

WEST DUNBARTONSHIRE LICENSING BOARD

At a Special Meeting of West Dunbartonshire Licensing Board held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 10 April 2019 at 1.08 p.m.

Present: Councillors Jim Brown, Ian Dickson, Jonathan McColl and Brian Walker.

Attending: Peter Hessett, Clerk to the Licensing Board; Raymond Lynch, Depute Clerk to the Licensing Board; Robert Mackie, Senior Officer (Licensing Services); Peter Clyde, Licensing Standards Officer and Nuala Borthwick, Committee Officer.

Also attending: Sergeant Mairi Capaldi, Police Scotland.

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

Councillor Jim Brown 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.

LICENSING BOARD HEARING PROCEDURES

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

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

REVIEW OF PERSONAL LICENCE – MS ARLENE GRAY

In terms of Section 83(7) of the Licensing (Scotland) Act 2005, Members were requested to hold a Hearing to consider the Review of Personal Licence held by Ms Arlene Gray.

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

- (a) that a letter had been submitted by Police Scotland in terms of Section 84A(1) of the Licensing (Scotland) Act 2005 reporting that Ms Arlene Gray had acted in a manner inconsistent with the licensing objectives of preventing crime and disorder and protecting and improving public health;
- (b) that both the licence holder a representative of Police Scotland had been invited to attend the meeting in order that a hearing could take place; and
- (c) that Ms Gray was in attendance at the meeting and was represented by Mr Paul Sweeney, Ian Moir & Company Solicitors.

Sergeant Capaldi, Police Scotland was then heard in relation to the letter from Police Scotland which had been submitted to Members in advance of the meeting. Thereafter, Sergeant Capaldi was heard in answer to questions from Members of the Board.

Mr Sweeney, on behalf of Ms Gray, was then given the opportunity to address the Board and thereafter answered questions from Members of the Board.

DECIDED:-

Following consideration of all matters before the Board, it was agreed to hold that the grounds for review had not been established and that no action be taken in relation to the Review Hearing.

APPLICATION FOR VARIATION OF PREMISES LICENCE

With reference to the Minutes of Meeting of the Licensing Board held on 12 March 2019, an application for Variation of Premises Licence for The Duntiglennan, Dumbarton Road, Duntocher, Clydebank G81 6DN was submitted for consideration.

It was noted:-

- (a) that a representative of the licence holder, Mr Cunningham, was in attendance at the meeting and was represented by Mr Peter Lawson, Miller Samuel Hill Brown Solicitors;
- (b) that the required Section 59 consent required for the application to proceed had been granted by Roads Services on 1 April 2019; and
- (c) that a letter dated 18 February 2019 had been received from Police Scotland submitting an objection in relation to the application.

The Board then heard from Mr Lawson in relation to the application and in support of the application being considered at the meeting.

DECIDED:-

Following consideration of all matters before the Board and having heard the Clerk to the Licensing Board and the Licensing Standards Officer in answer to questions from Members, it was agreed:-

- (a) that the application be continued to a Special Meeting of the Licensing Board being held on 2 May 2019; and
- (b) that a site visit to the external of the premises would be arranged for all Members of the Board prior to the Special Meeting of the Licensing Board on 2 May 2019.

The meeting closed at 1:45 p.m.