

West Dunbartonshire Licensing Board

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26 May 2020

MEETING OF WEST DUNBARTONSHIRE LICENSING BOARD:- WEDNESDAY, 3 JUNE 2020

Dear Sir/Madam

Notice is hereby given that a Meeting of West Dunbartonshire Licensing Board will be held virtually via Zoom on Wednesday, 3 June 2020 at 2.00 p.m.

The Chair of the Licensing Board has directed that the powers contained in terms of Section 133 of the 2005 Act, as amended by the Coronavirus (Scotland) Act 2020 are to be used and so Members and parties will attend remotely and that the meeting of the Board cannot be held in person because of a reason relating to the current COVID-19 (Coronavirus) emergency.

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.

I shall be obliged if you will advise Nuala Borthwick, Committee Officer, email 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 Ian Dickson (Chair)
Councillor Diane Docherty
Councillor Caroline McAllister
Councillor Jonathan McColl
Councillor Marie McNair
Councillor John Millar
Councillor Brian Walker

All other Councillors for information

Chief Executive

LICENSING BOARD - WEDNESDAY, 3 JUNE 2020

AGENDA

1 APOLOGIES

2 STATEMENT BY THE CHAIR – ZOOM VIDEO CONFERENCING

3 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.

**4 PROCEDURE FOR LICENSING BOARD MEETING – 5 - 6
3 JUNE 2020**

Submit for approval, procedure for the meeting of the Licensing Board to be held virtually via Zoom video conference.

5 MINUTES OF PREVIOUS MEETING 7 – 9

Submit for approval as correct record, Minutes of Meeting of the Licensing Board held on 18 March 2020.

6 APPLICATION FOR PROVISIONAL PREMISES LICENCE 11 - 34

Submit for consideration, application for Provisional Premises Licence for Chivas Brothers, Duty Paid Store, Kilmalid, Stirling Road, Dumbarton G82 2SS.

7 APPLICATION FOR VARIATION OF PREMISES LICENCE 35 - 57

Submit for consideration, application for Variation of Premises Licence for Morrisons, Glasgow Road/Leven Street, Dumbarton G82 1QZ.

West Dunbartonshire Licensing Board

Procedures for the Licensing Board Meeting – 3 June 2020

1. The meeting of the Licensing Board on 3rd June will be via Zoom video conferencing.
2. The calling notice for the meeting issued to Licensing Board Members advises that the Chair of the Licensing Board has directed that the powers contained in terms of Section 133 of the 2005 Act, as amended by the Coronavirus (Scotland) Act 2020 are to be used and so Members and parties will attend remotely and that the meeting of the Board cannot be held in person because of a reason relating to coronavirus.
3. **Members will require to be logged into the Board meeting at least 15 minutes prior to the scheduled commencement of the Board meeting** and when asked to input their name should do so in the following format – CLLR JOHN DOE. Members should not leave the meeting during any hearings. If Members do leave, they will not be able to take part in the decision on any item of business they are not present for.
4. The Chair of the Licensing Board, Clerk to the Licensing Board and/or Depute Clerk to the Licensing Board and a Committee Clerk will be in a designated West Dunbartonshire Council office with suitable social distancing measures applied.
5. The Chair will welcome members and participants to the meeting and read out a statement that will advise that Members and applicants/objectors should use mute on the computer devices they have used to access the meeting when they are not speaking. The Clerk to the Board will then outline the normal Licensing Board procedures that the Board will follow with the following additions due to the video conferencing nature of the meeting:
6. The Chair will make a direction that no photography or recording of the proceedings will be made by any party without the Chair's prior approval.
7. The Chair will advise on the procedure as to when Members or a party in the proceedings wish to and are directed to speak during the proceedings. This will be by using the "raise hand" function on Zoom to alert the attention of the Clerk and also Committee Services who will be monitoring this. The raise hand function can be used by opening the participants icon and clicking on the raise hand function next to the relevant name. Members should avoid using the Chat function within the zoom conferencing unless directed by the Chair to use such. Board Members and parties to the proceedings should not come in during items unless the Chair/Clerk to the Board invites them to do so.
8. If any Members or any party lose connection they should try to rejoin the meeting. If this fails, they should call the telephone number provided to them in advance of the meeting for assistance. Support will be available from an ICT officer during the meeting if required.

