

LICENSING BOARD

MINUTE OF MEETING OF RENFREWSHIRE LICENSING BOARD HELD ON 18 JUNE 2018 at 10.00am.

PRESENT

Councillors Andy Steel, Bill Brown, Jane Strang, Jennifer Adam-McGregor, Kevin Montgomery, Natalie Don and Scott Kerr

IN ATTENDANCE

Douglas Campbell, Depute Clerk, Colin Dickson, LSO, Aileen Easdon, Licensing Officer and Connie Lamb, Admin Assistant.

1. **APOLOGIES** – Cllr John Hood and Cllr Michelle Campbell

2. **DECLARATION OF INTEREST** – Cllr Jennifer Adam-McGregor, Page 3/Item 2

3. **LICENSING (SCOTLAND) ACT 2005**

Pages 1 -2 Applications for Major Variation of Premises Licences to be considered – see agenda pages

Page 3 Applications for Provisional Grant of Premises Licences to be considered - see agenda pages

Pages 4-5 Applications for Occasional Licences to be considered – see agenda pages

Page 6 -7 Applications for Personal Licences to be considered – see agenda pages

Page 8 Premises Licence Review Hearing - see agenda pages

Pages 9-10 Personal Licence Hearings - see agenda pages

Pages 11-14 Applications for Minor Variation – DPM – delegated for noting – see agenda pages

Pages 15-16 Applications for Minor Variation – delegated for noting – see agenda pages

Pages 17-20 Applications for Transfer of Premises Licence – delegated for noting - see agenda pages

Pages 21-24 Applications for Personal Licences – delegated for noting - see agenda pages

4. **GAMBLING ACT 2005**

Page 25 Gambling Applications – delegated for noting – see agenda pages

5. ADMINISTRATIVE ITEMS

- a) **Report by Clerk to the Licensing Board – Delegated list of revocation of personal licences (for members information) - Noted**
- b) **Report by Clerk to the Licensing Board – General Data Protection Regulation and Data Protection Officer – Agreed**
- c) **Report by Clerk to the Licensing Board – Statement of Income and Expenditure 2017-2018 - Agreed report and proceed to publish by 30 June 2018**
- d) **Report by Clerk to the Licensing Board - Annual Functions Report 2017-2018 - Agreed report and proceed to publish by 30 June 2018**
- e) **Minute of Previous meeting on 11 May 2018 to be agreed - Agreed**

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Variation (Major)(s) - non-cite

	Premises	Applicant	Date Received	Comments
1	CANAL STATION STOW BRAE CANAL STREET PAISLEY PA1 2HD	THREE THISTLES PLC C/O CALEDONIAN HERITABLE LIMITED 4 HOPE STREET EDINBURGH EH2 4DB	6 March 2018	01/03/2018
2	TARTAN ROSE 2 BROOMLANDS STREET PAISLEY PA2 2LR	I.E. HOLDINGS LIMITED	4 May 2018	04/05/2018

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Variation (Major)(s) - cited

	Premises	Applicant	Date Received	Comments
1	KILMACOLM GOLF CLUB PORTERFIELD ROAD KILMACOLM PA13 4PD	KILMACOLM GOLF CLUB	1 May 2018	10:00am
2	KIRKS 2 LICENSED GROCERS 45 BROOMLEA CRESCENT INCHINNAN PA4 9PJ	HAFIZ SALMAN BIN AFZAL	4 May 2018	10:00am
3	LIDL UK GMBH (STORE 1270) 10 HIGH STREET JOHNSTONE PA5 8JX	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON SUPER MARE	14 March 2018	10:00am

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Provisional(s) - cited

	Premises	Applicant	Date Received	Comments
1	PREMISES 50A HIGH STREET JOHNSTONE PA5 8AN	RYBOND LIMITED C/O MACDONALD LICENSING DX ED561 EDINBURGH	6 February 2018	www.renfrewshire.gov.uk
2	UNIT A - LA BANCA 63 NEILSTON ROAD PAISLEY PA2 6NA	CRL SNEDDON LIMITED C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW G20 6NB	22 February 2018	www.renfrewshire.gov.uk
3	FOOD & WINE CELLARS 301 GALLOWHILL ROAD PAISLEY PA3 4UG	JARMAN UPPAL C/O TLT LLP DX GW138 GLASGOW	19 January 2018	www.renfrewshire.gov.uk

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Occasional(s) - cited

	Premises	Applicant	Date Received	Comments
1	HAIR SALON 99 NEILSTON ROAD PAISLEY PA2 6ES	JACQUELINE MACDONALD C/O HUNTER & ROBERTSON SOLICITORS DX PA16 PAISLEY	24 May 2018	Start date of event: 23/07/2018 End Date of Event: 05/08/2018 Hairdressing. It Is Proposed To Offer Adult Customers A Cocktail Or Glass Of Wine (but Not Spirits). A Maximum Of Three Drinks To Any One Customer. No Drinks At All To Any Customers Who Are Going
2	HAIR SALON 99 NEILSTON ROAD PAISLEY PA2 6ES	JACQUELINE MACDONALD C/O HUNTER & ROBERTSON SOLICITORS DX PA16 PAISLEY	24 May 2018	Start date of event: 09/07/2018 End Date of Event: 22/07/2018 Hairdressing. It Is Proposed To Offer Adult Customers A Cocktail Or Glass Of Wine (but Not Spirits). A Maximum Of Three Drinks To Any One Customer. No Drinks At All To Any Customers Who Are Going

