

# ***West Dunbartonshire Licensing Board***

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*Alan Douglas, Clerk to the Licensing Board  
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24 April 2024

## **MEETING OF WEST DUNBARTONSHIRE LICENSING BOARD:- TUESDAY, 7 MAY 2024**

Notice is hereby given that a Meeting of West Dunbartonshire Licensing Board will be held at 10.00 a.m. on Tuesday, 7 May 2024.

The Convener has directed that the meeting will be held as an in-person meeting only in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank G81 1UB.

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  
Councillor Sophie Traynor

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

Date issued: 24 April 2024

## **LICENSING BOARD – TUESDAY, 7 MAY 2024**

### **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 - 6**

Submit for approval, as a correct record, the Minutes of Meeting of Licensing Board held on Tuesday, 5 March 2024.

**4 APPLICATION FOR PROVISIONAL PREMISES LICENCE 7 - 30**

Submit for consideration, an application for a Provisional Premises Licence for Teamsport, 25 John Knox Street, Clydebank G81 1NA.

**5 APPLICATION FOR A MAJOR VARIATION OF PREMISES LICENCE 31 - 47**

Submit for consideration, an application for a Major Variation of Premises Licence for Auchentoshan Distillery, Dalmuir, Clydebank G81 4SJ.

**6 APPLICATION FOR A MAJOR VARIATION OF PREMISES LICENCE 49 - 66**

Submit for consideration, an application for a Major Variation of Premises Licence for Morrisons Daily, Argyll Street, Levensale, Alexandria G83 0JH.

**7 APPLICATION FOR A MAJOR VARIATION OF PREMISES LICENCE 67 - 84**

Submit for consideration, an application for a Major Variation of Premises Licence for Morrisons Daily, 106 High Street, Dumbarton G82 1PQ.

**8/**

- |           |   |                  |
|-----------|---|------------------|
| <b>8</b>  | <b>APPLICATION FOR A MAJOR VARIATION OF PREMISES LICENCE</b>  | <b>85 - 102</b>  |
|           | <p>Submit for consideration, an application for a Major Variation of Premises Licence for Morrisons Daily, Lomond Drive, Bellsmyre, Dumbarton G82 3AS.</p>  |                  |
| <b>9</b>  | <b>APPLICATION FOR A MAJOR VARIATION OF PREMISES LICENCE</b>  | <b>103 - 120</b> |
|           | <p>Submit for consideration, an application for a Major Variation of Premises Licence for Morrisons Daily, 107 Glasgow Road, Dumbarton G82 1RQ.</p>   |                  |
| <b>10</b> | <b>APPLICATION FOR A MAJOR VARIATION OF PREMISES LICENCE</b>  | <b>121 - 139</b> |
|           | <p>Submit for consideration, an application for a Major Variation of Premises Licence for Aldi, 80 Bank Street, Alexandria G83 0LZ.</p>   |                  |
| <b>11</b> | <b>GAMBLING ACT 2005: REVIEW OF THE LICENSING BOARD'S STATEMENT OF PRINCIPLES</b>   | <b>141 - 186</b> |
|           | <p>Submit report by the Clerk to the Licensing Board seeking approval from Members of the Licensing Board to consult on a refresh of its Statement of Principles and to develop a local area profile.</p> |                  |
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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 March 2024 at 10.00 a.m.

**Present:** Councillors Gurpreet Singh Johal, Jonathan McColl, June McKay, John Millar, Chris Pollock, Hazel Sorrell and Sophie Traynor.

**Attending:** Michael McDougall, Depute Clerk to the Licensing Board; Peter Clyde and Lawrence Knighton, Licensing Standards Officers and Lynn Straker, Committee Officer.

**Also Attending:** Sergeant David Holmes, Police Scotland; Carolann Anderson, Licensing Assistant; Solicitor, Mr Stephen McGovern and Representative/Operator, Ms Pamela Collins, Coffee Club, 2700 Great Western Road, Clydebank G81 2XT.

**Apologies:** Apologies for absence were intimated on behalf of Councillor Lawrence O'Neill.

**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 MEETINGS

The Minutes of the Licensing Board meeting held on Tuesday, 16 January 2024 were submitted and approved as a correct record.

### APPLICATION FOR PREMISES LICENCE

An Application was submitted for consideration for an application for Premises Licence for Coffee Club, 2700 Great Western Road, Clydebank G81 2XT.

Members first heard from Mr Michael McDougall, Depute Clerk to the Licensing Board in introduction to the Application. He noted there were no objections to the

application. Members then heard from Licensing Standards Officer, Mr Knighton who detailed conditions required should the application be granted.

Councillor McKay, Chair, then invited Solicitor, Mr McGovern to speak in support of the application.

After further discussion and in answer to Members questions, the Board agreed to grant the application, subject to the conditions detailed in the Licensing Standards Officers report and with the additional condition that a baby changing facility would be installed in the unisex disabled toilet within the premises.

**DECIDED:-**

Members agreed to grant the application subject to the conditions in the Licensing Standards Officer report and the additional condition that a baby changing facility would be installed in the unisex disabled toilet within the premises.

**PREMISES LICENSE REVIEW**

Councillor McKay, Chair, noted that since the publication of the Agenda, for this meeting, both the premises, proposed for a review regarding payment of the annual Premises License Fee, had now both paid the fee, so a hearing was no longer required.

The meeting closed at 10.17 a.m.

## THE LICENSING (SCOTLAND) ACT 2005

### Application for Provisional Premises Licences

|                                      |  |
|--------------------------------------|--|
| <b>Premises Licence Reference :</b>  | WDLBPREM/0316.   |
| <b>Name and Address of Premises:</b> | Teamsport, 25 John Knox Street, Clydebank, G81 1NA.  |
| <b>Applicant/Licence Holder:</b>     | Hill Brown Licensing on behalf of Go Karting For Fun Limited.  |
| <b>Type of Premises:</b>             | On Sales.  |
| <b>Proposed Application:</b>         | Indoor go karting track for adults, children aged 8 and over, families, groups and corporate events. There is spectator's area and café bar offering food and drinks. The premises also offers laser tag within the laser combat arena. Free onsite parking. |
| <b>Police Authority Comments:</b>    | No 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 and suggested conditions.   |
| <b>Fire Authority Comments:</b>      | No comments received.  |
| <b>Regulatory Services Comments:</b> | Representations from Building Standards.   |
| <b>Community Council Comments:</b>   | No comments received.  |
| <b>Health Board Comments:</b>        | No comments received.  |
| <b>Access Panel:</b>                 |  |
| <b>Additional Comments:</b>          |  |

**Section 50 Certificates:**

Planning Section 50 Certificate received.

**Decision:**

# ***West Dunbartonshire Licensing Board***

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## **APPLICATION FOR 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.*

Teamsport, 25 John Knox Street, Clydebank, G81 1NA

### **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.*

Go Karting For Fun Limited

Teamsport, C1 Endeavour Place, Coxbridge Business Park Alton, Road, Farnham,  
Surrey, GU10 5EH

Company number 05030696

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.\**

[Redacted information]

**\* 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?* NO

*If YES – provide full details*

#### **Question 4**

*Previous convictions*

|   |    |
|---|----|
| <b>4</b> Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1) | 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*

| <i>Name &amp; position (if applicable)</i> | <i>Date of conviction or sentence</i> | <i>Court</i> | <i>Offence</i> | <i>Penalty</i> |
|--|---------------------------------------|--------------|----------------|----------------|
|  |                                       |              |                |                |

#### **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)*

Indoor go karting track for adults, children aged 8 and over, families, groups and corporate events. There is spectator's area and café bar offering food and drinks. The premises also offers laser tag within the laser combat arena. Free onsite parking.

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(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.

**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> | 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.

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

Date .....04/01/2023.....

Capacity ..... AGENT (delete as appropriate)

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



## 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?       | YES |
| 1(b) Will alcohol be sold for consumption solely OFF the premises?      | NO  |
| 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

| Day       | ON Consumption |               |
|-----------|----------------|---------------|
|           | Opening time   | Terminal hour |
| Monday    | 11:00          | 22:00         |
| Tuesday   | 11:00          | 22:00         |
| Wednesday | 11:00          | 22:00         |
| Thursday  | 11:00          | 22:00         |
| Friday    | 11:00          | 22:00         |
| Saturday  | 11:00          | 22:00         |
| Sunday    | 11:00          | 22:00         |

**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>    | n/a                    | n/a                  |
| <i>Tuesday</i>   | n/a                    | n/a                  |
| <i>Wednesday</i> | n/a                    | n/a                  |
| <i>Thursday</i>  | n/a                    | n/a                  |
| <i>Friday</i>    | n/a                    | n/a                  |
| <i>Saturday</i>  | n/a                    | n/a                  |
| <i>Sunday</i>    | n/a                    | n/a                  |

**Question 4**

**SEASONAL VARIATIONS**

|  |            |
|--|------------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <b>YES</b> |
|--|------------|

*\*If YES – provide details*

Opening hours may be longer during school holidays and peak periods, Alcohol will not be sold outwith the core times stated at question 2 above.

**Question 5**

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

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

|                                     |                                  |  | <b>YES/NO</b>   |
|-------------------------------------|----------------------------------|--|---|
| <i>Recorded music – see 5(g)</i>    | Yes                              | YES  | NO  |
| <i>Live performances – see 5(g)</i> | NO                               | NO   | NO  |
| <i>Dance facilities</i>             | NO                               | NO   | NO  |
| <i>Theatre</i>                      | NO                               | NO   | NO  |
| <i>Films</i>                        | No                               | NO   | NO  |
| <i>Gaming</i>                       | YES                              | YES  | NO  |
| <i>Indoor/outdoor sports</i>        | YES                              | YES  | NO  |
| <i>Televised sport</i>              | NO                               | NO   | NO  |
|                                     |                                  |  |   |
| <b>5(d)<br/>Activity</b>            | <b>Please confirm<br/>YES/NO</b> | <b>To be provided during core licensed hours – please confirm<br/>YES/NO</b> | <b>Where activities are also to be provided outwith core licensed hours please confirm<br/>YES/NO</b> |
| <i>Outdoor drinking facilities</i>  | NO                               | NO   | NO  |
|                                     |                                  |  |   |
| <b>5(e)<br/>Activity</b>            | <b>Please confirm<br/>YES/NO</b> | <b>To be provided during core licensed hours – please confirm<br/>YES/NO</b> | <b>Where activities are also to be provided outwith core licensed hours please confirm<br/>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.

*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.*

Indoor go karting track with spectator's area. Laser tag within the laser combat arena.  
Karting and laser tag may take place outwith core hours but no alcohol will be sold.

*5(g) Late night premises opening after 1.00am*

|  |     |
|--|-----|
| <i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i> | N/A |
|--|-----|

|   |     |
|---|-----|
| <i>When fully occupied, are there likely to be more customers standing than seated?</i> | N/A |
|---|-----|

|                               |  |
|-------------------------------|--|
| <i>*Delete as appropriate</i> |  |
|-------------------------------|--|

**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> | YES |
|      | <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*

Children (0-15 years old) must be accompanied by an adult at all times, Young persons (16 & 17 years old) will be admitted entry unaccompanied.  
The minimum age for drivers in TeamSport is 8 years old

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

0-17 years as per the terms set out in 6 (b) above.

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

Children and Young persons are permitted to enter the premises at any time while the premises are open as per the terms set out in 6(b) and 6 (c) above

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

All public parts of the premises including entry to the Bar/Lounge area, trackside and viewing areas.

### **Question 7**

#### **CAPACITY OF PREMISES**

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

60 persons

**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*

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

**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 .....04/01/2023.....

Capacity: AGENT (delete as appropriate).



**\* 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  
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16 Church Street  
Dumbarton  
G81 1QL

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



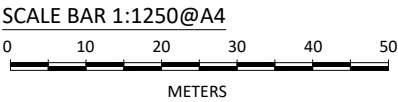


LOCATION PLAN

SCALE 1:1250@A4

KEY:

APPLICATION BOUNDARY



|                |      |             |               |
|----------------|------|-------------|---------------|
| REV            | DATE | DESCRIPTION | DRAWN/CHECKED |
| REVISION NOTES |      |             |               |

**LICENSE PLAN**



MBH Design Studio Ltd.  
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CLIENT



PROJECT

TEAMSport SCOTKART CLYDEBANK  
 25 JOHN KNOX STREET  
 CLYDEBANK  
 GLASGOW, G81 1NA

DRAWING TITLE

LOCATION PLAN

|            |                |        |            |
|------------|----------------|--------|------------|
| DRAWN BY   | DATE           | SCALE  | PAPER SIZE |
| JP         | 08.08.23       | 1:1250 | A4         |
| CHECKED BY | DRAWING NUMBER | REV.   |            |
| JN         | 14121-LP       | -      |            |



GROUND FLOOR PREMISES LICENSE PLAN  
SCALE 1:200 @ A1

JOHN KNOX STREET

"CHILDREN AND YOUNG PERSONS WILL HAVE  
ACCESS TO ALL PUBLIC PARTS OF THE PREMISES"  
OCCUPANCY NUMBER-60 PEOPLE

**DRAWING NOTES**

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Key:

- Indicates items to be demolished
- Indicates existing walls to be retained
- Indicates new walls to be formed
- Indicates new external walls to be formed
- Indicates new doors to be installed

Key:

- Indicates new Smoke Detector/Sounder
- Indicates new Heat Detector/Sounder
- Indicates new Smoke Detector/Sounder/Strobe
- Indicates new Sounder/Beacon
- Indicates new Break Glass Point
- Indicates 1 hour Full height Fire Wall
- Indicates 30min Full height Fire Wall
- Indicates Emergency Lighting
- Indicates licensed boundary
- Indicates Fixed Furniture
- Indicates new smoke detector/sounder at high level within void with remote indicator.
- Alcohol Consumption area

ILLUMINATED EMERGENCY BULKHEADS TO BRITISH STANDARDS

0 5 10  
SCALE - METRES -1:100

| FIRE FIGHTING EQUIPMENT                    |     |
|--|-----|
| AQUEOUS FILM FORMING FOAM 6 LITRE 27A-AFFF | AF  |
| CO² 2KG                                    | CO² |
| FIRE BLANKET                               | FB  |

| A              | 22.03.2024 | REVISED FOLLOWING COMMENTS | SPB/JN        |
|----------------|------------|----------------------------|---------------|
| REV            | DATE       | DESCRIPTION                | DRAWN/CHECKED |
| REVISION NOTES |            |                            |               |

**FEASIBILITY**

**mbh**

MBH Design Studio Ltd.  
Rosemount House, Rosemount Avenue, West Byfleet, Surrey, KT14 6LB  
www.mbhtd.com t: 01932 352 727 f: 01932 351 545

CLIENT  
**TeamSport**  
**E KARTING**

PROJECT  
TEAMSPORT SCOTKART CLYDEBANK  
25 JOHN KNOX STREET  
CLYDEBANK  
GLASGOW, G81 1NA

DRAWING TITLE  
GROUND FLOOR  
PREMISES LICENSE PLAN

|                  |                             |                |                  |
|------------------|-----------------------------|----------------|------------------|
| DRAWN BY<br>KB   | DATE<br>14.03.2024          | SCALE<br>1:200 | PAPER SIZE<br>A1 |
| CHECKED BY<br>JN | DRAWING NUMBER<br>14121-F01 | REV.           | A                |



Go Karting For Fun Limited  
Teamsport  
C1 Endeavour Place  
Coxbridge Business Park  
Alton Road  
Farnham  
~

Date: 23rd April 2024

Dear Sir/Madam

**LICENSING CONSULTATION**

**Reference Number:** LIC/24/0014  
**Description:** Indoor go karting track for adults, children aged 8 and over, families, groups and corporate events.  
**Location:** 25 John Knox Street Clydebank G81 1ND

Building Standards has the following comments on this consultation:

1. It appears that both historic and recent works have been carried out to the existing building which would have required the benefit of a Building Warrant. The applicant requires to provide evidence of both a Building Warrant and Completion for all works carried out. If the required permissions are not forth coming, the applicant requires to rectify this with an application for Completion where no Building Warrant was obtained to cover the historic alterations and new renovations. Please note that Building Standards do not appear to have any records of the original building being altered or converted, the applicant may require to obtain an archive search.
2. The occupant capacity stated as 60 appears low in relation to the room sizes and occupant load factor of 0.5. Justification is required to be demonstrated by calculation.
3. The sanitary accommodation of 2 female, 2 male and one accessible toilet is suitable for 60, however, there are no provisions for staff which needs to be clarified if they are included within the 60 and how many staff will be present.
4. Does the Occupant Capacity of 60 include the ekart users, laser combat users as well as all spectators and function users.
5. Provide a seating / table layout which may assist in verification of occupant capacity.
6. From the drawing provided, the smoke detection layout does not cover the whole building or covered car parking.
7. From the plans provided, it appears as though there may be insufficient emergency exits to and travel distances which exceed the minimum standards.
8. Escape sequence from inner rooms are non compliant as they pass through more than one access room to a place of safety.
9. Doors appear to be missing between rooms and escape routes where travel distances exceed the minimum standards.
10. Clarification required for occupation of the building i.e., are ekart, laser combat and monkey madness all one business or separately operated businesses within one building.
11. The laser combat areana requires to provide a floor plan due to potential increase to escape travel distances.
12. Final exit doors appear to have roller shutters which would prevent escape in the event of an emergency.
13. The ekart track appears to have been altered and now blocks safe access to the final emergency exit

**BUILDING STANDARDS**, 16 Church Street, Dumbarton, G82 1QL  
Telephone: Email: [jason.smith@west-dunbarton.gov.uk](mailto:jason.smith@west-dunbarton.gov.uk)

doors.

