

MINUTE of MEETING of the WEST Lothian Licensing Board of West Lothian Council held within Council Chambers, West Lothian Civic Centre, Livingston, on 8 September 2017.

Present – Councillors Peter Heggie (Convener), Charles Kennedy, Dom McGuire, George Paul

Apologies – Councillors Harry Cartmill, Tom Conn, Chris Horne, Tom Kerr

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Board confirmed the Minute of its meeting held on 11 August 2017 as a correct record. The Minute was thereafter signed by the Convener.

3. APPLICATION FOR PERSONAL LICENCE - JILL WALKER

The Depute Clerk referred the Board to the report on the application. The applicant Ms Walker was present and unrepresented.

In an answer to a question from the Convener, Ms Walker advised that she was ready to proceed without representation.

Inspector Robertson, Police Scotland referred to his letter of representation and confirmed that Police Scotland had no recommendation to make with regard to the application.

Ms Walker made submissions to the Board in support of her application.

Ms Walker answered a number of questions from Board members regarding her application.

Douglas Frood, Licensing Standards Officer had no comments to make with regard to the application.

Inspector Robertson and Ms Watson then summed up before the Board made its decision.

Decision

To grant the personal licence application.

4. APPLICATION FOR VARIATION OF PREMISES LICENCE – DELHI'S WINTER

The applicant was represented by Mr Andrew Williams WS.

The Depute Clerk referred the Board to the report on the application.

The Chair informed the Board that Councillor Dom McGuire had attended a site visit to the premises.

Mr Williams made submissions in support of the application for the Variation of Premises Licence.

The variation sought in the application was as following:-

- To vary the answer to question 5(d) in the operating plan to permit outdoor drinking facilities until 9.pm;
- To vary the answer to question 5 in the operating plan to include live music and films; and
- To vary the layout plan to show that the extent of the licensed premises includes an outside drinking area to the front of the premises.

Inspector Robertson confirmed Police Scotland had no objection or representation to make regarding the application.

Douglas Froom, the Licensing Standards Officer, confirmed that he had not objection or representation to make regarding the application.

Mr Williams confirmed that his client accepted conditions 13.1 to 13.3 in relation to outside seating areas.

All parties then left the room to allow private discussions.

Following discussions all parties returned and the Depute Clerk outlined the legal advice he had given the Board.

Mr Williams made no comment on the legal advice provided.

The Convener invited Mr Williams to make submissions regarding the proposition the Board restrict the terminal hour for children and young persons to 10pm in line with Board policy. Mr Williams made no submissions.

Decision

To grant the variation subject to Conditions 13.1 to 13.3 in relation to outside seating areas and to restrict the terminal hour that children are allowed in the restaurant to 10.00pm, unless it is for a pre booked private function.