

# ***West Dunbartonshire Licensing Board***

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18 October 2023

## **MEETING OF WEST DUNBARTONSHIRE LICENSING BOARD:- TUESDAY, 31 OCTOBER 2023**

Notice is hereby given that a Meeting of West Dunbartonshire Licensing Board will be held at 10.00 a.m. on Tuesday, 31 October 2023.

The Convener has directed that the meeting will be held as an in-person meeting only in the Council Chambers, Clydebank Town Hall, Clydebank, G81 2NR.

The business is shown on the attached agenda.

I shall be obliged if you will advise [committee.admin@west-dunbarton.gov.uk](mailto:committee.admin@west-dunbarton.gov.uk) if you are unable to attend the meeting.

Yours faithfully

**ALAN DOUGLAS**

Clerk to the Licensing Board

**Distribution:-**

Councillor Gurpreet Singh Johal  
Councillor Jonathan McColl  
Councillor June McKay  
Councillor John Millar  
Councillor Lawrence O'Neill  
Councillor Chris Pollock  
Councillor Hazel Sorrell

All other Councillors for information  
Chief Executive  
Chief Officer – Regulatory and Regeneration

Date issued: 18 October 2023

## LICENSING BOARD – TUESDAY, 31 OCTOBER 2023

### 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 MINUTES OF PREVIOUS MEETING 5 - 9**

Submit for approval, as a correct record, the Meeting of the Licensing Board held on 5 September 2023.

**4 APPLICATION FOR PROVISIONAL PREMISES LICENCE 11 - 33**

Submit for consideration, an application for Provisional Premises Licence for Lidl, Site at Mitchell Way, Alexandria G83 0LW.

**5 APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE 35 - 55**

Submit for consideration, an application for Major Variation of Premises Licence at 137-139 Hawthorn Street, Clydebank G81 3NH.

**6 REPORT ON FESTIVE HOURS POLICY 2023-2024 57 - 62**

Submit report by Clerk to the Licensing Board proposing a policy detailing the Festive Hours Policy for 2023-2024.

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## **WEST DUNBARTONSHIRE LICENSING BOARD**

At a Meeting of West Dunbartonshire Licensing Board held in the Civic Space, 16 Church Street, Dumbarton on Tuesday, 5 September 2023 at 10.00 a.m.

**Present:** Councillors Gurpreet Singh Johal, Jonathan McColl, June McKay and Chris Pollock.

**Attending:** Michael McDougall, Depute Clerk to the Licensing Board; Peter Clyde and Lawrence Knighton, Licensing Standards Officers; Dr Daniel Carter, NHS GGC Representative; Judi Ferguson, Lead Building Standards Surveyor and Lynn Straker, Committee Officer.

**Also Attending:** Sergeant David Holmes, Police Scotland; Carolann Anderson, Licensing Assistant; Solicitors and Representatives Mr Stuart Forsyth, Ms Laura McCabe, Mr Mark Fisher, Ms Claire Kyle, Mr Stephen McGowan, Ms Sandra Donnelly, Mr Chris Anderson, Mr David Lingard, Mr Andrew Hunter and Ms Claire Kyle and Applicants Mr Farooq and Mr Chris Sweeney.

**Apologies:** Apologies for absence were intimated on behalf of Councillors John Millar, Lawrence O'Neill and Hazel Sorrell.

**Councillor June McKay in the Chair**

### **DECLARATIONS OF INTEREST**

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

### **MINUTES OF PREVIOUS MEETING**

The Minutes of the Licensing Board meeting held on Tuesday, 27 June 2023 were submitted and approved as a correct record.

### **VARIATION IN ORDER OF BUSINESS**

Having heard the Chair, the Committee agreed to vary the order of business as hereinafter minuted.

## **APPLICATION FOR PROVISIONAL PREMISES LICENCE**

An application was submitted for consideration for Provisional Premises Licence for Lidl, Site at Mitchell Way, Alexandria, G83 0LW.

After an introduction to the application from Mr McDougall, Depute Clerk to the Licensing Board, Members heard from Peter Clyde, Licensing Standards Officer, detailing the application should be considered in terms of the Licensing Board's Overprovision policy as well as providing details of relevant licensed premises. Sergeant Holmes, Police Scotland, noted there were no objections from Police Scotland in regards to the application. Judi Ferguson, Lead Building Standards Surveyor, noted the application would require Building Warrant and Completion certificate acceptance before they could fully comment on the application.

Members then heard from Dr Carter, NHS GGC Representative who spoke to the NHS GGC objection to the application.

Members then heard from Lidl's representatives Mr Andrew Hunter and Ms Claire Kyle in support of the application.

## **ADJOURNMENT**

The Chair adjourned the meeting for a short recess. The meeting reconvened at 11.05 a.m. with all those listed in the sederunt present.

Councillor McColl moved for a continuation for the application to a future meeting and asks that the applicant consider what information they may wish to provide to Members in terms of paragraph 23.10 of the board's Statement of Licensing Policy and that the objector will have the opportunity to address the board again and is asked to be more specific about why this application is unsuitable for grant in their opinion.

## **DECIDED:-**

Members agreed to a continuation on the application for further information to be provided from both parties.

## **APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE**

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for Scotmid, 165a Main Street, Renton, Alexandria, G82 4PS.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report.

Ms Laura McCabe, Solicitor, and Mr Stuart Forsyth, Representative, for the Application accepted the detailed conditions were the application to be approved.

Members then heard Ms McCabe in further detail in support of the Application. Following further discussion, and in answer to Members questions, Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

**DECIDED:-**

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

**APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE**

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for Co-op, Carrochan Road, Balloch, G83 1BW.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report. Mr Peter Lawson, Solicitor and Representative for the Application accepted the detailed conditions, were the application to be approved.

Members then heard Mr Peter Lawson in support of the Application. Following further discussion, Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

**DECIDED:-**

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

**APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE**

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for Co-op, Mitchell Way, Alexandria, G83 0LW.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report. Mr Peter Lawson, Solicitor and Representative for the Application accepted the detailed conditions, were the application to be approved.

Members then heard Mr Lawson in support of the Application. Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

**DECIDED:-**

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

**APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE**

An application was submitted for consideration for a Variation of Premises Licence for Glen Lusset, 67 Dumbarton Road, Old Kilpatrick, G60 5DA.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Knighton, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report. Mr Stephen McGowan, Solicitor and Representative for the Application, accepted the conditions, were the application to be granted.

Members then heard Mr McGowan in support of the Application. Following further discussion, Members agreed to grant the application attaching the conditions proposed by the Licensing Standards Officer.

**DECIDED:-**

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

**APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE**

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for 137 – 139 Hawthorn Street, Clydebank, G81 3NH.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Knighton, Licensing Standards Officer, suggested the proposed conditions as detailed in the report. Mr Lingard, Solicitor and Representative for the Application, accepted the detailed conditions, were the application to be approved.

Members then heard from Ms Ferguson, Lead Building Standards Surveyor, who noted Building Standards had not yet received sufficient information to allow for Building Warrant to be granted.