14. A Section 50 application will be required upon acceptance of the Completion where no Building Warrant application.

15. The above is not an exhaustive list and only what is apparent from online information and plans provided.

Yours faithfully

*Jason Smith*

Building Standards Surveyor

# DISABLED ACCESS AND FACILITIES STATEMENT

*Licensing (Scotland) Act 2005, section 20(2)(b)(iia)*

## **Question 1**

### **Disabled access and facilities**

|                               |  |     |
|-------------------------------|--|-----|
| 1(a)                          | Is there disabled access to the premises   | YES |
| 1(b)                          | Do you have facilities for those with a disability   | YES |
| 1(c)                          | Do you have any other provisions available to aid the use of the premises by disabled people | YES |
| <i>*Delete as appropriate</i> |  |     |

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

## **Question 2**

### **Disabled access to, from and within the premises**

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

The site and the carpark are below street level. The front entrance is stairs only, with 6 steps down to the site level. Wheelchair access is via the double fire door to the indoor carpark. The carpark itself can be accessed without a car, via the entrance ramp. Once in the centre, the bar, toilets and all the facilities are at ground level. The only exception is a section of the karting viewing area that is raised and is inaccessible, however other sections of the viewing area are.

### **Question 3**

#### **Facilities available**

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

The centre has a disabled toilets with a widened door for access, a lower accessible sink and grab rails fitted and pull cord alarm.

The bar area has accessible tables.

### **Question 4**

#### **Other provisions**

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Assistance dogs are welcome on site.



## **Licensing Standards Officers Report**

### **LICENSING (SCOTLAND) ACT 2005 PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0316 Teamsport, 25 John Knox Street, Clydebank,  
G81 1NA

**PREMISES LICENCE HOLDER:** Go Karting For Fun Limited, Teamsport, C1 Endeavour Place, Coxbridge Business Park Alton, Road, Farnham, Surrey, GU10 5EH, Company number 05030696

This application may be contrary to the Licensing Board's Statement of Licensing Policy; Overprovision. The Premises are located within IZ 01 - Clydebank East inc. Whitecrook (part).

The applicants have proposed a bespoke children's access condition as follows;

*"Children and Young Persons will only be permitted into licensed premises where the primary purpose of allowing them access is for the participation in and/or spectating of karting and laser tag and/or to attend a private pre-booked function".*

If such a condition or a condition of similar intent is acceptable to Board members I would recommend in accordance with the Licensing Board's Statement of Licensing Policy that for the purposes of the licensing objective of protecting children and young persons from harm, that the conditions narrated in the Board's policy at Appendix 1, Part A – Children and Young Persons Access (undernoted) are considered by the Board for appending to the Licence. It is recommended that the proposed condition replaces condition 2 of the Board's standard children conditions (undernoted).

The Licensing Standards Officer also recommends that for the purpose of protecting the licensing objectives in general, that a local condition be applied to the effect that;

*"The premises licence is to operate only in accordance with an Alcohol Management Plan that has been agreed between the Licence Holder and the LSO."*

The Licensing Standards Officer can confirm that a suitable Alcohol Management Plan has been submitted.

### **Licensing Standards Officer**

**Date:** 16 April 2024

### **Contact :**

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

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

## **Appendix 1**

### **Style Conditions**

#### **Part A – Children and Young Persons Access**

The holder of the premises licence must make sure that:-

1. Children are supervised at all times by an appropriate adult while on the licensed premises.
2. Children and Young Persons will only be permitted into licensed premises where the primary purpose of allowing them access is to consume a meal or attend a private pre-booked function [or insert reason].
3. No gaming and/or amusements with prizes machines are to be located in the part or parts of the licensed premises where children and young people are permitted.
4. In the case of events which are to be held exclusively for children, or children and young persons, such as a discotheque, adequate supervision and stewarding arrangements should be in place in relation to children attending the event.
5. Where televisions or video machines are intended to be used in areas where children are permitted, the programmes or video films must be of a type suitable for family and children's viewing.
6. Toilets should be of a suitable type and standard for children.
7. When meals are sold within licensed premises, a children's menu shall be available or the menu should clearly state that children portions are available. This would not be satisfied by the provision of for example soft drinks and snacks but would require to be of the plated food variety in addition to any form of sandwiches etc, which may be available.
8. Electrical sockets within the part or parts of the premises to which children have access should, when not in use, have plug caps thereon.
9. Where open fires or electrical or gas fires or radiators are within part or parts of the premises to which children have access, it is expected that such fires and radiators etc. will be securely guarded.

## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation of Premises Licences

|                                      |   |
|--------------------------------------|---|
| <b>Premises Licence Reference:</b>   | WDLBPREM/0082.  |
| <b>Name and Address of Premises:</b> | Auchentoshan Distillery, Dalmuir, Clydebank G81 4SJ                                   |
| <b>Applicant/Licence Holder:</b>     | Hill Brown Licensing on behalf of Beam Suntory UK Limited                             |
| <b>Type of Premises:</b>             | On & Off Sales.   |
| <b>Proposed Application:</b>         | At Q5(f) to include: Food may be available and will be provided by external caterers. |
| <b>Police Authority Comments:</b>    | No objections.  |
| <b>Licensing Standards Comments:</b> | See accompanying report.  |
| <b>Fire Authority Comments:</b>      | No comments received.   |
| <b>Regulatory Services Comments:</b> | No comments.  |
| <b>Community Council Comments:</b>   | Not Active.   |
| <b>Health Board Comments:</b>        | No comments received.   |
| <b>Access Panel:</b>                 |   |
| <b>Additional Comments:</b>          |   |
| <b>Section 50 Certificates:</b>      | Not required.   |
| <b>Decision:</b>                     |   |



# WEST DUNBARTONSHIRE LICENSING BOARD

## LICENSING (SCOTLAND) ACT 2005

### APPLICATION FOR VARIATION OF PREMISES LICENCE/ ~~PROVISIONAL PREMISES LICENCE\*~~

\*Delete as appropriate

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.

Auchentoshan Distillery  
Dalmuir  
Clydebank

Post Code **G81 4SJ**

Premises Licence Ref. No. **WDLBPREM/0082**

##### 1(b) Please provide full name, address, postcode, telephone number and e-mail address of applicant.

Beam Suntory UK Limited  
2 Longwalk Road  
Stockley Park  
Uxbridge

Post Code **UB11 1BA**

Telephone  
No.

E-mail  
address

#### SECTION 2: MINOR VARIATIONS

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

(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 ☐ NO ☐

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

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

YES ☐ NO ☐

(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 ☐ 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 ☐

(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 ☒

(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** ☒ **NO** ☐

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

At Q5(f) to include: Food may be available and will be provided by external caterers.

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

**YES** ☐ **NO** ☒

(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** ☒

(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** ..... (See Note 1 below)

**Date** ...5 March 2024.....

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

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

.....

**I have enclosed the relevant documents with this application – please tick the relevant boxes**

|  |          |
|--|----------|
| <b>Premises Licence (See Note 2)</b>               | <b>x</b> |
| <b>Operating Plan (see Note 3)</b>                 | <b>x</b> |
| <b>Layout Plans (see Note 3)</b>                   |          |
| <b>Planning certificate (See Note 4)</b>           |          |
| <b>Building standards certificate (See Note 4)</b> |          |
| <b>Food hygiene certificate (See Note 4)</b>       |          |
| <b>Copy of Personal Licence</b>                    |          |

**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.

## 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>      | <del>YES</del> /NO*  |
| <i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i> | YES/ <del>NO</del> * |
| <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>    | 10.00am               | 11.00pm              |
| <i>Tuesday</i>   | 10.00am               | 11.00pm              |
| <i>Wednesday</i> | 10.00am               | 11.00pm              |
| <i>Thursday</i>  | 10.00am               | 11.00pm              |
| <i>Friday</i>    | 10.00am               | 11.00pm              |
| <i>Saturday</i>  | 10.00am               | 11.00pm              |
| <i>Sunday</i>    | 10.00am               | 11.00pm              |

### Question 3

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

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

### Question 4

## SEASONAL VARIATIONS

|  |                |
|--|----------------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>YES/NO*</i> |
|--|----------------|

*\*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

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

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

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

Premises provides facilities for visitors to distillery including a shop for the sale of the company's products and souvenirs. There are also facilities for persons attending conferences and other events beginning or ending outwith licensed 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.*

Sale of souvenirs etc. as above.

Food may be available and will be provided by external caterers.

*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* |
|---|---------|

|  |         |
|--|---------|
| 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 | YES/ <del>NO</del> * |
|      | *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

Children and young persons who are with a party visiting the distillery or attending a function will be allowed entry (at the discretion of the management).

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

Any age – subject to the above.

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

Any time – subject to the above.

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

Any public part – subject to the above.

### **Question 7**

#### ***CAPACITY OF PREMISES***

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

Ground Floor – 61  
First Floor – 61  
Second Floor – 80  
Mash Room – 25  
Tun Room – 25  
  
Off-sales display areas – 31.5m2



**Question 8**

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

*Personal details*

*8(a) Name*

Wendy Catherine Dunlop

*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> |
|----------------------|--|--|
| 8 June 2011          | East Dunbartonshire Council            | EDC/571                                  |

**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.

[Redacted Signature]

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

Date .....5 March 2024.....

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

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

[Redacted Telephone Number]  
[Redacted Email Address]

**\* 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)

## **Licensing Standards Officers Report**

### **LICENSING (SCOTLAND) ACT 2005 PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0082 Auchentoshan Distillery, Dalmuir, Clydebank  
G81 4SJ

**PREMISES LICENCE HOLDER:** Hill Brown Licensing on behalf of Beam Suntory UK Ltd.

I understand that this application seeks to add food made available by external caterers to the operating plan of the premises licence.

To this end, I have no adverse comment to make.

**Lawrence Knighton**

**Licensing Standards Officer**

**Date:** 29 March 2024

**Contact :**

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

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



## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation of Premises Licences

|                                      |  |
|--------------------------------------|--|
| <b>Premises Licence Reference:</b>   | WDLBPREM/0005.   |
| <b>Name and Address of Premises:</b> | Morrisons Daily, Argyll Street, Levenvale, Alexandria<br>G83 0JH.  |
| <b>Applicant/Licence Holder:</b>     | Gosschalks LLP on behalf of Alliance Property<br>Holdings Limited.   |
| <b>Type of Premises:</b>             | Off Sales.   |
| <b>Proposed Application:</b>         | <p>The applicant seeks a variation of the information contained within 5(f) of the operating plan. This is to be amended to add the following:</p> <p>'A home delivery shopping service may be operated from the store'.</p> |
| <b>Police Authority Comments:</b>    | No objections.   |
| <b>Licensing Standards Comments:</b> | See accompanying report highlighting terms of the Policy and suggesting conditions.  |
| <b>Fire Authority Comments:</b>      | No comments received.  |
| <b>Regulatory Services Comments:</b> | No comments.   |
| <b>Community Council Comments:</b>   | No comments received.  |
| <b>Health Board Comments:</b>        | No comments received.  |
| <b>Access Panel:</b>                 |  |
| <b>Additional Comments:</b>          |  |
| <b>Section 50 Certificates:</b>      | Not required.  |

**Decision:**



YES ☐ NO ☐

(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 ☐ 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 ☐

(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 ☐



(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 ☒ NO ☐



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

THE APPLICANT SEEKS A VARIATION OF THE INFORMATION CONTAINED WITHIN 5(f) OF THE OPERATING PLAN. THIS IS TO BE AMENDED TO ADD THE FOLLOWING:

'A home delivery shopping service may be operated from the store'.

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

**YES** ☐ **NO** ☒

(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** ☒

(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**      ...GOSSCHALKS LLP (See Note 1 below)

**Date**              18/01/2024 .....



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

### **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>    | 10:00                  | 22:00                |
| <i>Tuesday</i>   | 10:00                  | 22:00                |
| <i>Wednesday</i> | 10:00                  | 22:00                |
| <i>Thursday</i>  | 10:00                  | 22:00                |
| <i>Friday</i>    | 10:00                  | 22:00                |
| <i>Saturday</i>  | 10:00                  | 22:00                |
| <i>Sunday</i>    | 10:00                  | 22:00                |

### **Question 4**

SEASONAL VARIATIONS

|  |            |
|--|------------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>NO*</i> |
|--|------------|

*\*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

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

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.

A HOME DELIVERY SHOPPING SERVICE MAY BE OPERATED FROM THE STORE.

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?

N/A

When fully occupied, are there likely to be more customers standing than seated?

N/A

\*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> | N/A |
|      | <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*

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 – 16.85 M2**

**Question 8**

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

*Personal details*

*8(a) Name*

MARK MCKIERNAN

*8(b) Date of birth*

[REDACTED]

*8(c) Contact address*

[REDACTED]

*8(d) Email address*

[REDACTED]

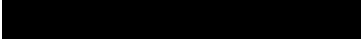
8(e) Personal licence

| <i>Date of issue</i> | <i>Name of Licensing Board issuing</i> | <i>Reference no. of personal licence</i> |
|----------------------|--|--|
|                      | WEST DUNBARTONSHIRE LICENSING BOARD    | WD/1524                                  |

**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 .....18/01/2024.....

Capacity SOLICITORS FOR APPLICANT ..... AGENT

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)

## **Licensing Standards Officers Report**

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

#### **PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0005 Morrison's Daily Argyll Street Levenvale Alexandria G83 0JH

**PREMISES LICENCE HOLDER:** Alliance Property Holdings Limited Holmore House Gain Lane Bradford BD3

In accordance with the Licensing Board's Statement of Licensing Policy the Licensing Standards Officer recommends that for the purposes of the licensing objectives, that the conditions narrated in the Board's policy at Appendix 1, Part B – Off-Sales and Part C - Home Deliveries as replicated below are applied to this licence.

