

MINUTE of MEETING of the WEST LOTHIAN LICENSING BOARD of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 9 FEBRUARY 2018.

Present – Councillors Peter Heggie (Convener), Tom Conn, Bruce Fairbairn, Dom McGuire, George Paul

Apologies – Councillors Alison Adamson, David Dodds, Damian Timson

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Board confirmed the Minute of its meeting held on 12 January 2018 as a correct record. The Minute was thereafter signed by the convener.

3. APPLICATION FOR A PROVISIONAL PREMISES LICENCE - MARI BLUE, 15 MAIN STREET, DEANS, LIVINGSTON

Introductions were made by all parties.

The applicant Guiseppe Fappiano was in attendance and was represented by Mr Peter Lawson, Hill Brown Solicitors.

Police Scotland was represented by Inspector Ian Williams and PC Tom Whyte.

The Licensing Standards Officer, Douglas Frood was also in attendance.

The Convener advised that Councillors Tom Conn and Dom McGuire attended a site visit to the premises.

The Depute Clerk referred the Board to the report on the application for a Provisional Premises Licence.

Mr Lawson made submissions to the Board in support of the application. He said that this was a modest application and in line with an increasing number of takeaway restaurants in Scotland the applicant wished to be able to meet customer demand for alcohol along with food.

Inspector Williams, Police Scotland confirmed he had no objections or representations to make in relation to the application. He had no concerns regarding the application.

Licensing Standards Officer Douglas Frood confirmed he had no adverse comments to make in relation to the application. He noted that the 2005 Act allowed for delivery of alcohol from vehicles at section 119 and drew the Board's attention to the requirements to keep records regarding deliveries at section 119.

The Board had an opportunity to put questions to Mr Lawson.

Councillor McGuire advised that there were no issues to report following the site visit.

The Depute Clerk provided the Board with legal advice in relation to the delivery of alcohol. He advised that in terms of the Act alcohol deliveries were permitted in terms of Section 119 of the 2005 Act, and that the licence holder was required to keep records as detailed in Section 119 of all home deliveries that contained alcohol.

Mr Lawson had no comment to make in relation to the legal advice provided by the Depute Clerk.

Inspector Williams, Police Scotland advised he had no concerns with the way the premises were managed.

### Decision

To grant the application for a Provisional Premises Licence