

WEST DUNBARTONSHIRE LICENSING BOARD

At a Meeting of the West Dunbartonshire Licensing Board held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Tuesday, 13 December 2016 at 10.05 a.m.

Present: Councillors George Black, Jonathan McColl, John Millar and Hazel Sorrell.

Attending: Peter Hissett, Clerk to the Licensing Board; Raymond Lynch, Depute Clerk to the Licensing Board; Peter Clyde, Licensing Standards Officer; Carolann Anderson and Marie Grant, Licensing Assistants and Nuala Borthwick, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Jim Brown, Michelle McGinty, John Mooney and Tommy Rainey.

APPOINTMENT OF CHAIR

In the absence of the Chair, Councillor Mooney, and having heard from the Clerk to the Licensing Board, it was agreed that the Board would appoint a Chair from amongst those members present.

Following discussion, it was agreed that Councillor Millar be appointed as Chair for the meeting of the Licensing Board and accordingly, Councillor Millar assumed the Chair.

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meetings of the Licensing Board held on Tuesday, 13 September 2016 were submitted and approved as a correct record.

LICENSING BOARD PROCEDURE NOTE

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

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – ICELAND FOODS, 66 BANK STREET,
ALEXANDRIA G83 0NH**

An application for Variation of Premises Licence for Iceland Foods, 66 Bank Street, Alexandria G83 0NH by Iceland Foods Limited, Second Avenue, Deeside Industrial Park, Deeside, Flintshire CH5 2NW.

It was noted that Mr Niall Hassard, TLT Solicitors and Mr David Gordon, Retail Manager, Iceland Foods Limited were in attendance on behalf of the applicant.

It was noted that there were no objections to the application.

DECIDED:

The Board agreed that the application be granted.

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – MCLEAN'S GROCERS,
71A BURN STREET, BONHILL, ALEXANDRIA G83 9AP**

An application for Variation of Premises Licence for McLean's Grocers, 71a Burn Street, Bonhill, Alexandria G83 9AP was submitted by Mr Baljeet Kaur Ram, 5 Minard Road, Shawlands, Glasgow G41 2HR.

It was noted that Mr Ram was in attendance and that there were no objections to the application.

DECIDED:

The Board agreed that the application be granted.

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – MALT & MYRE PREMIER INN,
LOMONDGATE, STRATHLEVEN REGENERATION SITE, DUMBARTON G82 2QU**

An application for Variation of Premises Licence for Malt & Myre Premier Inn, Lomondgate, Strathleven Regeneration Site, Dumbarton G82 2QU was submitted by Whitbread Restaurants Limited, Whitbread Court, Houghton Hall Business Park, Porz Avenue, Dunstable LU5 5EX.

It was noted that Ms Michelle Hazelwood, John Gaunt Solicitors, accompanied by a representative of the licence holder, Mr David Green, were in attendance on behalf of the applicant and Ms Hazelwood was heard in support of the application.

It was noted that there were no objections to the application.

DECIDED:-

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

**APPLICATION FOR VARIATION OF PREMISES LICENCE IN TERMS OF
THE LICENSING (SCOTLAND) ACT 2005 – THE CAFÉ ON THE LOCH,
THE GATEWAY CENTRE, BEN LOMOND WAY,
LOCH LOMOND SHORES, BALLOCH G83 8QL**

An application for Variation of Premises Licence for The Café on the Loch, The Gateway Centre, Ben Lomond Way, Loch Lomond Shores, Balloch G83 8QL was submitted by Lomond Enterprises Limited, 200 St. Vincent Street, Glasgow G2 5SG.

It was noted that Mr Archie Macivor, Brunton Miller Solicitors accompanied by a representative of the licence holder, Ms Kim Wilson, were in attendance on behalf of the applicant and Mr Macivor was heard in support of the application and in answer to Members' questions.

DECIDED:

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

**APPLICATION FOR PROVISIONAL PREMISES LICENCE IN TERMS OF
THE LICENSING (SCOTLAND) ACT 2005 – ICELAND FOODS,
UNIT 6, CLYDEBANK RETAIL PARK, CLYDEBANK G81 2XA**

An application for grant of a Provisional Premises Licence for Iceland Foods, Unit 6, Clydebank Retail Park, Clydebank G81 2XA was submitted by Iceland Foods Limited, Second Avenue, Deeside Industrial Park, Deeside, Flintshire CH5 2NW.

