

WEST DUNBARTONSHIRE LICENSING BOARD

At a Meeting of the West Dunbartonshire Licensing Board held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Tuesday, 15 March 2016 at 10.00 a.m.

Present: Councillors Jim Brown, Michelle McGinty, Marie McNair, John Millar, John Mooney and Hazel Sorrell.

Attending: Peter Hissett, Clerk to the Licensing Board; Raymond Lynch, Depute Clerk to the Licensing Board; Peter Clyde and Lawrence Knighton, Licensing Standards Officers; Carolann Anderson and Marie Grant, Licensing Assistants and Nuala Borthwick, Committee Officer, Legal, Democratic and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Councillors Jonathan McColl and Tommy Rainey.

Councillor John Mooney 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 Meeting of the Licensing Board held on 15 December 2015 were submitted and approved as a correct record.

LICENSING BOARD HEARING PROCEDURE

The Licensing Board's Hearing Procedure for an Application with Objection(s) or Representation(s) was submitted for information.

VARIATION IN THE ORDER OF BUSINESS

Having heard the Chair, Councillor Mooney, the Board agreed to vary the business of the meeting as hereinafter minuted.

**APPLICATION FOR PREMISES LICENCE IN TERMS OF THE LICENSING
(SCOTLAND) ACT 2005 – JACONELLI'S FISH, LOMONDGATE, DUMBARTON
G82 2QU**

An application for grant of a Premises Licence for Jaconelli's Fish, Lomondgate, Dumbarton G82 2QU was submitted as undernoted:-

Reference: WDLBPREM/0287

Name and Address of premises: Jaconelli's Fish, Lomondgate, Dumbarton G82 2QU

Applicant: Jaconelli (Lomondgate) Limited, c/o TLT Solicitors, 140 West George Street, Glasgow G2 2HG

It was noted that Mr Stephen McGowan, TLT Solicitors accompanied by Mr Jaconelli, proprietor and Mr Stephen Dobbin, proposed designated premises manager, were in attendance on behalf of the applicant and that Ms Helen Weir, Lead Officer, West Dunbartonshire Alcohol and Drug Partnership was in attendance on behalf of the objector, West Dunbartonshire Health & Social Care Partnership.

Mr McGowan was heard in support of the application and in answer to questions from Members.

Ms Weir was then heard in support of the objection to the application and in answer to Members questions. It was noted that the objection related to the request for off sale of alcohol from the premises.

DECIDED:

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

**APPLICATION FOR VARIATION OF A PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – GLENHEAD TAVERN, DUMBARTON
ROAD, DUNTOCHER, CLYDEBANK G81 6HD**

An application for Variation of a Premises Licence for Glenhead Tavern, Dumbarton Road, Duntocher, Clydebank G81 6HD was submitted in respect of the undernoted premises:-

Reference: WDLBPREM/0063

Name and Address of Premises: Glenhead Tavern, Dumbarton Road, Duntocher, Clydebank G81 6HD

Applicant/Licence Holder: Punch Partnership Limited, Jubilee House, Second Avenue, Burton on Trent DE14 2WF

It was noted that Mr Stephen McGowan, TLT Solicitors accompanied by Mrs Wendy O'Donnell, designated premises manager, were in attendance on behalf of the applicant.

DECIDED:-

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

**APPLICATION FOR VARIATION OF A PREMISES LICENCE
IN TERMS OF THE LICENSING (SCOTLAND) ACT 2005 –
QUEEN OF THE LOCH, LUSS ROAD, BALLOCH**

An application for Variation of a Premises Licence for Queen of the Loch, Luss Road, Balloch G83 8QW was submitted as undernoted:-

Reference:	WDLBPREM/0277
Name and address of premises:	Queen of the Loch, Luss Road, Balloch G83 3QW
Applicant:	Marston's Operating Limited, Marston's House, Brewery Road, Wolverhampton WV1 4JT

Mr Chris Grunert, Messrs John Gaunt & Partners Solicitors accompanied by Mr Paul Young, designated premises manager were in attendance on behalf of the applicant and Mr Grunert was heard in support of the application.

Mr Pat Hoey, Environmental Pollution Officer was in attendance on behalf of the Environmental Health Section of West Dunbartonshire Council and was heard in relation to a representation to the application, advising that the applicant had since submitted a Noise Impact Assessment and that officers were satisfied that adequate measures were now in place to ensure that the proposed variation would not result in additional noise emanating from the premises.