9. The Clerk to the Board will take charge of the meeting and will advise that attendance and any apologies for absence will be recorded. Committee Services will then record the list of Licensing Board members and parties that are present on screen.
10. The Chair will introduce each item on the agenda and thereafter the Clerk to the Board will manage the process.
11. At the conclusion of the Board Procedures there will be a debate followed by decision on each item of business and the Clerk to the Board will confirm the vote on each item of business and this will be recorded.
12. Following determination of the Board business, the Chair will bring the meeting to a close.

WEST DUNBARTONSHIRE LICENSING BOARD

At a Meeting of West Dunbartonshire Licensing Board held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 18 March 2020 at 2.00 p.m.

Present: Councillors Ian Dickson, Jonathan McColl, Marie McNair and Brian Walker.

Attending: Raymond Lynch, Depute Clerk to the Licensing Board and Nuala Borthwick, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Diane Docherty and John Millar.

NOMINATION OF CHAIR

In accordance with Schedule 1, Section 6(5) of the Licensing (Scotland) Act 2005 and given the recent resignation of the Convener, Councillor Brown, the Board agreed to elect another of its members as chair of the Licensing Board.

Having heard the Depute Clerk to the Licensing Board in further explanation and in answer to Members' questions, the Board agreed that Councillor Ian Dickson be appointed as chair of the Licensing Board and accordingly, Councillor Dickson assumed the Chair.

The Board also agreed to thank Councillor Brown, a longstanding member of the Board, for his valued chairmanship over the last 3 year period.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

LICENSING BOARD HEARING PROCEDURE

The Licensing Board's Hearing Procedures for the following were submitted for information:-

- (1) an Application for Review of Premises/Personal Licence; and
- (2) an Application with Objection(s)/Representation(s).

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Licensing Board held on Tuesday, 10 December 2019 were submitted and approved as a correct record.

CONTINUED REVIEW OF PREMISES LICENCE

With reference to the Minutes of Meeting of the Licensing Board held on 19 December 2019 and in terms of Section 36 of the Licensing (Scotland) Act 2005, Members considered the Review of Premises Licence for Haveli's Buffet Restaurant, 127 College Street, Dumbarton G82 1NH.

Having heard the Clerk to the Licensing Board, it was noted that due to the ongoing situation with COVID-19 and national advice on travel and social distancing, both the applicant and representatives of Police Scotland were not in attendance at the meeting.

Thereafter, Members considered the letter submitted by Police Scotland dated 18 November 2019 and the report by the Licensing Standards Officer dated 26 November 2019. After discussion and having heard the Section Head (Licensing) in answer to Members' questions, the Board agreed that the grounds for review of the Premises Licence had not been established at this time and that no action required to be taken.

DECIDED:-

The Board agreed that the grounds for review of the Premises Licence had not been established at this time and that no action be taken in relation to the Review of Premises Licence.

APPLICATION FOR VARIATION OF PREMISES LICENCE

An Application for Variation of Premises Licence for Chandlers, 2 Kilbowie Road, Clydebank G81 1TH was submitted for consideration.

As a preliminary issue, the Depute Clerk advised that the applicant's legal representative, Mr Chris Grunert, John Gaunt Solicitors had contacted the Board by email in advance of the meeting to request that the application be considered in his absence given the current government advice regarding travel and provided information in support of the application. A copy of the email correspondence from Mr Grunert was distributed and considered by the Board.

The Board also considered the letter of representation from Police Scotland suggesting that a condition be added to the licence should the Board be minded to grant the application.

Following consideration of all matters before the Board, it was agreed that the application be granted, subject to the inclusion of the undernoted condition:-

That the external area would not be utilised on days where 'Old Firm' football matches take place or on days of any planned processions in the area.