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Occasional(s) - cited

	Premises	Applicant	Date Received	Comments
3	HAIR SALON 99 NEILSTON ROAD PAISLEY PA2 6ES	JACQUELINE MACDONALD C/O HUNTER & ROBERTSON SOLICITORS DX PA16 PAISLEY	24 May 2018	Start date of event: 25/06/2018 End Date of Event: 08/07/2018 Hairdressing. It Is Proposed To Offer Adult Customers A Cocktail Or Glass Of Wine (but Not Spirits). A Maximum Of Three Drinks To Any One Customer. No Drinks At All To Any Customers Who Are Going

RENFREWSHIRE LICENSING BOARD**Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence(s) - cited (contiued from 5 March 2018 Board****Applicant****Date Received****Comments**

1	ANDREW ADRIAN OSBORNE	29 November 2017	www.renfrew.gov.uk
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Licensing (Scotland) Act 2005

Personal Licence(s) - cited

	Applicant	Date Received	Comments
2	MARK CHRISTOPHER TAYLOR	22 January 2018	Approved
3	YUSAF FAIZ	31 January 2018	Approved
4	MUHAMMAD ILYAS ANWAR	20 March 2018	Approved
5	LINDA SMITH	5 April 2018	Approved
6	SUKDEEP KAUR BENNING	11 April 2018	Approved

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Premises Licence Review(s) - cited

	Premises	Applicant	Date Received	Comments
1	KEYSTORE EXPRESS (FORMERLY THE VILLAGE SHOP) 21 GREENOCK ROAD BISHOPTON PA7 5JN	POLICE SCOTLAND	18 May 2018	www.saf

RENFREWSHIRE LICENSING BOARD

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Licensing (Scotland) Act 2005

Personal Licence Review(s) - Hearing into Report of conduct inconsistent with licensing objectives

[illegible]

RENFREWSHIRE LICENSING BOARD**Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House , Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence Review(s) - Hearing into Report of conduct inconsistent with licensing objectives**

Licence Holder	Applicant	Date Received	Comments
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2	PAUL CLARK	POLICE SCOTLAND	1 June 2018	Withdrawn
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RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Variation (Minor)(s) - DPM - delegated for noting

	Premises	Applicant	Date Received	Comments
1	AFTON BAR 70 CAUSEYSIDE STREET PAISLEY PA1 1YP	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	22 February 2018	Noted
2	CO-OP 93 PAISLEY ROAD RENFREW PA4 8LH	CO-OPERATIVE GROUP FOOD LIMITED C/O HILL BROWN LICENSING RWF HOUSE 5 RENFIELD STREET GLASGOW	22 March 2018	Noted
3	MORRISONS 30 NAPIER STREET JOHNSTONE PA5 8SF	WM MORRISON SUPERMARKETS PLC C/O GOSSCHALKS SOLICITORS QUEENS GARDENS DX 11902 HULL	5 March 2018	Noted
4	SHOP 176 PAISLEY ROAD RENFREW PA4 8DS	RUPINDER KAUR	27 February 2018	Noted

RENFREWSHIRE LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Minor)(s) - DPM - delegated for noting

	Premises	Applicant	Date Received	Comments
5	THE LIBRARY 51 CAUSEYSIDE STREET PAISLEY PA1 1YN	HAWTHORN LEISURE SCOTCO LIMITED C/O TLT LLP DX GW138 GLASGOW	9 March 2018	Noted
6	TRAVELODGE HOTEL GLASGOW AIRPORT MARCHBURN DRIVE (SANDERLING ROAD) GLASGOW AIRPORT BUSINESS PARK ABBOTSINCH	TRAVELODGE HOTELS LIMITED C/O MORTON FRASER QUARTERMILE TWO 2 LISTER SQUARE EDINBURGH EH3 9GL	12 March 2018	Noted
7	TRAVELODGE KINGS INCH ROAD GLASGOW GS1	TRAVELODGE HOTELS LIMITED C/O MORTON FRASER QUARTERMILE TWO 2 LISTER SQUARE EDINBURGH EH3 9GL	12 March 2018	Noted

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	Premises	Applicant	Date Received	Comments
1	AFTON BAR 70 CAUSEYSIDE STREET PAISLEY PA1 1YP	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	5 April 2018	Noted
2	ALDI 4 FULBAR ROAD PAISLEY PA2 9AP	ALDI STORES LIMITED C/O TLT LLP DX GW138 GLASGOW	9 April 2018	Noted
3	DIAGEO SCOTLAND LIMITED 500 RENFREW ROAD GLASGOW G51 4SA	DIAGEO SCOTLAND LIMITED C/O MORTON FRASER QUARTERMILE TWO 2 LISTER SQUARE EDINBURGH EH3 9GL	6 April 2018	Noted

RENFREWSHIRE LICENSING BOARD

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Licensing (Scotland) Act 2005