DECIDED:-

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

**APPLICATION FOR EXTENDED HOURS FOR
CHEERS, 1 BREWERS LANE, DUMBARTON G82 1AY**

With reference to the Board's Policy on Extended Hours, an application was submitted for Extended Hours for an event on Sunday, 27 March 2016 (Easter Sunday).

Mr Paul Smith, a representative of the applicant, Castle Leisure Executive Pension

Scheme, accompanied by Mr Barry Livingstone, a manager at the premises, were in attendance and Mr Smith was heard in support of the application. It was noted that there were no adverse comments from the Licensing Standards Officers or Police Scotland in respect of the proposed event.

DECIDED:

Following consideration of the application, it was agreed that the application be granted.

**APPLICATION FOR OCCASIONAL LICENCE FOR FENTON'S BAR,
174 MAIN STREET, JAMESTOWN, ALEXANDRIA G83 8PN**

The Board considered an application for an Occasional Licence for the beer garden to the rear of Fenton's Bar for Friday 24 June 2016 to Sunday, 26 June 2016 submitted by Mr Stephen Quinn.

Constable Gordon Brown, Police Scotland was heard in relation to a representation submitted by Police Scotland.

Mr Andrew Wallace, acting on behalf of Mr Quinn, was heard in support of the application.

DECIDED:

Following consideration of all matters before the Board, it was agreed:-

- (1) that the application be granted; and
- (2) that the licence holder would liaise with the Licensing Standards Officers to ensure that the event was managed to avoid any disturbance to local residents.

**APPLICATION FOR PREMISES LICENCE IN TERMS OF THE LICENSING
(SCOTLAND) ACT 2005 – THE MACCHIATO'S, 176 MAIN STREET,
JAMESTOWN, ALEXANDRIA G83 8PN**

An application for grant of a Premises Licence for The Macchiato's, 176 Main Street, Jamestown, Alexandria G83 8PN was submitted as undernoted:-

Reference: WDLBPREM/0288

Name and Address of premises: The Macchiato's, 176 Main Street, Jamestown,
Alexandria G83 8PN

Applicant: Mr Balraj Singh Sohal, 35 Elderpark Grove,
Glasgow G51 3KY

It was noted that Mr Balraj Singh Sohal was in attendance on behalf of the applicant, Herbs N Spices Limited, and that Ms Helen Weir, Lead Officer, West Dunbartonshire Alcohol and Drug Partnership was in attendance on behalf of the West Dunbartonshire Health & Social Care Partnership.

Ms Weir was then heard in support of the objection to the application and in answer to Members questions. It was noted that the objection related to the request for off sale of alcohol from the premises.

Mr Sohal was heard in support of the application and in answer to questions from Members concerning control measures to support the responsible sale and delivery of alcohol from the premises. It was noted that delivery of alcohol would be ancillary to takeaway food deliveries only and would terminate at 10.00 p.m.

DECIDED:

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

VALEDICTORY – MS HELEN WEIR

Having heard the Chair, Councillor Mooney, it was noted that this would be the last Board meeting that Ms Helen Weir would attend on behalf of the West Dunbartonshire Health & Social Care Partnership as she was retiring from her post with West Dunbartonshire Council.

On behalf of the Board, Councillor Mooney thanked Helen for both her attendance at meetings of the Board and for her hard work in providing vital health statistics which had informed and shaped the Board's Licensing Policy Statement over the years.

The meeting closed at 10.35 a.m.

LICENSING BOARD PROCEDURE NOTE

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

The steps in the procedure are:-

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

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

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

ITEM 5 – APPLICATION FOR GRANT OF A PROVISIONAL PREMISES LICENCE

Premises: RS McColl, 19 Sylvania Way South, Clydebank Shopping Centre, Clydebank G81 1EA.

Applicant: Lockett & Co, in respect of Martin McColl Limited, Martin McColl House, Ashwells Road, Brentwood, Essex CM15 9ST

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 10
Appendix 2	Application Form (with detailed Operating Plans)	Pages 11 - 23
Appendix 3	Representation from Police Scotland	Pages 24 - 25
Appendix 4	Objection from West Dunbartonshire Health & Social Care Partnership	Page 26

THE LICENSING (SCOTLAND) ACT 2005

Application for Provisional Premises Licences

Objection/Representation

Ref: WDLBPREM/0289

Name and Address of Premises: R S McColl, 19 Sylvania Way South, Clyde Shopping Centre, Clydebank, G81 1EA

Applicant/Licence Holder: Lockett & Co, in respect of Martin McColl limited, Martin McColl House, Ashwells Road, Brentwood, Essex, CM15 9ST

Type of Premises: Off Sales

Proposed Application: The premises will operate as a convenience store trading under company own format serving those locally and from further afield. The store will operate outside core hours as a convenience store selling grocery, confectionary, cold drinks, newspapers, etc.

