

# *West Dunbartonshire Licensing Board*

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29 August 2019

## **MEETING OF WEST DUNBARTONSHIRE LICENSING BOARD:- TUESDAY, 10 SEPTEMBER 2019**

Dear Sir/Madam

Notice is hereby given that a Meeting of West Dunbartonshire Licensing Board will be held in The Civic Space, 16 Church Street, Dumbarton at 10.00 a.m. on Tuesday, 10 September 2019. **The pre-meeting for Board Members will be held in The Civic Space commencing at 9.00 a.m.**

The agenda for the meeting is attached. Members are requested to note that the document pack contains confidential information that should not be made available to the press or public.

Please also note that, if required, the Board will break at 1.00 p.m. for a one hour lunchbreak.

I shall be obliged if you will advise Nuala Borthwick, Committee Officer (telephone 01389 737594 or email [nuala.borthwick@west-dunbarton.gov.uk](mailto:nuala.borthwick@west-dunbarton.gov.uk)) if you are unable to attend the meeting.

Yours faithfully

**PETER HESSETT**

Clerk to the Licensing Board

**Distribution:-**

Councillor Jim Brown (Chair)  
Councillor Ian Dickson  
Councillor Diane Docherty  
Councillor Marie McNair  
Councillor Jonathan McColl  
Councillor John Millar  
Councillor Brian Walker

All other Councillors for information

Chief Executive

## **LICENSING BOARD - TUESDAY, 10 SEPTEMBER 2019**

### **AGENDA**

#### **1 APOLOGIES**

#### **2 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

#### **3 LICENSING BOARD HEARING PROCEDURES 7 – 10**

Submit for information the Licensing Board's Hearing Procedures for:-

- (a) a Review of a Premises/Personal Licence; and
- (b) an Application with Objection(s)/Representation(s).

#### **4 MINUTES OF PREVIOUS MEETING 11 – 16**

Submit for approval as correct record Minutes of Meeting of the Licensing Board held on Tuesday, 11 June 2019.

#### **5 CONTINUED REVIEW OF PREMISES LICENCE – 17 - 24 BARGAIN STORE, 20 ALCLUTHA AVENUE, DUMBARTON G82**

With reference to the Minutes of Meeting of the Licensing Board held on 29 August 2018 and 11 December 2018 and in terms of Section 36 of the Licensing (Scotland) Act 2005, Members are requested to continue the Hearing to consider the Premises Licence for Bargain Store.

In this respect, submit letter from Chief Constable, Police Scotland and report by the Licensing Standards Officer.

**6/**

**6 CONTINUED REVIEW OF PERSONAL LICENCE 25 - 30**

With reference to the Minutes of Meetings of the Licensing Board held on 29 August 2018, 11 December 2018 and 12 March 2019 and in terms of Section 36 of the Licensing (Scotland) Act 2005, Members are requested to continue the Hearing to consider the Personal Licence for Mr Mohammad Yasin.

In this respect, submit letter from Chief Constable, Police Scotland.

**7 APPLICATION FOR PROVISIONAL PREMISES LICENCE 31 - 84**

Submit for consideration application for Provisional Premises Licence for Lakhbir Sidhu, 11A Alexander Street, Clydebank G81 1SQ.

**8 APPLICATION FOR PROVISIONAL PREMISES LICENCE 85 - 106**

Submit for consideration application for Provisional Premises Licence for Loch Lomond Brewery, Unit 11, Block 2, Vale of Leven Industrial Estate, Dumbarton G82 3PL.

**9 APPLICATION FOR VARIATION OF PREMISES LICENCE 107 - 123**

Submit for consideration application for Variation of Premises Licence for Dillichip Stores, 1 Dillichip Terrace, Dumbarton G83 9HZ.

**10 APPLICATION FOR VARIATION OF PREMISES LICENCE 125 - 140**

Submit for consideration application for Variation of Premises Licence for Iceland Foods, 35/37 Sylvania Way, Clyde Shopping Centre, Clydebank G81 2RR.

**11 APPLICATION FOR VARIATION OF PREMISES LICENCE 141 - 164**

Submit for consideration application for Variation of Premises Licence for Burgh Bar, 117 High Street, Dumbarton G82 1LF.

**12/**

**12 CHIEF CONSTABLE'S REPORT TO WEST DUNBARTONSHIRE LICENSING BOARD FOR THE PERIOD 1 APRIL 2018 TO 31 MARCH 2019 165 - 174**

Submit report by the Chief Constable, Police Scotland providing an annual licensing report in accordance with Section 12(A) of the Licensing (Scotland) Act 2005.

**13 LICENSING BOARD MEETING DATES 175 - 176**

Submit report by the Clerk to the Licensing Board seeking agreement of proposed changes to future meeting dates of the Licensing Board following changes to the Council and committee timetable.

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## LICENSING BOARD PROCEDURE NOTE

### Licensing Board – Review of Premises/Personal Licence

The steps in the procedure are:-

1. Check who is present – Licence Holder, Agent, Police etc.
2. Check if the Licence Holder has received the letter of complaint from the Police
3. and the report from the Licensing Standards Officer (LSO).
4. Check if there are any preliminary issues.
5. Hear from Police Scotland.
6. Opportunity for the Licence Holder to ask questions to the Police, via the Chair.
7. Opportunity for Board Members and their advisor to ask questions to the Police.
8. Hear from Licensing Standards Officer.
9. Opportunity for the Licence Holder to ask questions to the LSO, via the Chair.
10. Opportunity for Board Members and their advisor to ask questions to the LSO.
11. Opportunity for Licence Holder to address the Board.
12. Board Members and their advisor may ask questions to the Licence Holder.
13. Board Members may ask questions of any party present.
14. The LSO, followed by Police Scotland and thereafter the applicant to be given an opportunity to sum up. No new material should be introduced at this stage.
15. Board debates and decides what to do.  
(Note – if the Board moves to suspend the licence, it does not decide the period of suspension at this point.)
16. If the Board has decided to suspend the licence, the Licence Holder has an opportunity to address the Board on the period of suspension.
17. The Board decides on the period of suspension.