Variation (Minor)(s) - DPM - delegated for noting

	Premises	Applicant	Date Received	Comments
4	MARQUEE AT MAR HALL MAR HALL BISHOPTON PA7 5NW	MAR ESTATES LIMITED PER BRUNTON MILLER C/O BRUNTON MILLER SOLICITORS HERBERT HOUSE 22 HERBERT STREET GLASGOW	4 April 2018	Noted
5	ODEON CINEMAS LIMITED XSCAPE KINGS INCH ROAD RENFREW PA4 8XQ	ODEON CINEMAS LIMITED C/O DLA PIPER SCOTLAND LLP COLLINS HOUSE RUTLAND SQUARE EDINBURGH EH1 2AA	13 April 2018	Noted
6	PREZZO UNIT C2 BRAEHEAD SHOPPING CENTRE KINGS INCH ROAD RENFREW G51 4BN	PAPA MIDCO LIMITED C/O BRODIES SOLICITORS 15 ATHOLL CRESCENT EDINBURGH EH3 8HA	19 April 2018	Noted

RENFREWSHIRE LICENSING BOARD**Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Variation (Minor)(s) - delegated for noting**

Premises		Applicant	Date Received	Comments
7	WESTERN BAR 48 HAIRST STREET RENFREW PA4 8QY	WILLIAM STEVEN CALVEY	13 April 2018	Noted

RENFREWSHIRE LICENSING BOARD**Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Variation (Minor)(s) - delegated for noting**

Premises	Applicant	Date Received	Comments
1 LIDL UK GMBH (STORE 1270) 10 HIGH STREET JOHNSTONE PA5 8JX	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON SUPER MARE	23 March 2018	Noted

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Transfer(s) - delegated for noting

	Premises	Applicant	Date Received	Comments
1	ABBEY BAR 8 LAWN STREET PAISLEY PA1 1HA	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	16 January 2018	Noted
2	AFTON BAR 70 CAUSEYSIDE STREET PAISLEY PA1 1YP	PUNCH PARTNERSHIPS (PTL) LIMITED C/O TLT LLP DX GW138 GLASGOW	16 January 2018	Noted
3	BALNAGOWAN ARMS 65 NEILSTON ROAD PAISLEY PA2 6NA	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	18 January 2018	Noted

RENFREWSHIRE LICENSING BOARD

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Licensing (Scotland) Act 2005

Transfer(s) - delegated for noting

	Premises	Applicant	Date Received	Comments
4	HABBIES 25 NEW STREET KILBARCHAN JOHNSTONE PA10 2LN	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	19 January 2018	Noted
5	HAGG BAR 46 GRAHAM STREET JOHNSTONE PA5 8QY	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	16 January 2018	Noted
6	KEYSTONE 1 HOUSTOUN SQUARE JOHNSTONE PA5 8DT	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	16 January 2018	Noted

RENFREWSHIRE LICENSING BOARD

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Licensing (Scotland) Act 2005

Transfer(s) - delegated for noting

	Premises	Applicant	Date Received	Comments
7	OSPNEY HALLHILL ROAD JOHNSTONE PA5 0SA	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	16 January 2018	Noted
8	TRUST INN 8 LOW BARHOLM KILBARCHAN JOHNSTONE PA10 2ET	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	16 January 2018	Noted
9	WEE HOWFF 53 HIGH STREET PAISLEY PA1 2AN	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	16 January 2018	Noted

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Transfer(s) - delegated for noting

	Premises	Applicant	Date Received	Comments
1	ALAMO BAR 9 CALEDONIA STREET PAISLEY PA3 2JG	GORDON CHALMERS C/O HARPER MACLEOD DX GW86	26 March 2018	Noted
2	PREZZO UNIT C2 BRAEHEAD SHOPPING CENTRE KINGS INCH ROAD RENFREW G51 4BN	PETER SAVILLE, CLARE KENNEDY AND CATHERINE WILLIAMSON C/O POPPLESTON ALLEN 37 STONEY STREET THE LACE MARKET NOTTINGHAM	9 April 2018	Noted
3	PREZZO UNIT C2 BRAEHEAD SHOPPING CENTRE KINGS INCH ROAD RENFREW G51 4BN	PAPA MIDCO LIMITED C/O BRODIES SOLICITORS 15 ATHOLL CRESCENT EDINBURGH EH3 8HA	9 April 2018	Noted

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Licensing (Scotland) Act 2005

Personal Licence(s) - delegated for noting

Applicant

Date Received

Comments

1	CARRIE ANN DUCK	22 December 2017	Noted
2	MARK RAYMOND TALSON	22 December 2017	Noted
3	GAVIN MORRIS	11 January 2018	Noted
4	MICHELINE HELEN GRAHAM CALDWELL	22 January 2018	Noted
5	RICHARD FERGUSON	17 January 2018	Noted
6	CLAIRE FULTON	18 January 2018	Noted
7	MOIRA HAY	1 February 2018	Noted
8	KIERAN BISLAND	30 January 2018	

RENFREWSHIRE LICENSING BOARD

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Licensing (Scotland) Act 2005

Personal Licence(s) - delegated for noting

	Applicant	Applicant	Date Received	Comments
9	LAURA ALISON JANE RAE		29 January 2018	Noted
10	RANA HANDE AKTAS		6 February 2018	Noted
11	DERRICK LAMB		14 February 2018	Noted
12	FRANCO POLITI		20 February 2018	Noted
13	CHRISTOPHER ANDERSON		15 February 2018	Noted
14	YVONNE HASSAN		15 February 2018	Noted
15	CARON MACPHERSON		15 February 2018	Noted
16	ANSHU KAPILA		21 February 2018	Noted
17	LINDA OBOFONI OKHUOYA-OLOGE		22 February 2018	Noted

