

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

Tower Room, Town Hall, 139 Main Street, Rutherglen

Thursday 28 November 2019 at 10am

Minutes

Present: Councillor Carol Nugent (Convener)
Councillor Robert Brown (Vice Convener)
Councillor John Bradley
Councillor Janine Calikes
Councillor Jared Wark

Apologies: Councillor Walter Brogan
Councillor Margaret Cowie
Councillor Alistair Fulton
Councillor Anne LeBlond
Councillor Margaret Walker

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

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

1. **Declaration of interests** – Councillor Nugent declared an interest in item number 4 on the agenda. This left this agenda item not quorate so therefore this item was adjourned to a further meeting of the board, to be arranged.

Application(s) for provisional premises licence(s)

2.	Premises	Applicant	Date Received	Comments
	Topgolf Glasgow Duchess Place Rutherglen G73 1DR	TopGolf Limited c/o Brodies Solicitors 15 Atholl Crescent Edinburgh EH3 8HA	20 September 2019	Advert date: 27 September – 18 October 2019 Section 50 received from Planning Police report received 31 October 2019 Anti Social Behaviour report from Police Scotland received 31 October 2019 Confirmation of site notice received Applicant/agent cited to attend Police Scotland cited to attend

Description of premises: three storey golf entertainment complex with restaurant and bar

Alcohol will be sold for consumption solely on the premises

Q2 - commencement of core hours

Proposed hours for on sales
Monday to Sunday 11am to 1am

Q 4 – Seasonal Variations

Proposed
The applicant would wish the benefit of additional licensed hours as authorised by South Lanarkshire Board during the annual Christmas/New Year festive period or such other periods as the Board may authorise from time to time.

Question 5(a) – Activities or services provided on the premises in addition to sale of alcohol

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 yes/no	Where activities are also to be provided outwith core licensed hours please confirm yes/no
Accommodation	N/A	N/A	N/A
Conference facilities	Yes	Yes	Yes
Restaurant facilities	Yes	Yes	Yes
Bar meals	Yes	Yes	Yes
5(b) 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
Social functions including:			
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	No	No	No
Theatre	No	No	No
Films	No	No	No
Gaming	No	No	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
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Where you have answered yes in respect of any entry in column 4 above, please provide further details below

Proposed
<p>The following activities/services may take place in the public parts of the premises outlined (green) on the layout plan:-</p> <p>5(a) restaurant/bar meals facilities – breakfasts and other food and non-alcoholic beverages may be provided prior to 11am Monday to Sunday.</p> <p>5(b) Receptions/Club or other group meetings – may provide this facility to include as required food and non-alcoholic beverages prior to 11am Monday to Sunday.</p> <p>5(c) recorded music/live performances/indoor/outdoor sport/televised sport – may be provided prior to 11am Monday to Sunday.</p> <p>5(d) Outdoor drinking facilities – may be provided prior to 11am Monday to Sunday.</p> <p>All of the above to be provided without the provision of alcoholic drinks unless additional licensed hours are requested and granted i.e. seasonal or by virtue of Section 67 and 68 of the Licensing (Scotland) Act 2005.</p>

Q5(f) - any other activities

Proposed
<p>Wine, spirit and beer tasting may take place during core licensed hours unless additional licensed hours are requested and granted i.e. seasonal or by virtue of Section 67 and 68 of the Licensing (Scotland) Act 2005.</p> <p>Food tasting events, charity events, product launches/promotions, sale of merchandise, hole-in-one contests, hosting of golf tournaments, kids academy and video/arcade games</p>

Q6 – Children and young persons

(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry

Proposed
Yes

(b) Where the answer to 6(a) is yes provide statement of the terms under which they will be allowed entry

Proposed
Children and young persons aged 16 or under must be accompanied by an adult after 9pm

(c) Provide statement regarding the ages of children or young persons to be allowed entry

Proposed

0 – 17 years inclusive

(d) Provide statement regarding the times which during which children and young persons will be allowed entry

Proposed

Children and Young Persons will be allowed entry at all times when the premises are open subject to the terms of paragraph 6(b) above

(e) Provide statement regarding the **Parts** of the premises to which children and young persons will be allowed entry

Proposed

Children and Young Persons will be allowed entry to all public parts of the premises outlined green on the layout plan

Q7 – Capacity of premises

Proposed

Total : 1093

Agent: Jackie Birrell, Brodies Solicitors and Dominic Gooder, Operations Manager of Top Golf were present.

The Assistant Clerk gave basic details of the application.

Jackie Birrell made a submission on behalf of the Applicant. Police had no questions for the Applicant. Board members had questions for the agent/applicant. Motion was made by the Convenor to grant the application subject to the condition offered by the Applicant that children and young persons will not be permitted on the premises after 9pm; this motion was seconded by Councillor Wark and no other motions were made. Application granted, subject to the stated condition.