## LICENSING BOARD PROCEDURE NOTE

### Applications with Objection(s)/Representation(s) in terms of Section 22 of the Licensing (Scotland) Act 2005

The steps in the procedure are:-

1. Check whether applicant and/or agent and objectors are present. If there are a large number of objectors, a signing in sheet might be circulated around them.
2. If there are a large number of objectors, check who wants to speak. Advise them that all relevant and competent objections already submitted in writing will be fully considered. Also advise them that the Board is keen to avoid duplication of submissions. Invite objectors to appoint a spokesperson or spokespersons who can cover all of their objections.
3. Ask the applicant if there are any preliminary issues. This is the applicant's opportunity to object to objections. It is for the Board to decide whether an objection is vexatious or frivolous. The objector whose objection is being challenged should be asked for their comments.
4. Hear from Licensing Standards Officer and hear from Environmental Health and Planning if required.
5. Opportunity for applicant, then objectors, followed by Board Members and their advisor to put questions to LSO and any other party as above.
6. Hear from objectors in turn.
7. Opportunity for applicant to ask questions of objectors through the Chair, followed by questions from Board Members and their advisor.

8. Hear from applicant or agent.
9. Opportunity for objectors to put questions to applicant through Chair, followed by questions from Board Members and their advisor.
10. The LSO, any objectors and thereafter the applicant to be given an opportunity to sum up. No new material should be introduced at this stage.
11. Debate followed by decision.

**NOTE** – if there are any issues which the Board is concerned about (particularly issues which might result in a refusal) the Board should invited the applicant to address them on these issues.

## **WEST DUNBARTONSHIRE LICENSING BOARD**

At a Meeting of West Dunbartonshire Licensing Board held in the Civic Space, 16 Church Street, Dumbarton on Tuesday 11 June 2019 at 10.05 a.m.

**Present:** Councillors Ian Dickson, Diane Docherty, Jonathan McColl and Marie McNair.

**Attending:** Peter Hessett, Clerk to the Licensing Board; Nigel Ettles, Principal Solicitor; Peter Clyde and Lawrence Knighton, Licensing Standards Officers; Marie Grant, Licensing Assistant and Nuala Borthwick, Committee Officer.

**Also attending:** Sergeant Mairi Capaldi, Licensing Sergeant, Police Scotland.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Jim Brown, John Mooney and Brian Walker.

### **APPOINTMENT OF CHAIR**

In the absence of the Chair, Councillor Brown, and having heard from the Clerk to the Licensing Board, it was agreed that the Board would appoint a Chair from amongst those members present.

Following discussion, it was agreed that Councillor Dickson be appointed as Chair for the meeting of the Licensing Board and accordingly, Councillor Dickson assumed the Chair.

### **DECLARATIONS OF INTEREST**

Having heard advice from the Clerk to the Licensing Board in relation to agenda item 5 – Application for Provisional Premises Licence for Lennox Brewery, it was noted that there were no declarations of interest in relation to any of the items of business on the agenda.

### **LICENSING BOARD HEARING PROCEDURE**

The Licensing Board's Hearing Procedures for an Application with objection(s)/Representation(s) was submitted for information.

## **MINUTES OF PREVIOUS MEETINGS**

The following Minutes of Meetings of the Licensing Board were submitted and approved as correct records:-

- (1) Minutes of Meeting of the Licensing Board held on Tuesday, 12 March 2019;
- (2) Minutes of Special Meeting of the Licensing Board held on Wednesday, 10 April 2019; and
- (3) Minutes of Special Meeting of the Licensing Board held on Thursday, 2 May 2019.

## **APPLICATION FOR PROVISIONAL PREMISES LICENCE**

An application for Provisional Premises Licence for Lennox Brewery, Unit 25, Lime Road, Dumbarton G82 2RP was submitted for consideration.

Having heard the Clerk to the Licensing Board, it was noted that Mr Archie MacIver, Brunton Miller Solicitors, was in attendance on behalf of the applicant, Lennox Brewery Limited and was accompanied at the meeting by Mr Iain McLaren, a director of Lennox Brewery Limited.

Mr MacIver was then heard in support of the application and in answer to questions from Members in relation to control measures in place for the delivery of alcohol to prevent the sale of alcohol to persons under the age of 18.

Mr Peter Clyde, Licensing Standards Officer, advised that LSOs had no comment in relation to the application. In response to members' questions, Mr Clyde confirmed that the proposed capacity for the display of alcohol for consumption off the premises was zero. Accordingly the Board did not consider that the application was contrary to the terms of the Overprovision Policy.

### **DECIDED:-**

After consideration, the Board agreed that the application be granted.

## **APPLICATION FOR PROVISIONAL PREMISES LICENCE**

An application for Variation of Premises Licence for Cook & Indi's World Buffet, Unit 18A Britannia Way, Clyde Shopping Centre, Clydebank G81 2RZ was submitted for consideration.

