

Licensing Standards Officers Report

LICENSING (SCOTLAND) ACT 2005 “the 2005 Act”

PREMISES LICENCE VARIATION APPLICATION

PREMISES: Day to Day Express, 148 Montrose Street, Clydebank G81 2PE

PREMISES LICENCE HOLDER: Liaqat Ali

The applicants are requesting the addition of home deliveries of food and alcohol (not alcohol only) and the addition of hot food, lottery and Paypoint provision. The Board may wish to consider paragraphs 22.2 and 22.3 of The Board’s Statement of Licensing Policy in relation to home deliveries of alcohol;

22.2 Premises which intend to provide home deliveries of alcohol must specify this in their Operating Plan (in response to Question 5(f)) and provide details of how this will operate. These details should include the hours of delivery, the steps taken to identify the age of the person ordering and taking delivery of the goods, in terms of “Challenge 25” as well what measures are in place to make sure that the alcohol is delivered to an appropriate person.

22.3 When considering applications which seek to allow the home delivery of alcohol The Licensing Board will consider attaching the conditions set out in Appendix 1, Part C. When considering the addition of such conditions the Board shall give the applicant an opportunity to address the Board on these conditions.

In relation to home deliveries of alcohol I recommend the following condition is applied for the purposes of the licensing objectives of preventing crime and disorder and protecting Children and Young People from harm;

PREMISES LICENCES: ADDITIONAL CONDITIONS APPROVED BY WEST DUNBARTONSHIRE LICENSING BOARD

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, a 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.

I further recommend that the Licensing Board update the premises licence conditions with the up to date conditions in relation to off sale type premises to prevent crime and disorder and protect Children and Young People from harm and in particular add:

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.

Lawrence Knighton

Licensing Standards Officer

Date: 15 August 2024

Contact :

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

E-mail : lawrence.knighton@west-dunbarton.gov.uk