

WEST DUNBARTONSHIRE LICENSING BOARD

At a Meeting of West Dunbartonshire Licensing Board held in the Civic Space, 16 Church Street, Dumbarton on Tuesday, 5 September 2023 at 10.00 a.m.

Present: Councillors Gurpreet Singh Johal, Jonathan McColl, June McKay and Chris Pollock.

Attending: Michael McDougall, Depute Clerk to the Licensing Board; Peter Clyde and Lawrence Knighton, Licensing Standards Officers; Dr Daniel Carter, NHS GGC Representative; Judi Ferguson, Lead Building Standards Surveyor and Lynn Straker, Committee Officer.

Also Attending: Sergeant David Holmes, Police Scotland; Carolann Anderson, Licensing Assistant; Solicitors and Representatives Mr Stuart Forsyth, Ms Laura McCabe, Mr Mark Fisher, Ms Claire Kyle, Mr Stephen McGowan, Ms Sandra Donnelly, Mr Chris Anderson, Mr David Lingard, Mr Andrew Hunter and Ms Claire Kyle and Applicants Mr Farooq and Mr Chris Sweeney.

Apologies: Apologies for absence were intimated on behalf of Councillors John Millar, Lawrence O'Neill and Hazel Sorrell.

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 MEETING

The Minutes of the Licensing Board meeting held on Tuesday, 27 June 2023 were submitted and approved as a correct record.

VARIATION IN ORDER OF BUSINESS

Having heard the Chair, the Committee agreed to vary the order of business as hereinafter minuted.

APPLICATION FOR PROVISIONAL PREMISES LICENCE

An application was submitted for consideration for Provisional Premises Licence for Lidl, Site at Mitchell Way, Alexandria, G83 0LW.

After an introduction to the application from Mr McDougall, Depute Clerk to the Licensing Board, Members heard from Peter Clyde, Licensing Standards Officer, detailing the application should be considered in terms of the Licensing Board's Overprovision policy as well as providing details of relevant licensed premises. Sergeant Holmes, Police Scotland, noted there were no objections from Police Scotland in regards to the application. Judi Ferguson, Lead Building Standards Surveyor, noted the application would require Building Warrant and Completion certificate acceptance before they could fully comment on the application.

Members then heard from Dr Carter, NHS GGC Representative who spoke to the NHS GGC objection to the application.

Members then heard from Lidl's representatives Mr Andrew Hunter and Ms Claire Kyle in support of the application.

ADJOURNMENT

The Chair adjourned the meeting for a short recess. The meeting reconvened at 11.05 a.m. with all those listed in the sederunt present.

Councillor McColl moved for a continuation for the application to a future meeting and asks that the applicant consider what information they may wish to provide to Members in terms of paragraph 23.10 of the board's Statement of Licensing Policy and that the objector will have the opportunity to address the board again and is asked to be more specific about why this application is unsuitable for grant in their opinion.

DECIDED:-

Members agreed to a continuation on the application for further information to be provided from both parties.

APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for Scotmid, 165a Main Street, Renton, Alexandria, G82 4PS.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report.

Ms Laura McCabe, Solicitor, and Mr Stuart Forsyth, Representative, for the Application accepted the detailed conditions were the application to be approved.

Members then heard Ms McCabe in further detail in support of the Application. Following further discussion, and in answer to Members questions, Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

DECIDED:-

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for Co-op, Carrochan Road, Balloch, G83 1BW.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report. Mr Peter Lawson, Solicitor and Representative for the Application accepted the detailed conditions, were the application to be approved.

Members then heard Mr Peter Lawson in support of the Application. Following further discussion, Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

DECIDED:-

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for Co-op, Mitchell Way, Alexandria, G83 0LW.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report. Mr Peter Lawson, Solicitor and Representative for the Application accepted the detailed conditions, were the application to be approved.

Members then heard Mr Lawson in support of the Application. Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

DECIDED:-

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE

An application was submitted for consideration for a Variation of Premises Licence for Glen Lusset, 67 Dumbarton Road, Old Kilpatrick, G60 5DA.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Knighton, Licensing Standards Officer, suggested that the Licensing Board consider the proposed conditions as detailed in the report. Mr Stephen McGowan, Solicitor and Representative for the Application, accepted the conditions, were the application to be granted.

Members then heard Mr McGowan in support of the Application. Following further discussion, Members agreed to grant the application attaching the conditions proposed by the Licensing Standards Officer.

DECIDED:-

Members agreed to grant the application attaching the conditions set out in the Licensing Standards Officer's report.

APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE

An application was submitted for consideration for the grant of a Major Variation of Premises Licence for 137 – 139 Hawthorn Street, Clydebank, G81 3NH.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Knighton, Licensing Standards Officer, suggested the proposed conditions as detailed in the report. Mr Lingard, Solicitor and Representative for the Application, accepted the detailed conditions, were the application to be approved.

Members then heard from Ms Ferguson, Lead Building Standards Surveyor, who noted Building Standards had not yet received sufficient information to allow for Building Warrant to be granted.

Members then heard Mr Lingard, Solicitor and Representative for the Application and Mr Farooq, Applicant in support of the Application and in answer to Members questions.

Councillor McColl moved:-

Members should agree to a continuation of the application, to allow the applicant time to provide sufficient information to Building Standards to allow the Building

Warrant to be assessed. As the applicant had 2 other licensed premises businesses, they should have been aware of correct process to follow when changing the layout of shelving displaying alcohol in their premises.

As an amendment, Councillor Singh Johal moved:-

Members should allow the application to be approved, as it is only a slight change in display and no additional alcohol will be displayed.

On a roll call vote being taken 2 Members voted for the Amendment, namely Councillors Singh Johal and Pollock and 2 Members voted for the Motion namely Councillors McColl and McKay.

There being an equality of votes Councillor McKay, Convenor, used her casting vote in favour of the motion which was accordingly declared carried.

DECIDED:-

Members agreed to a continuation of the application, to be heard at the next ordinary meeting of the Licensing Board.

APPLICATION FOR PROVISIONAL PREMISES LICENCE

An application was submitted for consideration for the grant of a Provisional Premises Licence for Sweeney's Boatyard, Riverside, Balloch, G83 8SS.

Members first heard from Sergeant Holmes, Police Scotland who noted there was no objection from Police Scotland. Mr Clyde, Licensing Standards Officer, noted the application should be considered in terms of the Licensing Board's Assessment of Overprovision.

Members then heard Mr Hunter, Solicitor, in support of the Application.

Following further discussion, and having heard from Chris Sweeney, Applicant, in answer to Members questions, Members agreed to approve the application, in accordance with conditions proposed by the Licensing Standards Officer.

DECIDED:-

Members agreed to grant the application.

The meeting closed at 12.17 p.m.