

## **JOINT MEETING OF WEST DUNBARTONSHIRE LICENSING BOARD AND LOCAL LICENSING FORUM**

At a Hybrid Joint Meeting of West Dunbartonshire Licensing Board and Local Licensing Forum held in the Civic Space, 16 Church Street, Dumbarton on Tuesday, 6 September 2022 at 10.00 a.m.

**Present:** Councillors Gurpreet Singh Johal, June McKay, Chris Pollock and Hazel Sorrell.

**Attending:** Peter Clyde and Lawrence Knighton, Licensing Standards Officers; Robert Mackie, Senior Officer (Licensing Services); Sergeant David Holmes, Police Scotland; Paul Smith, Chair of Local Licensing Forum; Sylvia Chatfield, Head of Mental Health, Learning Disabilities and Addiction, West Dunbartonshire HSCP; Isobel Plunkett, Representative of Old Kilpatrick Community Council; Christine Anderson, Health Improvement - Health and Social Care Partnership; Alan Douglas, Manager of Legal Services and Lynn Straker and Nicola Moorcroft, Committee Officers.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Ian Dickson, Jonathan McColl, John Millar and Lawrence O'Neill.

**Councillor June McKay in the Chair**

### **OPERATION OF THE LICENSING (SCOTLAND) ACT 2005 DURING THE PREVIOUS 12 MONTH PERIOD**

Members of the Licensing Board and Licensing Forum discussed the operation of the Licensing (Scotland) Act 2005 during the previous 12 month period. Mr Smith noted that due to the current 'Cost of Living' crisis and lurching from the Covid-19 pandemic, it was understandable there was no real change in terms of the Act as current licensed businesses were struggling to remain open.

### **RELATIONSHIP BETWEEN THE LICENSING BOARD AND LICENSING FORUM**

Mr Smith noted the purpose of this joint meeting was to maintain a strong relationship between Members of each body and share knowledge and policy information. He noted that it also gave a greater understanding of what was discussed and agreed at regular meetings. It allowed Elected Members in West Dunbartonshire to sit in on a Forum discussion and hear relevant updates with

regards to licensed premises in West Dunbartonshire and the future crisis these businesses potentially face.

### **LICENSING BOARD FINANCIAL STATEMENT 2021 – 2022**

A report was submitted by the Clerk to the Licensing Board advising Members of the terms of the Board's Statement of Income and Expenditure in relation to its liquor licensing function for 2021-2022.

After discussion, the Board noted the terms of the Financial Statement 2021-22 as detailed in Appendix 1 of the report.

### **LICENSING BOARD ANNUAL FUNCTIONS REPORT 2021 – 2022**

A report was submitted by the Clerk to the Licensing Board advising Members of the Board's Annual Functions Report in relation to the period 2021-2022.

After discussion, the Board approved the terms of the draft Functions Report for 2021-2022 as detailed in Appendix 1 of the report.

### **LICENSING BOARD ANNUAL FESTIVE HOURS REPORT**

A report was submitted by the Clerk to the Licensing Board on the above.

After discussion and having heard the Licensing Standards Officer in further explanation and in answer to questions, the Board agreed:-

- (1) that the period for granting applications for extended hours in respect of the 2022/2023 Festive Period should be from Friday, 9 December 2022 to Tuesday, 3 January 2023 inclusive;
- (2) 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;
- (3) 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;
- (4) that premises licence holders offering significant entertainment (Nightclubs) may apply until 4 am during the festive period;
- (5) 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;

- (6) that should applications for extended hours be submitted which fall out-with the agreed hours, or aforementioned recommendations, within the time period defined and agreed at point (1) above, then any such applications may require to be submitted to the Board for consideration, particularly where objections are forthcoming; and
- (7) that this item should feature on the Licensing Board agenda earlier in 2023 to enable discussion to 'feed into' policy decision making for 2023/24.

Note:- Councillor Chris Pollock left the meeting after discussion of this item.

## **ADJOURNMENT**

The Chair adjourned the meeting for a short comfort break. The meeting reconvened at 10.31 a.m. with all those listed in the sederunt present with the exception of Councillor Chris Pollock. Mr Paul Smith took the position of Chair.

## **Paul Smith in the Chair**

Mr Smith, Chair of Licensing Forum, welcomed everyone to the joint meeting and provided an update on the Forum for 2022/23.

## **MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting of the Licensing Forum held on 14 June 2022 were submitted to Members of the Licensing Forum and approved as a correct record.

## **COVID-19 AND IMPACT ON LICENSING IN SCOTLAND UPDATE**

Mr Smith, Chair, provided a verbal update on the impact of Covid-19 on Licensing in Scotland. He noted the Licensing Trade and industry was essentially lurching from the Covid-19 pandemic into the Cost of Living crisis with a real threat of a lot of premises that may have to close due to the cost of energy and products.