Having heard the Clerk to the Licensing Board, it was noted that Mr Stephen McGowan, TLT Solicitors, was in attendance on behalf of the applicant, Mrmrmillionaires Limited, and was accompanied by Mr Biswajit Roy, Designated Premises Manager for the premises. Thereafter Mr McGowan was heard in support of both the applicant and the application and provided an information pack to

Members which showed the set up of the buffet style restaurant operation in the applicant's other premises.

**DECIDED:-**

Following consideration of all matters before the Board, it was agreed that the application be granted.

**APPLICATION FOR VARIATION OF PREMISES LICENCE**

An application for Variation of Premises Licence for Club Mango, 68 Dumbarton Road, Clydebank G81 1UG was submitted for consideration.

Having heard the Clerk to the Licensing Board, it was noted:-

- (a) that the applicant, Naseem Akram, was represented at the meeting by Mr Archie Maciver, Solicitor, Brunton Miller Solicitors who was accompanied by a representative of the applicant, Mr Mohammed Akram;
- (b) that a letter of objection from NHS Greater Glasgow and Clyde had been submitted in relation to the application however there was no representative from the Health Board in attendance at the meeting to address the Board on the terms of the letter of objection; and
- (c) that there were no police objections to the application.

The Board then heard from Mr Peter Clyde, Licensing Standards Officer (LSO) who advised that the application was contrary to the Board's Statement of Licensing Policy, specifically paragraph 25.6, which states that the licensed hours for nightclubs should be as follows:

Monday to Wednesday – 1.00 a.m. the following day  
Thursday to Sunday – 3.00 a.m. the following day

Thereafter, Mr Maciver addressed the Board in support of the application and in answer to Members' questions.

**ADJOURNMENT**

Having heard the Chair, Councillor Dickson, the Board agreed to adjourn for a short period of time.

The Board reconvened at 10.38 a.m. with all members listed in the sederunt in attendance.

**DECIDED:**

Following consideration of all matters before the Board and having considered the application in terms of the Licensing Board's Statement of Licensing Policy, it was agreed:-

- (1) that the application was contrary to the Board's Statement of Licensing Policy which was based on the licensing objectives and the material before the Board was not sufficient to justify a departure from the Statement of Licensing Policy; and
- (2) that the variation application be refused on the grounds that it was inconsistent with the licensing objectives of Preventing Public Nuisance (because of the likelihood of disturbance occurring in a largely residential area later in the morning than under the existing hours) and Protecting and Improving Public Health (because it was likely that the disturbance would result in loss of sleep).

**EXTENSIONS TO LICENSING HOURS OVER THE FESTIVE PERIOD 2019/20**

A report was submitted by the Clerk to the Licensing Board proposing a policy on the granting of Applications for Extended Hours over the 2019/20 festive period in terms of Section 68 of the Licensing (Scotland) Act 2005.

**DECIDED:**

Having heard the Licensing Standards Officer in further explanation of the report, the Board agreed:-

- (1) that the period for granting applications for extended hours in respect of the 2019/2020 Festive Period be from Friday, 13 December 2019 to Thursday, 2 January 2020 inclusive;
- (2) that premises licence holders without significant entertainment (public houses, hotel bars and members' clubs fall into this category) may apply for 1 hour more than the normal licensed hours during the festive period with the exception of Hogmanay;
- (3) that premises licence holders without significant entertainment (public houses, hotel bars and members' clubs) may apply for extended hours to 3 am on Hogmanay on condition that last entry to the premises be 11pm and the event is pre-ticketed;
- (4) that premises licence holders offering significant entertainment (Nightclubs) may apply until 4 am during the festive period;
- (5) that authority for the granting of applications for extensions to licensing hours over the Festive Period be delegated to the Clerk to the Licensing Board, if in accordance with the foregoing agreed recommendations; and

- (6) that should applications for extended hours be submitted which fall outwith the agreed hours, or aforementioned recommendations, within the time period defined at 2.1(a) above, then any such applications may require to be submitted to the Board for consideration, particularly where objections are forthcoming.

### **LICENSING BOARD ANNUAL FUNCTIONS REPORT 2018 – 2019**

A report was submitted by the Clerk to the Licensing Board seeking approval of the Board's Annual Functions Report in relation to the functions of the Board 2018-2019.

#### **DECIDED:**

The Board agreed to approve the terms of the Functions Report for 2018-2019 as detailed at Appendix 1 of the report.

### **LICENSING BOARD FINANCIAL STATEMENT 2018-2019**

A report was submitted by the Clerk to the Licensing Board advising of the terms of the Board's Statement of Income and Expenditure in relation to its liquor licensing functions for 2018-2019.

#### **DECIDED:**

The Board noted the terms of the Financial Statement 2018-19 as detailed at Appendix 1 of the report.

### **SCOTTISH GOVERNMENT CONSULTATION ON REVIEWING THE FEE FOR OCCASIONAL LICENCES AND CONSIDERING A LIMIT ON THE NUMBER AND DURATION OF OCCASIONAL LICENCES**

A report was submitted by the Clerk to the Licensing Board requesting consideration of a Licensing Board response to a Scottish Government consultation seeking views on the application fee for an occasional licence. The consultation also asks whether a limit should be set on the number and duration of occasional licences that can be applied for by an individual or on behalf of a premises licence holder or voluntary organisation.

#### **DECIDED:**

After discussion, the Board agreed to delegate authority to the Clerk to the Licensing Board in consultation with the Chair for the meeting, Councillor Dickson, to approve the submission subject to the undernoted amendments:-

- (1) that the third bullet point at question 10 be removed from the Board's response;

- (2) that the Board considers the appropriate fee for an occasional licence should be increased from £10 to £75;
- (3) that the Board does not support any increase to the current fee of £10 for an occasional licence for charities or voluntary organisations.

