

# Report

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Report to:	<b>Licensing Committee (Special)</b>
Date of Meeting:	<b>14 December 2011</b>
Report by:	<b>Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Civic Government (Scotland) Act 1982 Application to Vary the Terms of a Late Hours Catering Licence – McDonald’s Restaurants Limited, 11/59 High Road, East Finchley, London and J Glen, 12/1, 179 Finnieston Street, Glasgow</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to consider the following application:-

Applicant:	McDonald’s Restaurants Limited and J Glen
Type of Licence:	Late Hours Catering - Variation
Address of Premises:	Palace Grounds Retail Park, Hamilton
Current Days and Hours:	Thursday to Sunday, 11.00pm to 3.00am
Proposed additional Days and Hours:	Monday to Wednesday, 11.00pm to 12 Midnight

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

(1) that the application be granted.

## 3. Background

3.1. Before a person can sell meals or refreshments beyond 11.00pm, they require to apply to the Council for the appropriate late hours catering licence.

3.2. In terms of the Civic Government (Scotland) Act 1982, each application requires to be dealt with on its own merits.

## 4. Present Position

4.1. The applicant currently has a late hours catering licence covering the days/hours of Thursday to Sunday, 11.00pm to 3.00am. The applicant has requested that the hours be varied to Thursday to Sunday 11.00pm to 3.00am and Monday to Wednesday 11.00pm to 12 midnight. The hours requested fall within the Council’s guidelines. The guidelines are detailed in the attached schedule.

4.2. No adverse comments have been received from consultees.

## 5. Employee Implications

5.1. None.

## 6. Financial Implications

6.1. None.

## **7. Other Implications**

- 7.1. The risk to the Council is that it fails to fulfil its duty to protect the public. This is mitigated by the application process. There are no apparent implications in terms of sustainable development.

## **8. Equality Impact Assessment and Consultation Arrangements**

- 8.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.
- 8.2. In all cases, when an application under the Civic Government (Scotland) Act 1982 is received, it is copied to Strathclyde Police, Strathclyde Fire and Rescue, Roads and Transportation Services, Planning and Building Standards Services and Environmental Services for consultation

**Paul Manning**

**Executive Director (Finance and Corporate Resources)**

23 November 2011

### **Link(s) to Council Objectives/Improvement Themes/Values**

- ◆ Improve Community Safety

### **Previous References**

- ◆ None

### **List of Background Papers**

- ◆ None

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Teresa Stone, Licensing and Registration Manager

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## LICENSING COMMITTEE (SPECIAL) – 14 DECEMBER 2011

Licensing of Late Hours Catering Premises				
Name and Address of Applicant	Area of Trade	Additional Days and Hours applied for	Comments	Recommendation
<p>McDonald's Restaurants Limited 11/59 High Road, East Finchley, London, N2 8AW and J Glen 12/1, 179 Finnieston St, Glasgow</p>	<p>McDonald's Unit 8 Palace Grounds Retail Park Hamilton</p>	<p>Monday to Wednesday 11.00pm to 12 Midnight</p>	<p><b>Current Days and Hours:</b> Thursday to Sunday 11.00pm to 3.00am</p> <p><b>Proposed Additional Days and Hours:</b> Monday to Wednesday 11.00pm to 12 Midnight</p> <p>Hours applied for are within policy. The guidelines are as follows:</p> <ul style="list-style-type: none"> <li>• When the application site is close to residential property or the movement of customers to and from the site will affect residential areas and there are no late hours catering activities already in the area no activity beyond 11.00pm should be permitted.</li> <li>• Where the site affects residential premises as above but where there are existing late hours catering activities in the area extensions should be considered as follows:  Monday to Thursday – 12 Midnight Friday to Sunday – 1.00am</li> <li>• This should also relate to town centres where there is preponderance of residential properties such as flats in tenement properties.</li> </ul> <p>Where the site is remote from residential areas, for example town centres where there is no preponderance of residential properties in tenement properties or are in purpose built shopping centres, extensions should be considered up to a maximum limit of 3.00am.</p> <p>No adverse comments received from consultees</p>	<p><b>Hearing</b></p>