DECIDED:-

It was agreed that the application be granted, subject to the inclusion of the undernoted condition requested by Police Scotland:-

That the external area would not be utilised on days where 'Old Firm' football matches take place or on days of any planned processions in the area.

The meeting closed at 1.45 p.m.

DRAFT

ITEM 6 – APPLICATION FOR PROVISIONAL PREMISES LICENCE

Premises: Chivas, Duty Paid Store, Kilmalid, Stirling Road, Dumbarton G82 2SS.

Applicant: Chivas Brothers Ltd, 111-113 Renfrew Road, Paisley PA3 4DY.

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

<u>List of Productions</u>		<u>Page (s)</u>
Appendix 1	Details of proposed application and consultee responses	Page 13
Appendix 2	Application Form (with detailed Operating Plans)	Pages 15 - 28
Appendix 3	Disabled Access and Facilities Statement	Pages 29 - 31
Appendix 4	Layout Plans	Pages 33 - 34

THE LICENSING (SCOTLAND) ACT 2005

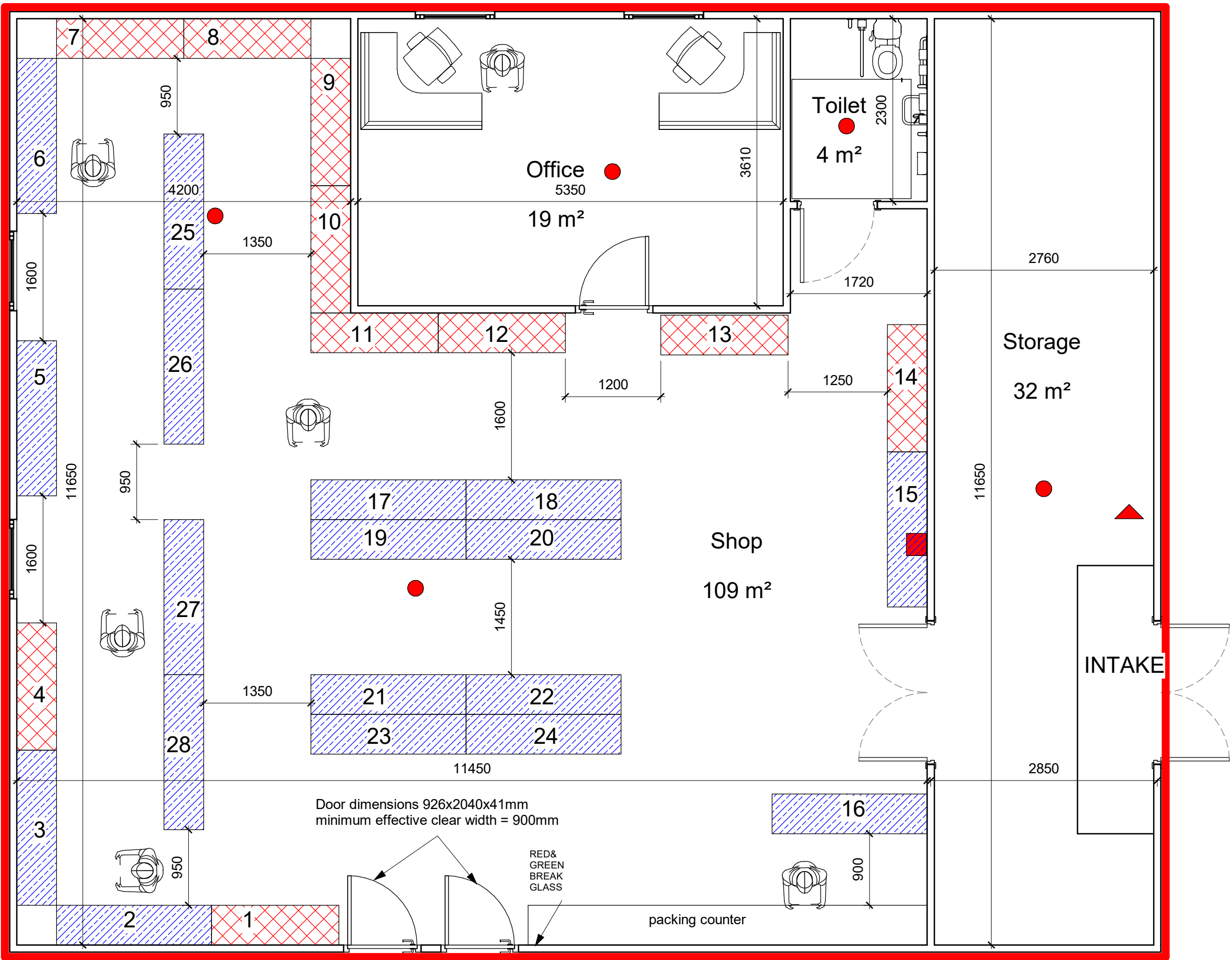
Application for Provisional Premises Licence