Application(s) for provisional premises licence(s)

3.	Premises	Applicant	Date Received	Comments
	80 Main Street Cambuslang G72 7EP	White Hackle 2 Ltd c/o Brunton Miller Solicitors 22 Herbert Street Glasgow G20 6NB	11 October 2019	Advert date: 16 October – 6 November 2019 Section 50 received from Planning Police report received on 7 November 2019 Anti Social Behaviour report from Police Scotland received on 7 November 2019 Confirmation of site notice received Applicant/agent cited to attend Police Scotland cited to attend

Description of premises: Restaurant premises located on upper floor of commercial property in Main Street, Cambuslang

Q1 - Alcohol will be sold for consumption solely on the premises

Q2 - commencement of core hours

Proposed hours for on sales
Monday to Sunday 11am to 12 midnight

Q 4 – Seasonal Variations

Proposed
The premises will operate additional hours for the sale of alcohol in accordance with the South Lanarkshire Licensing Board policy covering festive extensions etc

Question 5(a) – Activities or services provided on the premises in addition to sale of alcohol

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)	Please confirm	To be provided during	Where activities are also to be provided
Activity	yes/no	core licensed hours –	outwith core licensed hours please confirm
		please confirm	yes/no

		yes/no	
Accommodation	No	No	No
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.	No	No	No
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)	No	No	No
Dance facilities	No	No	No

Theatre	No	No	No
Films	No	No	No
Gaming	No	No	No
Indoor/outdoor sports	No	No	No
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	No	No	No
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

Where you have answered yes in respect of any entry in column 4 above, please provide further details below

Proposed
The premises may open prior to commencement of the core licensed hours for the provision of non-alcoholic refreshment i.e. teas, coffees, breakfasts etc. For the avoidance of doubt no alcohol will be sold outwith the core licensed hours

Q5(f) - any other activities

Proposed
Food will be available to take home from the premises but not alcohol

Q6 – Children and young persons

(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry

Proposed
Yes

(b) Where the answer to 6(a) is yes provide statement of the terms under which they will be allowed entry

Proposed
Children will be allowed access to the premises provided they are accompanied by an adult. Young persons may at managements discretion be admitted to the premises unaccompanied. In both instances they shall be present for the consumption of a meal.

(c) Provide statement regarding the ages of children or young persons to be allowed entry

Proposed
0 – 17 years

(d) Provide statement regarding the times which during which children and young persons will be allowed entry

Proposed
Children must have vacated the premises by 10pm. Young persons may remain throughout the trading hours.

(e) Provide statement regarding the **Parts** of the premises to which children and young persons will be allowed entry

Proposed
All public parts

Q7 – Capacity of premises

Proposed
Total : 40

Agent: Frank Collins, Brunton Miller Solicitors and Gary Drummond, Director of White Hackle 2 Ltd were present.

The Assistant Clerk gave basic details of the application.

Frank Collins made a submission on behalf of the Applicant. Police had no questions for the Applicant. Board members had questions. A motion was made by the Convenor to grant the application subject to the times sought having been amended by the Applicant to Sunday to Thursday 11am until 11.45pm and Friday and Saturday 11am until 12midnight; this motion was seconded by Councillor Wark and no other motions were made. Application granted, subject to the amended times sought.

Review of premises licences				
	Premises	Licenceholder	Date Received	Comments
4	Laurie's Bar (formerly the Farne Cross) 1 Baronald Street Rutherglen G73 1AF	Iona Pub Partnership Ltd Hamilton House 70 Hamilton Drive Glasgow G12 8DR	14 October 2019	Application for review of premises licence no RC034 received from Police Scotland dated 25 September 2019. Current DPM – Bryan Timmons Licenceholder cited to attend Designated premises manager cited to attend LSO cited to attend Police Scotland cited to attend
Councillor Nugent declared an interest in this item which made this item not quorate, therefore this item adjourned to a further board meeting, to be arranged.				
5	Fratelli 85 Glasgow Road Cambuslang G72 8DW	Pluto House Ltd 1037 Sauchiehall Street Glasgow G3 7TZ 31 October 2019		Application for review of premises licence no RC024 received from Police Scotland dated 30 October 2019. Premises licence review supplementary report received from Police Scotland dated 20 November 2019. Current DPM – Raphael Ramani Licenceholder cited to attend

			Designated premises manager cited to attend LSO cited to attend Police Scotland cited to attend
<p>Agent: Stephen McGowan, TLT Solicitors and Raphael Ramani, Director of the licence-holder company and Designated Premises Manager of Fratelli were present.</p> <p>The Assistant Clerk gave basic details of the application.</p> <p>Sergeant Rankin read out review application letter from Police Scotland dated 30 October 2019 then read out the supplementary letter from Police Scotland dated 20 November 2019. Councillor Brown had a question for Sergeant Rankin. Frank Carroll read out his report dated 4 November 2019. Councillor Brown had a question for Frank Carroll. Stephen McGowan made a submission on behalf of the applicant. Board members had questions for the agent/Mr Ramani. Sergeant Rankin, Frank Carroll and Stephen McGowan were all given the opportunity to sum up. Board adjourned. On returning a motion was made by the Convenor that grounds for review had been established on all five of the Licensing Objectives and a condition was imposed that the licence would be varied to add a condition that the function room of the premises is not to be used for any 18th- 21st birthday parties (inclusive) and there is no time limit imposed upon this condition. It will be the licence-holder's responsibility to apply to the Licensing Board if they wish to vary their premises licence in the future to allow such functions to take place. The board had also noted the Applicant's intention to engage further with Police Scotland and make further improvements in the operation of the premises. This motion was seconded by Councillor Calikes and no other motions were made.</p>			
6	Licensing (Scotland) Act 2005 S28 – Period of effect of premises licence		
	Premises	Licence No	Comments
	Cathkin Inn 98 Mill Street Rutherglen	RC085	Report from Licensing Standards Officer dated 4 November 2019
<p>Frank Carroll read out his report and the position was noted by the board that the premises has ceased to be used for the sale of alcohol and the premises licence has ceased to have effect.</p>			
7	Chief Constable's report for the period 1 April 2018 to 31 March 2019		
<p>This item was on the agenda for the Board members to note the terms of the Report – no questions for Sergeant Rankin</p>			

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