#### **Part B – Off-Sales**

The holder of a premises licence shall ensure that:-

1. A refusal register is maintained in the premises recording all incidences of refused sales, including the date and time, the reason for refusal and the member of staff refusing the sale.
2. The refusal register is inspected by the Designated Premises Manager, or his nominated representative, at least on a fortnightly basis.
3. The refusal register is made available for inspection by the Police and Licensing Standards Officers on request.
4. The refusal register may be kept in electronic form, in which event the obligation imposed by condition 3 above may be discharged by making available for inspection as aforesaid a printed copy of the refusal register's entries.

#### **Part C - Home Deliveries**

The holder of the premises licence must make sure that:-

1. A robust age verification policy requires to be in place for deliveries that include alcohol and must be strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. All delivery staff must be trained in the operation of the foregoing policy.
2. Any documentation presented as verification of age is of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.
3. An order register must be kept on the premises containing details of the items

ordered/despached, with details of when the order was placed and when the alcohol was despatched.

4. A delivery/refusal register requires to be maintained by the delivery driver containing details of the person accepting delivery or, if delivery was refused, the reason for any refusals.

5. No delivery of alcohol should be left unattended (including in a safe place) or with Children or Young Persons where there is no adult available to accept delivery.

6. Where a third party carries out deliveries, an written agreement must be in place between the holder of the premises licence and the third party setting out that the measures narrated at the foregoing points 1 to 5 are to be complied with.

### **Licensing Standards Officer**

**Date:** 5 March 2024

**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)

## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation of Premises Licences

|                                      |   |
|--------------------------------------|---|
| <b>Premises Licence Reference:</b>   | WDLBPREM/0006.  |
| <b>Name and Address of Premises:</b> | Morrisons Daily, 106 High Street Dumbarton G82 1PQ.   |
| <b>Applicant/Licence Holder:</b>     | Gosschalks LLP on behalf of Alliance Property Holdings Limited.   |
| <b>Type of Premises:</b>             | Off Sales.  |
| <b>Proposed Application:</b>         | <p>The applicant seeks a variation of the information contained within 5(f) of the operating plan. this is to be amended to add the following:</p> <p>'A home delivery shopping service may be operated from the store'..</p> |
| <b>Police Authority Comments:</b>    | No objections.  |
| <b>Licensing Standards Comments:</b> | See accompanying report highlighting terms of the Policy and suggesting conditions.   |
| <b>Fire Authority Comments:</b>      | No comments received.   |
| <b>Regulatory Services Comments:</b> | No comments.  |
| <b>Community Council Comments:</b>   | No comments received.   |
| <b>Health Board Comments:</b>        | No comments received.   |
| <b>Access Panel:</b>                 |   |
| <b>Additional Comments:</b>          |   |
| <b>Section 50 Certificates:</b>      | Not required.   |
| <b>Decision:</b>                     | Page 67   |





# 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.**

|   |         |                           |               |
|---|---------|---------------------------|---------------|
| Morrisons Daily<br>106 High Street<br>Dumbarton |         |                           |               |
| Post Code                                       | G82 1PQ | Premises Licence Ref. No. | WDLBPREM/0006 |

**1(b) Please provide full name, address, postcode, telephone number and e-mail address of applicant.**

|  |         |               |  |                |
|--|---------|---------------|--|----------------|
| ALLIANCE PROPERTY HOLDINGS LIMITED, HILMORE HOUSE, GAIN LANE, BRADFORD |         |               |  |                |
| Post Code  | BD3 7DL | Telephone No. |  | E-mail address |

## SECTION 2: MINOR VARIATIONS

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

(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** ☐ **NO** ☐

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

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

YES ☐ NO ☐

(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 ☐ 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 ☐

(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 ☐



(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 ☒ NO ☐

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

THE APPLICANT SEEKS A VARIATION OF THE INFORMATION CONTAINED WITHIN 5(f) OF THE OPERATING PLAN. THIS IS TO BE AMENDED TO ADD THE FOLLOWING:

'A home delivery shopping service may be operated from the store'.

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

**YES** ☐ **NO** ☒

(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** ☒

(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**      ...GOSSCHALKS LLP (See Note 1 below)

**Date**              18/01/2024 .....

**Capacity** AGENT – SOLICITORS ON BEHALF OF APPLICANT

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

ALEX GREEN, [REDACTED]

.....

[REDACTED]

.....

**I have enclosed the relevant documents with this application – please tick the relevant boxes**

|  |          |
|--|----------|
| <b>Premises Licence (See Note 2)</b>               | <b>X</b> |
| <b>Operating Plan (see Note 3)</b>                 | <b>X</b> |
| <b>Layout Plans (see Note 3)</b>                   |          |
| <b>Planning certificate (See Note 4)</b>           |          |
| <b>Building standards certificate (See Note 4)</b> |          |
| <b>Food hygiene certificate (See Note 4)</b>       |          |
| <b>Copy of Personal Licence</b>                    |          |

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

|  |           |
|--|-----------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>NO</i> |
|--|-----------|

*\*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

| <b>COL. 1</b><br><b>5(a)</b><br><b>Activity</b>   | <b>COL. 2</b><br><b>Please confirm</b><br><b>YES/NO</b> | <b>COL. 3</b><br><b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>COL. 4</b><br><b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
|---|---|---|--|
| <i>Accommodation</i>  | NO  | N/A   | N/A  |
| <i>Conference facilities</i>  | NO  | NO  | NO   |
| <i>Restaurant facilities</i>  | NO  | NO  | NO   |
| <i>Bar meals</i>  | NO  | NO  | NO   |
|   |   |   |  |
| <b>5(b) Activity</b><br><b>Social functions</b><br><b>including:</b>                                      | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Receptions including</i><br><i>Weddings, funerals,</i><br><i>birthdays, retirements</i><br><i>etc.</i> | NO  | NO  | NO   |
| <i>Club or other group</i><br><i>meetings etc.</i>  | NO  | NO  | NO   |
|   |   |   |  |
| <b>5(c)</b><br><b>Activity</b><br><b>Entertainment</b><br><b>including:</b>                               | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Recorded music – see</i><br><b>5(g)</b>  | YES   | YES   | YES  |
| <i>Live performances –</i><br><b>see 5(g)</b>   | NO  | NO  | NO   |
| <i>Dance facilities</i>   | NO  | NO  | NO   |
| <i>Theatre</i>  | 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)</b><br><b>Activity</b>     | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
| <i>Outdoor drinking facilities</i> | NO                                     | NO   | NO  |
|                                    |  |  |   |
| <b>5(e)</b><br><b>Activity</b>     | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>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 applicant has a PPL Licence No 00650466/07 which permits the playing of recorded music during store opening 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.

A HOME DELIVERY SHOPPING SERVICE MAY BE OPERATED FROM THIS STORE.

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> | YES/NO* |
|      | <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?*

**11.64 square metres**

### **Question 8**

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

*Personal details*

8(a)    *Name*

CAROLINE CAMPBELL

8(b)    *Date of birth*

[REDACTED]

8(c)    *Contact address*

[REDACTED]

[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> |
|----------------------|--|--|
|                      | CITY OF GLASGOW<br>LICENSING BOARD     | GC13943                                  |

**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 [REDACTED] ..... \* (see note below)

18/01/2024  
Date .....

Capacity SOLICITORS FOR APPLICANT ..... /AGENT (delete as appropriate).

Telephone number and email address of signatory [REDACTED]

**\* 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)

## **Licensing Standards Officers Report**

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

#### **PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0006 Morrison's Daily 106 High Street Dumbarton G82 1PQ

**PREMISES LICENCE HOLDER:** Alliance Property Holdings Limited Holmore House Gain Lane Bradford BD3

In accordance with the Licensing Board's Statement of Licensing Policy the Licensing Standards Officer recommends that for the purposes of the licensing objectives, that the conditions narrated in the Board's policy at Appendix 1, Part B – Off-Sales and Part C - Home Deliveries as replicated below are applied to this licence.

#### **Part B – Off-Sales**

The holder of a premises licence shall ensure that:-

1. A refusal register is maintained in the premises recording all incidences of refused sales, including the date and time, the reason for refusal and the member of staff refusing the sale.
2. The refusal register is inspected by the Designated Premises Manager, or his nominated representative, at least on a fortnightly basis.
3. The refusal register is made available for inspection by the Police and Licensing Standards Officers on request.
4. The refusal register may be kept in electronic form, in which event the obligation imposed by condition 3 above may be discharged by making available for inspection as aforesaid a printed copy of the refusal register's entries.

#### **Part C - Home Deliveries**

The holder of the premises licence must make sure that:-

1. A robust age verification policy requires to be in place for deliveries that include alcohol and must be strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. All delivery staff must be trained in the operation of the foregoing policy.
2. Any documentation presented as verification of age is of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.
3. An order register must be kept on the premises containing details of the items ordered/despatched, with details of when the order was placed and when the

alcohol was despatched.

4. A delivery/refusal register requires to be maintained by the delivery driver containing details of the person accepting delivery or, if delivery was refused, the reason for any refusals.

5. No delivery of alcohol should be left unattended (including in a safe place) or with Children or Young Persons where there is no adult available to accept delivery.

6. Where a third party carries out deliveries, an written agreement must be in place between the holder of the premises licence and the third party setting out that the measures narrated at the foregoing points 1 to 5 are to be complied with.

### **Licensing Standards Officer**

**Date:** 5 March 2024

**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)



## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation of Premises Licences

|                                      |  |
|--------------------------------------|--|
| <b>Premises Licence Reference:</b>   | WDLBPREM/0052.   |
| <b>Name and Address of Premises:</b> | Morrisons Daily, Lomond Drive, Bellsmyre, Dumbarton G82 3AS.   |
| <b>Applicant/Licence Holder:</b>     | Gosschalks LLP on behalf of Alliance Property Holdings Limited.  |
| <b>Type of Premises:</b>             | Off Sales.   |
| <b>Proposed Application:</b>         | <p>The applicant seeks a variation of the information contained within 5(f) of the operating plan. this is to be amended to add the following:</p> <p>'A home delivery shopping service may be operated from the store'.</p> |
| <b>Police Authority Comments:</b>    | No objections.   |
| <b>Licensing Standards Comments:</b> | See accompanying report highlighting terms of the Policy and suggesting conditions.  |
| <b>Fire Authority Comments:</b>      | No comments received.  |
| <b>Regulatory Services Comments:</b> | No comments.   |
| <b>Community Council Comments:</b>   | Not Active.  |
| <b>Health Board Comments:</b>        | No comments received.  |
| <b>Access Panel:</b>                 |  |
| <b>Additional Comments:</b>          |  |
| <b>Section 50 Certificates:</b>      | Not required.  |
| <b>Decision:</b>                     | Page 85  |



# 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.**

|   |         |                           |               |
|---|---------|---------------------------|---------------|
| MORRISONS DAILY, LOMOND DRIVE, BELLSMYRE, DUMBARTON |         |                           |               |
| Post Code   | G82 3AS | Premises Licence Ref. No. | WDLBPREM/0052 |

**1(b) Please provide full name, address, postcode, telephone number and e-mail address of applicant.**

|   |         |               |  |                |
|---|---------|---------------|--|----------------|
| <p>applicant:</p> <p>ALLIANCE PROPERTY HOLDINGS LIMITED, HILMORE HOUSE, GAIN LANE, BRADFORD</p> |         |               |  |                |
| Post Code   | BD3 7DL | Telephone No. |  | E-mail address |

## SECTION 2: MINOR VARIATIONS

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

(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** ☐ **NO** ☐

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

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

YES ☐ NO ☐

(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 ☐ 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 ☐

(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 ☐



(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 ☒ NO ☐

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

THE APPLICANT SEEKS A VARIATION OF THE INFORMATION CONTAINED WITHIN 5(f) OF THE OPERATING PLAN. THIS IS TO BE AMENDED TO ADD THE FOLLOWING:

'A home delivery shopping service may be operated from the store'.

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

**YES** ☐ **NO** ☒

(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** ☒

(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**      ...GOSSCHALKS LLP (See Note 1 below)

**Date**              18/01/2024 .....

**Capacity** AGENT – SOLICITORS ON BEHALF OF APPLICANT

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

ALEX GREEN, [REDACTED]

.....

[REDACTED]

.....

**I have enclosed the relevant documents with this application – please tick the relevant boxes**

|  |          |
|--|----------|
| <b>Premises Licence (See Note 2)</b>               | <b>X</b> |
| <b>Operating Plan (see Note 3)</b>                 | <b>X</b> |
| <b>Layout Plans (see Note 3)</b>                   |          |
| <b>Planning certificate (See Note 4)</b>           |          |
| <b>Building standards certificate (See Note 4)</b> |          |
| <b>Food hygiene certificate (See Note 4)</b>       |          |
| <b>Copy of Personal Licence</b>                    |          |

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

### **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>    | 10:00                  | 22:00                |
| <i>Tuesday</i>   | 10:00                  | 22:00                |
| <i>Wednesday</i> | 10:00                  | 22:00                |
| <i>Thursday</i>  | 10:00                  | 22:00                |
| <i>Friday</i>    | 10:00                  | 22:00                |
| <i>Saturday</i>  | 10:00                  | 22:00                |
| <i>Sunday</i>    | 10:00                  | 22:00                |

### **Question 4**

SEASONAL VARIATIONS

|  |           |
|--|-----------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>NO</i> |
|--|-----------|

*\*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

| <b>COL. 1</b><br><b>5(a)</b><br><b>Activity</b>   | <b>COL. 2</b><br><b>Please confirm</b><br><b>YES/NO</b> | <b>COL. 3</b><br><b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>COL. 4</b><br><b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
|---|---|---|--|
| <i>Accommodation</i>  | NO  | N/A   | N/A  |
| <i>Conference facilities</i>  | NO  | NO  | NO   |
| <i>Restaurant facilities</i>  | NO  | NO  | NO   |
| <i>Bar meals</i>  | NO  | NO  | NO   |
|   |   |   |  |
| <b>5(b) Activity</b><br><b>Social functions</b><br><b>including:</b>                                      | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Receptions including</i><br><i>Weddings, funerals,</i><br><i>birthdays, retirements</i><br><i>etc.</i> | NO  | NO  | NO   |
| <i>Club or other group</i><br><i>meetings etc.</i>  | NO  | NO  | NO   |
|   |   |   |  |
| <b>5(c)</b><br><b>Activity</b><br><b>Entertainment</b><br><b>including:</b>                               | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Recorded music – see</i><br><b>5(g)</b>  | YES   | YES   | YES  |
| <i>Live performances –</i><br><b>see 5(g)</b>   | NO  | NO  | NO   |
| <i>Dance facilities</i>   | NO  | NO  | NO   |
| <i>Theatre</i>  | 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)</b><br><b>Activity</b>     | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
| <i>Outdoor drinking facilities</i> | NO                                     | NO   | NO  |
|                                    |  |  |   |
| <b>5(e)</b><br><b>Activity</b>     | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>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 APPLICANT PLAYS RECORDED MUSIC WITH THE BENEFIT OF PPL LICENCE NO. 00650466107.

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 SALE OF FRESH AND FROZEN FOOD, CONFECTIONARY AND ALL GOODS AS NORMALLY SOLD IN A LOCAL CONVENIENCE STORE.

A HOME DELIVERY SHOPPING SERVICE MAY BE OPERATED FROM THIS STORE.

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?

N/A

When fully occupied, are there likely to be more customers standing than seated?

N/A

\*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> | N/A |
|      | <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*

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?*

**22.59 M2**

**Question 8**

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

*Personal details*

*8(a) Name*

NEIL McQUADE

*8(b) Date of birth*

[REDACTED]

*8(c) Contact address*

[REDACTED]  
[REDACTED]  
[REDACTED]

*8(d) Email address*

N/A

8(e) Personal licence

| <i>Date of issue</i> | <i>Name of Licensing Board issuing</i> | <i>Reference no. of personal licence</i> |
|----------------------|--|--|
|                      | EAST DUNBARTONSHIRE                    | EDC022                                   |

**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 [REDACTED] ..... \* (see note below)

18/01/2024

Date .....