The meeting closed at 10.44 a.m.

DRAFT



**CONTINUED REVIEW OF PREMISES LICENCE**

Premises: **BARGAIN STORE, 40 ALCLUTHA AVENUE, DUMBARTON**

The following documents relating to the Review of Premises Licence for the above premises are included as appendices as detailed below:-

<b><u>List of Production(s)</u></b>	<b><u>Page(s)</u></b>
Appendix 1 – Letter dated 18 July 2019 from Police Scotland requesting a Review of Premises Licence	Pages 19 - 20
Appendix 2 - Letter dated 27 August 2019 from Police Scotland	Pages 21 – 22
Appendix 3– Report from Licensing Standards Officer	Pages 23 - 24

**PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED**

**REVIEW OF PERSONAL LICENCE**

Personal Licence Holder: **MOHAMMED YASIN (ADDRESS WITHHELD)**

The following documents relating to the Review of Personal Licence for the above personal licence holder are included as appendices as detailed below:-

<b><u>List of Production(s)</u></b>	<b><u>Page(s)</u></b>
Appendix 1 – Letter dated 18 July 2019 from Police Scotland requesting a Review of Personal Licence	Pages 27 - 28
Appendix 2 - Letter dated 27 August 2019 from Police Scotland	Pages 29 – 30

**PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED**

## ITEM 7 – APPLICATION FOR PROVISIONAL PREMISES LICENCE

**Premises:** 11A Alexander Street, Clydebank G81 1SQ.

**Applicant:** Lakhbir Sidhu, c/o Brunton Miller Solicitors, Herbert House,  
22 Herbert Street, Glasgow G20 6NB.

The following documents relating to the application are included as appendices as detailed below:-

<b><u>List of Productions</u></b>		<b><u>Page (s)</u></b>
<b>Appendix 1</b>	<b>Details of proposed application and consultee responses</b>	<b>Page 33 - 34</b>
<b>Appendix 2</b>	<b>Application Form (with detailed Operating Plans)</b>	<b>Pages 35 - 46</b>
<b>Appendix 3</b>	<b>Disabled Access and Facilities Statement</b>	<b>Pages 47 – 48</b>
<b>Appendix 4</b>	<b>Representation from Police Scotland</b>	<b>Page 49</b>
<b>Appendix 5</b>	<b>Objection from Environmental Health</b>	<b>Page 51</b>
<b>Appendix 6</b>	<b>Objection from NHS Greater Glasgow and Clyde</b>	<b>Pages 53 - 54</b>
<b>Appendices 7-14</b>	<b>Objectors details have been withheld</b>	



# THE LICENSING (SCOTLAND) ACT 2005

## Application for Provisional Premises Licence

## Representation/Objections

**Ref:** WDLBPREM/0305

**Name and Address of Premises:** 11A Alexander Street, Clydebank, G81 1SQ

**Applicant/Licence Holder:** Brunton Miller Solicitors, in respect of Lakhbir Sidhu

**Type of Premises:** On Sales, with a proposed capacity of 180.

**Proposed Application:** The premises will be used for community events and pre booked functions.

**Police Authority Comments:** Representation.

**Licensing Standards Comments:** This application may be considered to be contrary to the Licensing Board's Overprovision Policy.

Furthermore, the proposed terminal hours of 1 a.m. is contrary to the Licensing Boards normal policy hours, which specifies the standard licensed hours as follows:

Sunday to Thursday – 12 midnight  
Friday and Saturday – 1 a.m.

**Fire Authority Comments:** No comment received.

**Regulatory Services Comments:** Environmental Health – objection.

**Community Council Comments:** No comment received.

**Health Board Comments:** Objection.

**Access Panel:** No comment received.

**Additional Comments:**

**Section 50 Certificates:** Planning Section 50.  
Page 33

**Decision:**



The Application and Disability Access Statement can be accessed [here](#) or by following the undernoted link:-

<http://www.west-dunbarton.gov.uk/business/licences-permits-and-permissions/alcohol-licences/licences-list-of-current-applications/>

**PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED**

**ITEM 8 – APPLICATION FOR PROVISIONAL PREMISES LICENCE**

**Premises:** Loch Lomond Brewery, Unit 11, Block 2, Vale of Leven Industrial Estate, Dumbarton, G82 3PD.

**Applicant:** TLT LLP, in respect of Loch Lomond Brewery Limited.

The following documents relating to the application are included as appendices as detailed below:-

<b><u>List of Productions</u></b>		<b><u>Page (s)</u></b>
<b>Appendix 1</b>	<b>Details of proposed application and consultee responses</b>	<b>Page 87 - 88</b>
<b>Appendix 2</b>	<b>Application Form (with detailed Operating Plans)</b>	<b>Pages 89 - 100</b>
<b>Appendix 3</b>	<b>Disabled Access and Facilities Statement</b>	<b>Pages 101 – 103</b>
<b>Appendix 4</b>	<b>Objection from NHS Greater Glasgow and Clyde</b>	<b>Pages 105 – 106</b>