Police Authority Comments: **Representation**

Licensing Standards Comments:

Application may be contrary to the Board's Statement of Licensing Policy, Part 4 Overprovision

Fire Authority Comments: No Objections

Regulatory Services Comments: No Objections

Community Council Comments: No comments received

Health Board Comments: **Objection**

Access Panel: No comments received

Additional Comments: No comments received

Section 50 Certificates:

Planning - Received

Decision:

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.

R.S. MCCOLL, 19 SYLVANIA WAY SOUTH, CLYDE SHOPPING
CENTRE, CLYDEBANK, STRATHCLYDE, G81 1EA

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.

N/A

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

N/A

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

MARTIN MCCOLL LIMITED
MARTIN MCCOLL HOUSE, ASHWELLS ROAD, BRENTWOOD,
ESSEX, CM15 9ST
REG NUMBER: 298945

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

N/A

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.*

PLEASE SEE ATTACHED DOCUMENT CALLED
ANNEX 1.

* 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

N/A

Question 4

Previous convictions

- 4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1) YES/~~NO~~*

**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
PLEASE SEE ATTACHED DOCUMENT CALLED ANNEX A.				

(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)*

A CONVENIENCE STORE TRADING UNDER COMPANY OWN FORMAT
SERVING THOSE LOCALLY AND FROM FURTHER AFIELD. THE
STORE WILL OPERATE OUTSIDE CORE HOURS AS A CONVENIENCE
STORE SELLING GROCERY, CONFECTIONERY, COLD DRINKS, NEWSPAPERS,
ETC.

Question 6

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

NIA

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	YES/NO *
<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.

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

*** 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.

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>	YES <u>NO</u> *
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<u>YES</u> NO *
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES <u>NO</u> *
<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>	NIA	NIA
<i>Tuesday</i>	NIA	NIA
<i>Wednesday</i>	NIA	NIA
<i>Thursday</i>	NIA	NIA
<i>Friday</i>	NIA	NIA
<i>Saturday</i>	NIA	NIA
<i>Sunday</i>	NIA	NIA

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10:00	22:00
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:00
Saturday	10:00	22:00
Sunday	10:00	22:00

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand

YES ~~NO~~*

*If YES – provide details

N/A

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)	NO	NO	NO
Live performances – see 5(g)	NO	NO	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO

Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO
5(d) Activity	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
Outdoor drinking facilities	NO	NO	NO
5(e) Activity	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
Adult entertainment	NO	NO	NO

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

N/A

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 CONVENIENCE STORE WILL OPERATE OUTSIDE CORE HOURS SELLING GROCERY PRODUCTS, CONFECTIONERY, COLD DRINKS, NEWSPAPERS, ETC.
--

5(g) Late night premises opening after 1.00am

N/A

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

N/A

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
	*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?

7.9M2 - OFF SALES

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*

--

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

*** 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.

PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED

ITEM 6 – APPLICATION FOR GRANT OF A PROVISIONAL PREMISES LICENCE

Premises: Clydebank Co-operative Society Limited, 2 Sylvania Way South, Clydebank G81 1EA.

Applicant: BMK in respect of Clydebank Co-operative Society Limited, 2 Sylvania Way South, Clydebank G81 1EA

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 28
Appendix 2	Application Form (with detailed Operating Plans)	Pages 29 - 41
Appendix 3	Objection from West Dunbartonshire Health & Social Care Partnership	Page 42

THE LICENSING (SCOTLAND) ACT 2005

Application for Provisional Premises Licences

Objection

Ref: WDLBPREM/0290

Name and Address of Premises:	Clydebank Co-operative Society Ltd, 2 Sylvania Way South, Clydebank, G81 1EA
Applicant/Licence Holder:	BMK Wilson, in respect of Clydebank Co-operative Society Ltd, 2 Sylvania Way South, Clydebank G81 1EA
Type of Premises:	Off Sales
Proposed Application:	The premises will operate as a Local Convenience Store selling fresh food, newspapers, cigarettes, stationary and all items normally sold in a convenience store. There is an adjacent car park for approximately 75 cars.
Police Authority Comments:	No objection
Licensing Standards Comments:	Application may be contrary to the Board's Statement of Licensing Policy, Part 4 Overprovision
Fire Authority Comments:	No objection
Regulatory Services Comments:	No objection
Community Council Comments:	No comments received
Health Board Comments:	Objection
Access Panel:	No comments received

Additional Comments:

Section 50 Certificates:

Planning - Received

Decision:

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.