It was noted that Mr Niall Hassard was in attendance at the meeting on behalf of Iceland Foods Limited.

Having heard the Clerk to the Licensing Board, it was noted that the applicant was seeking a continuation of the application.

DECIDED:-

It was agreed that the application be continued to a future meeting of the Licensing Board and that the application would again be subject to the required notice period for objections.

**APPLICATION FOR PROVISIONAL PREMISES LICENCE IN TERMS OF THE
LICENSING (SCOTLAND) ACT 2005 – DUMBARTON SERVICE STATION,
TOWNEND ROAD, DUMBARTON G82 2RB**

An application for grant of a Provisional Premises Licence for Dumbarton Service Station, Townend Road, Dumbarton G82 2RB was submitted by the applicant, Violet Devlin, 18 Ferryfield Gardens, Alexandria G83 0TB.

Mr Peter Clyde, Licensing Standards Officer, was heard in respect of the Licensing Standards Officer report.

Mrs Lusk, Head of Mental Health, Learning Disabilities and Addictions Services, West Dunbartonshire Health & Social Care Partnership was heard in support of the health objection to the application from NHS Greater Glasgow and Clyde and in answer to Members' questions.

It was noted that the applicant, Violet Devlin, and her legal representative, Mr Stewart Gibson, Licensing Consultant, were in attendance at the meeting. Mr Gibson was heard in support of application and in answer to Members' questions.

ADJOURNMENT

After hearing Councillor Millar, Chair, the Board agreed to adjourn for a short period of time.

The meeting reconvened at 10.57 a.m. with all Members shown on the sederunt in attendance.

DECIDED:-

Following consideration of all matters before the Board and on the motion of Councillor McColl, it was agreed:-

- (1) that the application be refused on the grounds that the benefits to the licensing objectives would not outweigh the detriment, specifically that of Promoting and Improving Public Health and as such it was incompatible with the Board's Statement of Licensing Policy; and
- (2) that the Board's decision had been made with regard to its own Licensing Policy Statement and had not considered the specific objection submitted by NHS Greater Glasgow and Clyde.

**APPLICATION FOR A PERSONAL LICENCE IN TERMS OF
THE LICENSING (SCOTLAND) ACT 2005**

An application for a Personal Licence for William East, 1a Stirling Street, Renton G82 4PJ was submitted for consideration.

It was noted that both Mr East and a representative of Police Scotland were in attendance at the meeting in order that a hearing could take place.

The Board heard from Sergeant Walker in relation to the letter from Police Scotland advising the applicant's relevant conviction and in answer to Members' questions.

Thereafter, the Board heard from Mr East in relation to the application and in answer to questions from Members.

DECIDED:-

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

APPLICATIONS FOR OCCASIONAL LICENCE IN TERMS OF LICENSING (SCOTLAND) ACT 2005

It was noted that in advance of the meeting, the Chair, Councillor Mooney, had given approval for Applications for Occasional Licences received in respect of Matzaluna Pizza, Clydebank Regional Shopping Centre, 23a Britannia Way, Clydebank G81 2RZ to be granted under delegated powers by the Clerk to the Licensing Board.

It was noted that the applicant had provided the final required Section 50 Certificate from the Building Control Section of West Dunbartonshire Council on Thursday, 8 December 2016 enabling the application to be granted under delegated powers by the Clerk to the Licensing Board.

DATES FOR FUTURE MEETINGS OF THE LICENSING BOARD

The Board noted that the next scheduled meeting of the Licensing Board would be held on Tuesday, 14 March 2017 at 10.00 a.m. in Committee Room 3, Council Offices, Garshake Road, Dumbarton G82 3PU.

Thereafter, the Board agreed the undernoted dates for future meetings:-

Tuesday, 13 June 2017 at 10.00 a.m. in Committee Room 3, Council Offices, Garshake Road, Dumbarton

Tuesday, 19 September 2017 at 10.00 a.m. in Committee Room 3, Council Offices, Garshake Road, Dumbarton G82 3PU

Tuesday, 12 December 2017 at 10.00 a.m. in Committee Room 3, Council Offices, Garshake Road, Dumbarton G82 3PU

Tuesday, 20 March 2018 at 10.00 a.m. in Committee Room 3, Council Offices, Garshake Road, Dumbarton G82 3PU

The meeting closed at 11.28 a.m.