RENFREWSHIRE LICENSING BOARD**Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence(s) - delegated for noting**

	Applicant	Applicant	Date Received	Comments
18	TOBIAS MAXIMILIAN ROBINSON		22 February 2018	Noted
19	LISA PATERSON		23 February 2018	Noted
20	JAMES MCGHEE		23 February 2018	Noted
21	ALANA FORREST		23 February 2018	Noted
22	SONG MAO ZHOU		26 February 2018	Noted
23	ALAN GIBSON		6 March 2018	Noted
24	COLLETTE ELIZABETH PARKER		9 March 2018	Noted

RENFREWSHIRE LICENSING BOARD**Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence(s) - delegated for noting****Applicant****Date Received****Comments**

1 TERRY DAVID STEVENSON

7 March 2018

Noted

RENFREWSHIRE LICENSING BOARD**Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Gambling Act 2005****Small Lotteries - Full Grant(s) - delegated for noting**

Premises	Applicant	Date Received	Comments
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1	HOW GOOD IS HOWWOOD 3 MAYFIELD CRESCENT HOWWOOD PA9 1BL	3 April 2018	Noted
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RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley PA1 1TT

Licensing (Scotland) Act 2005

1. **Report by Clerk to the Licensing Board - Delegated list of revocation of personal licences (for members information)**
Noted

To: RENFREWSHIRE LICENSING BOARD

By: CLERK TO THE LICENSING BOARD

Date: 18 JUNE 2018

Subject: DELEGATED REVOCATION OF PERSONAL LICENCES

1. SUMMARY

- 1.1 Attached as Appendix I is a list of Personal Licences that were revoked under delegated powers on 8 March 2018 and 10 April 2018 where the Personal Licenceholder failed to comply with the requirement to produce evidence of refresher training in terms of Section 87(3) of the Licensing (Scotland) Act 2005.

2. RECOMMENDATION

For Members Information

Contact Officer: - Douglas Campbell (Ext 7172)

Personal Licence

No:	PersonalLicence Holder	Status	Date Revoked
RC/1322	Linda Smith	Revoked	08/03/2018
RC/1321	Vijayapal Reddy Vasireddy	Revoked	08/03/2018
RC/1320	Michele Innes	Revoked	08/03/2018
RC/1319	Victoria McNeil	Revoked	08/03/2018
RC/1318	Rebecca Daily	Revoked	08/03/2018
RC/1316	Terri Doyle	Revoked	08/03/2018
RC/1315	Elizabeth Bryson	Revoked	08/03/2018
RC/1314	Sara-Louise Spreadbury	Revoked	08/03/2018
RC/1313	Ainsleigh Avril Barrie	Revoked	08/03/2018
RC/1312	Catherine Costello	Revoked	08/03/2018
RC/1310	Graham Millar Brown	Revoked	08/03/2018
RC/1332	Rees McKechnie	Revoked	10/04/2018
RC/1331	Kim Tracey Wallace	Revoked	10/04/2018
RC/1329	Catherine Murdoch McGranthin	Revoked	10/04/2018
RC/1328	Kenneth McGranthin	Revoked	10/04/2018
RC/1325	Conor Moran	Revoked	10/04/2018

RENFREWSHIRE LICENSING BOARD

Meeting 18 June 2018 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley PA1 1TT

Licensing (Scotland) Act 2005

- 1. Report by Clerk to the Licensing Board - General Data Protection Regulation and Data Protection Officer Agreed**
- 2. Report by Clerk to the Licensing Board - Statement of Income and Expenditure 2017-2018
Agreed Report and proceed to publish by 30 June 2018**
- 3. Report by Clerk to the Licensing Board - Annual Functions Report 2017-2018
Agreed Report and proceed to publish by 30 June 2018**

Renfrewshire Council

To: Renfrewshire Licensing Board

On: 18th June 2018

**Report
by
Clerk to the Licensing Board**

General Data Protection Regulation and Data Protection Officer

1. Summary

- 1.1. The purpose of this report is to seek the Board's approval to the Council's statutory Data Protection Officer (DPO) acting as DPO to the Licensing Board.

2. Background

- 2.1 The EU General Data Protection Regulation (GDPR) is the most significant change to data protection law in twenty years.
- 2.2 One of the key changes is that public authorities who process personal data are obliged to designate a Data Protection Officer (DPO) on the basis of professional qualities and, in particular, expert knowledge of data protection law and practices.
- 2.3 The Managing Solicitor (Information Governance) has been appointed to this statutory role for the Council and is now referred to as the Managing Solicitor (DPO).
- 2.4 As a result of GDPR, data controllers, such as the Licensing Board, also require to have detailed Privacy Notices, advising people how their personal information will be handled.

3. Recommendations

It is recommended that the Board –

- 3.1 Agree that the Council's statutory DPO also act as DPO to the Licensing Board and
- 3.2 Approve the Privacy Notice, attached at Appendix 1.



Kenneth Graham
Clerk to the Licensing Board

APPENDIX 1



Privacy Notice

Renfrewshire Licensing Board is the data controller for the personal data you provide to us. The information is collated on their behalf by Renfrewshire Council and stored within their systems.