Capacity SOLICITORS FOR APPLICANT ..... /AGENT (delete as appropriate).

Telephone number and email address of signatory [REDACTED]

**\* 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:**

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## **Licensing Standards Officers Report**

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

#### **PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0052 Morrison's Daily Lomond Drive Bellsmyre Dumbarton G82 3AS

**PREMISES LICENCE HOLDER:** Alliance Property Holdings Limited Holmore House Gain Lane Bradford BD3

In accordance with the Licensing Board's Statement of Licensing Policy the Licensing Standards Officer recommends that for the purposes of the licensing objectives, that the conditions narrated in the Board's policy at Appendix 1, Part B – Off-Sales and Part C - Home Deliveries as replicated below are applied to this licence.

#### **Part B – Off-Sales**

The holder of a premises licence shall ensure that:-

1. A refusal register is maintained in the premises recording all incidences of refused sales, including the date and time, the reason for refusal and the member of staff refusing the sale.
2. The refusal register is inspected by the Designated Premises Manager, or his nominated representative, at least on a fortnightly basis.
3. The refusal register is made available for inspection by the Police and Licensing Standards Officers on request.
4. The refusal register may be kept in electronic form, in which event the obligation imposed by condition 3 above may be discharged by making available for inspection as aforesaid a printed copy of the refusal register's entries.

#### **Part C - Home Deliveries**

The holder of the premises licence must make sure that:-

1. A robust age verification policy requires to be in place for deliveries that include alcohol and must be strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. All delivery staff must be trained in the operation of the foregoing policy.
2. Any documentation presented as verification of age is of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.
3. An order register must be kept on the premises containing details of the items ordered/despatched, with details of when the order was placed and when the

alcohol was despatched.

4. A delivery/refusal register requires to be maintained by the delivery driver containing details of the person accepting delivery or, if delivery was refused, the reason for any refusals.

5. No delivery of alcohol should be left unattended (including in a safe place) or with Children or Young Persons where there is no adult available to accept delivery.

6. Where a third party carries out deliveries, an written agreement must be in place between the holder of the premises licence and the third party setting out that the measures narrated at the foregoing points 1 to 5 are to be complied with.

### **Licensing Standards Officer**

**Date:** 5 March 2024

**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)

## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation of Premises Licences

|                                      |  |
|--------------------------------------|--|
| <b>Premises Licence Reference:</b>   | WDLBPREM/0109.   |
| <b>Name and Address of Premises:</b> | Morrisons Daily, 107 Glasgow Road, Dumbarton G82 1RG.  |
| <b>Applicant/Licence Holder:</b>     | Gosschalks LLP on behalf of Alliance Property Holdings Limited.  |
| <b>Type of Premises:</b>             | Off Sales.   |
| <b>Proposed Application:</b>         | <p>The applicant seeks a variation of the information contained within 5(f) of the operating plan. this is to be amended to add the following:</p> <p>'A home delivery shopping service may be operated from the store'.</p> |
| <b>Police Authority Comments:</b>    | No objections.   |
| <b>Licensing Standards Comments:</b> | See accompanying report highlighting terms of the Policy and suggesting conditions.  |
| <b>Fire Authority Comments:</b>      | No comments received.  |
| <b>Regulatory Services Comments:</b> | No comments.   |
| <b>Community Council Comments:</b>   | No comments received.  |
| <b>Health Board Comments:</b>        | No comments received.  |
| <b>Access Panel:</b>                 |  |
| <b>Additional Comments:</b>          |  |
| <b>Section 50 Certificates:</b>      | Not required.  |
| <b>Decision:</b>                     | Page 103   |



# 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.**

|  |         |                           |               |
|--|---------|---------------------------|---------------|
| MORRISONS DAILY, 107 GLASGOW ROAD, DUMBARTON |         |                           |               |
| Post Code                                    | G82 1RQ | Premises Licence Ref. No. | WDLBPREM/0109 |

**1(b) Please provide full name, address, postcode, telephone number and e-mail address of applicant.**

|   |         |               |  |                |
|---|---------|---------------|--|----------------|
| <p>applicant:</p> <p>ALLIANCE PROPERTY HOLDINGS LIMITED, HILMORE HOUSE, GAIN LANE, BRADFORD</p> |         |               |  |                |
| Post Code   | BD3 7DL | Telephone No. |  | E-mail address |

## SECTION 2: MINOR VARIATIONS

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

(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** ☐ **NO** ☐

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

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

YES ☐ NO ☐

(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 ☐ 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 ☐

(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 ☐



(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 ☒ NO ☐

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

THE APPLICANT SEEKS A VARIATION OF THE INFORMATION CONTAINED WITHIN 5(f) OF THE OPERATING PLAN. THIS IS TO BE AMENDED TO ADD THE FOLLOWING:

'A home delivery shopping service may be operated from the store'.

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

**YES** ☐ **NO** ☒

(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** ☒

(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**      ...GOSSCHALKS LLP (See Note 1 below)

**Date**              18/01/2024 .....



**Capacity** AGENT – SOLICITORS ON BEHALF OF APPLICANT

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

ALEX GREEN, [REDACTED]

[REDACTED]

**I have enclosed the relevant documents with this application – please tick the relevant boxes**

|  |          |
|--|----------|
| <b>Premises Licence (See Note 2)</b>               | <b>X</b> |
| <b>Operating Plan (see Note 3)</b>                 | <b>X</b> |
| <b>Layout Plans (see Note 3)</b>                   |          |
| <b>Planning certificate (See Note 4)</b>           |          |
| <b>Building standards certificate (See Note 4)</b> |          |
| <b>Food hygiene certificate (See Note 4)</b>       |          |
| <b>Copy of Personal Licence</b>                    |          |

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

**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>    | 10:00                  | 22:00                |
| <i>Tuesday</i>   | 10:00                  | 22:00                |
| <i>Wednesday</i> | 10:00                  | 22:00                |
| <i>Thursday</i>  | 10:00                  | 22:00                |
| <i>Friday</i>    | 10:00                  | 22:00                |
| <i>Saturday</i>  | 10:00                  | 22:00                |
| <i>Sunday</i>    | 10:00                  | 22:00                |

**Question 4**

SEASONAL VARIATIONS

|  |            |
|--|------------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>NO*</i> |
|--|------------|

*\*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

| <b>COL. 1</b><br><b>5(a)</b><br><b>Activity</b>   | <b>COL. 2</b><br><b>Please confirm</b><br><b>YES/NO</b> | <b>COL. 3</b><br><b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>COL. 4</b><br><b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
|---|---|---|--|
| <i>Accommodation</i>  | NO  | N/A   | N/A  |
| <i>Conference facilities</i>  | NO  | NO  | NO   |
| <i>Restaurant facilities</i>  | NO  | NO  | NO   |
| <i>Bar meals</i>  | NO  | NO  | NO   |
|   |   |   |  |
| <b>5(b) Activity</b><br><b>Social functions</b><br><b>including:</b>                                      | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Receptions including</i><br><i>Weddings, funerals,</i><br><i>birthdays, retirements</i><br><i>etc.</i> | NO  | NO  | NO   |
| <i>Club or other group</i><br><i>meetings etc.</i>  | NO  | NO  | NO   |
|   |   |   |  |
| <b>5(c)</b><br><b>Activity</b><br><b>Entertainment</b><br><b>including:</b>                               | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Recorded music – see</i><br><b>5(g)</b>  | YES   | YES   | YES  |
| <i>Live performances –</i><br><b>see 5(g)</b>   | NO  | NO  | NO   |
| <i>Dance facilities</i>   | NO  | NO  | NO   |
| <i>Theatre</i>  | 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)</b><br><i>Activity</i>     | <i>Please confirm</i><br><b>YES/NO</b> | <b>To be provided during core licensed hours – please confirm</b><br><b>YES/NO</b> | <b>Where activities are also to be provided outwith core licensed hours please confirm</b><br><b>YES/NO</b> |
| <i>Outdoor drinking facilities</i> | NO                                     | NO   | NO  |
|                                    |  |  |   |
| <b>5(e)</b><br><i>Activity</i>     | <i>Please confirm</i><br><b>YES/NO</b> | <b>To be provided during core licensed hours – please confirm</b><br><b>YES/NO</b> | <b>Where activities are also to be provided outwith core licensed hours please confirm</b><br><b>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 applicant holds a PPL licence No. 00650466/07*

*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.*

*A HOME DELIVERY SHOPPING SERVICE MAY BE OPERATED FROM THE STORE.*

*5(g) Late night premises opening after 1.00am*

|  |            |
|--|------------|
| <i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i> | <i>N/A</i> |
|--|------------|

|   |            |
|---|------------|
| <i>When fully occupied, are there likely to be more customers standing than seated?</i> | <i>N/A</i> |
|---|------------|

|                               |  |
|-------------------------------|--|
| <i>*Delete as appropriate</i> |  |
|-------------------------------|--|

**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>N/A</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*

*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 - 26.61**

**Question 8**

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

*Personal details*

*8(a) Name*

LINDA DONNELLY

*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> |
|----------------------|--|--|
|                      | WEST DUNBARTONSHIRE LICENSING BOARD    | WD/0287                                  |

**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 [REDACTED] ..... \* (see note below)

Date 18/01/2024 .....

Capacity [REDACTED] ..... AGENT

Telephone number and email address of signatory [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## **Licensing Standards Officers Report**

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

#### **PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0109 Morrison's Daily 107 Glasgow Road Dumbarton G82 1RQ

**PREMISES LICENCE HOLDER:** Alliance Property Holdings Limited Holmore House Gain Lane Bradford BD3

In accordance with the Licensing Board's Statement of Licensing Policy the Licensing Standards Officer recommends that for the purposes of the licensing objectives, that the conditions narrated in the Board's policy at Appendix 1, Part B – Off-Sales and Part C - Home Deliveries as replicated below are applied to this licence.

#### **Part B – Off-Sales**

The holder of a premises licence shall ensure that:-

1. A refusal register is maintained in the premises recording all incidences of refused sales, including the date and time, the reason for refusal and the member of staff refusing the sale.
2. The refusal register is inspected by the Designated Premises Manager, or his nominated representative, at least on a fortnightly basis.
3. The refusal register is made available for inspection by the Police and Licensing Standards Officers on request.
4. The refusal register may be kept in electronic form, in which event the obligation imposed by condition 3 above may be discharged by making available for inspection as aforesaid a printed copy of the refusal register's entries.

#### **Part C - Home Deliveries**

The holder of the premises licence must make sure that:-

1. A robust age verification policy requires to be in place for deliveries that include alcohol and must be strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. All delivery staff must be trained in the operation of the foregoing policy.
2. Any documentation presented as verification of age is of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.
3. An order register must be kept on the premises containing details of the items ordered/despatched, with details of when the order was placed and when the

alcohol was despatched.

4. A delivery/refusal register requires to be maintained by the delivery driver containing details of the person accepting delivery or, if delivery was refused, the reason for any refusals.

5. No delivery of alcohol should be left unattended (including in a safe place) or with Children or Young Persons where there is no adult available to accept delivery.

6. Where a third party carries out deliveries, an written agreement must be in place between the holder of the premises licence and the third party setting out that the measures narrated at the foregoing points 1 to 5 are to be complied with.

### **Licensing Standards Officer**

**Date:** 5 March 2024

**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)

## THE LICENSING (SCOTLAND) ACT 2005

### Application for Variation Premises Licences

**Premises Licence Reference:** WDLBPREM/0191.

**Name and Address of Premises:** Aldi Stores Limited, 80 Bank Street, Alexandria G83 0LZ.

**Applicant/Licence Holder:** TLT LLP on behalf of Aldi Stores Limited.

**Type of Premises:** Off Sales.

#### **Proposed Application:**

Q5(c) – ADD RECORDED MUSIC as a permitted activity, during and outwith licensed hours.

Q5 – ADD wording “RECORDED BACKGROUND MUSIC MAY BE PLAYED DURING AND OUTWITH CORE HOURS”

Q5(f) – ADD wording “SALE OF OTHER GOODS CONSISTENT WITH THE BUSINESS OF A SUPERMARKET. HOME DELIVERIES, CLICK & COLLECT SERVICE, AND ON-LINE SALES MAY ALSO TAKE PLACE.”

Q7 – AMEND off-sales capacity to 41.54426m2

**Police Authority Comments:** No objections.

**Licensing Standards Comments:** See accompanying report highlighting that this application should be considered in terms of the Licensing Board’s Overprovision policy and suggested conditions.

**Fire Authority Comments:** No comments received.

**Regulatory Services Comments:** No comments.

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

**Health Board Comments:** No comments received.

**Access Panel:** Page 121

**Additional Comments:**

**Section 50 Certificates:**

**Decision:**

# WEST DUNBARTONSHIRE LICENSING BOARD

## LICENSING (SCOTLAND) ACT 2005

### APPLICATION FOR VARIATION OF PREMISES LICENCE/ PROVISIONAL PREMISES LICENCE\*

\*Delete as appropriate

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.

ALDI  
80 BANK STREET  
ALEXANDRIA

|           |         |                           |               |
|-----------|---------|---------------------------|---------------|
| Post Code | G83 0LZ | Premises Licence Ref. No. | WDLBPREM/0191 |
|-----------|---------|---------------------------|---------------|

##### 1(b) Please provide full name, address, postcode, telephone number and e-mail address of applicant.

ALDI STORES LIMITED  
HOLLY LANE  
ATHERSTONE  
WARWICKSHIRE

|           |         |               |  |                |  |
|-----------|---------|---------------|--|----------------|--|
| Post Code | CV9 2SQ | Telephone No. |  | E-mail address |  |
|-----------|---------|---------------|--|----------------|--|

#### SECTION 2: MINOR VARIATIONS

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

(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 ☐ NO ☐

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

|  |
|--|
| <br><br><br><br><br><br><br><br><br><br> |
|--|

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

YES ☐ NO ☐

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

|  |
|--|
| <br><br><br><br><br><br><br><br><br><br> |
|--|

**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** ☐ **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** ☐

(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** ☒

(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** ☒ **NO** ☐

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

Q5(c) – ADD RECORDED MUSIC as a permitted activity, during and outwith licensed hours

Q5 – ADD wording “RECORDED BACKGROUND MUSIC MAY BE PLAYED DURING AND OUTWITH CORE HOURS”

Q5(f) – ADD wording “SALE OF OTHER GOODS CONSISTENT WITH THE BUSINESS OF A SUPERMARKET. HOME DELIVERIES, CLICK & COLLECT SERVICE, AND ON-LINE SALES MAY ALSO TAKE PLACE.”

