

**WEST DUNBARTONSHIRE LICENSING BOARD****POLICY ON OVERPROVISION****OVERPROVISION**

- 1.1 Section 7 of the Act requires each Licensing Board to include in its Policy Statement a statement as to the extent to which the Board considers there to be an overprovision of licensed premises or licensed premises of a particular description in any locality within the Board's area.
- 1.2 The Board, having examined data regarding rates of alcohol related death, alcohol related hospital admissions, police incidents, crime and fire statistics and information regarding the number, type and capacities of licensed premises in localities within West Dunbartonshire, having regard to evidence of a correlation between the density of outlets and alcohol related problems, having regard to its duty to promote the licensing objectives and having undertaken a consultation exercise is of the view that there is overprovision of certain types of licensed premises in a locality within West Dunbartonshire.
- 1.3. The Board considers there to be overprovision of the following types of licensed premises namely:-
  - Vertical drinking establishments (i.e. where the majority of capacity is for patrons standing up to drink as opposed to premises which cater predominately for persons taking meals – this includes pubs but will also include hotels where the bar facilities are not ancillary to the accommodation or dining).
  - Nightclubs
  - Off-sales and local convenience stores
  - Supermarkets
- 1.4 The Board considers there is an overprovision of these types of licensed premises in a locality within West Dunbartonshire comprising the following 15 sub-localities of:-
  - Dalmuir
  - Dumbarton Central - Silverton West/Townend
  - Jamestown/rural Moorland
  - Renton
  - Braidfield
  - Alexandria
  - Whitecrook
  - Dumbarton North East - Bellsmyre/Silverton East
  - Mountblow/Parkhall
  - Radnor Park
  - Bowling
  - Kilbowie
  - Bonhill
  - Hardgate/Faifley

- Dumbarton West - Brucehill/Dennytown/Kirtonhill

This locality, and the fifteen sub-localities, is shown on the plan forming Appendix 1 hereto.

- 1.5 The effect of the policy is to create a rebuttable presumption against the grant of an application within this locality for the foregoing types of licensed premise. Each application still requires to be determined on its merits and there may be exceptional cases in which an applicant is able to demonstrate that the grant of the application would not undermine the licensing objectives, or the objectives would not be undermined if the applicants operating plan were to be modified. The Board will expect applicants who are seeking the grant of a new premises licence or to increase the capacity of an existing premises license within the foregoing categories of premise and locality to provide robust and reliable evidence to the Board why the benefit to the licensing objectives through the grant of their application outweighs the detriment to the licensing objectives and the Overprovision Policy. In particular the Board will expect to be addressed on the benefits of granting the application in terms of each licensing objective.
- 1.6 If an existing licence ceases to be in force this does not necessarily mean that there is capacity for a new licence of a similar capacity. The data and consultation responses considered by the Board provide evidence that there is presently an overprovision of licensed premises in West Dunbartonshire but does not quantify the extent of that overprovision. In these circumstances any application seeking to replace capacity relinquished by other premises will be subject to an individual overprovision assessment. This will have particular regard to the data relating to the sub locality to which the new application or application for increased capacity relates. It will also have regard to the type of premises capacity relinquished compared to the type of premises applied for.
- 1.7 There are 3 sub-localities within West Dunbartonshire where the board considers that there is not presently overprovision of licensed premises. These are Balloch North East/Gartocharn/Mill of Haldane, Dumbarton East – Bowling/Barnhill/Crosslet and Duntocher. The Board is aware that some of these sub localities are in close proximity to areas with significant alcohol related health, crime and disorder problems. The Board is also aware that there is local evidence to suggest that persons in West Dunbartonshire, wishing to obtain alcohol from off-licences will travel up to two miles across sub-localities to purchase alcohol. Similarly persons will travel across the whole of West Dunbartonshire to attend nightclubs. Accordingly any application outwith the overprovision locality for new premises or increased capacity of existing premises where there is a likelihood that customers will be drawn from the Board's overprovision locality will also be subject to an overprovision assessment. This assessment will have regard to the alcohol related crime, disorder and health data relating to both the sub locality in which the application premises are located and the sub localities from where the customers are likely to be drawn.