

Agenda



Meeting of the Licensing Committee

Date: Wednesday, 21 February 2024

Time: 14:00

Venue: Civic Space, 16 Church Street, Dumbarton G82 1QL

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk
committee.admin@west-dunbarton.gov.uk

Dear Member

Please attend a **Meeting of the Licensing Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:

Councillor Ian Dickson
Councillor Gurpreet Singh Johal
Councillor James McElhill
Councillor June McKay
Councillor John Millar
Councillor Lawrence O'Neill
Councillor Chris Pollock
Councillor Hazel Sorrell

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

Date issued: 6 February 2024

MEETING OF LICENSING COMMITTEE

WEDNESDAY, 21 FEBRUARY 2024

AGENDA

1 STATEMENT BY THE CHAIR

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

4 MINUTES OF PREVIOUS MEETING 5 - 7

Submit for approval, as a correct record, the Minutes of the Special meeting of the Licensing Committee held on 16 January 2024.

5 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

6 APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE – THE OLD SMIDDY, HALDANE TERRACE, BALLOCH G83 8ER 9 - 11

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence for The Old Smiddy, Haldane Terrace, Balloch G83 8ER.

7 APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE – FLAT 1/1 57 ALBERT ROAD, CLYDEBANK G81 3BQ 13 - 17

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence for Flat 1-1 57 Albert Road, Clydebank G81 3BQ.

8 APPLICATION FOR GRANT OF A SKIN PIERCING AND TATTOOING LICENCE – NICOLE GREENE 19 - 21

Submit report by the Chief Officer – Regulatory and Regeneration asking them to consider an application for grant of a Skin Piercing and Tattooing Licence for Nicole Greene.

9 EXCLUSION OF PRESS AND PUBLIC 23

The Committee is asked to consider passing the following resolution prior to consideration of the undernoted items of business:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

LICENSING COMMITTEE

At a Special Meeting of the Licensing Committee held in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank, on Tuesday, 16 January 2024 at 12.00 p.m.

Present: Councillors Gurpreet Singh Johal, June McKay, John Millar and Chris Pollock.

Attending: Michael McDougall, Manager of Legal Services; Robert Mackie, Senior Licensing Officer; Lawrence Knighton, Civic Licensing Standards Officer and Lynn Straker, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Ian Dickson, James McElhill, Lawrence O'Neill and Hazel Sorrell and Sergeant David Holmes, Police Scotland.

Councillor Gurpreet Singh Johal in Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meetings of the Licensing Committee held on 6 December 2023 were submitted and approved as a correct record.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 REVIEW OF TAXI FARES AND CHARGES CLYDEBANK TAXI LICENSING ZONE

A report was submitted by Chief Officer - Regulatory and Regeneration, providing detail on the review of fares and charges applicable to taxis operating within the Clydebank Taxi Licensing Zone.

After discussion and having heard Mr McDougall, Manager of Legal Services and Mr Mackie, Senior Licensing Officer in further explanation and in answer to Members' questions with particular reference to costs faced by Taxi Operators, the Committee then heard from McSheaffrey in support of the Clydebank Taxi Operator's Group's submission. Mr McSheaffrey confirmed that only members who held a Taxi Licence were permitted to vote on the proposal as outlined in the Group's submission.

After further discussion and having reviewed the existing scales for fares and other charges for the Clydebank Taxi Licensing Zone, Members agreed for the proposed scales and fares and other charges to be submitted to public consultation:-