Q7 – AMEND off-sales capacity to 41.54426m<sup>2</sup>



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

**YES** ☒ **NO** ☐

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

AMEND layout plan to reflect extension of store and sales floor, add self-scan checkouts, and increase off-sales display capacity to 41.54426m<sup>2</sup>

**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** ☒

(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 Lynn Simpson LYNN SIMPSON (TLT LLP) as Agent (See Note 1 below)

Date 8 February 2024

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

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

TLT Solicitors (Contact: Lynn Simpson)  
Cadworks, Floor 9, 41 West Campbell Street, Glasgow G2 6SE  
Lynn.Simpson@TLT.com  
0333 006 0923 / 07890901815

**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>I(a) Will alcohol be sold for consumption solely ON the premises?</i>       | <i>NO</i>  |
| <i>I(b) Will alcohol be sold for consumption solely OFF the premises?</i>      | <i>YES</i> |
| <i>I(c) Will alcohol be sold for consumption both ON and OFF the premises?</i> | <i>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>    | N/A                   | N/A                  |
| <i>Tuesday</i>   | N/A                   | N/A                  |
| <i>Wednesday</i> | N/A                   | N/A                  |
| <i>Thursday</i>  | N/A                   | N/A                  |
| <i>Friday</i>    | N/A                   | N/A                  |
| <i>Saturday</i>  | N/A                   | N/A                  |
| <i>Sunday</i>    | N/A                   | N/A                  |

### Question 3

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

| Day       | OFF Consumption |               |
|-----------|-----------------|---------------|
|           | Opening time    | Terminal hour |
| Monday    | 10:00am         | 10:00pm       |
| Tuesday   | 10:00am         | 10:00pm       |
| Wednesday | 10:00am         | 10:00pm       |
| Thursday  | 10:00am         | 10:00pm       |
| Friday    | 10:00am         | 10:00pm       |
| Saturday  | 10:00am         | 10:00pm       |
| Sunday    | 10:00am         | 10:00pm       |

### Question 4

### SEASONAL VARIATIONS

|  |           |
|--|-----------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>NO</i> |
|--|-----------|

*\*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

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

RECORDED BACKGROUND MUSIC MAY BE PLAYED DURING AND OUTWITH CORE 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.

SALE OF OTHER GOODS CONSISTENT WITH THE BUSINESS OF A SUPERMARKET.  
HOME DELIVERIES, CLICK & COLLECT SERVICE, AND ON-LINE SALES MAY ALSO TAKE PLACE.



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? |  |
|---|--|

|  |  |
|--|--|
| When fully occupied, are there likely to be more customers standing than seated? |  |
| *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: 42.79801m<sup>2</sup>

### **Question 8**

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

*Personal details*

8(a) *Name*

TBC

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.

Signature ..... *Lynn Simpson* ..... LYNN SIMPSON (TLT LLP) as Agent \* (see note below)

Date ..... 8 February 2024 .....

Capacity ..... AGENT (delete as appropriate).

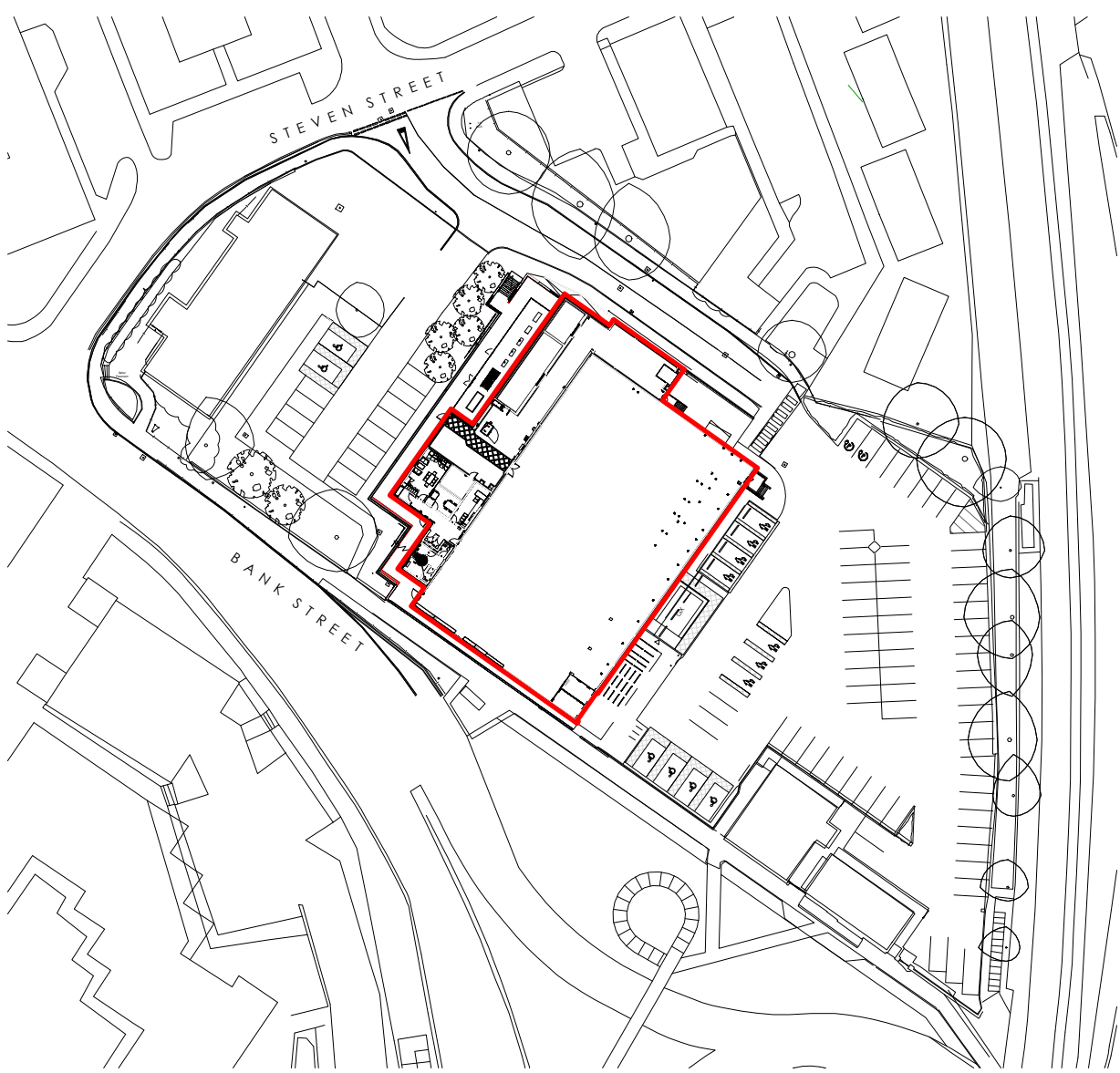
Telephone number and email address of signatory ..... [Lynn.Simpson@TLT.com](mailto:Lynn.Simpson@TLT.com)

07890901815 / 0333 006 0923

**\* 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.



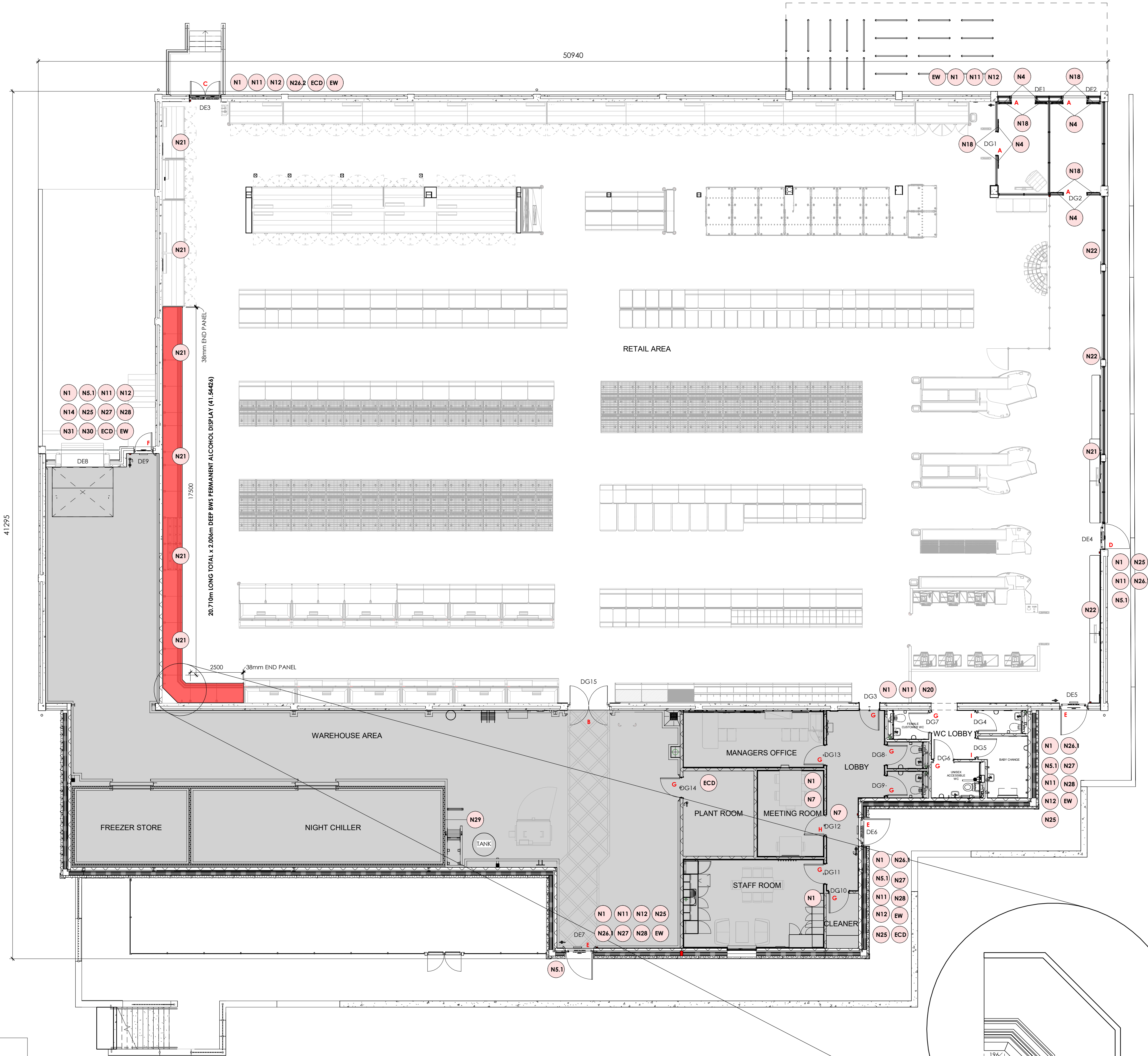


2 KEY PLAN  
1 : 1000

| FIRE SIGNAGE REFERENCES - ALCOHOL |  |       |
|-----------------------------------|--|-------|
| REF.                              | DESCRIPTION  | IMAGE |
| N1                                | GENERAL FIRE ACTION NOTICE   |       |
| N4                                | DIRECTION ARROW, WHITE ARROW, BLUE BACKGROUND, CIRCLE                                    |       |
| N5.1<br>N6                        | FIRE ESCAPE KEEP CLEAR, SELF ADHESIVE (EXTERNAL)<br>FIRE DOOR KEEP CLOSED, SELF ADHESIVE |       |
| N7                                | FIRE DOOR KEEP CLOSED, MECHANICALLY FIXED  |       |
| N8                                | FIRE DOOR KEEP LOCKED  |       |
| N11                               | FIRE ALARM CALL POINT  |       |
| N12                               | FIRE EXTINGUISHER, SELF ADHESIVE   |       |
| N14                               | NO SMOKING, SELF ADHESIVE  |       |
| N18                               | NO ENTRY, CIRCLE   |       |
| N20                               | FIRE ALARM CONTROL PANEL INSIDE  |       |
| N21                               | DIRECTIONAL FIRE EXIT, RH, SELF ADHESIVE   |       |
| N22                               | DIRECTIONAL FIRE EXIT, LH, SELF ADHESIVE   |       |
| N25                               | ILLUMINATED FIRE EXIT, WALL MOUNTED  |       |
| N26.1<br>N26.2                    | PUSH BAR TO OPEN, SELF ADHESIVE<br>2 X PUSH BAR TO OPEN, SELF ADHESIVE (DOUBLE DOOR)     |       |
| N27                               | DIRECTIONAL FIRE EXIT, DOWN  |       |
| N28                               | EMERGENCY ESCAPE KEEP CLEAR - "EMERGENCY EXIT THIS AREA MUST BE KEPT CLEAR AT ALL TIMES" |       |
| N29                               | AUTHORISED PERSONNEL, SELF ADHESIVE  |       |
| N30                               | PRESS LEVER TO OPEN  |       |
| N31                               | <varies>   |       |

| FIRE EXTINGUISHER SCHEDULE |      |                    |              |              |                  |
|----------------------------|------|--------------------|--------------|--------------|------------------|
| ROOM                       | Ref. | TYPE               | LABEL COLOUR | MOUNTING     | COMMENTS         |
| LOBBY                      | ECD  | CARBON DIOXIDE     | BLACK        | WALL MOUNTED | ADJACENT TO DE6  |
| PLANT ROOM                 | ECD  | CARBON DIOXIDE     | BLACK        | WALL MOUNTED | ADJACENT TO DG14 |
| RETAIL AREA                | ECD  | CARBON DIOXIDE     | BLACK        | ON STAND     | ADJACENT TO DE3  |
| WAREHOUSE AREA             | ECD  | CARBON DIOXIDE     | BLACK        | WALL MOUNTED | ADJACENT TO DE9  |
| 4                          |      |                    |              |              |                  |
| LOBBY                      | EW   | WATER (HYDROSPRAY) | RED          | WALL MOUNTED | ADJACENT TO DE6  |
| RETAIL AREA                | EW   | WATER (HYDROSPRAY) | RED          | ON STAND     | ADJACENT TO DE3  |
| RETAIL AREA                | EW   | WATER (HYDROSPRAY) | RED          | WALL MOUNTED | ADJACENT TO DG1  |
| RETAIL AREA                | EW   | WATER (HYDROSPRAY) | RED          | WALL MOUNTED | ADJACENT TO DE5  |
| WAREHOUSE AREA             | EW   | WATER (HYDROSPRAY) | RED          | WALL MOUNTED | ADJACENT TO DE9  |
| WAREHOUSE AREA             | EW   | WATER (HYDROSPRAY) | RED          | WALL MOUNTED | ADJACENT TO DE7  |
| 6                          |      |                    |              |              |                  |

TOTAL: 10



1 ALCOHOL LICENCE PLAN  
1 : 100

DETAIL - BWS CORNER UNIT  
1 : 20

| REV | DATE       | DESCRIPTION  | DRW | CHK |
|-----|------------|--------------|-----|-----|
| P01 | 2024-02-05 | FIRST ISSUE. | MW  | NM  |

**NOTE:**  
FIRE ALARM/DETECTION SYSTEM TO COMPLY WITH BS 5839 PART 1 - 2002  
EMERGENCY LIGHTING SYSTEM TO COMPLY WITH BS 5226 PART 1 - 2005  
FIRE EXIT AND ASSORTED SIGNAGE TO COMPLY WITH BS 5499 PART 1 & 4

**CLEAR OPENING WIDTH TO DOORS:**  
A = 1100mm CLEAR  
B = 1731mm CLEAR  
C = 1327mm CLEAR  
D = 1064mm CLEAR  
E = 1023mm CLEAR  
F = 756mm CLEAR  
G = 869mm CLEAR  
H = 646mm CLEAR  
I = 812mm CLEAR

**ALL EMERGENCY LIGHTING LOCATIONS TO THE MAIN SALES AREA TO BE TO M&E CONSULTANTS REQUIREMENTS**

**ALCOHOL LICENCE LEGEND**  
PERMANENT ALCOHOL DISPLAY  
NON PUBLIC AREAS

**NOTE:**  
NO SPECIFIC AREA FOR USE OF CHILDREN ONLY. CHILDREN AND YOUNG PERSONS ARE PERMITTED IN ALL PUBLIC AREAS OF THE PREMISES.