## THE LICENSING (SCOTLAND) ACT 2005

### Application for Provisional Premises Licence

### Objection

**Ref:** WDLBPREM/0304

<b>Name and Address of Premises:</b>	Loch Lomond Brewery, Unit 11, Block 2, Vale of Leven Industrial Estate, Dumbarton, G82 3PD
<b>Applicant/Licence Holder:</b>	TLT LLP, in respect of Loch Lomond Brewery Limited.
<b>Type of Premises:</b>	Off Sales, with a proposed capacity of 7.5 m <sup>2</sup> .
<b>Proposed Application:</b>	A functioning craft brewery, sited on the Vale of Leven Industrial Estate.
<b>Police Authority Comments:</b>	No comments.
<b>Licensing Standards Comments:</b>	<p>This application may be considered to be contrary to the Licensing Board's Overprovision Policy. It is the understanding of the LSO however that the intention of this application is to replace the existing provision within the applicants current licence, WDLBPREM/0264 located within Lomond Industrial Unit Alexandria.</p> <p>For information, the capacity of the applicant's current licence is (WDLBPREM/0264) 17.43 m<sup>2</sup>.</p>
<b>Fire Authority Comments:</b>	No comment received.
<b>Regulatory Services Comments:</b>	No comment received.
<b>Community Council Comments:</b>	No comment received.
<b>Health Board Comments:</b>	Objection.
<b>Access Panel:</b>	No comment received.
<b>Additional Comments:</b>	
<b>Section 50 Certificates:</b>	<div style="text-align: center;">Page 87</div> Planning Section 50.

**Decision:**

## Appendices 2 and 3

The Application and Disability Access Statement can be accessed [here](#) or by following the undernoted link:-

<http://www.west-dunbarton.gov.uk/business/licences-permits-and-permissions/alcohol-licences/licences-list-of-current-applications/>

**PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED**



**ITEM 9 – APPLICATION FOR VARIATION OF PREMISES LICENCE**

**Premises:** Dillichip Stores, 1 Dillichip Terrace, Dumbarton G83 9HZ.

**Applicant:** Zafar Mohammed (Address withheld).

The following documents relating to the application are included as appendices as detailed below:-

<b><u>List of Productions</u></b>		<b><u>Page (s)</u></b>
<b>Appendix 1</b>	<b>Details of proposed application and consultee responses</b>	<b>Page 109</b>
<b>Appendix 2</b>	<b>Application Form (with detailed Operating Plans)</b>	<b>Pages 111 - 123</b>



## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation of Premises Licence

**Ref:** WDLBPREM/0252

**Name and Address of Premises:** Dillichip Stores, 1 Dillichip Terrace, Bonhill,  
Alexandria, G83 9HZ

**Applicant/Licence Holder:** Zafar Mohammed (address withheld)

**Type of Premises:** Off Sales.

**Proposed Application:** To change the terminal hour from 8pm to 9pm on a  
Friday and Saturday only.  
  
Amend Sunday opening time from 12 noon to 10am.

**Police Authority Comments:** No comment.

**Licensing Standards Comments:** No comment.

**Fire Authority Comments:** No comments.

**Regulatory Services Comments:** No comment received.

**Community Council Comments:** No comments.

**Health Board Comments:** No comment received

**Access Panel:** No comment received.

**Additional Comments:**

**Section 50 Certificates:** Not required.

**Decision:**



The Application can be accessed [here](#) or by following the undernoted link:-

<http://www.west-dunbarton.gov.uk/business/licences-permits-and-permissions/alcohol-licences/licences-list-of-current-applications/>



## ITEM 10 – APPLICATION FOR VARIATION OF PREMISES LICENCE

**Premises:** Iceland Foods, 35/37 Sylvania Way, Clyde Shopping Centre, Clydebank G81 2RR.

**Applicant:** Iceland Foods Limited, Second Avenue, Deeside Industrial Park, Deeside, Flintshire CH5 2NW.

The following documents relating to the application are included as appendices as detailed below:-

<b><u>List of Productions</u></b>		<b><u>Page (s)</u></b>
<b>Appendix 1</b>	<b>Details of proposed application and consultee responses</b>	<b>Page 127</b>
<b>Appendix 2</b>	<b>Application Form (with detailed Operating Plans)</b>	<b>Pages 129 - 140</b>





# THE LICENSING (SCOTLAND) ACT 2005

## Application for Provisional Premises Licence

**Ref:** WDLBPREM/0193

**Name and Address of Premises:** Iceland Foods Limited, 35/37 Sylvania Way,  
Clydebank Shopping Centre, Clydebank, G81 2RR

**Applicant/Licence Holder:** Iceland Foods Limited, Second Avenue, Deeside  
Industrial Park, Deeside, Flintshire, CH5 2NW

**Type of Premises:** Off Sales (Frozen Food Store)

**Proposed Application:** To amend the terminal hour from 8pm to 10pm daily.  
  
Various miscellaneous changes to the operating plan that do not affect the sale of alcohol.

**Police Authority Comments:** No comments.

**Licensing Standards Comments:** No comments.

**Fire Authority Comments:** No comments received.

**Regulatory Services Comments:** No comments received.

**Community Council Comments:** No comments received.

**Health Board Comments:** No comments received.

**Access Panel:** No comments received.

**Additional Comments:**

**Section 50 Certificates:**

**Decision:**

The Application can be accessed [here](#) or by following the undernoted link:-

<http://www.west-dunbarton.gov.uk/business/licences-permits-and-permissions/alcohol-licences/licences-list-of-current-applications/>

## ITEM 11 – APPLICATION FOR VARIATION OF PREMISES LICENCE

**Premises:** Burgh Bar, 117 High Street, Dumbarton G82 1LF.

**Applicant:** Punch Partnership Limited, Jubilee House, Second Avenue,  
Burton on Trent, Staffordshire DE14 2WF.

The following documents relating to the application are included as appendices as detailed below:-