Ref: WDLBPREM/0306

Name and Address of Premises:	Chivas Brothers, Duty Paid Store, Kilmalid, Stirling Road, Dumbarton G82 2SS.
Applicant/Licence Holder:	Hill Brown Licensing, RWF House, 5 Renfield Street, Glasgow G2 5EZ.
Type of Premises:	Off Sales.
Proposed Application:	Provisional Licence application for a 'Duty Paid' store located within standalone portacabin.
Police Authority Comments:	No Objections.
Licensing Standards Comments:	No Comment.
Fire Authority Comments:	No Comment.
Regulatory Services Comments:	No Comment.
Community Council Comments:	No Comment received.
Health Board Comments:	No Objection.
Access Panel:	No Comment received.
Additional Comments:	
Section 50 Certificates:	Planning Section 50 Certificate received.
Decision:	

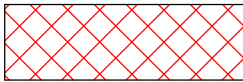
The Application can be accessed here or by following the undernoted link:-

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

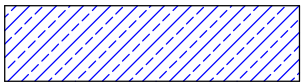


2.9.11 Fixed obstructions/furnishings

Storage areas of buildings with fixed obstructions should provide unobstructed access to an exit. Access to an exit in such buildings may be by way of a gangway. The width of gangways between fixed obstructions (including fixed racking or shelving and high-bay storage) should be at least 530mm. Due to the low occupancy and limited occupation in a building for the bulk storage of spirituous liquor, the width may be reduced to at least 400mm.



small shelf 1600w x 500d x 2000h



large shelf 1950w x 500d x 2000h



Ceiling mounted smoke detectors



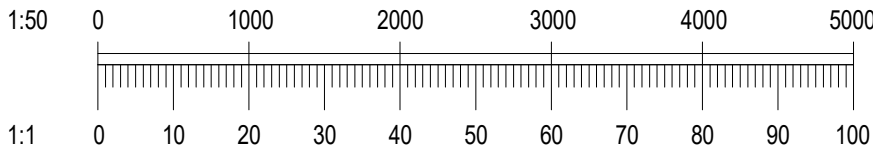
Wall mounted sounder



Fire extinguisher

SHELF NUMBER TOTAL CAPACITY

1	3.2m2
2	3.9m2
3	3.9m2
4	3.2m2
5	3.9m3
6	3.9m2
7	3.2m2
8	3.2m2
9	3.2m2
10	3.2m2
11	3.2m2
12	3.2m2
13	3.2m2
14	3.2m2
15	3.9m2
16	3.9m2
17	3.9m2
18	3.9m2
19	3.9m2
20	3.9m2
21	3.9m2
22	3.9m2
23	3.9m2
24	3.9m2
25	3.9m2
26	3.9m2
27	3.9m2
28	3.9m2



All activities will occur throughout
Children and young persons will be
allowed access throughout



Small shelf total capacity	10 No @3.2m2 = 32 m2
Large shelf total capacity	18 No @3.9m2 = 70.2 m2
Total	102.2 m2

