, family friendly, community bar/diner.

Question 5 of the operating plan to be amended to add restaurant facilities during and outwith core hours, add bar meals outwith core hours, add receptions outwith core hours, add club and other meetings outwith core hours. This is to facilitate the opening of the premises (without the sale of alcohol) for teas, coffees, breakfasts, light snacks at receptions and meetings prior to core hours.

External drinking area to be able to be accessed prior to core hours for breakfasts, teas, coffees, and snacks

Add dance during and outwith core hours to facilitate keep fit, yoga and occasional party event etc. Add theatre during and outwith core hours to permit comedians and other similar performances.

Amend times to allow children and young persons access prior to core hours for breakfasts, teas, coffees, and snacks. Amend ages of children and young persons access due to addition of baby changing facilities.

Question 5

Other Activities or Services that will be provided on the premises in addition to supply of alcohol			
Col. 1	Col. 2	Col. 3	Col. 4
5(a) Activity	Please confirm yes/no	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm yes/no

		yes/no	
Accommodation	No	N/A	N/A
Conference facilities	No	No	No
Restaurant facilities	Yes	Yes	Yes
Bar meals	Yes	Yes	Yes
5(b) Activity Social functions including:	Please confirm yes/no	To be provided during core licensed hours – please confirm yes/no	Where activities are also to be provided outwith core licensed hours please confirm yes/no
Receptions including weddings, funerals, birthdays, retirements etc.	Yes	Yes	Yes
Club or other group meetings etc.	Yes	Yes	Yes
5(c) Activity Entertainment including:	Please confirm yes/no	To be provided during core licensed hours – please confirm yes/no	Where activities are also to be provided outwith core licensed hours please confirm yes/no
Recorded music – see 5(g)	Yes	Yes	Yes
Live performances – see 5(g)	Yes	Yes	Yes
Dance facilities	Yes	Yes	Yes

Theatre	Yes	Yes	Yes
Films	No	No	No
Gaming	Yes	Yes	No
Indoor/outdoor sports	Yes	Yes	Yes
Televised sport	Yes	Yes	Yes
5(d) Activity	Please confirm yes/no	To be provided during core licensed hours – please confirm yes/no	Where activities are also to be provided outwith core licensed hours please confirm yes/no
Outdoor drinking facilities	Yes	Yes	Yes
5(e) Activity	Please confirm yes/no	To be provided during core licensed hours – please confirm yes/no	Where activities are also to be provided outwith core licensed hours please confirm yes/no
Adult entertainment	No	No	No

Amend Q5(e) – further details where activities are also to be provided outwith core licensed hours

Current activities provided during and outwith core licensed hours	Proposed activities provided during and outwith core licensed hours
Activities/services will continue during the extended hours.	All activities in column 4 can commence at 8am. No activity will take place after core hours.

Amend Q5(f) – Any other activities

To add:

Current	Proposed
Karaoke	Karaoke; Quiz Nights; Race Nights and other activities of a similar nature

Amend Q 6(c) – Statement regarding ages of Children and Young Persons allowed entry

Current	Proposed
5-17 years	0-17 years

Amend Q 6(d) – Times during which Children and Young Persons are allowed entry

Current	Proposed
11am to 8pm	8am to 9pm

Amend Q7 – Capacity of premises

Current Capacity	Proposed Capacity
Off-Sales – 2.43m ²	Off Sales – 7m ²

Agent: George Domleo; Paul Pender, Premises Manager and Alistair Lindsay, Business Development Manager of the applicant company were present.

The Clerk read out details of the application.

George Domleo made a submission on behalf of the applicant and discussions took place between him and the Board Members. The Board adjourned to consider the application. On reconvening, the Chair stated that the Board had noted the undertaken given on behalf of the applicant that activities in the external area before 11am would be restricted to breakfasts and that breakfasts would not before 9am in the external area. Motion was made to grant the application; this motion was seconded by Cllr Bradley and no other motions were made.

	Premises	Applicant	Date Received	Comments
3	Butlers Bar 23 Newfield Place Rutherglen	Rosemount Inns Ltd C/o Brunton Miller Solicitors	6 November 2018	Advert date 18 November 2018 to 9 December 2018

Amendment to Operating Plan**Amend Question 2 – Core Times when alcohol will be sold ON premises**

Current On Sales Hours	Proposed On Sales Hours
Monday – 11am to 11.45pm	Monday – 11am to 11.45pm

Tuesday – 11am to 11.45pm Wednesday – 11am to 11.45pm Thursday – 11am to 11.45pm Friday – 11am to 12 midnight Saturday – 11am to 12 midnight Sunday – 12.30pm to 11.45pm	Tuesday – 11am to 11.45pm Wednesday – 11am to 11.45pm Thursday – 11am to 11.45pm Friday – 11am to 12 midnight (11am to 1am to cater for functions in lounge part of premises which have a separate entrance) Saturday – 11am to 12 midnight (11am to 1am to cater for functions in lounge part of premises which have a separate entrance) Sunday – 11am to 11.45pm
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Amend Question 3 – Core Times when alcohol will be sold OFF premises