Client  
**ALDI - Aldi Stores Ltd.**  
Project Title  
**ALDI - ALEXANDRIA**  
Project Address  
**80 BANK STREET, ALEXANDRIA, G83 0LZ**

Drawing Title  
**ALCOHOL LICENCE PLAN**

| Job No.               | Originator  | Zone        | Level        | Type | Role |  |
|-----------------------|-------------|-------------|--------------|------|------|--|
| 79-E0449 PA           |             | XX          | 00           | DR   | A    |  |
| System Classification | Drawing No. | Suitability | Revision     |      |      |  |
| Ss_40_20_15-0003      |             | S2          | P01          |      |      |  |
| Drawn                 | Checked     | Date        | Scale        | Size |      |  |
| MW                    | DM          | 2024-02-05  | As indicated | A1   |      |  |

Studio 303, Malling Exchange, Houlls Yard, Walker Road, Newcastle Upon Tyne, NE6 2HL  
One Lochrin Square, 92 Fountainbridge, Edinburgh, EH3 9QA  
t : 0191 260 5551  
e : admin@projektarchitects.com  
w : www.projektarchitects.com  
Architects | Construction

The drawing and not the related part of all dimensions are to be checked on the site to make corrections. The project is the responsibility of the client. The client is responsible for the accuracy of the information provided. The project is the responsibility of the client. The client is responsible for the accuracy of the information provided. The project is the responsibility of the client. The client is responsible for the accuracy of the information provided.



## **Licensing Standards Officers Report**

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

#### **PREMISES LICENCE VARIATION APPLICATION**

**PREMISES:** WDLBPREM/0191 Morrison's Daily 80 Bank Street Alexandria G83 0LZ

**PREMISES LICENCE HOLDER:** ALDI Stores Limited Holly Lane Atherstone  
Warwickshire CV9 2SQ

This application which seeks to increase the capacity of the alcohol display from 29.00676 m<sup>2</sup> to 41.54426m<sup>2</sup> may be contrary to the Licensing Board's Statement of Licensing Policy specifically Part 4: Overprovision.

In accordance with the Licensing Board's Statement of Licensing Policy the Licensing Standards Officer recommends that for the purposes of the licensing objectives, that the conditions narrated in the Board's policy at Appendix 1, Part B – Off-Sales and Part C - Home Deliveries as replicated below are applied to this licence should the application be granted.

#### **Part B – Off-Sales**

The holder of a premises licence shall ensure that:-

1. A refusal register is maintained in the premises recording all incidences of refused sales, including the date and time, the reason for refusal and the member of staff refusing the sale.
2. The refusal register is inspected by the Designated Premises Manager, or his nominated representative, at least on a fortnightly basis.
3. The refusal register is made available for inspection by the Police and Licensing Standards Officers on request.
4. The refusal register may be kept in electronic form, in which event the obligation imposed by condition 3 above may be discharged by making available for inspection as aforesaid a printed copy of the refusal register's entries.

#### **Part C - Home Deliveries**

The holder of the premises licence must make sure that:-

1. A robust age verification policy requires to be in place for deliveries that include alcohol and must be strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. All delivery staff must be trained in the operation of the foregoing policy.
2. Any documentation presented as verification of age is of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.





**WEST DUNBARTONSHIRE LICENSING BOARD****Report by the Clerk to the Licensing****Meeting of the Licensing Board - 7 May 2024**

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**Subject: Gambling Act 2005: Review of the Licensing Board's Statement of Principles**

**1. Purpose**

- 1.1** To obtain the Licensing Board's approval to consult on a refresh of its Statement of Principles and to develop a local area profile.

**2. Recommendations**

- 2.1** It is recommended that the Licensing Board:-

- (a) approve the terms of the draft Statement of Principles at Appendix 1 (subject to any further minor amendments thought necessary by the Clerk);
- (b) authorise the Clerk to consult with the public, trade and any other relevant stakeholders on the terms of the draft Statement of Principles;
- (c) agree that the Clerk will work with Police Scotland, the Council, health partners, and other relevant agencies to develop an updated local area profile; and
- (d) thereafter, instruct that a report is brought back to a future meeting of the Licensing Board so to consider the consultation responses and local area profile.

**3. Background**

- 3.1** In terms of Section 349 of the Gambling Act 2005 ("the Act"), the Licensing Board is required to publish a Statement of Principles that sets out how it will exercise its functions under the Act. This Statement of Principles must be reviewed every three years. It is now time to review the current Statement of Principles with the current Statement having been adopted on 31 January 2022.
- 3.2** The Statement of Principles is the Licensing Board's mandate for managing local gambling provision and sets out how the Licensing Board views the local risk environment and therefore its expectations in relation to operators with premises in the locality.
- 3.3** The UK Government in April 2023 published its review of gambling legislation that sets out the Government's plans for modernising the regulation of gambling. This review noted that the Government intends, when Parliamentary time allows, to introduce an overprovision like test, similar to that in the alcohol licensing legislation. Such legislation is still awaited and therefore, the Licensing Board

cannot consider overprovision of gambling licensed premises at this time.

#### 4. Main Issues

4.1 The Licensing Board has a duty to promote the statutory licensing objectives and therefore the Statement of Principles must promote these objectives of:-

- preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling

4.2 Members will note that the Act places a legal duty by way of Section 153 to aim to permit gambling, in so far as it is considered to be reasonably consistent with the pursuit of the licensing objectives. The effect of this duty is that the Licensing Board must approach their functions in a way that seeks to regulate gambling by using their powers, for example, by attaching conditions to a premises licence as opposed to starting out to prevent gambling altogether.

4.3 The form of the Statement of Principles is determined by regulation and its' contents must comply with the Gambling Commission's Guidance to Licensing Authorities and reflect the Gambling Commission's Licence Conditions and Codes of Practice.

4.4 Officers have reviewed the current Statement of Principles and have made a number of amends. These amends are relatively minor or technical in nature. Table 1 narrates the changes made and the rationale.

| Paragraph     | Change   | Note   |
|---------------|--|--|
| Foreword      | Deleted.   | Will be updated post consultation.   |
| <i>Part A</i> |  |  |
| 3.2           | Deleted text relating to the location of schools and other community facilities. | This information will form part of the local area profile.   |
| 5             | Deleted details of the prior consultation.                                       | Will be updated post consultation.   |
| 7.2           | Deleted reference to the West Dunbartonshire Community Planning Partnership.     | Clarifying that the responsible authority in relation to the protection of children from harm is the West Dunbartonshire Child Protection Committee. |
| 9.2           | Amended reference to Freedom of Information legislation.                         | Clarifying that the Scottish legislation is relevant here.   |
| 10.5          | Inserted paragraph clarifying that while the Licensing Board has                 | A drafting error in the Gambling Act 2005  |

|               |  |  |
|---------------|--|--|
|               | narrated its approach to enforcement and compliance, it requires the legislation to be clarified around the authorisation of Council Officers.   | means that, in Scotland, Licensing Standards Officers cannot be authorised to undertake gambling enforcement and compliance work.  |
| 10.6          | Removed reference to enforcement and compliance protocols.   | Given that no Officers are authorised to carry out compliance and enforcement work, these documents do not exist.                  |
| 10.7          | Removed suggestion that contact details for senior individual in bookmakers would be made available.   | This requirement is unenforceable.   |
| <i>Part B</i> |  |  |
| 1.10          | Inserted paragraph confirming that when the Licensing Board is considering a premises licence application for a finished building it cannot have regard to planning or building regulations. | Confirms that the Licensing Board must only have regard to matters flowing from the Gambling Act 2005.                             |
| 1.11          | Deleted duplicate text around how decisions are made and information as to Police Scotland's position relating to bookmaker type premises.   | Making sure that the document is readable and recognising that Police Scotland's position has changed since the last consultation. |
| <i>Other</i>  |  |  |
| Appendix 6    | Deleted.   | Will be updated post consultation.   |
| Various       | Correcting typographical and grammatical issues.   | Improves the readability of the document.  |

*Table 1*

Significant deletions as noted above have been retained in the draft document and show as struck out and significant insertions have been highlighted. This formatting is to assist Members only and will be removed when the document goes out for consultation.

#### **4.5**

As part of this review, the Licensing Board's local area profile requires to be updated. This is an assessment of the local environment so to identify local areas of concern. The Gambling Commission suggests that through the local area profile, both the licensing authority and gambling operators will develop a better awareness of the local area and risks. This will allow parties to consider how best to mitigate these risks. Therefore, the local area profile will be referred to the Statement of Principles so that potential applicants can review the profile and tailor their risk assessments to have regard to the risks highlighted through the profile, for example, the proximity of a school or rehabilitation centre.

**4.6** The local area profile will be a document separate from the Statement of Principles so that it can reviewed and updated from time to time without the need for a full consultation of the Statement of Principles. The Statement of Principles will, however, narrate that the Licensing Board will have regard to the Statement of Principles when exercising its functions.

**4.7** Officers will work with officers from Police Scotland, the Council, NHS and the Health and Social Care Partnership to identify relevant information and thereafter develop a robust and up to date local area profile.

## **5. People Implications**

**5.1** There are no personnel issues for the Council arising from this report.

## **6. Financial Implications**

**6.1** There are no financial implications.

## **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** [TO BE UPDATED] Awaiting sign off. Full EIA and will be attached.

## **9. Consultation**

**9.1** The Act sets out the framework for consulting on the reviewed Statement of Principles. The Licensing Board must consult:-

- the Chief Constable of Police Scotland;
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act.

**9.2** The Clerk will engage with the Council's Performance & Strategy Officer to discuss how best to engage with the public and gambling trade.

## **10 Strategic Assessment**

**10.1** This review of the Statement of Principles will help make sure that Our Communities are Resilient and Thriving.

**Chief Officer: Regulatory and Regeneration**

Date 16 April 2024

**Person to Contact:**

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Depute Clerk  
West Dunbartonshire Licensing Board  
Municipal Buildings  
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**Appendix**

Appendix 1 – Proposed Statement of Principles

Appendix 2 - EIA

**Background Papers**

Gambling Act 2005

Gambling Commission, Guidance to Licensing Authorities, last updated 11 April 2023

Gambling Commission, Licence Conditions and Code of Practice.



# **WEST DUNBARTONSHIRE LICENSING BOARD**

## **STATEMENT OF PRINCIPLES - GAMBLING ACT 2005**

**SECTION 349**

**DATE EFFECTIVE FROM: [TO BE UPDATED]**

## FOREWORD

[TO BE UPDATED]

*\*All references to “date to be confirmed” within this document refers to items that for practical reasons can only be inserted to the final Licensing Board approved version.*



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## **PART A**

### **INTRODUCTION**

#### **1. Legal Background**

- 1.1** The Gambling Act 2005 (“the Act”), which came into full force and effect on 1 September, 2007, created a new system of licensing and regulation for all gambling in Great Britain, other than the National Lottery. Section 349 of the Act required all licensing authorities to publish a Statement of Principles to be applied in exercising their functions under the Act.

The Act provided that a Statement of Principles shall apply for a period of three years and may be reviewed and revised during that period if appropriate.

As required in terms of Section 349 of the Act, the Board have reviewed and revised its fourth Statement of Principles. The following is the Board’s seventh Statement of Principles which, it proposes to apply in exercising its functions under the Act during the three year period beginning on **[TO BE UPDATED]**. This Statement of Principles will be kept under review and revised, if appropriate, during the three year period.

#### **2. The Licensing Objectives**

- 2.1** In exercising most of their functions under the Act, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

- 2.2** It should be noted that the Gambling Commission has stated “*The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling*”.

**2.3** This licensing authority is aware that, in terms of Section 153, in making decisions about premises licence's and temporary use notices (TENs) it should aim to permit the use of premises for gambling in so far as it thinks it is:-

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with this Statement of Principles.

### **3. West Dunbartonshire Licensing Board**

**3.1** The Licensing Board is the licensing authority for the West Dunbartonshire Council area for the purposes of the Gambling Act 2005 and any subsequent regulations and guidance. Located in the west of Scotland and stretching from the outskirts of Glasgow to the banks of Loch Lomond, West Dunbartonshire is the fourth smallest Scottish local authority in terms of land coverage (159 square kilometres). It has a population of just over **[TO BE UPDATED]** concentrated in the three main settlements of Clydebank, Dumbarton and Alexandria. A map of the Council area is provided in Appendix 1 to this Statement of Principles.

**3.2** Information related to the location of schools in West Dunbartonshire is provided at Appendix 2. This link details the number and location of educational establishments in West Dunbartonshire. Also in Appendix 2 is a link that details the location of addiction services within West Dunbartonshire and regulated premises where children and young persons may frequent. There are also details of the locations of Doctor Surgeries, Community Centres and Colleges. This information is provided to give further information as to the local area profile of West Dunbartonshire in terms of addiction services, places where vulnerable persons may frequent, educational establishments and regulated premises that children and young persons frequent.

### **4. Requirement to Publish Statement of Principles**

**4.1** Licensing authorities are required by the Act to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" with further consultation taking place on proposed amendments. The statement must be then re-published.

**4.2** Nothing in the Statement will override the right of any person to make an application

under the Act, or to have the application considered on its individual merits, or undermine the right of any person to make representations on an application, or to seek a review of a license where there is a legal power to do so.

- 4.3** In making decisions under the Act, the Board will have regard to this Statement of Principles but every application will be considered on its own merits. This statement is intended to be a general Statement of Principles and is not to be regarded as a comprehensive guide to the application of the Act by the Board. Applicants and others should always have regard not only to this Statement of Principles but also to the Act, any regulations made under the Act and any Guidance or Codes of Practice issued by the Gambling Commission. Guidance and Codes of Practice issued by the Gambling Commission may be accessed on the Commission's web site ([www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)).

## **5. Consultation on the Statement of Principles**

**[TO BE UPDATED POST CONSULTATION]**

## **6. Declaration**

- 6.1** In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Act as set out at 3.1 above, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

## **7. Responsible Authorities**

- 7.1** The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
  - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 7.2** In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this Licensing Board designates the West Dunbartonshire Child Protection Committee for this purpose.
- 7.3** The responsible authorities under the Gambling Act 2005 are:-
- The Council;

- The Gambling Commission;
- The Chief Constable, Police Scotland;
- The Chief Fire Officer, Scottish Fire and Rescue Service;
- West Dunbartonshire Council, Regulatory Services: Environmental Health Service;
- West Dunbartonshire Council, Regulatory Services: Planning & Building Services Section;
- West Dunbartonshire Community Planning Partnership;
- HM Revenues and Customs; and
- Any other person prescribed in regulations by the Secretary of State or Scottish Ministers.

The contact addresses for these authorities are provided in Appendix 5.

## **8. Interested Parties**

- 8.1** Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in Section 158 of the Act as follows:

*“For the purposes of this Part a person is an interested party in relation to an application for, or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence, or to which the application is made, the person:-*

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;*
- b) has business interests that might be affected by the authorised activities; or*
- c) represents persons who satisfy paragraph (a) or (b).”*

- 8.2** The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are set out at paragraphs 8.3 to 8.7. The Licensing Board will decide each case on its merits and will not apply a rigid rule to its decision making. Further, it will consider the examples of considerations provided in the Gambling Commission’s Guidance for Licensing Authorities.”

- 8.3** In determining whether a person is a “*person living close to the premises*”, the Board may take into account the following factors; size of the applicant premises, the nature of the premises, the distance of the premises from the location of the party making the representation, the topography and routes likely to be taken; the potential impact of the premises; and the circumstances of the person.
- 8.4** The Board will also consider the Gambling Commission's Guidance (at point 8.14 and 8.15) that in respect of whether the person “*has business interests*” should be satisfied that the relevant business is likely to be affected. In determining whether, a party is a person with business interests that could be affected, factors that may be taken into account include:
- the size of the premises;
  - the catchment area of the premises, that is, how far people travel to visit the premises; and
  - whether the person making the representations has business interests in that catchment area that might be affected.
- 8.5** The Gambling Commission has recommended that the Licensing Board states that interested parties include people representing those interested parties including trade associations and trade unions, and residents’ and tenants’ associations (Gambling Commission Guidance for licensing authorities paragraph 8.16 and 8.17). This Licensing Board will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005, i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
- 8.6** Interested parties can be persons who are democratically elected such as Councilors, MPs and MSPs. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP/MSP represents the ward/constituency likely to be affected. Likewise, Community Councils likely to be affected will be considered to be interested parties. In addition a community group might represent vulnerable people living near to the proposed premises.
- 8.7** Other than these however, this Board will generally require written evidence that a person/body (e.g. an advocate/relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councilors to ask them to represent their views then care should be taken that the Councilors are not part of the Licensing Board dealing with the licence application. If there are any doubts then please contact the Licensing Section by telephone: 01389 738741 or e-mail: [licensing@west-dunbarton.gov.uk](mailto:licensing@west-dunbarton.gov.uk).