Clydebank Co-operative Society Ltd 2 Sylvania Way South. Clydebank G81 1EA

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.

Aylebank Co operative Society Ltd registered under the Industrial & Provident Societies Act and having their registered office at 2 Sylvania Way South, Aylebank, G81 1EA

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.*

See attached sheet 1

* 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

--

Question 4

Previous convictions

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO*
--	---------

**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)*

Local Convenience store selling fresh food, newspapers, cigarettes, stationery and all items normally sold in a convenience store. There is an adjacent car park for approximately 75 cars.

Question 6

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

N/A

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

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.

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	<input checked="" type="checkbox"/>
<i>Layout plan</i>	<input checked="" type="checkbox"/>
<i>Planning certificate</i>	<input type="checkbox"/>
<i>Building standards certificate</i>	<input type="checkbox"/>
<i>Food hygiene certificate</i>	<input type="checkbox"/>

*** Data Protection Act 1998**

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10am	5.30pm
Tuesday	10am	5.30pm
Wednesday	10am	5.30pm
Thursday	10am	5.30pm
Friday	10am	5.30pm
Saturday	10am	5.30pm
Sunday	10am	5.30pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
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**If YES – provide details*

[illegible]

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	"	"	"
Restaurant facilities	"	"	"
Bar meals	"	"	"
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	"	"	"
Theatre	"	"	"
Films	"	"	"

Gaming	No	No	No
Indoor/outdoor sports	"	"	"
Televised sport	"	"	"
5(d) Activity	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
Outdoor drinking facilities	"	"	"
5(e) Activity	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
Adult entertainment	"	"	"

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

Recorded music will be played during the whole opening hours of the store and not just during the core licensing hours.

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 will operate as a local convenience store selling fresh food, toiletries, pet food, soft drinks, confectionary, tobacco and cigarettes, stationery and all items normally sold in a convenience store, including alcohol for consumption off the premises.

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	

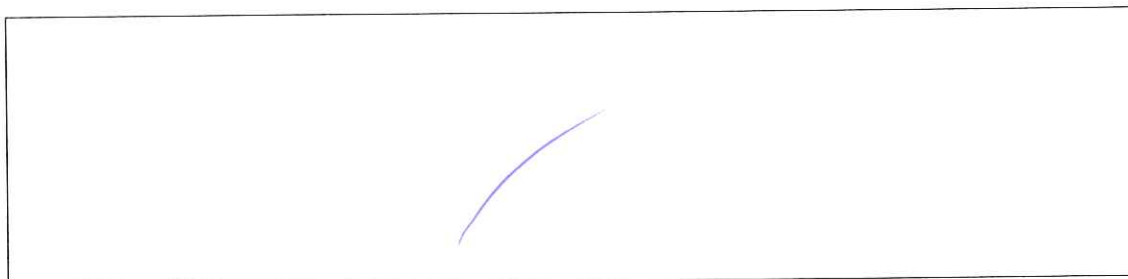
Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