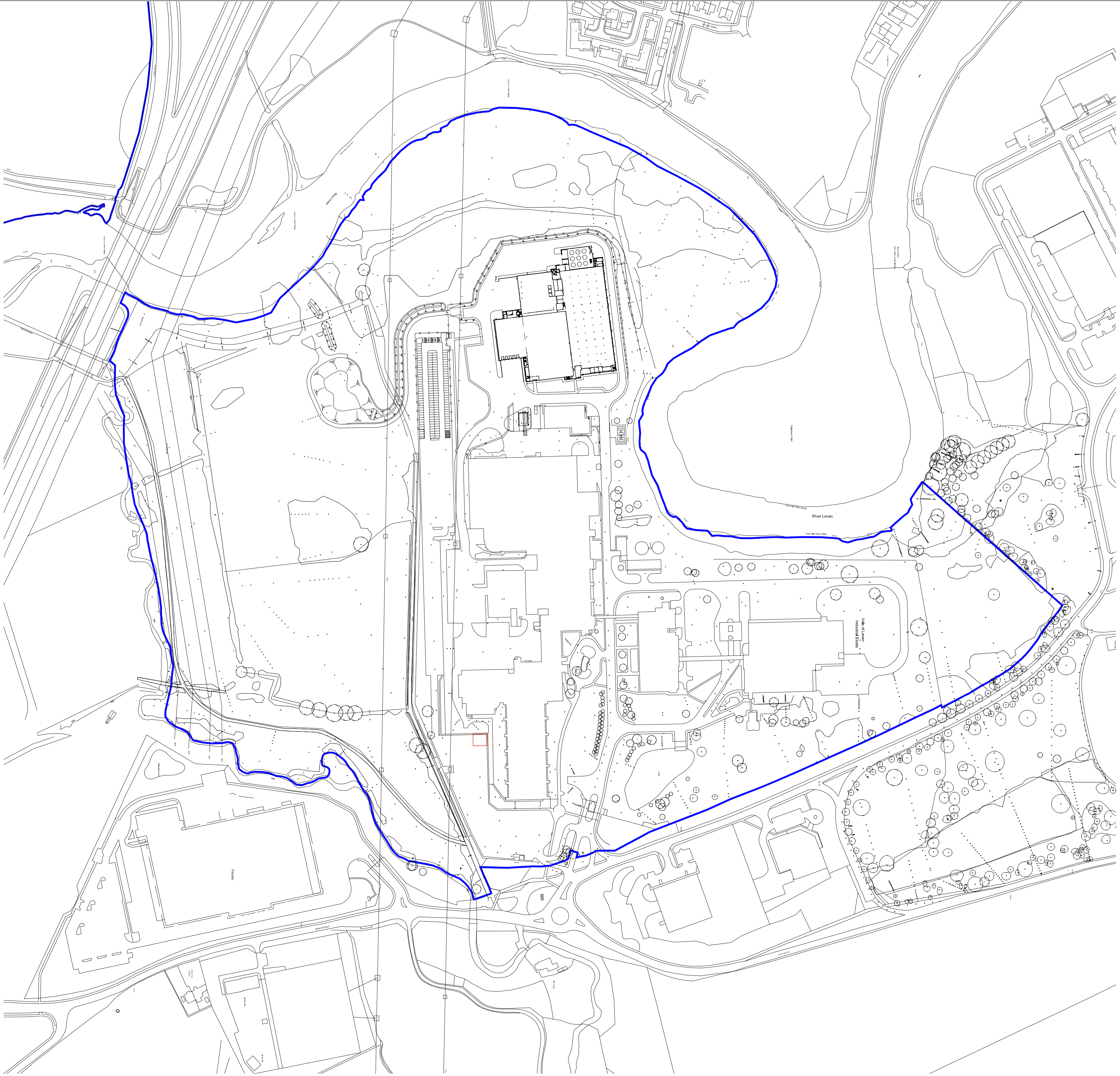
Shelf capacity option 2

1 : 10

1 NEW SHOP LAYOUT OPTION 2