The Data Protection Officer responsible for ensuring personal data is managed in accordance with data protection legislation is:

Allison Black
Managing Solicitor (DPO)
Renfrewshire House
Cotton Street
Paisley
PA1 1TT

Email: dataprotection@renfrewshire.gov.uk

Telephone: 0300 300 0300

Information held about you

Renfrewshire Licensing Board will hold all of the personal information provided in any application made to the Board under the Licensing (Scotland) Act ("the 2005 Act") (via any submission method) and any additional information provided subsequently regarding your licence. The Board will similarly hold all the personal information provided by objectors to licensing applications and by those who seek the review of a licence.

The information we collect from you will include details such as your name, address, e-mail address, telephone number, date of birth, national insurance number, and (if applicable) details of any previous criminal convictions and previous licence information.

Why do we need this information?

Your information is being collected to allow Renfrewshire Licensing Board to administer the process of applying for licences (or where you make a request to review a premises licence) under the 2005 Act.

We need to know the personal data requested on the application form in order to provide this service to you. If you do not provide this information then we will be unable to process your request for a licence. We will not collect any personal data from you that isn't needed for this purpose.

The lawful basis for collecting your information in these circumstances is:

Compliance with legal obligation: Renfrewshire Licensing Board is required to collect your information in order to carry out the function of providing licences in relation to the 2005 Act.

How will we use information we hold about you?

The Board will use the information provided in the application to process the application and issue documentation in accordance with the relevant provisions of the 2005 Act and to contact you about your licence.

Who we will share your information with?

In processing your application in terms of the 2005 Act we are required to share the information with the following bodies and individuals

Application type	Information shared with
Premises Licence Provisional Premises Licence Major Variation of Premises Licence	Police Scotland Scottish Fire and Rescue Service NHS Greater Glasgow and Clyde Building Standards Planning Environmental Health Renfrewshire Council Community Councils in Renfrewshire Those with a notifiable interest in neighbouring land. Some information will be shared with the public via the public register Some information will be shared with the public at Licensing Board meetings The applicant (in the case of information provided by objectors)
Transfer of Premises Licence	Police Scotland Some information will be shared with the public via the public register
Reviews of Licences	Police Scotland Renfrewshire Licensing Standards Officers Renfrewshire Council The applicant for a review of the licence The licence holder (in the case of information provided by the applicant for review of a licence) Some information will be shared with the public via the public registers Other Council Departments; Environment Health/ Planning
*Occasional Licence Extended Hours Personal Licence	Police Scotland *Some information will be shared with the public via the website notification of applications Licensing Standards Officers Some information will be shared with the public at hearings before the Board and via the public registers

The Board is required by regulations under the 2005 Act to keep a public register in connection with applications under the 2005 Act. This register will include personal information provided in applications under the Act and will be available to the public.

The Board is also required under the National Fraud Initiative (NFI) to share your information with Audit Scotland in order to prevent and detect fraud. If you wish further information about the NFI please see the NFI privacy notice:

http://www.audit-scotland.gov.uk/uploads/docs/um/nfi_privacy_notice_2016.pdf

How long do we keep your information?

We will keep your information for the length of time specified within our document retention schedules, and after this period it will be destroyed under secure arrangements

All documentation relating to licences under the Licensing (Scotland) Act 2005 will be kept for a maximum of 5 years from the date the licence expires, is surrendered or revoked.

Providing accurate information

It is important that we hold accurate information about you. If any of your details change, please ensure that you tell us as soon as possible so that we can update your records.

Your rights

You have a number of rights under data protection law:

- to withdraw consent at any time, where the legal basis specified above is consent (not applicable)
- to lodge a complaint with the Information Commissioner's Office – see below for details
- to request access to your personal data – please contact the Data Protection Officer if you wish to submit a request
- to data portability, where the Legal basis specified above is i) consent or ii) performance of a contract (not applicable)
- to request rectification or erasure of your personal data, as far as the legislation permits – please contact the Data Protection Officer and provide details of what data you wish to be rectified or erased.

You can find out more about your rights in relation to data from the Data Protection Officer by telephone or in writing, (as detailed above).

Further Information

More information about data protection and how it applies to you is available from the Information Commissioner's Office: -

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113
Email: casework@ico.org.uk

Information Commissioner's Office-Scotland
45 Melville Street
Edinburgh
EH3 7HL
Telephone: 0303 123 1115

Email: Scotland@ico.org.uk

Renfrewshire Council

To: Renfrewshire Licensing Board

On: 18th June 2018

**Report
by
Clerk to the Licensing Board**

Statement of Income and Expenditure 2017-2018

1. Summary

- 1.1. The purpose of this report is to seek the Board's approval of the draft Statement of Income and Expenditure (hereinafter "Statement") attached at Appendix 1 for publication. The requirement to publish an annual Statement was introduced in 2017.

2. Background

- 2.1 Section 56(2) of the Air Weapons and Licensing (Scotland) Act 2015 introduced a new requirement into the Licensing (Scotland) Act 2005 ("the 2005 Act") that the Licensing Board, on an annual basis, publish an annual report detailing the Licensing Board's relevant income and expenditure in the previous financial year. "Relevant income" currently includes income received in connection with the Board's liquor licensing function and "relevant expenditure" includes expenditure incurred by the Board, the Council and the Licensing Standards Officers. The Statement also requires to contain an explanation of how the amounts set out in it have been calculated.
- 2.2 The annual Statement setting out the Board's income and expenditure for the financial year to 31st March 2018 requires to be published by 30th June 2018.
- 2.3 The Board's approval of the Statement at Appendix 1 is now sought to enable the above requirement to be met.