Members then heard Mr Lingard, Solicitor and Representative for the Application and Mr Farooq, Applicant in support of the Application and in answer to Members questions.

Councillor McColl moved:-

Members should agree to a continuation of the application, to allow the applicant time to provide sufficient information to Building Standards to allow the Building

Warrant to be assessed. As the applicant had 2 other licensed premises businesses, they should have been aware of correct process to follow when changing the layout of shelving displaying alcohol in their premises.

As an amendment, Councillor Singh Johal moved:-

Members should allow the application to be approved, as it is only a slight change in display and no additional alcohol will be displayed.

On a roll call vote being taken 2 Members voted for the Amendment, namely Councillors Singh Johal and Pollock and 2 Members voted for the Motion namely Councillors McColl and McKay.

There being an equality of votes Councillor McKay, Convenor, used her casting vote in favour of the motion which was accordingly declared carried.

**DECIDED:-**

Members agreed to a continuation of the application, to be heard at the next ordinary meeting of the Licensing Board.

**APPLICATION FOR PROVISIONAL PREMISES LICENCE**

An application was submitted for consideration for the grant of a Provisional Premises Licence for Sweeney's Boatyard, Riverside, Balloch, G83 8SS.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, noted the application should be considered in terms of the Licensing Board's Assessment of Overprovision.

Members then heard Mr Hunter, Solicitor, in support of the Application.

Following further discussion, and having heard from Chris Sweeney, Applicant, in answer to Members questions, Members agreed to approve the application, in accordance with conditions proposed by the Licensing Standards Officer.

**DECIDED:-**

Members agreed to grant the application.

The meeting closed at 12.17 p.m.



## THE LICENSING (SCOTLAND) ACT 2005

### Application for Provisional Premises Licence

### Objection/Representation

<b>Premises Licence Reference:</b>	WDLBPREM/0313.
<b>Name and Address of Premises:</b>	Lidl, Site at Mitchell Way, Alexandria G83 0LW.
<b>Applicant/Licence Holder:</b>	Harper Macleod LLP on behalf of Lidl Great Britain Limited.
<b>Type of Premises:</b>	Off Sales.
<b>Proposed Application:</b>	<p>The premises will trade as a Lidl Supermarket within a new retail development on site of former Mitchell Way shopping centre.</p> <p>The Lidl premises will provide for sale together with general groceries: meat; poultry; dairy; fresh fruit and vegetables; and frozen and chilled goods, and other seasonal goods, household products and newspapers. The premises will offer a service to local and wider area.</p> <p>Proposed Capacity: 80.45m2</p>
<b>Police Authority Comments:</b>	No police objections.
<b>Licensing Standards Comments:</b>	See accompanying report highlighting that this application should be considered in terms of the Licensing Board's Overprovision policy.
<b>Fire Authority Comments:</b>	No comments.
<b>Regulatory Services Comments:</b>	
<b>Building standards has the following comments on this consultation:</b>	
Application will require Building Warrant and completion Certificate acceptance before Building Standards can comment.	

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

**Health Board Comments:** **Objection.**

**Access Panel:** No comments received.

**Additional Comments:**

**Section 50 Certificates:** Planning Certificate Received.

**Decision:**



## **Licensing Standards Officers Report**

### **LICENSING (SCOTLAND) ACT 2005**

### **PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0313 Lidl, Site at Mitchell Way, Alexandria G83 0LW.

**PREMISES LICENCE HOLDER:** Lidl Great Britain Limited.

This application may be contrary to the Licensing Board's Statement of Licensing Policy; Overprovision.

### **Licensing Standards Officer**

**Date:** 14 August 2023

### **Contact :**

Peter Clyde, Licensing Standards Officer, Regulatory and Regeneration Services,  
Council Offices, 16 Church Street, Dumbarton. G81 1TG.

E-mail : [peter.clyde@west-dunbarton.gov.uk](mailto:peter.clyde@west-dunbarton.gov.uk)



FIRE SYMBOLS

Portable Water Extinguisher

Portable CO2 Extinguisher

Fire Blanket

S

Void Smoke Detector

K

Heat Detector

Emergency Light

Call Point

Warning Device Sounder

Optical Fire Detection

FP

Fire Control Panel

Portable Foam Extinguisher

Portable Dry Powder Extinguisher

S

Smoke Detector

S

Smoke Detector with Sounder base

Sprinkler (water)

Emergency Exit Illuminated Sign

Warning Device Bell

Warning Device Visual

Fire Exit Directional Signage

FE

Fire Exit

All Fire Exits Have A Push Bar with Fire Exit & Fire Notice Action Signage

Scale 1:100

INITIAL LICENCE APPLICATION  
APRIL 2023

UPDATED  
07\_04\_2023

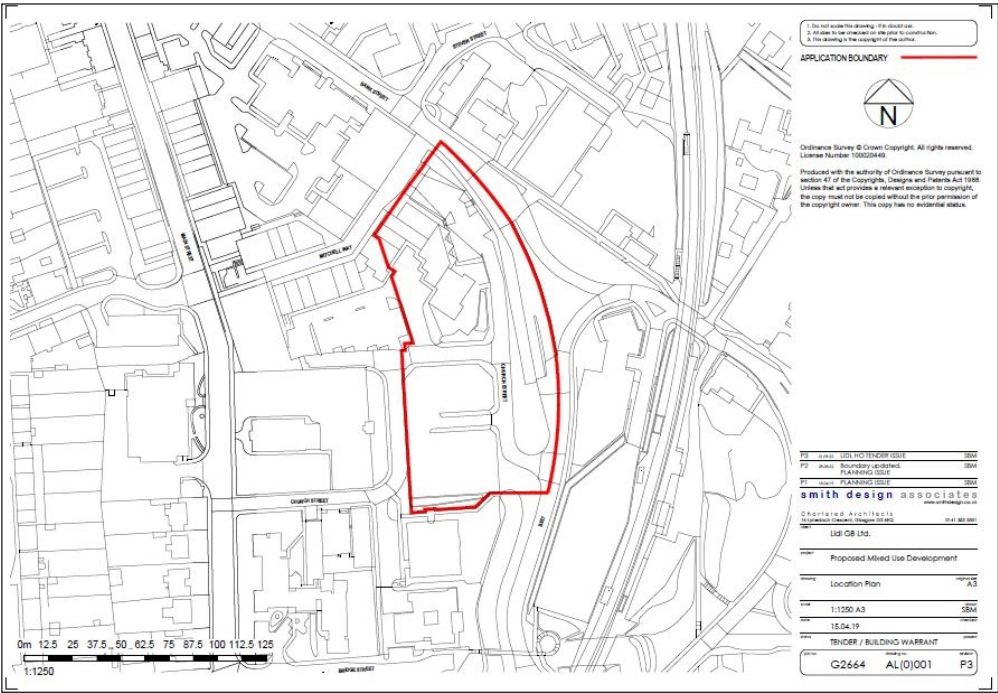
CHILDREN AND YOUNG PERSONS  
ARE  
ENTITLED TO ACCESS ALL PUBLIC