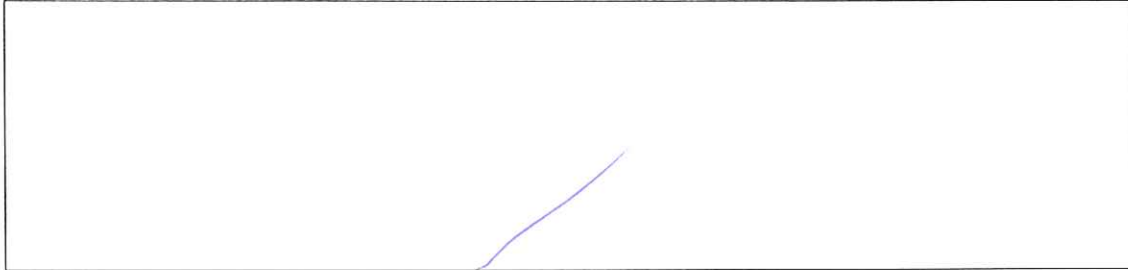
N/A

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

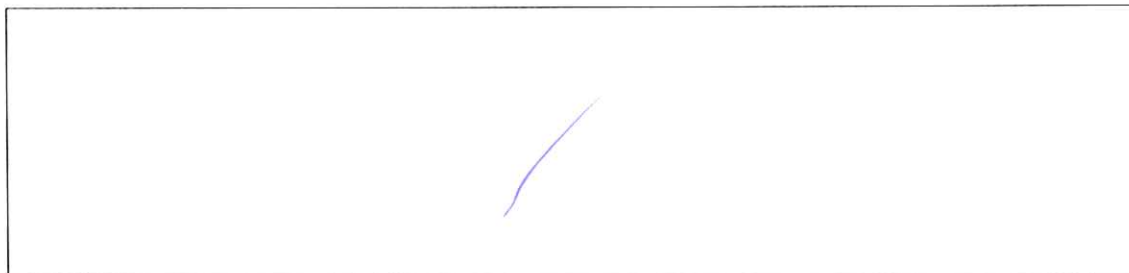
6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry


--

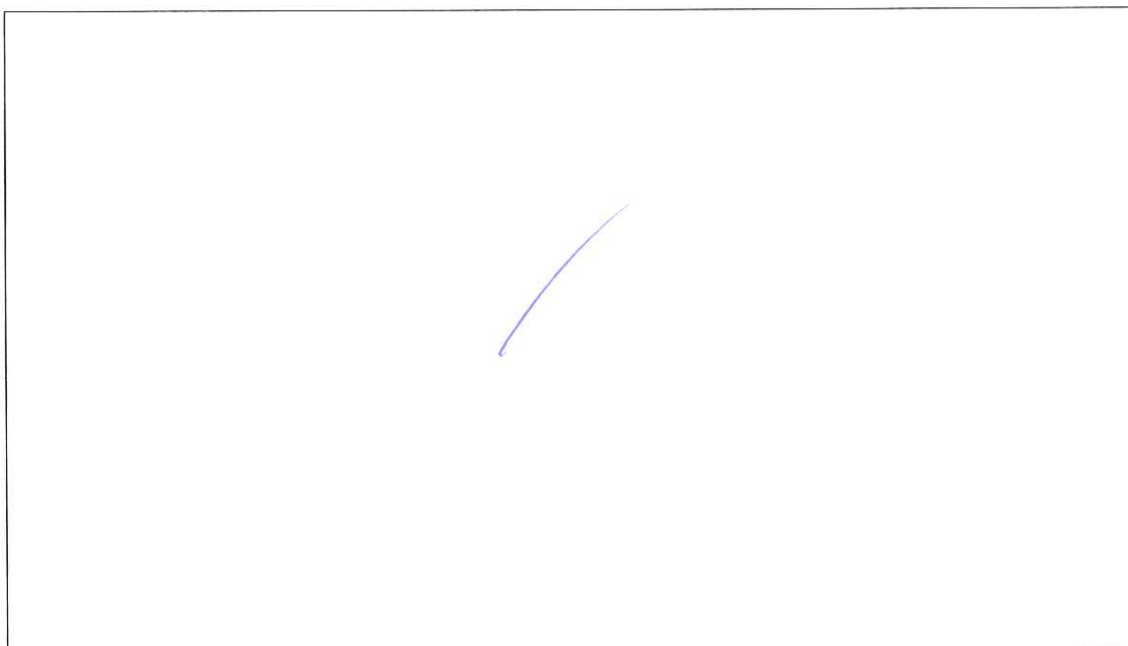
6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry



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?

6.5m ² .

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*

--

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

*** 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
Garshake Road
Dumbarton
G82 3PU

Phone: 01389 738741
Email: licensing@west-dunbarton.gov.uk

PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED

ITEM 7 – APPLICATION FOR PERSONAL LICENCE

Applicant: **Andrea Adam, 90 George Street, Bonhill, Alexandria
G83 9JF**

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	Application Form	Pages 44 - 48
Appendix 2	Letter from Police Scotland relating to the application	Pages 49 - 50

SCHEDULE 2

West Dunbartonshire Licensing Board

Licensing (Scotland) Act 2005 – Application for a personal licence

FIRST APPLICATION/RENEWAL APPLICATION (delete as appropriate)

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary. You may wish to keep a copy of the completed form for your records.