Current Off Sales Hours	Proposed Off Sales Hours
Monday – 11am to 10pm Tuesday – 11am to 10pm Wednesday – 11am to 10pm Thursday – 11am to 10pm Friday – 11am to 10pm Saturday – 11am to 10pm Sunday – 12.30pm to 10pm	Monday – 11am to 10pm Tuesday – 11am to 10pm Wednesday – 11am to 10pm Thursday – 11am to 10pm Friday – 11am to 10pm Saturday – 11am to 10pm Sunday – 11am to 10pm

Question 6 (On Sales Only) – Children and Young persons

Amend 6(b) - Terms

Current Terms	Proposed Terms
Children and young persons will be allowed access to the premises only if they are accompanied by an adult and only then if they are there for the purpose of the consumption of a meal.	Children and young persons will be allowed access to the premises only if they are accompanied by an adult.

Agent: Frank Collins of Brunton Miller, John Crozier, the tenant and Craig Bruce of Rosemount Taverns, the Licenceholder, were present.

The Clerk read out details of the application.

Frank Collins made a submission on behalf of the Company and discussions took place between him and the Board Members. The Board adjourned to consider the application. On reconvening, the Chair made motion made to grant the application; this motion was seconded by Cllr Bradley and no other motions were made.

	Premises	Applicant	Date Received	Comments
4	Lidl UK 200 Cambuslang Road Rutherglen	Lidl UK Gmbh Licensing Department Locking Castle Business Park West Wick Weston-Super-Mare BS24 7TG	25 October 2018	Advert date 18 November 2018 to 9 December 2018

Amendment to capacity and layout plan – the applicant seeks the increased capacity to allow them to adequately cope with increased seasonal demand around Christmas and New Year Period.

Layout plan – variation to the alcohol section to include a change to the endcap and also include the seasonal variation

Q7 – Capacity of premises

Current Capacity	Proposed Capacity
49.95m ²	Capacity during non-seasonal trading: Length 29.15m, Height 1.8m Total 52.47m ² Additional capacity during seasonal trading (1 December each year until 2 January the following year) Length 5.28m, Height 1.8m Total 9.50m ² Maximum Total Capacity 61.97m ²

Agent: Andrew Hunter of Harper MacLeod and Mrs Broomfield the Licensing Manager for Scotland of the applicant company were present.

The Clerk read out details of the application.

Andrew Hunter made a submission on behalf of the Company and discussion took place between him and the Board Members. The Board adjourned to consider the application. On reconvening, the Chair made a motion to grant the first part of the application (amendment to the layout and resultant increase in capacity to 52.47m²); this motion was seconded by Cllr Brogan; the Chair made a motion on the second part of the application (further increase in capacity of 9.50m² as a seasonal variation to apply from 1 December each year until 2 January the following year) to refuse this part of the application on the basis that the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed

premises, or licensed premises of the same or similar description as the subject premises (taking account of the variation), in the locality. This motion was seconded by Cllr Brown, no other motions were made.

	Premises	Applicant	Date Received	Comments
5	Tesco Express 1 Hallside Court Cambuslang	Tesco Stores Ltd C/o Hill Brown Licensing	7 January 2019	Advert date 14 January 2019 to 4 February 2019

Amendment to capacity – The application is to incorporate reconfiguration of internal layout of the store resulting in an increase in capacity

Q7 – Capacity of premises

Current Capacity	Proposed Capacity
29m ²	32.16m ²

Agent: Jack Cummings of Hill Brown Licensing and Jim Porch, Store Manager were present.

The Clerk read out details of the application.

Jack Cummings made a submission on behalf of the Company and discussions took place between him and the Board Members. The Board adjourned to consider the application. On reconvening, the Chair made motion made to grant the application, this motion was seconded by Cllr Bradley and no other motions were made.

	Premises	Applicant	Date Received	Comments
6	Rutherglen Services 275 Main Street Rutherglen	GHSL Limited C/o Brunton Miller	30 January 2019	Advert date 1 February 2019 to 22 February 2019

Amendment to Local Conditions

Removal of Condition – No sale of fortified wines or lager/beer or cider with abv of over 5.5%

Agent: Frank Collins of Brunton Miller and Mr and Mrs Sud, Managing Directors of the applicant company were present.

The Clerk read out details of the application.

Frank Collins made a submission on behalf of the Company and discussions took place between him and the Board Members. The Board adjourned to consider the application. On reconvening, the Chair made a motion to grant the application, this motion was seconded by Cllr Bradley and no other motions were made. The Chair stated that, with regard to the observations made by Police Scotland, the Board expects the applicants to continue with their refusal book, Challenge 25 policy and general good practice in the premises and that if problems occur, they could be brought back before the Board.

If you need this information in a different format or language, please contact us to discuss how we can best meet your needs.
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