- (a) that the proposed changes to the current level of fares and charges applicable to the Clydebank Taxi Licensing Zone be considered as follows:-

increase the flagfall on Tariff One by 50p;
increase the flagfall on Tariff Two by 50p;
increase the flagfall on Tariff Three by 70p;

increase the running mile by 10p on Tariff One;
increase the running mile by 20p on Tariff Two;
increase the running mile by 30p on Tariff Three;

increase the period for waiting time from 10p for each 30 seconds (£12.00 per hour) to 10p for each 20 seconds (£18.00 per hour);

change the period of time when Tariff 2 is applicable from 6.00 pm until Midnight on 24 December and 31 January to 6.00 am until Noon on 24 December and 31 January;

change the period of time when Tariff 3 is applicable from Midnight on 24 December and 31 January to Noon on 24 December and 31 January;

increase the amount where extra charges will apply for a taxi called by telephone or via App and not cancelled before arrival from £3.30 to £3.80;

change the wording from

'Taxi drivers may add on any charge incurred at Glasgow Airport when either dropping off or picking up passengers'

to

'Taxi drivers may add on any charge incurred at any Airport or car park when either dropping off or picking up passengers'.

- (b) that the Committee instructs officers to arrange for the advertisement of the fares and charges proposed by the Committee and review any representations received; and
- (c) that authority be delegated to the Chief Officer: Regulatory & Regeneration, in consultation with the Chair of the Licensing Committee, to conclude the review without the requirement for the Committee to consider a further report on the matter provided no representations are received in relation to the proposal.

DECIDED:-

Members having reviewed the existing scales for fares and other charges for the Clydebank Taxi Licensing Zone agreed to proposed scales for fares and other charges to be forward for public consultation.

The meeting closed at 12.14 p.m.

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 21 February 2024

Subject: Application for grant of a Short Term Let Licence

1. Purpose

- 1.1** To consider an application for grant of a Short Term Let Licence submitted by Mrs. Fiona Craig, The Old Smiddy, Haldane Terrace, Balloch G83 8ER.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mrs. Craig submitted an application for grant of a Short Term Let Licence to the Council on 25 May 2023 to operate on a home sharing and home letting basis from the premises at The Old Smiddy, Haldane Terrace, Balloch G83 8ER.

- 3.2** No objection or representation has been submitted by the Police in connection with the application.

4. Main Issues

- 4.1** For the purpose of the discharge of their functions under the Civic Government (Scotland) Act 1982, the Committee must ordinarily reach a final decision on each application within the period of 9 months from the date the application was submitted. For applications for a Short Term Let Licence submitted prior to 1 October 2023, the transitional arrangements allows 12 months from the date the application was submitted for a final decision to be made.

- 4.2** The application submitted by Mrs. Craig was submitted on 25 May 2023 therefore a final decision on the application must be made no later than 24 May 2024.

- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland, Fire Scotland and Loch Lomond & the Trossachs National Park - Planning for comment. The application form is also sent internally to Building Control and Environmental Health for their comments.

- 4.4** A response was received from Police Scotland on 26 June 2023 marked 'no police objection' and a 'no comments' response was received from Fire Scotland

on 21 July 2023.

- 4.5** On 4 July 2023 a response was received from Loch Lomond & the Trossachs National Park - Planning advising that they had no adverse comment to make in relation to the application.
- 4.6** No public objections or representations have been received further to a site notice being displayed.
- 4.7** On 30 June 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.8** On 23 July 2023 a response was received from Building Standards detailing reasons why they could not support the granting of the application at that point in time. The applicant was advised of these reasons and it is the Licensing Section's understanding that the applicant has instructed an architect to assist with regularising matters.
- 4.9** Both the applicant and Building Standards have been invited to address the Committee to provide an update on the current position regarding the premises. The Committee having heard from all parties is required to determine the application in accordance with Schedule 1 to the 1982 Act.

5. People Implications

- 5.1** There are no personnel issues.

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** No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

- 9.1** Police Scotland, Fire Scotland, Loch Lomond & the Trossachs National Park – Planning, Building Standards, Environmental Health and Councillors representing the Lomond Ward were consulted in relation to the application. A site notice was displayed at the premises by the applicant for a period of 21 days allowing members of the public an opportunity to object.

10. Strategic Assessment

- 10.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory &

Regeneration Date 5 February 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A.