1. Your personal details. If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	ADAM
Forenames	ANDREA.
Date and Place of Birth	
NI Number	
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below)	
90 GEORGE STREET, BONHILL, ALEXANDRIA	
Post town DUNBARTONSHIRE	Post code 983 9JF
TELEPHONE NUMBERS	
Daytime	
Evening	
Mobile	
FAX NUMBER	
E-mail address (if you would prefer us to correspond with you by e-mail)	
Address for correspondence associated with this application (if different to the address above)	
THE CO-OPERATIVE GROUP, LICENSING DEPARTMENT 11 ANGEL SQUARE DEPARTMENT 10227, MANCHESTER M60 0AG.	
Post town	Post code

2. Your licensing qualification		
Read note 2	Please tick	
I hold an accredited qualification	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If you have ticked yes please provide a copy of your qualification with your application.		

3. FIRST APPLICATIONS ONLY		
This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below.		
Note: You may only hold one personal licence at a time	Please tick	
Do you currently hold a personal licence?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any personal licence held by you been forfeited in the last 5 years?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Licensing Board	PREVIOUS LICENSE REVOKED DUE TO NOT SITTING REFRESHER COURSE ON TIME.	
Licence number		
Date of issue		
Date of expiry		
Any further details		

4. RENEWAL ONLY	
This section should be completed only if you are applying for a renewal of your existing licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below	
Details of current personal licence	
Licensing Board	
Licence number	
Date of issue	
Date of expiry	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	
Other personal licence	

Note: You may only hold one personal licence at a time		Please tick	
I confirm that I do not hold any other personal licences other than the one submitted for renewal		Yes	No <input checked="" type="checkbox"/>

5. CHECKLIST	
I have	Please tick yes
<ul style="list-style-type: none"> Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3. 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Enclosed a copy of any licensing qualification I hold 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Enclosed my current personal licence (renewal only) 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Made or enclosed payment of the fee for the application 	<input checked="" type="checkbox"/>

6. Previous Convictions

You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

Offence	Court	Date	Penalty
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7. Declaration

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

SIGNATURE – read note 5		DATE	9-3-16.
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NOTES

Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

1. Change of name or address

Section 88 of the Licensing (Scotland) Act 2005 requires that a personal licence holder must, no later than one month after any change in the licence holder's name or address, give the Licensing Board which issued the licence notice of the change. It is an offence not to do so.

2. Licensing qualifications

Licensing qualifications are dealt with in section 91 of the Licensing (Scotland) Act 2005. In summary, to be eligible for a personal licence, an applicant must be aged 18 or over and possess a licensing qualification, and no personal licence previously held by the applicant must have been revoked within the period of 5 years ending with the day on which the application was received by the Licensing Board.

3, Photographs

One of the photographs submitted with your application should be endorsed on the back. This endorsement should, contain the words "I certify that this is a true likeness of (*name of applicant*)", followed by the full name of the person endorsing the photograph.

4. Convictions

Section 75 of the Act places a duty on an applicant for a personal licence to notify the Licensing Board if he or she has been convicted of any relevant or foreign offence during the time between making the application and the application being determined by the Licensing Board. Furthermore, section 82 of the Act requires personal licence holders to notify their Licensing Board of any convictions for relevant or foreign offences within one month of the licence holder being convicted.

5. Data Protection Act 1988

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

PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED

ITEM 8 – APPLICATION FOR TRANSFER OF PREMISES LICENCE

Premises: Alexandria Post Office, 98-100 Main Street, Alexandria G83 0PB.

Applicant: Omara Naseem, 98-100 Main Street, Alexandria G83 0PB.

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	Application Form for Transfer of Premises Licence	Pages 52 - 55
Appendix 2	Letter from Chief Constable, Police Scotland	Pages 56 - 57

WEST DUNBARTONSHIRE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 34(1)

APPLICATION FOR TRANSFER OF PREMISES LICENCE ON APPLICATION BY PERSON OTHER THAN LICENCE HOLDER

This application should only be completed by the Applicant Transferee or their Agent.

Please complete all sections of the application form.

SECTION 1: PREMISES LICENCE DETAILS			
1(a) Licence Number of Premises			
WDLBPREM/0029			
1(b) Name and Address of Premises			
Alexandria Post Office 98-100 Main Street Alexandria			
Post Code	G83 0PB	Phone No.	
1(c) Full Name and Address of Current Licence Holder			
OMARA NASEEM 98-100 Main St Alexandria			
Post Code	G83 0PB	Phone No.	
SECTION 2: TRANSFEREE INFORMATION			
<p>Where the transferee is an individual complete part 2(a) only</p> <p>Where the transferee is a partnership, company or club/other body please complete part 2(b), 2(c) or 2(d) respectively. If the transferee is a partnership, company or club/other body then part 2(e) must also be completed.</p>			
2(a) Full Name, Home Address, Date and Place of Birth of Transferee If Individual			
Date of Birth		Place of Birth	
Post Code		Phone No.	