<b><u>List of Productions</u></b>		<b><u>Page (s)</u></b>
<b>Appendix 1</b>	<b>Details of proposed application and consultee responses</b>	<b>Pages 143 - 144</b>
<b>Appendix 2</b>	<b>Application Form (with detailed Operating Plans)</b>	<b>Pages 145 - 155</b>
<b>Appendix 3</b>	<b>Representation by Police Scotland</b>	<b>Pages 157 - 159</b>
<b>Appendix 4</b>	<b>Objection from NHS Greater Glasgow and Clyde</b>	<b>Pages 161 - 162</b>
<b>Appendix 5</b>	<b>Objection from Paul Smith, for and on behalf of Cheers Dumbarton Limited CLG Executive Pension Scheme</b>	<b>Pages 163 - 164</b>



# THE LICENSING (SCOTLAND) ACT 2005

## Application for Variation of Premises Licence

## Objection/Representation

**Ref:** WDLBPREM/0100

**Name and Address of Premises:** Burgh Bar, 117 High Street, Dumbarton, G82 1LF.

**Applicant/Licence Holder:** TLT LLP, in respect of Punch Partnership Limited.

**Type of Premises:** Both.

**Proposed Application:** To change the terminal hour from 1am to 2am on a Friday and Saturday for the Lounge Bar Area only.

Amend Sunday opening time from 12.30pm to 11am.

Also includes minor changes to operating plan and layout plan.

**Police Authority Comments:** Representation.

**Licensing Standards Comments:** This application is contrary to the Statement of Licensing Policy; specifically paragraph 20.3, which states that the licensed hours for premises of this type should cease as follows:

Friday and Saturday – 1 a.m.

The Board should be aware that if the variation is granted, additional licence conditions should be applied, by requirement of The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007.

**Fire Authority Comments:** No comment received.

**Regulatory Services Comments:** No comment received.

**Community Council Comments:** No comment received.

**Health Board Comments:** Objection

**Access Panel:**

No comment received.

**Additional Comments:**

**Section 50 Certificates:**

Not required.

**Decision:**

The Application can be accessed [here](#) or by following the undernoted link:-

<http://www.west-dunbarton.gov.uk/business/licences-permits-and-permissions/alcohol-licences/licences-list-of-current-applications/>

**PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED**





**POLICE  
SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO WEST  
DUNBARTONSHIRE LICENSING BOARD  
FOR THE PERIOD  
1<sup>ST</sup> APRIL 2018 to 31<sup>ST</sup> MARCH 2019

## FOREWORD

It gives me great pleasure to provide the Annual Licensing Report for 2018/19, in accordance with Section 12(A) Licensing (Scotland) Act 2005. During this year the Minimum Unit Pricing of Alcohol was introduced in Scotland. We will work through the Evaluation Advisory Group to assess the impact of this legislation.

Working in partnership is key to effective regulation in liquor licensing. Police Scotland remains committed to working closely with partners in the 32 Local Authorities across Scotland to ensure a fair and consistent approach. Preventing alcohol fuelled violence, disorder and antisocial behaviour is a priority and I believe that working together to achieve effective early intervention and enforcement is vital to this.

I would like to acknowledge the many active local partnerships that provide continued support, enabling Police Scotland and partners to drive improvement in licensing. I will ensure that all officers and staff continue to recognise the importance of working closely with key partners, including the Licensed Trade, to improve licensing standards nationally utilising the range of options available to them.

I am confident that through strong partnerships and collaborative working, we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Mr Iain Livingstone QPM

Chief Constable

Police Service of Scotland

## **Police Scotland Licensing Overview**

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2018/2019, from a licensing perspective, our particular focus will be on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country.
- Working closely with statutory partners within a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management.
- The implementation and ongoing development of the Licensing Admin tool provides divisional licensing officers with a single ICT product negating the need to research police systems independently. Through accurate recording, the licensing admin tool assists Police Scotland in deploying our resources to the right places and the right time to keep people safe.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

## **LICENSING BOARD AREA**

The licensing Board area is policed by Argyll and West Dunbartonshire Division

Chief Superintendent Hazel Hendren is the Local Police Commander who has the responsibility for all day-to-day policing functions.

### Senior Officers

The senior officers who hold responsibility for licensing with the area of West Dunbartonshire are as follows;

Superintendent Kenneth Armstrong	Support
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### Licensing Department

Inspector David Quinn	Head of Department
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Sergeant Mairi Capaldi	Licensing Sergeant
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## **Local Policing Priorities**

Following Police Scotland, Your View Counts Survey, the policing priorities for West Dunbartonshire, as set out in our Local Policing Plan are as follows;

- Public Protection
- Serious Crime and Terrorism
- Violence, Disorder and Anti-Social Behaviour
- Roads Policing
- 

## **Description of Board Area**

The Area Commander for West Dunbartonshire is Chief Inspector Scott Carlin and he is based at Dumbarton Police Office. Response Policing Officers for West Dunbartonshire deploy from Dumbarton Police Office and are supported by Community Police officers at Clydebank, Alexandria and Dumbarton. All of these officers are provided with specialised support by the licensing team.

There are 246 Licensed Premises in West Dunbartonshire which are concentrated in the built up areas of Clydebank, Dumbarton, Alexandria and Balloch. There is a night time economy in Balloch and to a lesser extent in the other town centres with 4 nightclubs across the area. The Lomond and Clydebank Central ward areas are most affected by alcohol fuelled youth disorder.

## **OPERATION OF THE LICENSING (SCOTLAND) ACT 2005**

### **Introduction**

This section of the report concentrates on how the Act has been applied by the licensing team and other police officers to support the Licensing Objectives in tandem with local and national policing objectives.