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mrs. Fiona Craig, The Old Smiddy, Haldane Terrace, Balloch G83 8ER.
2. Letter to Mrs Craig dated 6 February 2024.

Wards Affected: Lomond

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 21 February 2024**

Subject: Application for grant of a Short Term Let Licence

1. Purpose

- 1.1** To consider an application for grant of a Short Term Let Licence submitted by Mr. Andrew Scott, 23 Benny Drive, Denny FK6 5FF.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mr. Scott submitted an application for grant of a Short Term Let Licence to the Council on 29 September 2023 to operate on a secondary letting basis from the premises at Flat 1-1 57 Albert Road, Clydebank G81 3BQ.

- 3.2** No objection or representation has been submitted by the Police in connection with the application.

4. Main Issues

- 4.1** For the purpose of the discharge of their functions under the Civic Government (Scotland) Act 1982, the Committee must ordinarily reach a final decision on each application within the period of 9 months from the date the application was submitted. For applications for a Short Term Let Licence submitted prior to 1 October 2023, the transitional arrangements allows 12 months from the date the application was submitted for a final decision to be made.

- 4.2** The application submitted by Mr. Scott was submitted on 29 September 2023 therefore a final decision on the application must be made no later than 28 September 2024.

- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Fire Scotland for comment. The application form is also sent internally to Planning, Building Control and Environmental Health for their comments.

- 4.4** A response was received from Police Scotland on 3 November 2023 marked 'no police objection' and a 'no comments' response was received from Fire

Scotland on 26 October 2023.

- 4.5 On 6 November 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.6 On 8 November 2023 a response was received from Building Standards advising that they had no adverse comment to make in relation to the application.
- 4.7 On 12 December 2023 a response was received from Planning advising that they had no adverse comment to make in relation to the application.
- 4.8 On 2 October 2023 an objection was received from Ms. Michelle Nelson, 55 Albert Road, Clydebank G81 3BQ. A copy of the objection is included at Appendix 1.
- 4.9 Ms. Nelson, along with the applicant, have been invited to address the Committee in relation to the objection.

5. People Implications

- 5.1 There are no personnel issues.

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 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

- 9.1 Police Scotland, Fire Scotland, Planning, Building Standards, Environmental Health and Councillors representing the Clydebank Central Ward were consulted in relation to the application. A site notice was displayed at the premises by the applicant for a period of 21 days allowing members of the public an opportunity to object.

10. Strategic Assessment

- 10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to

ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory & Regeneration

Date 5 February 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1.Objection – Michelle Nelson

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mr. Andrew Scott, Flat 1-1 57 Albert Road, Clydebank G81 3BQ.
2. Letter to Mr. Scott dated 6 February 2024.
3. Letter to Ms. Nelson dated 6 February 2024.

Wards Affected: Clydebank Central

From: Shelley Neeson [REDACTED] >
Sent: 02 October 2023 14:32
To: Licensing <Licensing@west-dunbarton.gov.uk>
Subject: Note of objection to the application for the short term let licence at 57 Albert Road 1/1

I would like to note an objection to the application for the short term let application for licence at 57 Albert Road flat 1/1.

My name is Michelle Neeson and I am the owner and live in the flat below (number 55) with my daughter.

My objection is on the ground that I am a single parent living below this flat and have already previously been subjected to numerous incidents of antisocial behaviour at all hours of the day and night when this landlord first bought this flat. I cannot go back to having various people coming and going from this property and turning it back into a party flat, with loud music and strong smell of cannabis coming into my home. This had a detrimental effect on my mental health along with my daughter's health.

Having several different males coming and going from the flat having parties caused not only me and my daughter fear and alarm but also surrounding residents fear and alarm and this was mostly every weekend and sometimes during the week too. Although the partying has now stopped there are still various males that come and go from the flat.

I have also been flooded several times from this flat the last time I had to move out of my home from March 2022 until December 2022 due to the repairs as every room of my home was damaged with water ingress from above. This is bad enough however I have come home this weekend to again see water stains on my bathroom ceiling, and fear further repairs are needed due to lack of care and the fact that it is being used as some sort of air bnb.