1<sup>st</sup> Dec – 2<sup>nd</sup> Jan  
ONLY

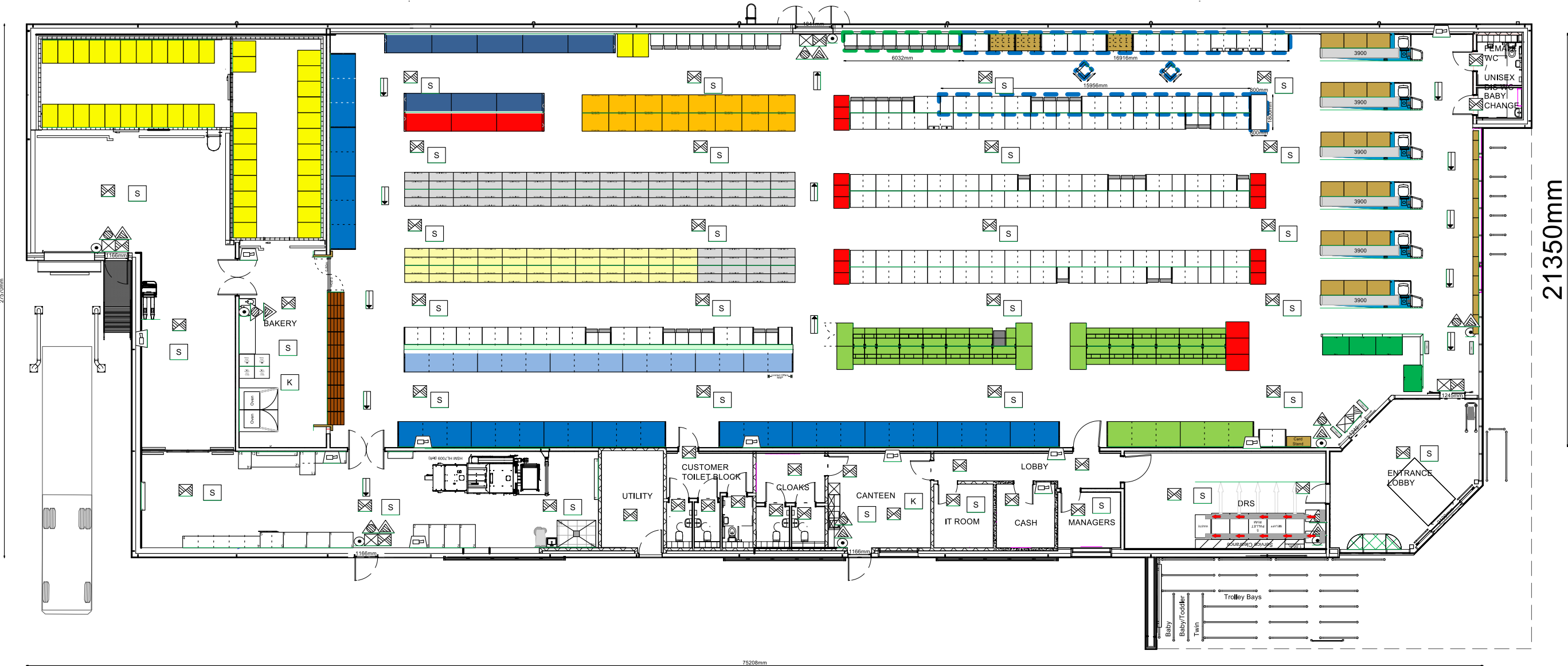
ALL YEAR ROUND

Alcohol Display Area  
Length: 6.03m  
Height: 1.8m  
= 10.85sqm

Alcohol Display Area  
Length: 38.67m  
Height: 1.8m  
= 69.60sqm



59300mm



Store Number and Name :	Alexandria
Store Size :	5 Aisle 1266sqm
Inner Length :	59.30m
Inner Width :	21.35m
Ceiling Height :	N/A



**WEST DUNBARTONSHIRE LICENSING BOARD**

APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES LICENCE\*

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** *Licensing (Scotland) Act 2005, section 20(1)*

**Question 1**

*Name, address and postcode of premises to be licensed.*

Lidl  
Site at Mitchell Way  
Alexandria  
G83 0LW

**Question 2**

*Particulars of applicant*

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Lidl Great Britain Limited  
Lidl House, 14 Kingston Road, Surbiton, KT5 9NU  
02816429

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.\*

**Ryan McDonnell**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Richard Jeremy Taylor**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Tim Ulbrich**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Matthew David Heslop**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Martin Alfred Kottbauer**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Marco Francesco Di Costanzo**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Peter de Roos**

[REDACTED]  
[REDACTED]  
[REDACTED]

**David John Uterhalter**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Stephanie Rogers**

[REDACTED]  
[REDACTED]  
[REDACTED]

Maciej Andrzej Tylkowski

[REDACTED]  
[REDACTED]  
[REDACTED]

**\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.**

### **Question 3**

*Previous applications*

- 3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? **YES/NO\***

*If YES – provide full details*

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### **Question 4**

*Previous convictions*

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO*
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*\*If YES – provide full details*

*For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974*

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

**DESCRIPTION OF PREMISES** *Licensing (Scotland) Act 2005, section 20(2)(a)*

**Question 5**

- 5      *Description of premises (where application is submitted by a members' club, please also complete question 6)*

The premises will trade as a Lidl Supermarket within a new retail development on site of former Mitchell Way shopping centre

The Lidl premises will provide for sale together with general groceries: meat; poultry; dairy; fresh fruit and vegetables; and frozen and chilled goods, and other seasonal goods, household products and newspapers. The premises will offer a service to local and wider area.

**Question 6**

- 6      *To be completed by members' clubs only*

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	N/A
<i>* Delete as appropriate</i>	



**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature



\* (see note below)

Date 29 June 2023

Capacity SOLICITOR ~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory .....

[Redacted contact information]

<b><i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i></b>	
<i>Operating plan</i>	✓
<i>Layout plan</i>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	
<i>Food hygiene certificate</i>	

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
<b>Date received</b>	
<b>Fee amount</b>	
<b>Receipt number</b>	
<b>Received by (<i>INITIALS</i>)</b>	
<b>Consideration date</b>	
<b>Last date for consideration</b>	
<b>Date of initial hearing</b>	
<b>Date of any modification hearing</b>	
<b>Date granted/refused (delete as appropriate)</b>	

<b><u>For use by the Licensing Board only</u></b>	
<b>If application is for a premises licence</b>	
<b>Documents required</b>	
<b>Operating plan</b>	
<b>Layout plan</b>	
<b>Planning certificate</b>	
<b>Building standards certificate</b>	
<b>Food hygiene certificate</b>	

<b><u>For use by the Licensing Board only</u></b>	
<b>If application is for a provisional premises licence</b>	
<b>Documents required</b>	
<b>Provisional planning certificate</b>	
<b>Operating plan</b>	
<b>Layout plan</b>	

**WEST DUNARTONSHIRE LICENSING BOARD**

**OPERATING PLAN**

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

**Question 1**

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	NO
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	NO
*Delete as appropriate	

**Question 2**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES

<b>Day</b>	<b>ON Consumption</b>	
	<b>Opening time</b>	<b>Terminal hour</b>
<i>Monday</i>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

### **Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

<b>Day</b>	<b>OFF Consumption</b>	
	<b>Opening time</b>	<b>Terminal hour</b>
<i>Monday</i>	10.00 am	10.00 pm
<i>Tuesday</i>	10.00 am	10.00 pm
<i>Wednesday</i>	10.00 am	10.00 pm
<i>Thursday</i>	10.00 am	10.00 pm
<i>Friday</i>	10.00 am	10.00 pm
<i>Saturday</i>	10.00 am	10.00 pm
<i>Sunday</i>	10.00 am	10.00 pm

### **Question 4**

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	YES
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*\*If YES – provide details*

The applicant will utilise an increased capacity of alcohol display for the period of 1 December each year until 2 January of the following year – the relevant area is duly highlighted in the layout plan and noted in Q7 below.

## Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	NO	NO
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	NO	NO	NO
Club or other group meetings etc.	NO	NO	NO
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	NO	NO	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
<b>5(d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

The premises are supermarket premises and shall be operated prior to the commencement of the core hours for the sale of non-alcohol produce, usually from 8am each day. Recorded background level music may be played during all opening times.

**5(f) any other activities**

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The premises are supermarket premises and shall be operated prior to the commencement of the core hours for the sale of non-alcohol produce, particularly food items, newspapers, household goods, seasonal products and other such items.

The proposed opening hours of the premises shall be 8am to 10pm each day.

The premises licence holder may offer customers, from time to time, free tasting sessions of products available for sale in the premises. This may include all produce, including alcohol.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO *
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When fully occupied, are there likely to be more customers standing than seated?	YES/NO *
*Delete as appropriate	

**Question 6 (On-sales only)**

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	N/A
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

N/A
-----

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

N/A
-----

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

N/A
-----

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

N/A

**Question 7**

**CAPACITY OF PREMISES**

*What is the proposed capacity of the premises to which this application relates?*

**Off Sales:**

Non-Season Display Area: 69.60m<sup>2</sup>

Additional Seasonal Area (1 December to 2 January each year): 10.85m<sup>2</sup>

Total : 80.45m<sup>2</sup>

**Question 8**

**PREMISES MANAGER** (**NOTE: not required where application is for grant of provisional premises licence**)

*Personal details*

8(a) *Name*

8(b) *Date of birth*

8(c) *Contact address*

8(d) *Email address*



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8(e) Personal licence

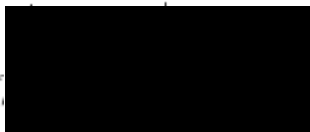
<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature



\* (see note below)

Date 29 June 2023

Capacity SOLICITOR ~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory .....



**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.



Date 4<sup>th</sup> August 2023  
Our Ref EC/RB  
Enquiries to Emilia Crighton  
Direct Line 0141 201 4623  
E-mail [REDACTED]

Dear Clerk to the Licensing Board,

### **LICENSING BOARD APPLICATION: WDLBPREM0313**

Thank you for notification of the above application for a provisional premises licence for Lidl, Mitchell Way, Alexandria, G83 0LW, where the applicant intends to open a new superstore.

I, as remitted by NHS Greater Glasgow and Clyde health board, have reviewed the application and the relevant evidence and object to the licence requested on the grounds that:

- it is inconsistent with the licensing objective of Protecting and Improving Public Health

The premises would be located in Intermediate Zone IZ16, which is named in the West Dunbartonshire Licensing Board Policy Statement (November 2018)<sup>1</sup> as IZ16 Alexandria Central, Rosshead & Dalmonach and is a designated area of overprovision.

Within the IZ16 Alexandria Central, Rosshead & Dalmonach area there are currently 5 off-sales premises, including an Aldi and Coop which have considerable alcohol display capacities combined. The proposed addition of 69.6m<sup>2</sup> of alcohol, increasing to 80.5m<sup>2</sup> throughout the festive period would risk substantially exacerbating the already very elevated levels of alcohol related harms experienced by the local population. The most recently published alcohol-related health data for IZ16 Alexandria Central, Rosshead & Dalmonach includes the following:

Alcohol Related Hospital Admissions The evidence considered by the Licensing Board in January 2018 showed that the rate in IZ16 was 80.7 per 10,000 HoP which was higher than Scotland at the time (62.3 per 10,000). The most recent data shows this has **increased** to 132.3 per 10,000 and remains higher than Scotland as a whole, where the rate has decreased over the same period (to 61.1 per 10,000).

Alcohol Related Deaths The evidence considered by the Licensing Board in January 2018 showed that the rate in IZ16 was 3.3 per 10,000 HoP which was higher than the

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<sup>1</sup> <https://www.west-dunbarton.gov.uk/media/4315882/statement-of-licensing-policy-2018-2022.pdf>

Scottish average at the time (2.3 per 10,000). The most recent data shows that this has **increased** and remains higher than the Scottish average (7.5 per 10,000 HoP for IZ16 compared to 5.8 per 10,000 nationally).

Alcohol Related Mental Health Discharges The evidence considered by the Licensing Board in January 2018 showed that the rate in IZ16 was 3.7 per 10,000 HoP which was lower than the Scottish average at the time (5.2 per 10,000 HoP). The most recent data shows that this has significantly **increased** (24.9 per 10,000 for IZ16 compared to 12.8 per 10,000 for Scotland).

Therefore, having considered the application and the latest data and evidence available, on behalf of the health board, I object to this application on the grounds that the provisional premises licence is inconsistent with the licensing objectives of Protecting and Improving Public Health.

Yours sincerely

A solid black rectangular box used to redact the signature of Dr Emilia Crighton.

**Dr Emilia Crighton**  
**Interim Director of Public Health**

Date 12<sup>th</sup> October 2023  
Our Ref EC/RB  
Enquiries to Emilia Crighton  
Direct Line 0141 201 4623  
E-mail emilia.crighton@ggc.scot.nhs.uk

Dear Clerk to the Licensing Board,

**LICENSING BOARD APPLICATION: WDLBPREM0313**

Thank you once again for having notified us of the above application for a provisional premises licence for Lidl, Mitchell Way, Alexandria, G83 0LW, where the applicant intends to open a new superstore.

As remitted by NHS Greater Glasgow and Clyde health board on behalf of the Director of Public Health, I have further reviewed the application and the relevant evidence and re-affirm our objection to the licence requested on the grounds that it is inconsistent with the licensing objective of Protecting and Improving Public Health.

The premises are located in Intermediate Zone IZ16, which is named in the West Dunbartonshire Licensing Board Policy Statement (November 2018)<sup>1</sup> as IZ16 Alexandria Central, Rosshead & Dalmonach and is a designated area of overprovision.

Further to the information that we have previously provided in support of our objection, we would like to emphasise the significant increase in alcohol sales capacity that this application would generate if approved.