The licensing team work closely with numerous partners including Licensing Standards Officers, the Ministry of Defence Police, the Royal Navy Police and Environmental Health Officers. This joint work is to improve the regulation of licence holders and licensed activities in West Dunbartonshire. The Licensing Standards Officers are constantly apprised of developments in premises by the Licensing Sergeant and where appropriate joint visits are carried out to resolve issues at the earliest possible stage.

An example of this was a licensed premises where a serious assault had occurred within the premises, involving patrons. On reviewing this incident it became apparent that the staff at the premises could have taken intervening action earlier than they had. A joint meeting was set up with the DPM, the premises owners, the Licensing Standards Officer and the Licensing Sergeant.

During this meeting the premises accepted that they could have handled the situation better. A number of areas for improvement were identified, which the premises were happy to accept and implement. The premises were marked as a Monitored Premises, which resulted in an increase in police visits in order to support the premises and its staff. As a result of this early interaction, the premises were able to demonstrate that they were willing to accept support and advice and work within the Licensing Objectives.

### **Partnerships**

West Dunbartonshire currently has three active and effective Pubwatch schemes which are supported by the licensing team. These schemes allow premises to support one another by highlighting problematic individuals and excluding them if necessary from all premises covered by the scheme. This has proven to be a valuable asset in reducing crime in and around Licensed Premises and has led to a number of violent individuals being excluded from licensed premises in all three Pubwatch areas. The feedback from members of the scheme is that it continues to be an effective deterrent and increases the level of protection afforded to staff in premises.

L Division Licensing Department is committed to working closely with The Pubwatch members and all licensees in West Dunbartonshire and to that end & following discussions around gaps in training needs have arranged training in Counter Terrorism and in Crime Scene Preservation for members and staff who wish to

attend. This training is scheduled to take place in July 2019. Similar training was undertaken by licensees in Greater Glasgow and was very well received.

### **Problem solving**

The Division makes use of the Business Intelligence Toolkit to track trends in ward areas. In addition to this, licensing staff review every incident which is reported on, or near, licensed premises and conduct follow up visits where required.

The licensing database, Innkeeper, continues to be supported by both operational officers and licensing staff. All visits and inspections submitted by operational officers are reviewed by licensing staff on a daily basis and any issues that are identified are followed up by licensing staff and where appropriate Licensing Standards Officers.

Where an issue is identified then licensing staff will meet with the Premises Licence Holder to discuss potential solutions. Where this interaction isn't successful in resolving the identified issue the premises can be offered additional support through tasked inspections and if necessary an intervention agreement. Licensing packages are prepared for all monitored and problematic premises by the licensing team. These packages specify when local officers are to attend premises to ensure inspections are structured and proportionate

The Divisional Licensing Sergeant is part of the Violence and Antisocial Behaviour Governance Group which meets in the Division. This group ensures that any increase in violence or disorder in West Dunbartonshire is identified and appropriate measures are put in place to deal with it. Where licensed premises are identified as having issues with the conduct of patrons, extra visits by police officers will be scheduled to reassure and support premises staff. The licensing team task local officers with these visits. Where there is a particular issue with the conduct of patrons in a specific premises the licensing team will also undertake visits so the premises receive an appropriate level of support and guidance.

### **Summary**

The Division has carried out the following activity in relation to the application of the Act:

Where applications for the grant or transfer of a licence are made the licensing team conduct robust enquiries into the suitability and background of those concerned. These detailed investigations ensure that persons involved in the licensed trade within West Dunbartonshire are legitimate business persons.

The licensing team also conduct robust checks into the background of all applicants for personal licenses. This ensures that the Board are made aware of any relevant

convictions or other significant information that may impact on their decision making process.

Over the last year Police Scotland have made five requests for the review of Personal Licences. All requests have still to be considered by the Board.

These review requests have helped to highlight that not only do premises need to operate within the Licensing Objectives, but that the holders of personal licences have to conduct themselves in an appropriate manner also.

In order to support the licensed trade and to keep people safe when they are in licensed premises, the Division requests exclusion orders for all crimes of violence in or around licensed premises. To ensure that no opportunity to request a Section 94 order is missed, the Case Marking Unit add a pro-forma statement to all police reports that meet the criteria laid down in the Licensing Scotland Act 2005. In addition to this, special bail conditions excluding offenders from premises are requested when they appear at court from police custody. Licensing Staff also contact the premises licence holders and give them an opportunity to sign a letter supporting the exclusion order requests. These letters are then passed to the appropriate Procurator Fiscal's office.

There are currently 9 pending cases within West Dunbartonshire in which exclusion orders have been requested.

## **PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE**

This section specifically concentrates on children and young people and how the Division works to keep them safe and protect them from harm. In the last year, across West Dunbartonshire, the unlawful sale and supply of alcohol to children and young person's frequently resulted in antisocial behaviour.

In the last year 2 persons were reported to the procurator fiscal for purchasing alcohol for persons under 18 years of age in West Dunbartonshire. 10 persons were detected consuming alcohol in public within West Dunbartonshire, however only one of the individuals concerned was a juvenile.

In order to further tackle the problem of young person's obtaining alcohol, the Division will continue to carry out test purchase operations. In addition to this, where intelligence suggests a particular premises is being targeted by children or young persons to obtain alcohol by means of agent purchase then resources will be deployed to disrupt and deter this activity.

The Licensing Team will continue to work with the Licensing Standards Officers to support and educate staff in premises regarding agent purchase. Local officers and Youth Engagement Officers will continue to advise children and young persons on the significant risks associated with the consumption of alcohol.