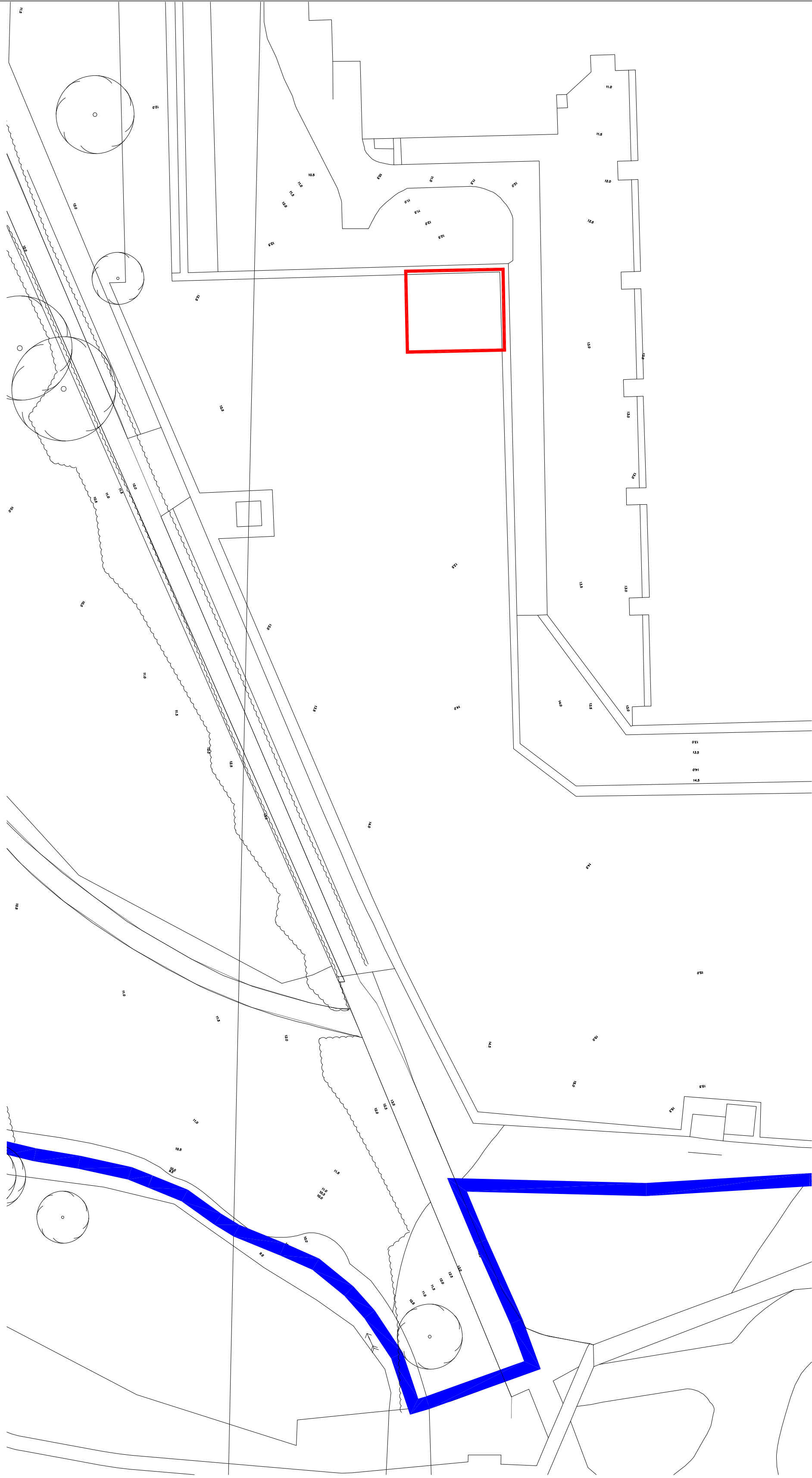
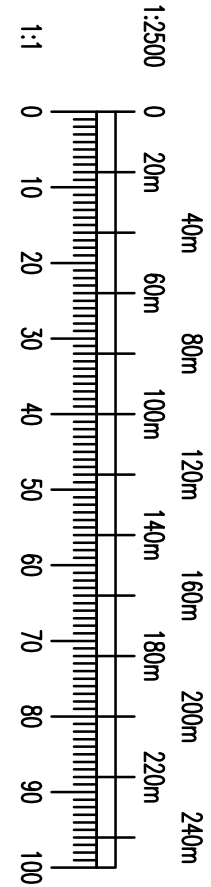
1 : 50