Already there are nine off-sales premises in this area, which in combination have a considerable alcohol display capacity (167.8m<sup>2</sup>). Currently the largest supplier of alcohol in the area (in terms of display capacity) is the Coop (46.8m<sup>2</sup>), followed by Aldi (29m<sup>2</sup>). The proposed addition of 69.6m<sup>2</sup> (increasing to 80.5m<sup>2</sup> throughout the festive period) would not only add a further outlet with a capacity larger than either of those two, but would also result in a more than 40% increase in the total off-sales display capacity in this area despite it being a designated area of overprovision.

As such, this would risk substantially exacerbating the already elevated levels of alcohol related harms experienced by the population of this intermediate zone that we set out to the Board in our previous submission, as well potentially those experienced by the population of West Dunbartonshire as a whole.

Yours sincerely



Dr Daniel Carter  
Consultant in Public Health Medicine (GMC number 6077273)

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<sup>1</sup> <https://www.west-dunbarton.gov.uk/media/4315882/statement-of-licensing-policy-2018-2022.pdf>



## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation of Premises Licence

### Representation

<b>Premises Licence Reference:</b>	WDLBPREM/0184.
<b>Name and Address of Premises:</b>	137-139 Hawthorn Street, Clydebank G81 3NH.
<b>Applicant/Licence Holder:</b>	Leonards Solicitors on behalf of NF Retail Limited
<b>Type of Premises:</b>	Off Sales.
<b>Proposed Application:</b>	<p>Variation to the licence:</p> <p>The applicant wishes to extend the hours of trading in off sales from 10 a.m. to 10 p.m. seven days a week, the current hours being 10 a.m. to 8 p.m. seven days a week.</p> <p>Variation to the Layout Plan:</p> <p>Changes are being made to the layout of the shelving within the shop.</p>
<b>Police Authority Comments:</b>	No police objections.
<b>Licensing Standards Comments:</b>	See accompanying report highlighting terms of the Policy and suggesting conditions.
<b>Fire Authority Comments:</b>	No comments.
<b>Regulatory Services Comments:</b>	

**Building Standards will not be able to support the application for the following reasons:**

1. Alterations have taken place to relocate the service counter, infill of half the entrance / escape door to Hawthorne Street, infill of single external door to form atm machine to Hawthorne Street, alterations to various electrical controls and outlets, all without the benefit of a Building Warrant approval.

The applicant must regularise this by submitting an application for a Completion Certificate where no Building Warrant was obtained.

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

**Health Board Comments:** No comments.

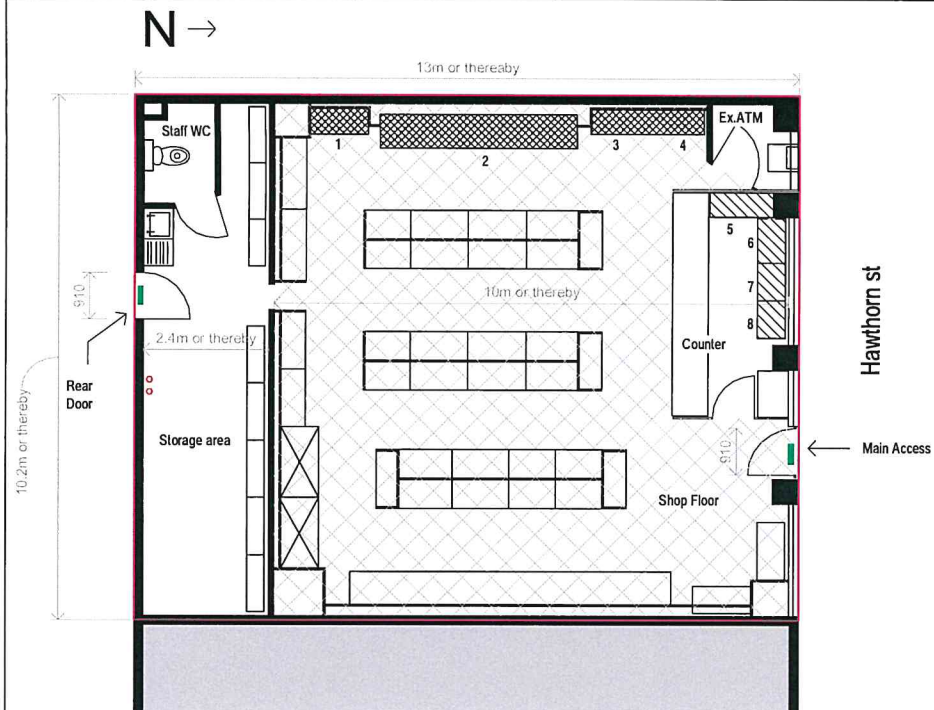
**Access Panel:** No comments received.

**Additional Comments:**

**Section 50 Certificates:** Not required.

**Decision:**





1 Ground Floor Plan  
230202-001 1 : 100

Shop Floor Area (Customer Area): 87.650 m2  
Estimated Occupancy: 44 persons  
(based on load factor of 2)

Alcohol display (accessible):  
1 - Linear Shelving - W 470mm, L 1000mm, H 1830mm  
2 - Refridgerator - W 640mm, L 3750mm, H 1580mm  
3 - Linear Shelving - W 470mm, L 1000mm, H 1830mm  
4 - Linear Shelving - W 470mm, L 1000mm, H 1830mm

Frontal Area	Volume
1.83m2	0.86m3
5.925m2	3.792m3
1.83m2	0.860m3
1.83m2	0.860m3

Alcohol display (non-accessible):  
5 - Linear Shelving behind counter - W 470mm, L 1000mm, H 1830mm  
6 - Linear Shelving behind counter - W 470mm, L 800mm, H 1830mm  
7 - Linear Shelving behind counter - W 470mm, L 665mm, H 1830mm  
8 - Linear Shelving behind counter - W 470mm, L 665mm, H 1830mm

Frontal Area	Volume
1.83m2	0.860m3
1.464m2	0.688m3
1.216m2	0.571m3
1.216m2	0.571m3

Totals:		
Linear Shelving (Accessible)	5.49m2	2.58m3
Linear Shelving (Non-accessible)	5.726m2	2.68m3
Refridgerator	5.925m2	3.792m3
Grand Total	17.141m2	9.052m3



2 Location Plan  
230202-001 1 : 1250

1. All levels and dimensions to be confirmed on site before starting any construction or fabrication. Drawings based on information received from the client. Contractor to confirm all assumptions and existing constructions/build up on site prior to commencing any work.
2. All existing incoming services to be identified and positioned by the contractor.
3. Don not scale any items or information from this drawing.

- Fire Exit Signage
- Fire Extinguisher
- Extent of Property

Rev	Description	Date

Thorough Brand  
4 Mauldsie Castle Orchard,  
ML85FJ - Carlisle  
07407391945  
manuel.cozzani@gmail.com



PROJECT  
137 Hawthorn St.

