

WEST DUNBARTONSHIRE LICENSING BOARD

At a Meeting of the West Dunbartonshire Licensing Board held in the Council Chamber, Council Offices, Garshake Road, Dumbarton on Tuesday, 9 September 2014 at 10.20 a.m.

Present: Councillors Jim Brown, Gail Casey, Michelle McGinty*, Marie McNair, John Millar and John Mooney.

*Attended later in the meeting.

Attending: Peter Hessett, Clerk to the Licensing Board; Raymond Lynch, Depute Clerk to the Licensing Board; John Stevenson, Section Head, Environmental Health; Peter Clyde, Licensing Standards Officer; Carol Ann Anderson, Licensing Assistant; and Craig Stewart, Committee Officer, Legal, Democratic and Regulatory Services.

Apology: An apology for absence was intimated on behalf of Councillor Hazel Sorrell.

MINUTES OF PREVIOUS MEETINGS

The Minutes of Meeting of the Licensing Board held on 17 June 2014 and the Minutes of Special Meeting of the Licensing Board held on 28 July 2014 were submitted and approved as a correct record.

LICENSING BOARD HEARING PROCEDURES

A note of the Licensing Board's Hearing Procedures were submitted as undernoted:-

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

CONTINUED REVIEW OF PERSONAL LICENCE – MR IAN URQUHART

With reference to the meeting of the Licensing Board held on 17 June 2014 and in terms of Section 83(7) of the Licensing (Scotland) Act 2005, Members were requested to hold a Hearing to consider the Personal Licence held by Mr Ian Urquhart.

It was noted:-

- (a) that both the licence holder and a representative of Police Scotland had been invited to attend the meeting in order that a Hearing could take place;
- (b) that Mr Urquhart was not in attendance at the meeting; and
- (c) that Sergeant David Quinn, Licensing Sergeant was in attendance on behalf of the Chief Constable, Police Scotland.

DECIDED:-

The Board agreed that the Personal Licence held by Mr Ian Urquhart be revoked on the grounds that his conduct had been inconsistent with the licensing objectives of preventing crime and disorder.

CONTINUED REVIEW OF PERSONAL LICENCE – MR JOHN MCGINLEY

With reference to the meeting of the Licensing Board held on 17 June 2014 and in terms of Section 83(7) of the Licensing (Scotland) Act 2005, Members were requested to hold a Hearing to consider the Personal Licence held by Mr John McGinley.

It was noted:-

- (a) that both the licence holder and a representative of Police Scotland had been invited to attend the meeting in order that a Hearing could take place;
- (b) that Mr McGinley was not in attendance at the meeting; and
- (c) that Sergeant David Quinn, Licensing Sergeant was in attendance on behalf of the Chief Constable, Police Scotland.

DECIDED:-

The Board agreed that the Personal Licence held by Mr John McGinley be endorsed for 5 years on the grounds that his conduct had been inconsistent with the licensing objectives of preventing crime and disorder and securing public safety.

CONTINUED REVIEW OF PERSONAL LICENCE – MS KELLY BRYCE

With reference to the meeting of the Licensing Board held on 17 June 2014 and in terms of Section 83(7) of the Licensing (Scotland) Act 2005, Members were requested to hold a Hearing to consider the Personal Licence held by Ms Kelly Bryce.

It was noted:-

- (a) that both the licence holder and a representative of Police Scotland had been invited to attend the meeting in order that a Hearing could take place;
- (b) that Ms Bryce was in attendance at the meeting; but her Solicitor had submitted a request for the matter to be continued and
- (c) that Sergeant David Quinn, Licensing Sergeant, was in attendance on behalf of the Chief Constable, Police Scotland.

DECIDED:-

The Board agreed to continue the Review Hearing to the meeting of the Board scheduled to be held on 10 March 2015.

**CONTINUED APPLICATION FOR VARIATION OF PREMISES LICENCE IN
TERMS OF THE LICENSING (SCOTLAND) ACT 2005 – THE TELSTAR,
316 DUMBARTON ROAD, OLD KILPATRICK**

With reference to the meeting of the Licensing Board held on 17 June 2014, an application for Variation of Premises Licence was submitted in respect of The Telstar, 316 Dumbarton Road, Old Kilpatrick G60 5JH.