2(b) Full Name and Address of Transferee if Partnership			
Post Code		Phone No.	

2(c) Full Name, Address of Registered Office and Company Registration Number of Transferee if Company			
ZMB Ltd 111 Montford Avenue Glasgow			
Company Registration Number		SC496002	
Post Code	G44 4NU	Phone No.	

2(d) Full Name and Address of Transferee if Club or Other Body			
Post Code		Phone No.	

2(e) Where transferee is a partnership, company or club/other body please provide the names, home addresses, dates and places of birth of all connected persons as defined by Section 147(3) of the Licensing (Scotland) Act 2005

CONTINUE ON A SEPARATE PAGE IF NECESSARY

Zunair Mohammad Butt 111 Montford Avenue Glasgow			
Date of Birth	23.03.1987	Place of Birth	Glasgow
Post Code	G444NU	Phone No.	
Date of Birth		Place of Birth	
Post Code		Phone No.	

2(f) Details of convictions for relevant or foreign offences

In respect of the proposed transferee or any connected person please provide details below of any convictions for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974.

CONTINUE ON A SEPARATE PAGE IF NECESSARY

Name	Date of Conviction or Sentence	Court	Offence	Penalty
None				

SECTION 3: REASON FOR APPLICATION

In terms of Section 34(3) of the Licensing (Scotland) Act 2005 please confirm the reason why the application for transfer has not been lodged by the Premises Licence Holder.

The Premises Licence Holder, being an individual has-

- ☐ Died
- ☐ Become incapable within the meaning of Section 1(6) of the Adults with Incapacity (Scotland) Act 2000

The Premises Licence Holder being an individual, partnership, company or club/other body has-

- ☐ Become insolvent or been dissolved
- ☒ Transferred to another person (by sale or otherwise) the business carried out in the licensed premises to which the licence relates

Please provide documentary evidence of your capacity to apply for this transfer.
(e.g. copy of power of attorney, confirmation of appointment by the court as executor, letter of consent from applicant etc)

SECTION 4: LICENCE TO BE AMENDED
(See note 1 below)

Does the appropriate Premises Licence accompany this application?

☐ NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because.

- ☐ The licence has not yet been issued by the Board
- ☐ The licence has already been returned to the Board in respect of an earlier application for variation or transfer

- ☒ The licence is/was in the possession of the current Premises Licence Holder and is unobtainable (see note 2)
☐ Other (provide details)

Declaration by Applicant or Agent on Behalf of Applicant

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

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £50 is enclosed. (see note 3 below)

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the transfer. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of transfer.

Please note also that once the transfer is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the transfer.

Note 2:

If you are unable to produce the Premises Licence then an application and appropriate fee for replacement Premises Licence must accompany this application.

Note 3:

If this application is submitted together with an application for variation then it will be subject to a combined fee. Please contact the West Dunbartonshire Licensing Board directly to clarify the exact fee.

Note 4:

*** Data Protection Act 1998**

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

PLEASE NOTE THAT CONFIDENTIAL PAGES HAVE BEEN REMOVED

WEST DUNBARTONSHIRE LICENSING BOARD

Report by the Clerk to the Licensing Board

Licensing Board: 14 June 2016

Subject: Premises Licence Review update - Shell Garage

1. Purpose

- 1.1** To provide an update to the Licensing Board on both the premises' compliance with the requirements of the Licensing Act and the outcome of legal proceedings in connection with the premises.

2. Recommendations

- 2.1** It is recommended that the Board Members consider the information contained within this report and its appendices prior to concluding the review.

3. Background

- 3.1** These premises were the subject of a Premises Licence Review application by Police Scotland. A Premises Licence Review hearing commenced on 15 June 2015.

At that hearing the board determined that the grounds for review had been established, but elected to defer their decision on the case and decided:-

- (1) to hold that the grounds for review of preventing crime and disorder and securing public safety had been established;*
- (2) to continue the review hearing until completion of legal proceedings in connection with the premises, or until such time as deemed appropriate by the Chair of the Licensing Board; and*
- (3) that in the interim, the LSO would confirm the measures that have been put in place to remedy the identified deficiencies and monitor these issues on an on-going basis until completion of the review hearing.*

4. Main Issues

- 4.1** A letter from Police Scotland detailing the outcome of legal proceedings in connection with the premises was received on 4 May 2016. This letter is included as Appendix 1. Board Members will note that all charges relating to the sale of alcohol outwith licensed hours have either never proceeded or had pleas of not guilty accepted.