Another point I would like to raise is the issue with bins, as there is not a consistent tenant in the property the bins do not get emptied when they should and are often left for weeks in the back court overflowing. This is extremely worrying as will encourage rats to the area and the smell and mess is resulting in my daughter being unable to use the garden to play. Who will be responsible for this if there is not a permanent tenant in the flat?

Albert Road is mainly made up of elderly residents and residents with families. We have had to put up with Antisocial Behaviour from the homeless flat at the bottom of the road, often resulting in Police Scotland having to attend again causing fear and alarm to all residents. Granting this license will cause further antisocial problems for residents in this quiet street.

Please acknowledge receipt of this email.

Kind regards
Michelle Neeson
55 Albert Road

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 21 February 2024

Subject: Application for grant of a Skin Piercing and Tattooing Licence

1. Purpose

- 1.1** To consider an application for grant of a Skin Piercing and Tattooing Licence submitted by Mrs. Nicole Greene, 61 Whin Street, Clydebank G81 3JD.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mrs. Greene submitted an application for grant of a Skin Piercing and Tattooing Licence to the Council on 17 July 2023 to operate from a unit within the premises at 78 Whitecrook Business Centre, Whitecrook, Clydebank G81 3JD.

- 3.2** No objection or representation has been submitted by the Police in connection with the application.

4. Main Issues

- 4.1** For the purpose of the discharge of their functions under the Civic Government (Scotland) Act 1982, the Committee must reach a final decision on each application within the period of 9 months from the date the application was submitted.

- 4.2** The application submitted by Mrs. Greene was submitted on 17 July 2023 therefore a final decision on the application must be made no later than 16 April 2024.

- 4.3** When processing applications for a Skin Piercing and Tattooing Licence, a copy of the application is sent externally to Police Scotland and Fire Scotland for comment. The application form is also sent internally to Planning and Environmental Health for their comments.

- 4.4** A response was received from Police Scotland on 20 July 2023 marked 'no police objection' and a 'no comments' response was received from Fire Scotland on 1 August 2023.

- 4.5** On 18 July 2023 a response was received from Environmental Health advising

that, having spoken to the applicant, the premises was not ready for inspection.

4.6 On 2 August 2023 a response was received from Planning advising that the applicant be required to submit an application for planning permission due to the proposed change of use of the premises.

4.7 On 5 February 2024 an email was received from Mrs. Greene advising that a planning application had now been submitted and that the premises would be ready for inspection in the coming week.

4.8 An Officer from Environmental Health, along with the applicant, have been invited to address the Committee to provide an update on the current position regarding the premises.

5. People Implications

5.1 There are no personnel issues.

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 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

9.1 Police Scotland, Fire Scotland, Planning and Environmental Health were consulted in relation to the application. A site notice was displayed at the premises by the applicant for a period of 21 days allowing members of the public an opportunity to object.

10. Strategic Assessment

10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory & Regeneration

Date: 5 February 2023

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
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G82 1NR.

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robert.mackie@west-dunbarton.gov.uk

Appendices: N/A.

Background Papers:

1. Application for grant of a Skin Piercing and Tattooing Licence submitted by Mrs. Nicole Greene, 61 Whin St, Clydebank, G81 3JD.
2. Letter to Mrs Greene dated 6 February 2024.

Wards Affected: N/A.



NOT FOR PUBLICATION

**by virtue of Paragraph 14 of Part 1 of Schedule 7A of
the Local Government (Scotland) Act, 1973**

**ANY ACTION TAKEN OR TO BE TAKEN IN
CONNECTION WITH THE PREVENTION,
INVESTIGATION OR PROSECUTION OF CRIME**

**PLEASE NOTE THAT CONFIDENTIAL INFORMATION
AND PAGES HAVE BEEN REMOVED**