TITLE  
Licensing Layout

CLIENT  
Mr. Nadeem Iqbal

DATE  
02/02/23

SCALE (@ A3)  
As indicated

PROJECT NUMBER  
230202

DRAWING NUMBER  
230202-001

REV



# WEST DUNBARTONSHIRE LICENSING BOARD

## LICENSING (SCOTLAND) ACT 2005

### APPLICATION FOR VARIATION OF PREMISES LICENCE

If you are completing this form by hand, please write legibly in block capitals using ink.

#### SECTION 1: APPLICANT INFORMATION

##### 1(a) Name, address, postcode and premises licence number of premises.

137-139 Hawthorn Street  
Clydebank

Post Code	G81 3NH	Premises Licence Ref. No.	WDLBPREM/0184
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##### 1(b) Please provide full name, address, postcode, telephone number and e-mail address of applicant.

Nasreen Akhtar

Post Code		Telephone No.		E-mail address	
-----------	--	---------------	--	----------------	--

#### SECTION 2: MINOR VARIATIONS

2(a) Do you consider the proposed variation to be a minor variation? YES ☐ NO x ☐

(If the answer is YES, please complete the rest of Section 2. If NO, please go to Section 3)

2(b) Do you propose a variation to the layout plan which is not inconsistent with the operating plan for the Premises? YES x ☐ NO ☐

(If the answer is YES, please give details of the proposed variation below)

Changes are being made to the layout of the shelving within the shop.

- 2(c) Do you propose to restrict the terms on which children and young persons are admitted to the premises?**

YES ☐ NO x☐

(If the answer is **YES**, please give details of the proposed variation below)

- 2(d) Do you propose to vary the information contained in the licence relating to the premises manager, including variation to substitute a new premises manager?**

YES x☐ NO ☐

(If the answer is **YES**, please complete Section 4 below)

- 2(e) Do you propose any other variation as prescribed by Section 29(6)(d) of the 2005 Act?**

YES ☐ NO x☐

(If the answer is **YES**, please give details of the proposed variation below)

### **SECTION 3: OTHER VARIATIONS**

- 3(a) Do you propose a variation to any of the conditions to which the licence is subject (other than those to which the licence is subject by virtue of Section 27(1))?**

YES ☐ NO x☐

(If the answer is **YES**, please give details of the proposed variation below)

**3(b) Do you propose to vary any of the information contained in the operating plan contained in the licence?**

YES x☐

NO ☐

(If the answer is **YES**, please give details of the proposed variation below)

The applicant wishes to extend the hours of trading in off sales from 10 a.m. to 10 p.m. seven days a week, the current hours being 10 a.m. to 8 p.m. seven days a week.

**3(c) Do you propose a variation to the layout plan contained in the licence?**

YES ☐ NO x☐

(If the answer is **YES**, please give details of the proposed variation below)

**3(d) Do you propose to vary any other information contained or referred to in the licence, including an addition, deletion or other modification?**

YES ☐ NO x☐

(If the answer is **YES**, please give details of the proposed variation below)



## SECTION 4: VARIATION TO SUBSTITUTE NEW PREMISES MANAGER

Please provide details below of the name, address and personal licence number of the Existing Premises Manager.

Reference Number of Personal Licence	

### PROPOSED PREMISES MANAGER

#### 4(a) Name and telephone number

Telephone No.	

#### 4(b) Date and place of birth

--

#### 4(c) Contact address, including postcode

Postcode	

#### 4(d) Email address

--

#### 4(e) Details of Personal Licence held by Proposed Premises Manager

Date of issue	Name of Licensing Board issuing	Reference Number of Personal Licence

(Please enclose a photostat copy of the Personal Licence if it was not issued by West Dunbartonshire Licensing Board).

#### 4(f) Is the variation to substitute a new Premises Manager to take effect during the application period?

YES ☐ NO ☐

(If the answer is **NO**, please provide the proposed date from which the variation is to take effect).

--

## **DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**(If signing on behalf of the applicant please state in what capacity.)**

I confirm that the contents of this application are true to the best of my knowledge and belief.

The application fee is enclosed. ✓

**Signature** [REDACTED] ..... (See Note 1 below)

**Date** 16/05/2023 .....

**Capacity** ~~APPLICANT~~/AGENT (delete as appropriate)

**If agent, please provide name, address, telephone number and email address:**

[REDACTED] .....  
LEONARDS SOLICITORS .....  
133 CADZOW STREET .....  
HAMILTON .....  
ML3 6JH .....

I have enclosed the relevant documents with this application – please tick the relevant boxes	
Premises Licence (See Note 2)	✓
Operating Plan (see Note 3)	
Layout Plans (see Note 3)	✓
Planning certificate (See Note 4)	
Building standards certificate (See Note 4)	
Food hygiene certificate (See Note 4)	
Copy of Personal Licence	✓

### **Notes**

#### **Note 1:**

##### **Data Protection Act 1998**

The information in this form will be used to update the relevant Premises Licence. Accordingly, the information contained in this form may be held on an electronic public register which may be available to members of the public on request.

#### **Note 2:**

The application must be accompanied by the Premises Licence to which the application relates, or if that is not practicable, a statement of the reasons for failure to produce the licence.

#### **Note 3:**

Where the proposed variation affects the current operating plan, please submit an operating plan including the proposed variations. Where the proposed variation affects the current layout plan, please submit 6 sets of plans showing the proposed new layout of the premises.

#### **Note 4:**

Applicants for variations involving structural alterations should submit the relevant Section 50 certificates with their application.

##### **Data Protection Act 1998**

The information in this form will be used to update the relevant Premises Licence. Accordingly, the information contained in this form may be held on an electronic public register which may be available to members of the public on request.

**Contact Us:**

**West Dunbartonshire Licensing Board  
Council Offices  
16 Church Street  
Dumbarton  
G82 1QL**

**Phone: 01389 738741  
Email: [licensing@west-dunbarton.gov.uk](mailto:licensing@west-dunbarton.gov.uk)**



## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

*STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH*

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<del>YES</del> /NO*
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	YES/ <del>NO</del> *
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<del>YES</del> /NO*
<i>*Delete as appropriate</i>	

### Question 2

*STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10 a.m.	10 p.m.
<i>Tuesday</i>	10 a.m.	10 p.m.
<i>Wednesday</i>	10 a.m.	10 p.m.
<i>Thursday</i>	10 a.m.	10 p.m.
<i>Friday</i>	10 a.m.	10 p.m.
<i>Saturday</i>	10 a.m.	10 p.m.
<i>Sunday</i>	10 a.m.	10 p.m.

