

**MINUTE**  
**of**  
**EAST RENFREWSHIRE LICENSING BOARD**

**Minute of meeting held at 2pm in the Council Chamber, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock on 13 June 2024**

**Present:** Councillor Paul Edlin (Chair), Councillor Angela Convery, Councillor Andrew Morrison, Provost Mary Montague , Councillor David MacDonald

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

1. **Apologies:** None
2. **Minutes of meeting held on 11 April 2024:** Approved.
3. **Declarations of Interest:** None
4. **Applications under the Licensing (Scotland) Act 2005:-**

On the basis that items 1 and 3 on the list of applications to be considered involved the same applicant, the Board agreed to hear the applications other than in the order they appeared on the list

**a) Application for Major Variation – Cellar 675, 675A Clarkston Road, Netherlee**

The Applicant, Matthew Casserly, appeared in person and spoke in support of the application. He advised that the application was for an extension to on sale operating hours and permission for a small outdoor seating area comprising 2 tables and 4 chairs. He indicated that the extension to hours was primarily to allow patrons extra time to drink up at the close of business.

There were no objections to the application from the public. Police Scotland and the LSO also indicated that they had no adverse comment in respect of the application. In response to a question from the Board the LSO confirmed that the terminal hour for the outside area should remain 9pm and that the requested extension to terminal hours would only apply to the internal premises.

Having considered the application's terms, the Applicant's representations and the lack of objections, the Board thereafter unanimously agreed to grant the application subject to the 9pm terminal hour for the external area.

**b) Application for Provisional Licence – Giffnock Service Station, 38 Fenwick Road, Giffnock, Glasgow, G46 6AA**

Mr Andrew Hunter, Solicitor of Messrs Harper Macleod appeared for the Applicant, Motor Fuel Ltd. He explained that this was an application for a provisional licence arising from a decision by Morrison's nationally to sell their existing service stations to the Applicant who were due to acquire 49 stations from the supermarket company. He noted that the Applicant was the largest current operator of service stations in the UK, and was already a known entity in the East Renfrewshire area with a number of existing licensed premises. He advised that the transfer was due to take place in August hence the provisional application and the station would be refurbished under the Morrison's canopy and would stock Morrison's products and maintain an alcohol display of 8 1/2 square metres for off sales. He noted that no objections had been received to the application and that the LSO had offered a positive report. He provided market research statistics which indicated that there was community need of the garage to a sufficient degree such that these premises fell within the exception to the normal exclusion from licensing for garages and invited the Board to grant the application. In response to questions from the Board regarding control of underage sales in the context of deliveries and the siting of alcohol within the premises Mr Hunter advised that there was the possibility of delivery from the premises. He noted that whilst there was no statutory obligation for delivery drivers to undergo training, the applicant had a policy of only using those who had such training to collect and deliver orders. He indicated that deliveries required to be to a concrete address and would not be made to outside spaces. He also confirmed that Challenge 25 would be in operation and that the delivery firms used had protocols in place to address age confirmation at point of delivery. He confirmed that alcohol in the premises would be within staff sight and would also be covered by the premises CCTV. He also indicated that the siting was outwith the natural flow to the counter so purchase would unlikely be incidental to other purchases of goods or petrol.

The LSO and Police Scotland confirmed that they had no objection to the application.

The Board, having considered the terms of the application and the various submissions made to it, unanimously granted the provisional licence.

**c) Application for Major Variation – Drumby Service station, 91 Eastwoodmains Road, Giffnock, Glasgow G76 7HG**

Mr Hunter again appeared on behalf of the Applicant. He indicated that the application was for a variation to the layout plan which included a small increase in the alcohol display area and standard off sale delivery permission for on line orders. He noted that the premises were already licensed but were scheduled for internal refurbishment which would extend the alcohol display area by 0.3m squared. He noted that one objection had been received from the public but argued that the variation sought would have negligible impact on volume of on-site trade such that the concerns regarding increase in litter, traffic volume and increased difficulty in accessing neighbouring properties were not well founded. If anything the provision of a delivery service might be viewed as having the opposite effect. He invited the Board to grant the application.

Both the police and LSO raised no objection or adverse comment in respect of the application. The LSO noted that the premises had held a licence for 5 or 6 years with no complaints or noted issues.

The Board having considered the terms of the application and the various submissions made to it, unanimously granted the provisional licence.

**d) Application for Occasional Licence – Foodies Festival, Rouken Glen Park, 9-11 August 2024**

There was no attendance by the Applicant. The Clerk advised the Board that at the present time there still remained outstanding information to be provided by the organisers to allow the licence application to be considered. He noted that the scheduled date for the event was the day immediately following the next board. The LSO outlined issues with the event in previous years and confirmed his view that further work required to be done to the proposed alcohol management plan before he would be minded not to formally object to the licence. This view was echoed by the police representative.

Following discussion by Board members, the Board agreed to delegate to the Clerk authority to grant the occasional licence if the concerns expressed by the LSO and police could be satisfied by the Applicants in the intervening period before the next Board meeting and confirmation was received that neither the police nor LSO intended to oppose the application. If such confirmation was not forthcoming the matter would require to be considered again at the next Board meeting.

**5. Date of next meeting:** The next meeting was scheduled for 8<sup>th</sup> August 2024.

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