## **9. Exchange of Information**

- 9.1** Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under Sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under Section 350 of the Act with respect to the exchange of information between it and the other persons listed in the in Schedule 6 to the Act. The terms of Part 13 of the Guidance to Local Authorities outline the underlying principles and information exchange between the Commission and licensing authorities.
- 9.2** The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information, which includes the provision that the Data Protection Act 2018 and the data protection legislation referred to therein will not be contravened. The Licensing Board will also act in accordance with the terms of the Freedom of Information (Scotland) Act 2002. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to licensing authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State or Scottish Ministers under the powers provided in the Gambling Act 2005.
- 9.3** Should any protocols be established as regards information exchange with other bodies then they will be made available.

## **10. Compliance and Enforcement**

- 10.1** In exercising its functions under Part 15 of the Act with respect to the inspection of premises this authority will be guided by the Gambling Commission's Guidance and will endeavor to be in terms of the Principles of good regulation in the Legislative and Regulatory Reform Act 2006:
- proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
  - accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
  - consistent: rules and standards must be joined up and implemented fairly and equally to all parties;
  - transparent: regulators should be open, and keep regulations simple and user friendly; and
  - targeted: regulation should be focused on the problem, and minimise side effects.
- 10.2** In terms of the Gambling Commission's Guidance for local authorities, this licensing authority will seek to avoid duplication with other regulatory regimes so



far as possible.

**10.3** This licensing authority will also, as recommended by the Gambling Commission's Guidance for licensing authorities, adopt a risk-based inspection programme when assessing risk, consideration will be given to:-

- the nature of the gambling activities carried out on the premises;
- the location of the premises in relation to schools; and
- the procedures put in place by the management of individual premises to meet the licensing objectives.

**10.4** The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it has authorised. The Gambling Commission will be the enforcement body for the operating and personal licences. The Board, to monitor compliance with its functions under the Act, will work actively with the Gambling Commission's Compliance Officer and other partner agencies to enforce the licensing legislation. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

**10.5** While the Licensing Board has set out its approach to enforcement and compliance, it should be noted that statutory clarification is required in relation to the enforcement and compliance functions in terms of Section 304 of the Act. This clarification is required so that Council Officers can be authorised to carry out enforcement and compliance activities in terms of the Act.

~~**10.6** Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the Licensing Section, West Dunbartonshire Council Offices, Council Offices, Municipal Buildings, Dumbarton G82 1NR: e-mail [licensing@west-dunbarton.gov.uk](mailto:licensing@west-dunbarton.gov.uk). Our risk methodology will also be available upon request.~~

~~**10.7** The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to provide the authority with the contact details for a senior individual within the organisation, whom the authority will contact first should any compliance queries or issues arise.~~

## **11. Local Risk Assessments**

**11.1** The Gambling Commission Licence Conditions and Codes of Practice formalise the need for operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies,

procedures and control measures in place to mitigate those risks. Local risk assessments apply to all non-remote casinos, adult gaming centres, bingo, family entertainment centre, betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. The Gambling Commission Guidance to Licensing Authorities at part 6, Local area profile further details the requirements.

**11.2** .When licence holders are undertaking their risk assessments, they must take into account relevant matters identified in this Statement of Principles. It is expected that Premises Managers will be conversant in their individual risk assessment. The effectiveness of the policy should also be reviewed and monitored.

**11.3** Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their local risk assessment must also be updated and reviewed:

- when applying for a variation of a premises licence;
  - to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

**11.4** The Social Responsibility Provision is supplemented by an Ordinary Code provision that requires licensees to share their risk assessment with licensing authorities when applying for a new licence or to vary a licence, or on request. Ordinary Codes are not a mandatory requirement but are expected to be followed unless alternative arrangements that can be put in place that are equally effective.

**11.5** West Dunbartonshire Licensing authority expect that all local risk assessments will take into account the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. Where appropriate the Board would expect that local risk assessments take into account the vicinity of licensed premises where children or vulnerable groups may be present such as schools, colleges, gambling or addiction support, treatment centres, Doctor surgeries or community centres. Links listed at appendix 2 are provided to assist licence holders and applicants and those seeking to make representations to the Licensing Board. These assist in giving the location of such places. It is expected that operators take close cognisance of where prospective premises may be situated in the vicinity and at times where such persons may be there and take appropriate steps to mitigate risks in such areas in terms of the licensing objectives. This would in particular but not exhaustively, include steps such as ensuring that advertising is appropriately monitored. It is expected that local risk assessments should show information held by the licensee regarding self-exclusions from premises, and how persons with gambling dependencies are protected within premises.

It is the case however, that the Board will consider all representations to it in terms of the Gambling Commission Guidance to Licensing Authorities and whether the locations of such premises are higher risk and whether additional controls are required.

Applicants should be prepared to demonstrate to the Board how they will address any properly identified concerns or mitigate the risks.

**11.6** Self-Exclusion Schemes – The Licensing Board welcomes the new requirement for all non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres.

**11.7** At Appendix 3 there is a map of Scottish Index of Multiple Deprivation for West Dunbartonshire. These may be factors that operators consider with regard to the Licensing Objectives, problem gamblers, vulnerable adults and the links in studies identified. In addition, there is a link can found on the Licensing Board's webpage to the full list of current Gambling Premises so, that operators can assess the range of gambling facilities in proximity to the Licensed Premises in terms of any risk assessment:

## **12. Licensing Authority Functions**

**12.1** Licensing Authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;
- issue Provisional Statements;
- receive occasional use notices;
- issue permits as required by the Act;
- registrations as required by the Act;
- provide information to the Gambling Commission regarding details of licences issued (see section above on 'Exchange of Information'); and
- maintain registers of the permits and licences that are issued under these functions.

**12.2** This Statement of Principles relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, namely:

- Casinos;
- bingo premises;
- betting premises;
- tracks;
- adult gaming centres;
- licensed family entertainment centres;
- unlicensed family entertainment centres;
- club gaming permits; prize gaming and prize gaming permits;
- occasional use notices;
- temporary use notices; and

- registration of small society lotteries (below prescribed thresholds).

**12.3** It should be noted that licensing authorities are not be involved in licensing remote gambling. This will be regulated by the Gambling Commission via operating licences.

## **PART B**

### **PREMISES LICENCES**

#### **1. General Principles**

- 1.1** Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate. Additional conditions will only be imposed where there is evidence of a risk to the Licensing Objectives that requires that the mandatory and default conditions be supplemented.
- 1.2** This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:-
- in accordance with any relevant code of practice issued by the Gambling Commission;
  - in accordance with any relevant guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with the authority's statement of licensing principles.
- 1.3** It is appreciated that in terms of the Gambling Commission's Guidance for local authorities *"moral objections to gambling are not a valid reason to reject applications for premises licences"* (except as regards any 'no casino resolution' - see section on Casinos below at 4.1).

In considering an application for a premises licence no regard will be given to the expected demand for the facilities proposed to be provided in the premises for which a premises licence is sought.

- 1.4 Definition of "premises"** - Premises is defined in the Act as including *"any place"*. Section 152 of the Act prevents more than one premises licence applying to any place. Different premises licences cannot apply in respect of a single premise at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be genuinely regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, tracking or shopping mall to obtain discrete premises licences, where

appropriate safe guards are in place. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.

It is highlighted to Board's that they should pay particular attention if there are any issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between the premises are observed. Factors which will assist the licensing authority in making their decision may include:-

- a) is a separate registration for business rates in place for the premises?
- b) is the premises' neighbouring premises owned by the same person or someone else?
- c) can each of the premises be accessed from the street or a public passageway?
- d) can the premises only be accessed from another gambling premise?

**1.5** The Gambling Commission states in its Guidance to Licensing Authorities that: *"In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."*

**1.6** This licensing authority takes particular note of the Gambling Commission's Guidance for licensing authorities which states that:-

*"Licensing authorities should take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware of the following:-*

- *The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating.*

- *Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.*
- *Customers should be able to participate in the activity named on the premises licence."*

**1.7** In respect of whether Premises are “*ready for gambling*” - The Guidance states (in particular at parts 7.58 to 7.65) that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alteration required before the premises are brought into use. If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead. In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- first, whether the premises ought to be permitted to be used for gambling.
- second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place. Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

Further detail can be found in Chapter 7 of the Gambling Commission's Guidance.

**1.8 Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. In accordance with the Gambling Commission's Guidance for licensing authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. In this regard, it may well be the case that the Licensing Board would take the view that it would be undesirable to allow Adult Gaming Centres or Family Entertainment Centres to be located in close proximity to schools. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

**1.9 Duplication with other regulatory regimes** - This licensing authority will seek to

avoid any duplication with other statutory/regulatory systems where possible, including planning. When considering a licence application, this authority will not consider whether the premises are likely to be awarded planning permission or building regulations approval. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

**1.10** When dealing with a Premises Licence application for finished buildings, this Licensing Authority cannot take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks cannot be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the Premises Licence.

**1.11 Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to Licensing Authorities and notes as follows:

**Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Licensing Board will, in relation to this licensing objective give due weight and consideration to any representation from Police Scotland (or any other relevant authorities) when making a decision in this regard.

This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behavior was to those who could see it, so as to make that distinction.

The Board will consider measures in place by the operator such as CCTV, age verification checks and standard of staff training, Issues of nuisance generally cannot be addressed via the Gambling Act provision. ~~and it is noted that to date there are very few reported matters from Police Scotland of crime, nuisance and disorder within West Dunbartonshire's Licensed premises (TBC).~~

~~In accordance with the Gambling Act 2005, In making decisions about premises licences, the Board will aim to permit the use of premises for gambling insofar as it is:-~~

- ~~• in accordance with any relevant code of practice issued by the Gambling~~



## Commission

- ~~• in accordance with any relevant guidance issued by the Gambling Commission;~~
- ~~• reasonably consistent with the licensing objectives; and~~
- ~~• in accordance with this Statement of Licensing Principles.~~

**Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is, however, more of a role with regard to tracks which is explained in more detail in the 'Tracks' section (below - part 7).

**Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas, etc.

This licensing authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

As regards the term vulnerable persons it is noted that the Gambling Commission is not seeking to offer a definition but states that *“it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who are gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.”* This licensing authority will consider this licensing objective on a case by case basis.

**1.12 Conditions** - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although

there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters will be in accordance with the Gambling Commission's Guidance to Licensing Authorities.

This authority will also ensure that where category C or above machines (which may only be used by persons over the age of 18) are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with

- an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casinos and bingo clubs and this provision prevents it being re-instated); and
- conditions in relation to stakes, fees, winning or prizes.

**1.13 Door Supervisors** - The Board whilst not specifying the need for door supervisors would encourage operators to risk assess whether or not they may require this to uphold the licensing objectives.

## **2. Adult Gaming Centres**

**2.1** This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

**2.2** This licensing authority will expect applicants to offer their own measures to meet the licensing objectives, however, appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances/machine areas.
- Physical separation of areas.
- Location of entry.
- Notices/signage.
- Specific opening hours.
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures. Operators are encouraged to fully consider this licensing objective closely.

## **3. (Licensed) Family Entertainment Centres:**

**3.1** This licensing authority will specifically have regard to the need to protect children and

vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

**3.2** This licensing authority will expect applicants to offer their own measures to meet the licensing objectives, however, appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Provision of information leaflets/helpline numbers for organisations such as GamCare; and
- Measures/training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

**3.3** This licensing authority will, in terms of the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

#### **4. Casinos**

**4.1 No Casinos resolution** - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so.

#### **5. Bingo premises**

- 5.1** This licensing authority notes that the Gambling Commission's Guidance at Part 18 with regard to "Bingo" in particular states:-

*"Under the Act, children and young persons (anyone up to the age of 18) cannot be employed in providing any facilities for gambling on bingo premises, and children (under 16) cannot be employed, in any capacity, at a time when facilities for playing bingo are being offered. However, young persons, aged 16 and 17, may be employed in bingo premises (while bingo is being played), provided the activities on which they are employed are not connected with the gaming or gaming machines."*

*Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling."*

- 5.2** Part 18 of the Gambling Commission's Guidance to Licensing Authorities sets out the mandatory conditions attached to different types of bingo premises, and regard will be given any further guidance from the Gambling Commission and the LCCP sets out in full the requirements on operators.

## **6. Betting premises**

- 6.1 Betting machines** - This licensing authority will, in terms of the Gambling Commission's Guidance at Part 19, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting (see 7.4 below for gaming machines) machines an operator wants to offer.
- 6.2** Section 181 of the Act contains an express power for licensing authorities to restrict the number of self-serving betting machines (SSBT's), their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence (or to a casino betting licence where betting is permitted in the casino).
- 6.3** Section 235(2) (c) provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These SSBTs are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines, nor have to comply with any stake or prize limits. SSBTs merely automate the process that can be conducted in person and the Act exempts them from regulation as a gaming machine.

**6.4** However, where a machine is made available to take bets on virtual races (that is, results and/or images generated by computer to resemble races or other events) that machine is a gaming machine and counts towards the maximum permitted number of gaming machines, and must meet the relevant category limitations for the premises.

**6.5** Guidance for licence holders on this matter can be found here [Gambling Commission Guidance on Section 235](#).

## **7. Tracks**

**7.1** This licensing authority is aware that tracks (Part 20 of the Guidance) may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. In terms of the Gambling Commission's Guidance, this licensing authority will give special consideration to the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

**7.2** This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

**7.3** This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:-

- proof of age schemes;
- CCTV;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices/signage;
- specific opening hours;
- self-barring schemes; and

- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

**7.4 Gaming machines** - The Gambling Commission guidance with regard to Gaming Machine Permits is to be found at 20.33 to 20.38. There is distinction between betting (as above at 6.1 and 6.2) and gaming machines. The holder of a betting premises licence may make up to 4 gaming machines of categories B, C or D available for use.

**7.5 Self Service Betting machines** - This licensing authority will, consider the terms of Gambling Commission's Guidance at 20.39 to 20.42. In particular at point 20.40 the supervision of such terminals to prevent them being used by those under 18 years of age.

**7.6 Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for licensing authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."

## **8. Travelling Fairs**

**8.1** Where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, it will be a matter for this licensing authority to decide whether the statutory requirement, that the facilities for gambling amount to no more than an ancillary amusement at the fair, is met. Category D machines stake values are as per Appendix 3.

**8.2** The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

**8.3** It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **9. Provisional Statements**

**9.1** Section 204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:-

- expects to be constructed

- expects to be altered
- expects to acquire a right to occupy

**9.2** In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

**9.3** The Board may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:-

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which in the authority's opinion reflect a change in the operator's circumstances.

**9.4** This authority has noted the Gambling Commission's Guidance that licensing authorities should not take into account irrelevant matters such as the likelihood of the applicant obtaining planning permission or building standards approval for the proposal.

## **10. Reviews**

**10.1** Requests for a review of a premises licence can be made by interested parties or responsible authorities. It is for the Board to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause the authority to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations relating to the same premises or requests for review.