3. Recommendations

It is recommended that the Board –

- 3.1 Agree publication of the report attached at Appendix 1.


.....

Kenneth Graham
Clerk to the Licensing Board

APPENDIX 1**Renfrewshire Licensing Board****INCOME AND EXPENDITURE REPORT (2017-2018)****Licensing (Scotland) Act 2005, Section 9B****Income**

Income (liquor licensing fees)	£198,749
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Expenditure

Staff costs- LSO	£30,555
Staff costs- Other	£105,637

Other Expenditure	£93,792
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Total Expenditure	£229,984
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Difference- income and expenditure (deficit)	£31,235
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Note

The income shown above is referable to the financial year 2017-2018. Within that year, Renfrewshire Licensing Board received 2 applications for premises licences, 12 for provisional licences, 63 for extended hours, 11 for major variation, 101 for minor variation, 38 for transfer, 4 for major variation with transfer, 113 for personal licences and 498 for occasional licences.

The staff costs shown reflect the proportion of staffing costs attributable to the liquor licensing function based on the time spent by those staff involved in liquor licensing.

The other expenditure includes supplies and services and other overheads, including the central administrative support (including accountancy and payroll services) attributable to the liquor licensing function.

Renfrewshire Council

To: Renfrewshire Licensing Board

On: 18th June 2018

**Report
by
Clerk to the Licensing Board**

Annual Functions Report 2017-2018

1. Summary

The purpose of this report is to advise the Board of a new requirement to prepare and publish an annual report setting out how the Board has carried out its functions. The Board is also asked to approve the draft Annual Functions Report at Appendix 1 as suitable for publication.

2. Background

2.1 Section 56(2) of the Air Weapons and Licensing (Scotland) Act 2015 introduced a new Section 9A into the Licensing (Scotland) Act 2005 ("the 2005 Act") which requires the Licensing Board, on an annual basis, to publish an Annual Functions Report. The report must contain information in relation to the preceding financial year to 31st March, including:

- (i) An explanation as to how the Board has had regard to the licensing objectives;
- (ii) An explanation as to how the Board has had regard to its policy statement and any supplementary policy statement (including its overprovision assessment);
- (iii) A summary of the decisions made by, or on behalf of the Board; and
- (iv) Information about the number of licences held under the 2005 Act in the Board's area, including occasional licences.

2.2 The report may also contain other information about the exercise of the Board's functions, at the Board's discretion.

2.3 The Annual Functions Report for the financial year to 31st March 2018 requires to be published by 30th June 2018.

2.4 The Board's approval of the Annual Functions Report at Appendix 1 is now sought to enable the above requirement to be met.

3. Recommendations

It is recommended that the Board –

3.1 Agree publication of the report attached at Appendix 1.


.....

Kenneth Graham
Clerk to the Licensing Board

APPENDIX 1

RENFREWSHIRE LICENSING BOARD

Licensing (Scotland) Act 2005

**Annual Functions Report
2017-2018**

Clerk to the Licensing Board
Renfrewshire Council
Renfrewshire House
Cotton Street,
Paisley
PA1 1TT

1. INTRODUCTION

1.1 This Annual Functions Report has been prepared by Renfrewshire Licensing Board (the "Board") in terms of Section 9A of the Licensing (Scotland) Act 2005 (the "Act"). The Act requires this report to include the following:

1. A statement explaining how the Board has had regard to –
 - a. The licensing objectives; and
 - b. Their licensing policy statement (and supplementary licensing policy statement) in the exercise of their functions under the Act during the financial year.
2. A summary of the decisions made by (or on behalf of) the Board during the financial year; and
3. Information about the number of licences held under the Act in the Board's area (including occasional licences).

The Board may also include other information about the exercise of the Board's functions as the Board considers appropriate.

1.2 This Annual Functions Report has been prepared for the financial year 2017-2018.

2. BACKGROUND INFORMATION

2.1 When undertaking its functions, the Board has regard to the Licensing Objectives and to its own Statement of Licensing Policy. The Board last published a full Statement of Licensing Policy in 2013, as required under the terms of the Act, and published a Supplementary Statement of Licensing Policy in relation to overprovision of licensed premises in August 2015.

2.2 The Act sets out the Licensing Objectives which are:

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children and young persons from harm.

3 SUMMARY OF DECISIONS AND INFORMATION ABOUT LICENCES HELD

3.1 Under the Board's current Statement of Licensing Policy, matters which are dealt with at a meeting of the Board are:

- Premises licence applications;
- Major variations to premises licences;
- Application for transfer of a premises licence where the applicant has been convicted of a relevant offence or a foreign offence;
- Personal licence application or renewal where the applicant has been convicted of a relevant offence or a foreign offence;
- Reviews of premises licences and personal licences;
- Closure orders; and

3.2 Refusing an application for confirmation of a provisional premises licence. The Clerk and the Depute Clerks have delegated authority to determine applications which do not fall into the above categories provided that there are no objections or representations received from the Chief Constable or other consultees and the application is within policy hours. If there is an objection or representation to an occasional licence or an extended hours application, or if the hours sought are outwith the policy hours, then the application will be considered by two members of the Board. In practice, one of the members who determines the application is usually the Convener of the Board.