## **TACKLING SERIOUS AND ORGANISED CRIME**

Serious and Organised Crime Groups pose a potential risk within the West Dunbartonshire area. The licensed trade, particularly on sales, is viewed as an area of interest to such groups due to their primarily cash orientated business model and the ability to launder money from the proceeds of crime in such establishments.

The Police Divisional Licensing Team, in conjunction with the Divisional Interventions Department, have put in place a robust process to ensure checks are carried out in relation to all relevant applications. Particular attention is paid to those which may be of interest to organised crime groups. This ensures that no opportunity to prevent these groups obtaining legitimate income in the West Dunbartonshire Licensing Board area is missed.

Police Scotland continue to work with licence holders to educate them, and other members of the public in relation to the dangers around substance misuse. Where issues are identified these are highlighted to licenses and responsible persons and advice and guidance is provided to assist in addressing these issues. Where inadequate action is taken, premises and individual licence holders will be reported to the Licensing Board.

During the reporting period Licensees have been extremely supportive and assisted police whilst conducting visits. This work will continue into the next reporting period and beyond.

## **PROPOSED ACTIVITY FOR THE YEAR AHEAD**

During the next year Police Scotland will continue our work in all areas of Licensing to ensure that we keep people safe.

The Divisional Licensing Team already has strong working relationships with our partners and we will continue to build on these. We will continue to share information where appropriate and consult other agencies to assist in solving problems.

Police Scotland will continue to monitor all incidents in and around licensed premises and where failings are identified will, where appropriate, implement an incremental approach to tackling these issues. Divisional Licensing Teams will use interaction, intervention and support prior to requesting a review of a premises licence unless the matter is of such a nature that it needs to come before the Board immediately.

We will continue to tackle agent purchasing of alcohol on behalf of children and young persons through intelligence led policing and community education.

We will support the Licensed Trade in their efforts to prevent and deter violence in premises. This will be done by tasked visits to premises where violence has been identified as an issue and by ensuring that staff are well prepared for dealing with



any such incidents. We will continue to seek exclusion orders for persons convicted of committing acts of violence on licensed premises.

### **Prevent Strategy**

During the year licensing staff helped to raise awareness of any potential terrorist activity within the night time economy. A short video was shown to highlight ways in which licensed premises could deal with such an incident. In the coming year licensing staff will continue to engage with premises to remind them of the importance of being aware of world events and the impact they may have on their community and their premises. Licensing Staff will arrange for the divisional Counter Terrorism Liaison Officer to attend Pubwatch meetings to provide further support and advice to these premises for both patrons and their own personal safety

To conclude we would like to thank you for your continued support and stress the importance of this collaborative problem solving approach. This ensures that police, licence holders and licensed premises staff have a better understanding of their responsibilities. We look forward to furthering this partnership over the coming year.



## WEST DUNBARTONSHIRE LICENSING BOARD

### Report by the Clerk to the Licensing Board

10 September 2019

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**Subject:     Licensing Board Meeting Dates**

#### **1.     Purpose**

- 1.1**    To consider proposed changes to future meeting dates of the Licensing Board following recent changes to the Council and committee timetable.

#### **2.     Recommendations**

- 2.1**    It is recommended that the Board agrees the undernoted meeting dates up to September 2020 to fit with the revised committee timetable agreed at the meeting of Council on 26 June 2019 and to cancel all Board meetings fixed after September 2020.

#### **3.     Background**

- 3.1**    At the meeting of West Dunbartonshire Council held on 26 June 2019, Members agreed that a revised timetable for Council and Committee meetings would commence from September 2019 to September 2020, and agreed that going forward it will set its timetable annually in June each year.
- 3.2**    The Council noted that the Licensing Board, as a separate legal entity, sets its own timetable and any changes proposed to Licensing Board meetings by the Council would be subject to the Board's decision.

#### **4.     Main Issues**

- 4.1**    The Council asks that the undernoted dates are agreed for meetings of the Licensing Board for September 2019 – September 2020:-
- Tuesday, 10 December 2019 at 10.00 a.m.  
(as previously agreed by the Board)
  - Wednesday, 18 March 2020 at 2.00 p.m.
  - Wednesday, 3 June 2020 at 2.00 p.m.
  - Wednesday, 2 September 2020 at 2.00 p.m.
- 4.2**    The previous agreed dates beyond September 2020 would be cancelled and revised dates agreed by the Board at a future meeting in 2020.

## **5. People Implications**

**6.1** There are no personnel issues.

## **6. Financial and Procurement Implications**

**6.1** The number of meetings of the Licensing Board is not increasing therefore there are no financial implications associated with the contents of this report.

**6.2** There are no procurement implications associated with the contents of this report.

## **7. Risk Analysis**

**7.1** There is no increased risk to the Board associated with the contents of this report.

## **8. Equalities Impact Assessment (EIA)**

**8.1** There are no equalities impacts through consideration of this report.

## **9. Consultation**

**9.1** No consultation was required in the production of this report.

## **10. Strategic Assessment**

**10.1** There are no strategic implications associated with this report.

Peter Hessett  
Clerk to the Licensing Board  
17 July 2019

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<b>Person to Contact:</b>	Raymond Lynch, Depute Clerk to the Licensing Board, Regulatory Services, West Dunbartonshire Council, Municipal Buildings, Church Street, Dumbarton G82 1NR
<b>Appendix:</b>	None
<b>Background Papers:</b>	Minutes of Meeting of West Dunbartonshire Council held on 26 June 2019.
<b>Wards Affected:</b>	All Wards