Requests for reviews should be:-

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

**10.2** The Board can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.



## **PART C**

### **PERMITS/TEMPORARY & OCCASIONAL USE NOTICE**

#### **1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)**

- 1.1** Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 1.2** Unlicensed Family Entertainment Centres will be able to offer only category D machines in reliance on a gaming machine permit. Any number of category D machines can be made available with such a permit.
- 1.3** The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 24. The Gambling Commission's Guidance for local authorities also states: "In their licensing policy statement, a licensing authority may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits.... Given that the premises will particularly appeal to children and young persons, licensing authorities may want to give weight to matters relating to the protection of children from being harmed or exploited by gambling." (Paragraph 24.8)
- 1.4** Guidance also states: *"...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed [Family Entertainment Centre], and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applicants to demonstrate:-*
- *a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed [Family Entertainment Centres];*
  - *that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and*
  - *that staff are trained to have a full understanding of the maximum stakes and prizes (Paragraph 24.9)."*
- 1.5** It should be noted that a licensing authority cannot attach conditions to this type of permit.

- 1.6 Statement of Principles** - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. This licensing authority will also expect, in terms of the Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

## **2. Alcohol Licensed Premises Gaming Machine Permits**

- 2.1** There is provision in the Act (Part 26 of the Guidance) for premises licensed to sell alcohol for consumption on the premises, automatically to have two gaming machines, of categories C and/or D. To take advantage of this entitlement, the licence holder must give notice to the licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee. The automatic entitlements to have 2 gaming machines relate to premises as a whole and not to each individual bar or lounge area within premises. The licensing authority can remove the automatic authorisation in respect of any particular premises if:-

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

- 2.2** If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children

and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines (category C machines). Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be helpful. The licensing authority will impose the conditions and support best practice as per the Gambling Commission Guidance. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare. Under 18 year olds may play category D machines.

- 2.3** It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.4** It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

**3. Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))**

- 3.1** A prize gaming permit is a permit issued by a licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.
- 3.2** The Gambling Act 2005 states at part 27.12 that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.
- 3.3** This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:
- that they understand the limits to stakes and prizes that are set out in Regulations; and
  - that the gaming offered is within the law.
- 3.4** In making its decision on an application for this type of permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

- 3.5 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the licensing authority cannot attach conditions.

#### **4. Temporary Use Notices**

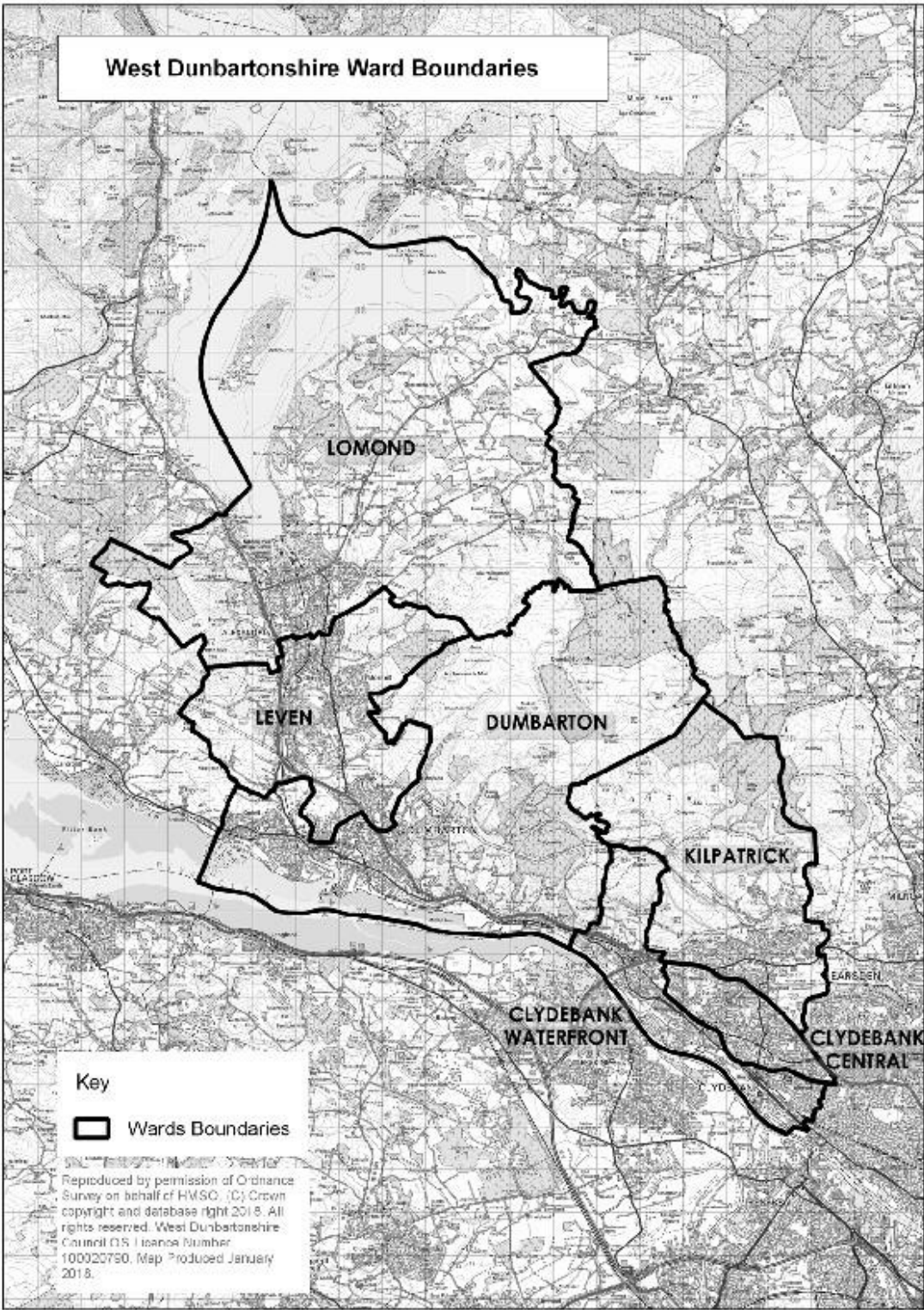
- 4.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. They may only be granted where a relevant operating licence has been granted.
- 4.2 There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that the meaning of premises in Part 8 of the Act is discussed in Part 7 of this guidance. As with premises, the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act premises is defined as including "*any place*". In considering whether a place falls within the definition of "*a set of premises*", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.

#### **5. Occasional Use Notices**

- 5.1 Where there is betting on a track on 8 days or less in a calendar year, betting may be permitted by an occasional use notice, without the need for a full premises licence.
- 5.2 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

#### **6. Small Society Lotteries**

A non-commercial society that runs a lottery where the income is below a certain specified thresholds can register with the Board. The Board may issue guidance in terms of the Commission Guidance. In the first instance parties seeking information on the registration procedure should contact a West Dunbartonshire Council Licensing Standard Officer.



## Appendix 2

**Information relevant to local area profile**

[\[TO BE UPDATED\]](#)

## **Appendix 3**

### **Demographic Profile of West Dunbartonshire - Scottish Index of Multiple Deprivation**

**[TO BE UPDATED]**

**Gaming Machine Categories and Entitlements**

Please refer to the Gambling Commission's website at  
[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)



**Schedule of Responsible Authorities**

**[TO BE REVIEWED AND UPDATE]**

West Dunbartonshire Licensing Board, Council Offices, Municipal Buildings, Station Road, Dumbarton G82 1NR

The Gambling Commission, Victoria Square House, Victoria Square, Birmingham B2 4BP

The Chief Constable, Police Scotland

The Chief Fire Officer, Strathclyde Fire & Rescue, Headquarters, Bothwell Road, Hamilton ML3 0EA

West Dunbartonshire Council, Regulatory: Environmental Health Service, Council Offices, Church Street, Dumbarton, G82 1QL

West Dunbartonshire Council, Regulatory: Planning and Building Standards Service, Council Offices, Church Street, Dumbarton, G82 1QL

Loch Lomond & the Trossachs National Park Authority: Director of Planning, National Park Headquarters, The Old Station, Balloch Road, Balloch, G83 8BF

West Dunbartonshire Community Planning Partnership (West Dunbartonshire Child Protection Committee), Council Offices, Church Street, Dumbarton, G82 1QL

HM Revenue and Customs, National Registration Unit, Portcullis House, 21 India Street, Glasgow G2 4PZ

Any other person prescribed in regulations by the Secretary of State or Scottish Ministers.

**Schedule of Consultees**

**[TO BE UPDATED]**

|   |   |  |   |            |
|---|---|--|---|------------|
| <b>AssessmentNo</b>   | 1002  | <b>Owner</b>   | michael.mcdougall   |            |
| <b>Resource</b>   | Transformation  |  | <b>Service/Establishment</b>  | Regulatory |
|   | First Name  | Surname  | <b>Job title</b>  |            |
| <b>Head Officer</b>   | Michael   | McDougall  | Manager of Legal Services   |            |
|   |   |  |   |            |
|   | (include job titles/organisation)   |  |   |            |
| <b>Members</b>  | Michael McDougall   |  |   |            |
|   |   |  |   |            |
|   | <i>(Please note: the word 'policy' is used as shorthand for strategy policy function or financial decision)</i>   |  |   |            |
| <b>Policy Title</b>   | Gambling Act 2005: Statement of Principles  |  |   |            |
|   | <b>The aim, objective, purpose and intended outcome of policy</b>   |  |   |            |
|   | The Statement of Principles is the Licensing Board's mandate for managing local gambling provision and sets out how the Licensing Board views the local risk environment and therefore its expectations in relation to operators with premises in the locality. |  |   |            |
|   |   |  |   |            |
|   | <b>Service/Partners/Stakeholders/service users involved in the development and/or implementation of policy.</b>   |  |   |            |
|   | Police, HSCP, NHS, and holders of licences under the Gambling Act 2005.   |  |   |            |
|   |   |  |   |            |
| <b>Does the proposals involve the procurement of any goods or services?</b>   |   |  | <b>Yes</b>  |            |
| <b>If yes please confirm that you have contacted our procurement services to discuss your requirements.</b>   |   |  | <b>No</b>   |            |
| <b>SCREENING</b>  |   |  |   |            |
| <i>You must indicate if there is any relevance to the four areas</i>  |   |  |   |            |
| <b>Duty to eliminate discrimination (E), advance equal opportunities (A) or foster good relations (F)</b>   |   |  | <b>Yes</b>  |            |
| <b>Relevance to Human Rights (HR)</b>   |   |  | <b>Yes</b>  |            |
| <b>Relevance to Health Impacts (H)</b>  |   |  | <b>Yes</b>  |            |
| <b>Relevance to Social Economic Impacts (SE)</b>  |   |  | <b>Yes</b>  |            |
| <b>Who will be affected by this policy?</b>   |   |  |   |            |
| Members of the public, holders of licences issued under the Gambling Act 2005.  |   |  |   |            |
| <b>Who will be/has been involved in the consultation process?</b>   |   |  |   |            |
| It is proposed that there will be a public consultation as well as a consultation with licence holders. Police Scotland and other stakeholders will be consulted.   |   |  |   |            |
| <b>Please outline any particular need/barriers which equality groups may have in relation to this policy list evidence you are using to support this and whether there is any negative impact on particular groups.</b> |   |  |   |            |
|   | <b>Needs</b>  | <b>Evidence</b>  | <b>Impact</b>   |            |
| <b>Age</b>  | Persons under 18 need to be protected from gambling. They should not be permitted into gambling premises.   | Gambling can be addictive. Gambling can be inappropriate environments for children. It is one of the licensing objectives of the 2005 Act to protect children. | Positive The Policy sets out the Licensing Board's expectations around licence holders' control measures relating to children's access. |            |

|                                     |  |  |  |
|-------------------------------------|--|--|--|
| <b>Cross Cutting</b>                | It is good practice to look at how factors may interact.   | Looking across the areas assessed evidence suggest that these interact.  | Positive overall.  |
| <b>Disability</b>                   | Vulnerable persons need to be protected from gambling. They should be supported so not to gambling in a irresponsible way.   | Gambling may have adverse impacts on vulnerable persons. They may engage in criminal behaviour to fund gambling.   | Positive The Policy sets out the Licensing Board's expectations around license holders' control measures relating to vulnerable persons. The local area profile will help identity localities where vulnerable persons may be adversely impacted by licensed premises. |
| <b>Social &amp; Economic Impact</b> | Gambling premises can have an adverse impact on local amenity. To some degree these are planning matters. Gambling premises employ persons. Also gambling premises occupy premises that may otherwise be vacant. | In the past Police Scotland and others advise that West Dunbartonshire gambling premises have NOT been a source of crime and disorder. This will be checked with Police Scotland as part of the consultation.  | Positive. The Policy sets out circumstances where the Licensing Board may take action to make sure that premises are not a source of disorder.   |
| <b>Sex</b>                          | It is important to consider any difference in gambling behavior between men and women  | Men are slight more likely to gamble than women, but men are significantly more likely to be problem gamblers (Scottish Health Survey 2021 data <a href="https://www.gov.scot/publications/scottish-health-survey-2021-volume-1-main-report/pages/14/">https://www.gov.scot/publications/scottish-health-survey-2021-volume-1-main-report/pages/14/</a> ). | Positive for both sexes especially for men given the Policy sets out how gambling is to regulated.   |
| <b>Gender Reassign</b>              |  |  |  |
| <b>Health</b>                       | Gambling addiction is detrimental to health. It is important that license holders comply with the law  | Gambling is regulated owing to its harmful nature.   | Positive. The Policy sets out the Licensing Board's expectations around licence holders' control measures  |

|   |  |  |   |
|---|--|--|---|
|   | and the policy upholds the licensing objectives.   |  | relating to vulnerable persons and how premises should operate should to make sure gambling is safe. The local area profile will help identify localities where persons may be adversely impacted by licensed premises. |
| <b>Human Rights</b>   | Licence holders where they comply with the terms and conditions of the licence are entitled to quiet enjoyment of their business. Applicants are entitled to have their application considered fairly and in accordance with the Human Rights legislation. It is a matter of good practice to consider UNCRC | The terms of the Gambling Act 2005 and overarching legal principles. | The policy complies with the Gambling Act 2005 and Human Rights Act. 'Protection' in terms of under 18 year olds  |
| <b>Marriage &amp; Civil Partnership</b>   |  |  |   |
| <b>Pregnancy &amp; Maternity</b>  |  |  |   |
| <b>Race</b>   |  |  |   |
| <b>Religion and Belief</b>  |  |  |   |
| <b>Sexual Orientation</b>   |  |  |   |
| <b>Actions</b>  |  |  |   |
|   |  |  |   |
| <b>Policy has a negative impact on an equality group, but is still to be implemented, please provide justification for this.</b>  |  |  |   |
| While gambling may have an adverse impact on groups, it is a legal activity and one that the Licensing Board has an obligation to authorise and regulate.                         |  |  |   |
| <b>Will the impact of the policy be monitored and reported on an ongoing bases?</b>   |  |  |   |
| Yes - the Policy is to be consulted on and once in place it is open to the Licensing Board to update the Policy if it thinks fit. Officers will monitor legislative developments. |  |  |   |
| <b>Q7 What is your recommendation for this policy?</b>  |  |  |   |
| Introduce   |  |  |   |
| <b>Please provide a meaningful summary of how you have reached the recommendation</b>   |  |  |   |
| EIA 1001: It is not expected that there will be any impact significant negative impact on any Equality Act group, or other area covered in our assessments. There are likely      |  |  |   |

positive impacts in protect younger people, vulnerable people, in terms of sex, socio economic impacts and health and well being. The approach is consistent with the Human Rights Act. The Licensing Board has an obligation in law to regulate gambling premises. It must update its policy that sets out its expectations. This policy seeks to balance the need to uphold the licensing objective while permitting gambling. There will be wide ranging consultation.