3.3 These delegated powers ensure that the Board provides an efficient and cost effective service to all those involved in the licensing process. At the same time, the delegated powers are limited to ensure that any potentially controversial applications are appropriately scrutinised by members of the Board while having due regard to the Licensing Objectives and the Board's Statement of Licensing Policy.

3.4 A summary is provided in Annex 1 of licences (including occasional licences) held in the financial year 2017-2018 and the number of licensing applications considered, and the decisions made in relation to them.

3.5 Seven premises licence applications were considered and granted during the financial year 2017-2018.

3.6 Nine applications for review of a premises licence were considered by the Board. Having regard to the five Licensing Objectives, the Board took action on three occasions. One licence holder was given a written warning, one premises licence was suspended and the third was revoked.

- 3.7 The Board refused two applications for personal licences. On both occasions the Board received information from the Chief Constable. The Board refused the applications relative to the licensing objective of preventing crime and disorder.
- 3.8 Three reviews of personal licences were considered by the Board. The Board took action in two of these matters. One licence holder was suspended for a period of six months, being the maximum period of suspension under the Act, and one personal licence was endorsed. Both of these decisions related to the licensing objective of preventing crime and disorder.
- 3.9 Occasional licence applications and extended hours applications are frequently referred to two Boards members, as provided in the Board's Statement of Licensing Policy, due to representations or objections from the Police or the Board's Licensing Standards Officers, or where the hours sought are outwith the terms of the Board's Statement of Licensing Policy. This has resulted in the Board attaching additional conditions to licences or restricting the hours applied for.
- 3.10 The current Statement of Licensing Policy, as amended by the Supplementary Statement of Licensing Policy, provides that the Board has determined that Paisley Town Centre is overprovided in respect of "Liquor or Pub Type Premises", being pub type premises used wholly or predominantly for the sale of alcohol. Restaurant, hotel and nightclub premises are not covered by the current overprovision policy. In the financial year 2017-2018, the only applications for on sales premises licences granted in this area were premises considered by the Board to be cafe or restaurant type venues rather than a traditional pub type premises.
- 3.11 When considering any application for a premises licence outwith the declared overprovision area in Paisley Town Centre, the Board always identifies the locality in which the premises are situated and whether that locality is overprovided. In the financial year 2017-2018, to assist the Board in determining localities for individual applications, a bespoke mapping system was used to allow the Board members to consider the number and type of premises within an area (and their capacities). Like all relevant considerations, overprovision is an issue deliberated carefully by members of the Board. For example, an application in the financial year 2017-2018, for proposed premises outwith the Board's overprovision area, was granted by a majority of four to three Board members, with the three members of the Board voting that the locality was overprovided in relation to off sales premises.

- 3.12 In September 2017, the Board approved a policy to allow extended hours for the festive period 2017/2018. Prior to approving the additional hours, the Board consulted with the membership of Renfrewshire Licensing Forum. Following the adoption of these extended hours, no complaints were received by the Board in relation to the operation of any premises' use of the extended hours.

4. LICENSING POLICY STATEMENT (AND SUPPLEMENTARY STATEMENT)

- 4.1 The Board had regard to the terms of its licensing policy statement in considering applications and reaching decisions under the Act in the financial year 2017-2018. All decisions were made in accordance with the Scheme of Delegation set out in the Board's Statement of Licensing Policy. As stated above, applications requiring to be considered by the Board were referred to a hearing before the full Licensing Board and occasional and extended hours applications outwith the terms of the Board's policy, or where adverse comment had been received, were referred to two Members of the Licensing Board for a decision.
- 4.2 All applications for premises licences considered in the financial year 2017-2018 were for hours in accordance with the Board's Statement of Licensing Policy. In relation to occasional licence and extended hours applications, Members of the Licensing Board considered applications referred to them on their individual merits, balancing the terms of the Statement of Licensing Policy and the submissions received, with appropriate consideration of the licensing objectives.
- 4.3 In relation to the assessment of overprovision in the Board's Statement of Licensing Policy, the only applications for on sales premises licences granted in the declared overprovision area were premises considered by the Board to be cafe or restaurant type venues rather than pub type premises, as stated at Paragraph 3.10 above.
- 4.4 The Board agreed festive hours for the financial year 2017-2018, as stated at Paragraph 3.12 above. This is in accordance with Paragraph 15.4 of the Board's current Statement of Licensing Policy, which sets out the Board's practice of permitting longer licensed hours over the festive period.
- 4.5 The Board is currently carrying out a consultation on the review of its Statement of Licensing Policy. An initial, informal consultation was undertaken during the period from December 2017 to February 2018. The Board consulted with a wide range of stakeholders during this process in addition to those required to be consulted in terms of the Act. This approach was adopted to encourage interested parties and local communities to have a role in setting the policy for the area of Renfrewshire. A full list of these initial consultees is attached as Annex 2.