## **LICENSING STANDARDS OFFICERS**

The Licensing Standards Officers provided a verbal update on issues and events that may be of interest to the Forum. Mr Clyde noted there was a further increase in Occasional License applications with 160 in the last quarter and that it was positive to see many small and large events taking place again in West Dunbartonshire, including the Kiltwalk, the Highland Games and the Pipe Band Championships. He advised that work was ongoing to get Pubwatch up and running again and thanked

the Forum for its ongoing support after the Covid-19 pandemic in getting the licensed trade back up and running.

Mr Clyde advised that the annual Licensing Fee for licensed premises was due on 1 October 2022 and measures were being put in place for those who may be struggling to pay, that included allowing more time to pay it. He noted there was potential to look into setting this up as a monthly fee rather than an annual one to make it more affordable and that he would advise the Forum of the progress of this at the next meeting.

Mr Clyde, seconded by Councillor Johal, finally asked to pass on his condolences to the friends and family of Drew Busby who was a License holder at the Waverley pub in Dumbarton.

### **LICENSING (SCOTLAND) ACT 2005 – STATISTICAL INFORMATION: PERSONAL AND PREMISES LICENCES**

The Forum was advised that premises and personal licence applications, in terms of the Licensing (Scotland) Act 2005 for the period 22 February 2022 to 20 May 2022, had been received as follows:-

#### **Premises Licence Applications** **No.**

Applications for Premises Licences granted	266
Applications for Premises Licences refused	13
Applications for Premises Licences (Members' Clubs) granted	32
Applications for Major Variation of Premises Licence granted	205
Applications for Variation of Premises Licence pending Hearings	1
Applications for Provisional Premises Licence pending Hearings	0
Application for Provisional Premises Licence (Members' Club)	0
Application for Temporary Premises Licence pending Hearing	0
Application for Premises Licence pending	0
Premises Licences revoked	0

#### **Personal Licence Applications** **No.**

Applications for Personal Licences received	1438
Personal Licences issued	1431
Application for Personal Licence refused	4
Application for Personal Licence revoked	3

### **UPDATE FROM POLICE SCOTLAND**

Sergeant David Holmes, Licensing Sergeant, Police Scotland, provided a verbal update on policing in the West Dunbartonshire area. He noted there had been a number of hotspots in the summer months, in particular Dalmuir and Balloch Park and popular 'staycation venues' where they were concentrating on having a Police

presence and focusing anti-social campaigns in the vicinity. Police officers were also engaging with a number of anti-spiking campaigns in local night hotspots in West Dunbartonshire and ensuring the public remain aware and vigilant when out.

## **PROPOSAL FOR NEW MEMBER OF WEST DUNBARTONSHIRE LICENSING FORUM**

A proposal was submitted by the Licensing Standards Officer for a new Member of West Dunbartonshire Licensing Forum.

Mr Clyde, LSO, proposed Mr Ronnie McColl to sit as a local premises License holder, as he currently runs The Waterside Inn, Balloch. He referred to Mr McColl's good character, noting that he had in the past been an Elected Member of West Dunbartonshire Licensing Committee.

Members agreed to formally invite Mr McColl to sit as a member of the Forum.

## **CURRENT TRENDS IN LICENSING**

Mr Smith noted the worrying uncertainty in the Licensing trade and industry regarding the increasing cost of energy and the cost of living crisis generally. He advised that up to 70% of premises in West Dunbartonshire could potentially not continue to trade as costs outweighed any profit or income and he hoped that the government would step in soon to assist local businesses as intervention is needed now.

## **ANY OTHER BUSINESS**

Members were asked to consider any other business for the Forum. Mr Clyde noted the Positive Returns Scheme whereby there had been a proposal to encourage recycling where local license traders in West Dunbartonshire would be charged an additional 20p per glass, bottle, can etc. and would then be given the 20p back when they recycled it correctly. There were concerns as many traders felt they could not afford the additional 20p per item and also the logistics and storage of all the recycled items had presented a problem. Mr Clyde advised there would be a consultation on this proposal shortly and he would provide an update of the outcome of the consultation at the next meeting.

Mr Clyde also noted that the new Depute Clerk to the Licensing Board would be joining the team on Friday, 9 September 2022 and he looked forward to welcoming him to the next meetings of the Licensing Board and the Licensing Forum.

## **DATE OF NEXT MEETING**

It was agreed that the next meeting of the Licensing Forum would be held on Tuesday, 29 November 2022 at 2.00 p.m. as a hybrid meeting, with Members having

the option of attending in person in the Civic Space, 16 Church Street, Dumbarton, or remotely via Zoom Video Conference.

The meeting closed at 11.09 a.m.

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