A	Red line added to perimeter of unit - capacity changed to m2 - dimension added to entrance doors - fire fighting equipment added	19-02-20	JC	SH
Rev	Description	Date	Dr by	App by
Status INFORMATION				
client				
location	Duty Paid Store Kilmad, Stirling Road Dumbarton G82 2SS			
drawing	NEW SHOP LAYOUT OPTION 2			
date issued	02/10/20	approved by	Author	As indicated@A1
checked by		approved by	Approver	
project reference	509-29	drawing number	SK003	REV A
C.B.L rg. No.				
 Venlaw Building 349 Bath Street Glasgow G2 4AA Tel: 0141-331-2434 Fax: 0141-332-2873 www.csandp.co.uk				



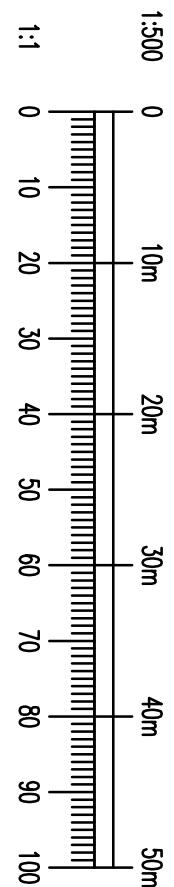
Location Plan

Scale 1:2500



Block Plan

Scale 1:500



Client CHIVERS Brothers Retailers		Charles SCOTT PARTNERS CONSULTING ENGINEERS	
Location NEW DUTY PAID STORE KILMAID, STIRLING ROAD DUNBARTON G82 2SS		Vision Building 3rd Floor Glasgow G2 4AA Tel: 014 333 2424 Fax: 014 333 2873 www.cenrb.co.uk	
Drawing Title PROPOSED DUTY PAID STORE		Project Ref SK004	
Rev. Description		Date	
Status		Held	
Licensing Application		Checked	
Rev. Description		Date	
Status		Held	
Licensing Application		Checked	

ITEM 7 – APPLICATION FOR VARIATION OF PREMISES LICENCE

Premises: Morrisons, Glasgow Road/Leven Street, Dumbarton G82 1QZ.

Applicant: Wm Morrisons Supermarkets Plc, Hilmore House, Gain Lane, Bradford BD3 7DL.

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

<u>List of Productions</u>		<u>Page (s)</u>
Appendix 1	Details of proposed application and consultee responses	Pages 37 - 38
Appendix 2	Application Form (with detailed Operating Plans)	Pages 39 - 57

THE LICENSING (SCOTLAND) ACT 2005

Application for Variation of Premises Licence

Ref: WDLBPREM/0192

Name and Address of Premises: Morrisons, Glasgow Road/Leven Street, Dumbarton, G82 1QZ

Applicant/Licence Holder: Gosschalks, in respect of WM Morrison Supermarket PLC, Hillmore House, Gain Lane, Bradford, BD3 7DL

Type of Premises: Off Sales

Proposed Application: To make various changes to the operating plan:

1. Products other than alcohol will be sold and ancillary consumer services provided during all or part of the period between 6.00 a.m and 12 midnight each day subject to customer demand and other statutory consents where required.
2. The Premises Licence Holder may offer occasional free samples/tastings of alcohol products to its customers over 18 within the alcohol display area during core licensed hours.
3. A home delivery shopping service and a click and collect service may be operated from the store.

Police Authority Comments: No comment.

Licensing Standards Comments: No comment.

Fire Authority Comments: No comment.

Regulatory Services Comments: No comment.

Community Council Comments: No comments received.

Health Board Comments: No Objection.

Access Panel:

No comment received.

Additional Comments:

Section 50 Certificates:

Not applicable.

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/>