4.2 These premises received inspections by a Licensing Standards Officer on 18 June 2015 and 12 May 2016. On both occasions, the premises were found to have a high level of compliance with all the requirements of the Licensing (Scotland) Act 2005.

4.3 During the inspection of the premises on the 12 May 2016, the premises were audited to confirm that the measures put in place to remedy the identified deficiencies had been implemented successfully. A report on this matter is included as Appendix 2.

5. People Implications

5.1 There are no personnel issues associated with this report.

6. Financial Implications

6.1 There are no financial implications associated with this report.

7. Risk Analysis

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

8. Equalities Impact Assessment (EIA)

8.1 There are no perceived equalities issues relating to this report.

9. Consultation

9.1 There is no required consultation on this matter.

10. Strategic Assessment

10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people.

Clerk to the Licensing Board
Date: 17 May 2016

Person to Contact: Peter Clyde, Licensing Standards Officer, Council Offices Garshake Road Dumbarton G82 3PU. Peter.clyde@west-dunbarton.gov.uk 0141 951 7994.

Appendices:

1. Letter from Police Scotland dated 4 May 2016.
2. LSO inspection report dated 12 May 2016.

Background Papers: Premises Licence Review request application June 2015
LSO Review Report June 2015
Minutes of the Licensing Board hearing June 2015.

Wards Affected: N/A

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WEST DUNBARTONSHIRE LICENSING BOARD**Report by the Clerk to the Licensing Board****Licensing Board Meeting: 14 June 2016**

Subject: Extensions to Licensing Hours over the Festive Period**1. Purpose**

To propose a policy on the granting of Applications for Extended Hours over the 2016/2017 Festive Period in terms of Section 68 of the Licensing (Scotland) Act 2005.

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

- (a) That the period for granting applications for extended hours in respect of the 2016/2017 Festive Period should be from Friday, 16 December 2016 to Sunday, 1 January 2017 inclusive;
- (b) That premises licence holders without significant entertainment (public houses, hotel bars and members' clubs fall into this category) may apply for 1 hour more than the normal licensed hours during the festive period with the exception of Hogmanay;
- (c) That premises licence holders without significant entertainment (public houses, hotel bars and members' clubs) may apply for extended hours to 3 am on Hogmanay on condition that last entry to the premises is 11pm and the event is pre-ticketed;
- (d) That premises licence holders offering significant entertainment (Nightclubs) may apply for 1 hour more than the normal licensed hours during the festive period;
- (e) That authority for the granting of applications for extensions to licensing hours over the Festive Period is delegated to the Clerk to the Licensing Board, if in accordance with the foregoing agreed recommendations and;
- (f) That should applications for extended hours be submitted which fall outwith the agreed hours, or aforementioned recommendations, then any such applications will require to be submitted to the Board for consideration.

3. Background

- 3.1 In order to allow licence holders to plan entertainment programmes for the Festive Period as far in advance as possible, the Board normally determines the period during which the policy on the granting of extended hours may be exercised in respect of the forthcoming Festive Period and agrees the additional hours which may be approved. The proposal for this year reflects previous decisions taken by the Board.

4. Main Issues

- 4.1 Section 68 of The Licensing (Scotland) Act 2005, allows the Licensing Board to extend the licensed hours in respect of premises by such period as specified in an application by the holder of a premises licence or such other period as the Board may consider appropriate.
- 4.2 The Licensing Forums views on Festive Extended hours will be sought and communicated at the appropriate subsequent Licensing Board Hearing.
- 4.3 For 2016/2017 it is recommended that the Festive Period should be from Friday, 16 December 2016 to Sunday, 1 January 2017 inclusive.

5. People Implications

All extended hours applications should be processed by staff of the Licensing Team on behalf of the Board without adverse impact on the service provided by the Board or Licensing Team.

6. Financial Implications

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

7. Risk Analysis

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

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

No issues were identified in the screening for potential impact of this report.

9. Consultation

The Licensing Forum is to be consulted on 31 May 2016. A verbal update will be available to the Board with the results of this consultation.

10. Strategic Assessment

There are no strategic implications and this report is in line with the Council's strategic priorities.

Clerk to the Licensing Board

Person to Contact: Lawrence Knighton, Licensing Standards Officer, West Dunbartonshire Licensing Board, Council Offices, Garshake Road, Dumbarton G82 3PU

Appendix: None

Background Papers: None

Wards Affected: All Wards.