

WEST DUNBARTONSHIRE LICENSING BOARD

At a Meeting of West Dunbartonshire Licensing Board held in the Civic Space, 16 Church Street, Dumbarton on Tuesday, 7 March 2023 at 10.05 a.m.

Present: Councillors Gurpreet Singh Johal, Jonathan McColl, June McKay, John Millar, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

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

Also Attending: Sergeant David Holmes, Police Scotland; Niall Hassard, Solicitor from TLT Solicitors and Representative for Application for Variation of Premises Licence – Lomond Service Station; and Iain MacBean, Director of Applicant Company for Application for Variation of Premises Licence – Lomond Service Station.

Apologies: An apology for absence was intimated on behalf of Alan Douglas, Clerk to the Licensing Board.

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, 10 January 2023 were submitted and approved as a correct record.

APPLICATION FOR VARIATION OF PREMISES LICENCE

An application was submitted for consideration for Variation of Premises Licence for Lomond Service Station, 200 Main Street, Jamestown, Balloch, G83 8PW.

Having heard the Depute Clerk to the Licensing Board in further detail of the application, Members of the Board then heard from Mr Niall Hassard, Solicitor and representative for the application, who detailed what the variation would increase the floor space of the premises dedicated to the sale of groceries and that the increase in the alcohol display was commensurate with that increase. Mr Hassard noted it would be a more premium price and range of alcohol which would be sold, alongside more fresh produce and a Subway counter for hot food takeaway.

In answer to Members questions, Mr Hassard noted there were no current plans to offer Home Delivery from the premises, other than Subway which will deliver under third party organisations such as Just Eat and Uber Eats etc. Mr Hassard, and the applicant Mr MacBean, both agreed if the application were to be granted, they would agree to a condition requiring a written policy regarding Home Delivery to be agreed with the Licensing Standards Officers at West Dunbartonshire Council.

Members of the Board agreed to grant the application with the operating plan being modified to incorporate reference to home deliveries of alcohol as well as the additional condition: "Home deliveries of alcohol will be carried out in accordance with a written policy agreed between the licence holder and the Licensing Standards Officers.

DECIDED:-

Members of the Board agreed to grant the application with the operating plan being modified to incorporate reference to home deliveries of alcohol as well as the additional condition: "Home deliveries of alcohol will be carried out in accordance with a written policy agreed between the licence holder and the Licensing Standards Officers.

REVIEW OF PREMISES LICENCES

In terms of Section 36 of the Licensing (Scotland) Act 2005, Members were requested to hold hearings to consider the Review of Premises Licences for the undernoted premises.

In this respect, letters were submitted from the Licensing Standards Officers, West Dunbartonshire Council:-

- (a) 6/8 Webster Street, Whitecrock, Clydebank, G81 1AZ
- (b) Jenners Unit 7 Retail Crescent Lomond Shores, Balloch, G83 8QL
- (c) Clydebank Hotel, Kilbowie Road, Clydebank, G81 2AP
- (d) Nicos Nosh, 7 Britannia Way, Clydebank, G81 2RZ

After discussion and having heard the Depute Clerk to the Licensing Board in further explanation and in answer to Members' questions, the Board agreed to send a further letter to all four traders, advising that the Licensing Board are unhappy with the lack of communication with the Licensing Board and Licensing Section at West Dunbartonshire Council. The letter would request the payment of the outstanding Licence fee urgently or request the traders to attend the next meeting of Licensing Board on 9 May 2023 to advise why the payment is late.

DECIDED:-

Members agreed to send a further letter to all four traders, advising that the Licensing Board are unhappy with the lack of communication with the Licensing Board and Licensing Section at West Dunbartonshire Council. The letter would request the payment of the outstanding Licence fee urgently or request the traders to attend the next meeting of Licensing Board on 9 May 2023 to advise why the payment is late.

STATEMENT OF LICENSING POLICY – OVERPROVISION EVIDENCE FROM NHS GREATER GLASGOW AND WEST DUNBARTONSHIRE HSCP

Mr McDougall, Depute Clerk to the Licensing Board, advised that representatives from NHS Greater Glasgow had recently advised of an error within the statistics contained within the report were incorrect. They apologised and requested the report be updated and brought to the next meeting of the Licensing Board.

Members agreed to bring this report to the next meeting of the Licensing Board on 9 May 2023.

NUMBER, CAPACITY AND LICENSED HOURS OF LICENSED PREMISES IN WEST DUNBARTONSHIRE AREA

A report was submitted by the Chief Officer – Regulatory and Regeneration advising the Licensing Board (“the Board”) of the current number, capacity and licensed hours of licensed premises within the West Dunbartonshire, to inform the Board’s review of the Statement of Licensing Policy including its overprovision assessment.

Mr Clyde, the Licensing Standards Officer, informed the Licensing Board of an error in the report, and it was noted that at paragraph 4.2 of the report that the number of premises considered to be members clubs should have been listed as 27 premises, not 22 as specified in the report.

After discussion and having heard the Licensing Standards Officer in further explanation and in answer to Members’ questions, the Board agreed to note the contents of this report and utilise the statistical information contained in the appendices on the number of licensed premises, the capacity of the licensed premises and the licensed hours of licensed premises in the West Dunbartonshire area, when carrying out the overprovision assessment.

DECIDED:-

The Board agreed to note the contents of the report and utilise the statistical information contained within the report and Appendices when carrying out the overprovision assessment.

STATEMENT OF LICENSING POLICY – OVERPROVISION EVIDENCE FROM POLICE SCOTLAND

A report was submitted by the Clerk to the Licensing Board providing information detailing alcohol related crimes as contained in a Police Scotland report.

Having heard the Depute Clerk to the Licensing Board in further detail of the proposed response, Members of the Board agreed to note the report and the terms of the information submitted from Police Scotland.

The meeting closed at 10.39 a.m.

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