5. FURTHER ACTIONS OF THE BOARD RELATING TO THE LICENSING OBJECTIVES

- 5.1 Prior to taking part in proceedings of the Board, all members completed mandatory training for Licensing Board members in terms of the Act.
- 5.2 In addition to this, seven members of the Board attended an event hosted by Renfrewshire Alcohol and Drug Partnership in summer 2017. At this event, Board members heard various presentations from Police Scotland and health professionals and took part in interactive exercises and discussions. This gave members an insight into a number of alcohol-related issues: for example, the work of addiction nurses.
- 5.3 Members of the Board also attended a licensing seminar hosted by Police Scotland in late 2017. Councillor Andy Steel, Convener of the Licensing Board, opened this seminar.
- 5.4 The Convener, along with a Depute Clerk to the Board, also attended a major licensed event in summer 2017 which had received an occasional licence for the sale of alcohol. The purpose of this visit was to ensure that the event was being operated safely and in accordance with the five licensing objectives. The Convener had the opportunity to meet with a variety of licensing stakeholders in addition to the police and the event organisers.
- 5.5 The Licensing Forum has not always achieved a quorum at recent meetings. Accordingly, the Board's officers assisted with arrangements which were made to change the constitution of the Forum. The new constitution of the Forum should assist it to carry out its statutory functions of reviewing the operation of the Act and, in particular, the exercise by the Board of their functions.
- 5.6 In the financial year 2017/2018, the Board's Licensing Standards Officers continued to provide guidance and information to interested persons and to supervise compliance by licence holders with the Act.
- 5.7 The role of the Licensing Standards Officers also includes providing mediation for the purpose of avoiding or resolving disputes. The Licensing Standards Officers in the financial year 2017-2018 successfully mediated a situation between the holder of a premises licence and a member of the public who reported an incident of public disorder. Following the intervention of the Licensing Standards Officers, the issues in relation to the premises were resolved with agreed preventative measures being put in place and in the circumstances the member of the public did not pursue a review of the premises licence.

- 5.8 The Board's officers also worked with organisations such as Guide Dogs Scotland and the local Disability Access Forum to encourage improved accessibility to licensed premises and to enhance the wellbeing of customers in licensed premises as part of the Board's commitment to equality.
- 5.9 The Board's officers undertook various training courses and attended other events in the financial year 2017-2018 for the purposes of their continuing professional development and joint working initiatives.

6. CONCLUSION

- 6.1 The Board is satisfied that, in all decisions taken in the financial year 2017-2018, the Board and its officers have had regard to the Licensing Objectives and the Board's Statement of Licensing Policy in exercise of their functions under the Act. The Board has taken firm action when necessary for the purposes of the Licensing Objectives. At the same time, the Board is willing to encourage and support the licensed trade to maintain good practice in their premises for the benefit of the people of Renfrewshire.
- 6.2 The Board acknowledges the changing nature of the licensing landscape. Board Members and officers appreciate that they must continue to meet the challenges brought by changes to licensing law. An example of the challenges to be faced in the financial year 2018-2019 is the introduction of the minimum unit pricing of alcohol in Scotland. Board Members were briefed on the implications of this legislation during the financial year 2017-2018, while officers committed to a programme of enforcement in anticipation of minimum unit pricing being introduced. An update in relation to the implementation of minimum unit pricing will be provided in the Annual Functions Report for 2018-2019.

Annex 1- Annual Functions Report: 2017-2018

Premises Licence Statistics	
Licences held- as at 31 March 2018	435
(a) on license only	108
(b) off license only	139
(c) both	188
Applications refused during 2017-2018	0
Applications granted during 2017-2018	7
Applications for review of premises licence during 2017-2018 resulting in:-	
(a) written warning	1
(b) variation	0
(c) suspension	1
(d) revocation	1
(e) no action	6
Occasional Licence Statistics	
Number of Occasional Licences granted during 2017-2018	482
Personal Licence Statistics	
Personal Licences in Force- as at 31 March 2018	1378
Applications- decisions during 2017-2018	
(a) refused	2
(b) granted	138
Personal Licence Reviews- during 2017-2018	
(a) endorsement	1
(b) suspension	1
(c) revocation	0
(d) no action	1
Revocations of personal licences during 2017-2018 under section 87(3) (failure to provide evidence of having undertaken refresher training)	66

Annex 2- List of Consultees for Initial, Informal Consultation on Licensing Policy Statement

1. Police Scotland
2. NHS Greater Glasgow and Clyde
3. Renfrewshire Health and Social Care Partnership
4. Renfrewshire Alcohol and Drug Partnership
5. Renfrewshire Licensing Forum
6. Renfrewshire Council Chief Executive
7. All Renfrewshire Council Directors
8. Renfrewshire Council Head of Policy and Commissioning
9. Renfrewshire Council Head of Planning and Housing Services
10. Scottish Fire and Rescue Service
11. Community Planning Partnership
12. Renfrewshire Community Safety Hub
13. All Renfrewshire Councillors
14. All Renfrewshire premises licence holders
15. All Renfrewshire personal licence holders
16. Members of the Scottish Youth Parliament (per Fiona Taylor)
17. Renfrewshire Youth Voice (per Fiona Taylor)
18. All Community Councils
19. All Local Area Committees
20. Alcohol Focus Scotland
21. Engage Renfrewshire
22. Scottish Beer and Pub Association
23. Scottish Licensed Trade Association
24. Renfrewshire Licensing Standards Officers
25. Margaret Dymond
26. Licensing Practitioners