**Question 4**

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<del>YES</del> NO*
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*\*If YES – provide details*

## Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	N/A	N/A	N/A
Conference facilities	N/A	N/A	N/A
Restaurant facilities	N/A	N/A	N/A
Bar meals	N/A	N/A	N/A
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	N/A	N/A	N/A
Club or other group meetings etc.			
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	N/A	N/A	N/A
Live performances – see 5(g)	N/A	N/A	N/A
Dance facilities	N/A	N/A	N/A
Theatre	N/A	N/A	N/A
Films	N/A	N/A	N/A
Gaming	N/A	N/A	N/A
Indoor/outdoor sports	N/A	N/A	N/A
Televised sport	N/A	N/A	N/A

<b>5(d)</b> <i>Activity</i>	<b><i>Please confirm</i></b> <b><i>YES/NO</i></b>	<b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b><i>YES/NO</i></b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b><i>YES/NO</i></b>
<i>Outdoor drinking</i> <i>facilities</i>	N/A	N/A	N/A
<b>5(e)</b> <i>Activity</i>	<b><i>Please confirm</i></b> <b><i>YES/NO</i></b>	<b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b><i>YES/NO</i></b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b><i>YES/NO</i></b>
<i>Adult entertainment</i>	No	No	No

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

--

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

--

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	



**Question 6 (On-sales only)**

*CHILDREN AND YOUNG PERSONS*

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	<i>YES/NO*</i>
	<i>*Delete as appropriate</i>	

6(b) *Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry*

--

6(c) *Provide statement regarding the **AGES** of children or young persons to be allowed entry*

6(d) *Provide statement regarding the **TIMES** during which children and young persons will be allowed entry*

6(e) *Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry*

**Question 7**

*CAPACITY OF PREMISES*

*What is the proposed capacity of the premises to which this application relates?*

Off-Sales Area – 20.75 square metres

**Question 8**

*PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)*

*Personal details*

8(a) *Name*

Afzal Mohammed

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[REDACTED]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
23/01/2019	City of Glasgow Licensing Board	GC11413

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

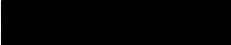
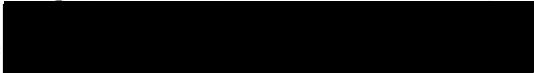
**If signing on behalf of the applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature  ..... \* (see note below)

Date 16/05/2023 .....

Capacity Solicitor ..... ~~APPLICANT/AGENT~~ (delete as appropriate).

Telephone number and email address of signatory   


**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

**Contact Us:**

West Dunbartonshire Licensing Board  
Council Offices  
16 Church Street  
Dumbarton  
G82 1QL

Phone: 01389 738741  
Email: [licensing@west-dunbarton.gov.uk](mailto:licensing@west-dunbarton.gov.uk)



## NOTICE OF APPLICATION FOR VARIATION OF PREMISES LICENCE

1.	Applicant/Agent Name & Address (include postcode)	
2.	Name & Address of Premises (include postcode)	

	EXISTING LICENSED HOURS	PROPOSED LICENSED HOURS
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

3. Brief overview of proposed change(s) to premises licence

**Further detailed information in regard to this application (including the operating plan) is available for inspection at Council Offices, Municipal Buildings, College Street Dumbarton G82 1NR via appointment, during normal office hours.**

**Any person is eligible to object. Anyone wishing to object or make representations must not later than                      lodge with the Clerk of the Licensing Board a written notice of objection or representation. It is the responsibility of the person making the objection or representation to ensure that the Board has received it and it may be helpful to lodge it in one of the following ways:**

- Delivered by hand within the time specified; or
- Posted (by registered or recorded or special delivery post) so that in the normal course of post it might be expected to be delivered within that time; or
- Faxed within that time and an acknowledgement of the fax is kept; or
- E-mailed within that time and an acknowledgement of the e-mail is kept.

It is the responsibility of the person making the objection or representation to ensure that the Board has received it.

**A PRO-FORMA FORM (PREFERRED) FOR MAKING OBJECTIONS OR REPRESENTATIONS IS AVAILABLE ONLINE: <https://www.west-dunbarton.gov.uk/business/licences-permits-and-permissions/beer-licences/licensing-guidelines-and-policies/> TO REQUEST A HARDCOPY: TELEPHONE (01389) 738741**

**Date:**

**Signature:**

The Licensing (Procedure) (Scotland) Regulations 2007  
Schedule 3

**CONFIRMATION OF SITE NOTICE**

Full Name of Applicant/Agent & Address (include postcode)	
Name & Address of Premises (include postcode)	

**A notice regarding an application for a premises licence or for variation of such a licence is required to be displayed for a period of not less than 21 days. If the Licensing Board is not satisfied that this has taken place, it may order the display of the notice for a further 21 days.**

**Should the notice, without any fault or intention of the applicant, be removed, obscured or defaced before the end of the 21 days for which it must be displayed, the applicant must take reasonable steps for its protection and if need be its replacement. If this has happened, the applicant must note it and set out what he or she has done to correct the situation (in the box below).**

--

**CONFIRMATION OF DISPLAY OF NOTICE**

I (full name of applicant)	
confirm that a notice regarding an application for a premises licence/variation of such a licence has been displayed as prescribed for a period of not less than 21 days.	
The dates of display being	
Applicant's signature	
Date	

## **Licensing Standards Officers Report**

### **LICENSING (SCOTLAND) ACT 2005 “the 2005 Act”**

### **PREMISES LICENCE VARIATION APPLICATION**

**PREMISES: 137-139 Hawthorn Street, Clydebank G81 3NH**

**PREMISES LICENCE HOLDER: NF Retail Limited**

In terms of paragraph 24.2 of the Board’s Statement of Licensing Policy, the Board may consider extending the terminal hour for off sale type premises up to 10pm provided that suitable enhanced control measures have been put in place to promote the licensing objectives. Enhanced control measures must include CCTV cameras covering the interior of the premises and the exterior area adjacent to the entrance to the premises. Following a recent inspection the LSO is satisfied that the following condition is able to be complied with by the applicants;

### **PREMISES LICENCES: ADDITIONAL CONDITIONS APPROVED BY WEST DUNBARTONSHIRE LICENSING BOARD**

#### **4 Off Sale Premises and CCTV**

The minimum CCTV requirements for off sales premises wishing to trade after 8.00 pm will be that:-

- (a) The system is recordable and viewable at source and does so during all hours that the premises is open.
- (b) The images recorded should be date and time coded for the purposes of crime prevention.
- (c) Suitable surveillance is offered of the licensed area of the premises as denoted on the Layout Plan.

Premises Licence Holders should note that camera footage should be retained for a period of time that complies with recommendations made by the Information Commissioner in terms of the Data Protection Act.

**Lawrence Knighton**

**Licensing Standards Officer**

**Date:** 14 August 2023

**Contact :**

Lawrence Knighton, Licensing Standards Officer, Regulatory Services, Council Offices, 16 Church Street, Dumbarton. G81 1TG.

E-mail : [lawrence.knighton@west-dunbarton.gov.uk](mailto:lawrence.knighton@west-dunbarton.gov.uk)



**WEST DUNBARTONSHIRE LICENSING BOARD****Report by the Clerk to the Licensing Board****31 October 2023**

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**Subject: Festive Hours Policy 2023-2024****1. Purpose**

To propose a policy on an extension to licensed hours during the festive period in terms of Section 67 of the Licensing (Scotland) Act 2005 (“the Act”).