Ref: WDLBPREM/0043

Name and Address of Premises: The Telstar, 316 Dumbarton Road, Old Kilpatrick G60 5JH

Applicant: Mr Robert O'Donnell, Glenhead Tavern, Dumbarton Road, Duntocher G81 6HD

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

DECIDED:

That the application be granted.

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – THE LAUGHING FOX,
119 BRIDGE STREET, ALEXANDRIA G83 0TA**

An application for Variation of Premises Licence was submitted in respect of The Laughing Fox, 119 Bridge Street, Alexandria G83 0TA was submitted.

Ref: WDLBPREM/0153

Name and Address of Premises: The Laughing Fox, 119 Bridge Street,
Alexandria G83 0TA

Applicant: Alolysius Holdings Limited, c/o Brunton
Miller, 20 Colquhoun Street, Helensburgh
G84 8AJ

Ms Kim Naismith, Premises Licence Holder, was in attendance. The Board agreed that the application be granted.

DECIDED:

That the application be granted.

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – GLENHEAD SOCIAL CLUB,
1 FARM ROAD, DUNTOCHER, CLYDEBANK G81 6HH**

An application for Variation of Premises Licence was submitted in respect of Glenhead Social Club, 1 Farm Road, Duntocher, Clydebank G81 6HH.

Ref: WDLBPREM/0227

Name and Address of Premises: Glenhead Social Club, 1 Farm Road,
Duntocher, Clydebank G81 6HH

Applicant/Licence Holder: Glenhead Social Club, 1 Farm Road,
Duntocher, Clydebank G81 6HH

Mr James Wood, Premises Licence Holder, was in attendance. The Board agreed that the application be granted.

DECIDED:

That the application be granted.

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – CLYDEBANK CO-OP,
8 DUNN STREET, DALMUIR, CLYDEBANK G81 4BQ**

An application for Variation of Premises Licence was submitted in respect of Clydebank Co-op, 8 Dunn Street, Dalmuir, Clydebank G81 4BQ.

Ref: WDLBPREM/0578

Name and Address of Premises: Clydebank Co-op, 8 Dunn Street, Dalmuir,
Clydebank G81 4BQ

Applicant/Licence Holder: Clydebank Co-op, 2 Sylvania Way South,
Clydebank G81 1EA

Mr McDonald, Premises Licence Holder, was in attendance. Following consideration, the Board agreed that the application be granted.

DECIDED:

That the application be granted.

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – CASA ITALIA, 1 MONTROSE STREET,
CLYDEBANK G81 2LQ**

An application for Variation of Premises Licence was submitted in respect of Casa Italia, 1 Montrose Street, Clydebank G81 2LQ.

Ref: WDLBPREM/0268

Name and Address of Premises: Casa Italia, 1 Montrose Street, Clydebank
G81 2LP

Applicant/Licence Holder: Senex Investments Limited, 4 Lynedoch
Crescent, Glasgow G3 6EQ

Mr Peter Clyde, Licensing Standards Officer, was heard in respect of the Licensing Standards Officer report.

Mr Robin Morton, Agent, accompanied by a representative of the applicant, Ms Latta, was heard on behalf of the applicant.

Mr John Stevenson was heard in respect of Public Health/Environmental Health observations including the requirement to have a Noise Impact Assessment if the application was to be granted.

Mr Beck, a local resident was heard in support of his objection to the application. Councillor Agnew was also heard in support of his objection to the application.

ADJOURNMENT

After hearing the Chair, Councillor Mooney, the Board agreed to adjourn at 12.15 p.m. for a short period of time.

The meeting reconvened at 12.53 p.m. with all Members shown on the sederunt in attendance, with the exception of Councillor McGinty. Following consideration of all matters before the Board, Councillor Millar moved:-

That the Board agree to continue this application at the present time.

As an amendment, Councillor Brown moved:-

That the Board consider the application at this meeting.

On a vote being taken, 3 Members voted for the amendment and 2 for the motion. The amendment was accordingly declared carried.

Thereafter, Councillor Millar moved:-

That the application be granted.

As an amendment, Councillor Brown moved:-

That the application be refused.

On a vote being taken, 4 Members voted for the amendment and 1 for the motion. The amendment was accordingly declared carried.

DECIDED:

That the application be refused.