**2. Recommendations****2.1 It is recommended:**

- (a) that the 2023/24 Festive Period is defined as being Monday 11 December 2023 to Wednesday 3 January 2024 inclusive;
- (b) that premises licence holders – with permission to utilise festive extensions - without significant entertainment (public houses, hotel bars and members’ clubs fall into this category) may trade for one hour more than the normal licensed hours during the festive period with the exception of Hogmanay;
- (c) that premises licence holders – with permission to utilise festive extensions - without significant entertainment (public houses, hotel bars and members’ clubs) may trade to 3 am on Hogmanay on condition that last entry to the premises is 11pm and the event is pre-ticketed;
- (d) that premises licence holders - with permission to utilise festive extensions - offering significant entertainment (nightclubs) may trade until 4 am during the festive period;
- (d) premises licence holders without permission to utilise festive extensions may apply for extended hours certificates in relation to the festive period;
- (e) that authority for the granting of applications for extended hours certificates over the Festive Period be delegated to the Clerk to the Licensing Board, if the terms of the application are in accordance with the foregoing agreed recommendations; and
- (f) that should applications for extended hours certificates be submitted which fall outwith the agreed hours or foregoing recommendations, then any such applications may require to be submitted to the Board for consideration, particularly where objections are forthcoming.

### **3. Background**

- 3.1 Section 67 of the Act allows a licensing board, where they consider it appropriate to do so in relation to a special event of local or national significance, to determine that licensed hours are extended by a specified period.
- 3.2 The Licensing Board's new Statement of Policy (coming into effect November 2023) at paragraph 33 notes that it may utilise section 67 of the 2005 Act so to grant a general extension to relevant premises' licensed hours during the festive season. This means that these premises will not require to submit an application for an extended hours certificate to utilise these hours. Premises falling outwith the scope of this general extension or wishing to have additional hours outwith the terms of the general extension will be able to submit an application for an extended hours certificate.
- 3.2 The Festive Hours Policy, as agreed by the Licensing Board, will be served on Police Scotland and will be circulated to licence holders. Licensing Standards Officers will highlight the Festive Hours Policy during routine visits to licensed premises and will also circulate it through trade associations.

### **4. Main Issues**

- 4.1 The proposed Festive Hours Policy is enclosed at Appendix 1. The Policy narrates that where a premises licence holder's operating plan at Question 4 indicates that they will operate according to seasonal demand then the premises will be entitled to utilise the additional hours granted by the Licensing Board by way of a general extension subject to a notification requirement.
- 4.2 Where a premises licence holder's operating plan at Question 4 does not indicate that they will operate according to seasonal demand then an application for an extended hours certificate will need to be submitted and granted for the premises to take advantage of the additional hours outlined in the Policy.
- 4.3 It is proposed that the authority for the granting of applications for extended hours certificates be delegated to the Clerk of the Licensing Board where the terms of the application mirror the Policy. Applicants seeking hours outwith the terms of the Policy and the Licensing Board's Statement of Licensing Policy will likely to be required to be referred to a meeting of the Licensing Board.
- 4.4 Given that the premises licence holder must notify the Licensing Section and Police Scotland before utilising these additional hours, Police Scotland will be aware of the premises' intentions.

- 4.5 In keeping with the practice of previous years, the Festive Period is defined as being from Monday 11 December 2023 to Wednesday 3 January 2024 inclusive.

## **5. People Implications**

- 5.1 All extended hours applications should be processed by Licensing Section staff on behalf of the Board without adverse impact on the service provided by the Board or Licensing Section.
- 5.2 A general extension will reduce the number of applications for extended hours certificates.

## **6. Financial Implications**

- 5.3 The report may have a financial benefit to the licensed trade over the Festive Period.

## **7. Risk Analysis**

- 7.1 There is no increased risk to the Council associated with the contents of this report.

## **8. Equalities, Health & Human Rights Impact Assessment (EIA)**

- 8.1 EIA 796: This Policy grants additional hours (usually only one hour) during the festive period. This has happened over a number of years. There have been no issues reported with the operation of this Policy.

## **9. Consultation**

- 9.1 The proposal was discussed with Police Scotland. Police Scotland were content with the terms of the Policy subject to being notified of what premises are taking up these hours.

**Alan Douglas**  
**Clerk to the Licensing Board**  
**13 October 2023**

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**Person to Contact:** Michael McDougall, Manager of Legal Services, West Dunbartonshire Licensing Board, Council Offices, 16 Church Street, Dumbarton, G82 1QL

**Appendix:** 1. Festive Hours Policy

**Background Papers:**      None

**Wards Affected:**            All Wards.



**WEST DUNBARTONSHIRE LICENSING BOARD**  
**Festive Hours Policy 2023/24**

*Background*

The West Dunbartonshire Licensing Board at its meeting of 31 October 2023 agreed the terms of its Festive Hours Policy in terms of section 67 of the Licensing (Scotland) Act 2005.

The effect of this Policy is to grant premises additional hours where either:-

1. the premises' Operating Plan at Question 4 indicates that they tend to operate according to seasonal demand; or
2. the premises successfully applies for an extended hours certificate.

*Requirements*

In order to utilise these additional hours premises **must**:-

1. make sure that their premises licence's operating plan at Question 4 indicates that the premises intends to operate according to seasonal demand. If not, then an application for an extended hours certificates must be submitted and granted prior to the licensed premises using any additional hours; and
2. notify the Council's Licensing Section and Police Scotland's Licensing Department of those nights that the premises wishes to utilise the additional hours. Such notification must be made by 30 November 2023 (or where there are exceptional circumstances a later date as agreed with the Clerk to the Licensing Board).

The email addresses are as follows:-

- [licensing@west-dunbarton.gov.uk](mailto:licensing@west-dunbarton.gov.uk)
- [argylldunbartonshirelicensing@scotland.police.uk](mailto:argylldunbartonshirelicensing@scotland.police.uk)

If these requirements are not met, then the premises cannot utilise the additional hours and must apply for an extended hours certificate. This application can be submitted via the Licensing Board's [webpage](#)<sup>1</sup>.

*Period*

Monday, 11 December 2023 to Wednesday, 3 January 2024 inclusive.

*Terms of Policy*

The effect of this Policy for premises where their operating plan at Question 4 indicates that they will trade according to seasonal demand, is as follows:-

<sup>1</sup> <https://www.west-dunbarton.gov.uk/business/licences-permits-and-permissions/alcohol-licences/licences-extended-hours/#:~:text=An%20extended%20hour%27s%20application%20is,for%20a%20one%2Doff%20event.>

- i) That premises without significant entertainment (public houses, hotel bars and members' clubs fall into this category) may trade for one hour more than their normal licensed hours during the festive period with the exception of Hogmanay.
- ii) That premises licence holders without significant entertainment (public houses, hotel bars and members' clubs) may trade to 3 am on Hogmanay on condition that last entry to the premises is 11pm and the event is pre-ticketed.
- iii) That premises licence holders offering significant entertainment (Nightclubs) may trade until 4 am during the festive period.

It should be noted that premises must notify the Licensing Section and Police.

Premises licence holders without permission to utilise festive extensions may apply for extended hours certificates in relation to the festive period so to mirror the additional hours narrated above.

#### *Questions*

Please contact the Council's Licensing Section at [licensing@west-dunbarton.gov.uk](mailto:licensing@west-dunbarton.gov.uk).