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – LIDL, LIVINGSTONE
STREET RETAIL PARK, CLYDEBANK G81 2XA**

An application for Variation of Premises Licence was submitted in respect of Lidl, Livingstone Street retail Park, Clydebank G81 2XA.

Ref: WDLBPREM/0010

Name and Address of Premises: Lidl U.K GmbH, Livingstone Street Retail Park, Clydebank G81 2XA

Applicant/Licence Holder: Lidl U.K GmbH, Licensing Department, Locking Castle Business Park, West Wick, Weston Super Mare BS24 7TG

In view of a letter of objection from West Dunbartonshire Community Health & Care Partnership, Mr John Russell, Head of Mental Health, Learning Disability & Addictions, was heard in relation to the objection submitted by the Partnership.

Mr Scott, Premises Licence Holder, and Mr Hunter, representative, were in attendance. Following consideration, the Board agreed that the application be granted.

After hearing the Chair, Councillor Mooney, the Board agreed to adjourn at 1.22 p.m. The meeting reconvened at 1.36 p.m. with all Members shown on the sederunt in attendance, with the exception of Councillor McGinty.

DECIDED:

That the application be granted.

Note: Councillor Casey left the meeting at this point in the proceedings. Councillor McGinty entered the meeting at this point.

**APPLICATION FOR EXTENDED HOURS IN TERMS OF THE LICENSING
(SCOTLAND) ACT 2005 - LUCKY BREAK SNOOKER CLUB,
26-30 GLASGOW ROAD, CLYDEBANK G81 1SE**

With reference to the Board's Policy on Extended Hours, an application for Extended Hours was received in respect of the above premises for Thursday, 18 September 2014.

Ref: WDLBPREM/0096

Name and Address of Premises: Lucky Break Snooker Club, 26-30 Glasgow Road, Clydebank G81 1SE

Applicant/Licence Holder: Idrigil Limited, 26-30 Glasgow Road, Clydebank G81 1SE

It was noted:-

- (a) that both the licence holder and a representative of Police Scotland had been invited to attend the meeting in order that a Hearing could take place;
- (b) that the representative of the licence holder was not in attendance at the meeting; and
- (c) that Constable Gordon Brown was in attendance on behalf of the Chief Constable, Police Scotland.

Following consideration of all matters before the Board, Councillor Brown moved:-

That the application for Extended Hours be granted up to 6.00 a.m. on Friday, 19 September 2014, doors closed at 12 midnight, ticketed event with licensed door stewards.

As an amendment, Councillor Millar moved:-

That the application for Extended Hours be granted up to 3.00 a.m. on Friday, 19 September 2014, doors closed at 12 midnight, ticketed event with licensed door stewards.

As a second amendment, Councillor McNair moved:-

That the application for Extended Hours be granted up to 4.00 a.m. on Friday, 19 September 2014, doors closed at 12 midnight, ticketed event with licensed door stewards.

On a vote being taken between the first amendment (Councillor Millar) and the second amendment (Councillor McNair), 3 Members voted for the second amendment and 4 for the first amendment.

On a further vote being taken between the first amendment (Councillor Millar) and the motion (Councillor Brown), 4 Members voted for the amendment and 1 for the motion. The amendment was accordingly declared carried.

DECIDED:-

That the application for Extended Hours be granted up to 3.00 a.m. on Friday, 19 September 2014, doors closed at 12 midnight with licensed door stewards.

Note: Councillor McGinty left the meeting at this point in the proceedings.
Councillor Casey re-entered the meeting at this point.

**APPLICATION FOR EXTENDED HOURS – MANGO NIGHTCLUB,
70 DUMBARTON ROAD, CLYDEBANK G81 1UG**

With reference to the Board's Policy on Extended Hours, an application for Extended Hours was received in respect of the above premises for Sunday, 28 September 2014.

Ref: WDLBPREM/0045

Name and Address of Premises: Mango Nightclub, 70 Dumbarton Road,
Clydebank G81 1UG

Applicant/Licence Holder: Club Mango Limited, 70 Dumbarton Road,
Clydebank G81 1UG

Mr Colin Tevendale, representative, was in attendance. Following consideration, the Board agreed that the application be refused.

DECIDED:

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

The meeting closed at 2.00 p.m.

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