



## ***West Lothian Licensing Board***

West Lothian Civic Centre  
Howden South Road  
LIVINGSTON  
EH54 6FF

1 December 2022

A meeting of West Lothian Licensing Board will be held within the **Council Chambers, West Lothian Civic Centre, Livingston** on **Friday 9 December 2022** at **10:00am**.

Clerk to the Licensing Board

### **BUSINESS**

#### **Public Session**

1. Apologies for Absence.
2. Declarations of Interest - Members must declare any interests they have in the items of business for consideration at the meeting, identifying the relevant agenda items and the nature of their interests.
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business.
4. Confirm Draft Minute of Meeting of the Board held on 11 November 2022 (herewith).
5. Application for a Premises Licence - Homesense, Unit 5 Almondvale Retail Park, Livingston - report by Clerk to the Licensing Board.
6. Application for a Premises Licence - T & S Convenience Store, 3 Meadowhead Terrace, Addiewell - report by Clerk to the Licensing Board.

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NOTE      **For further information please contact the Licensing Team on 01506 281632 or email [licensingboard@westlothian.gov.uk](mailto:licensingboard@westlothian.gov.uk)**





## **CODE OF CONDUCT AND DECLARATIONS OF INTEREST (2021)**

**This form is a reminder and an aid. It is not a substitute for understanding the Code of Conduct and guidance.**

**Interests must be declared at the meeting, in public.**

**Look at every item of business and consider if there is a connection.**

**If you see a connection, decide if it amounts to an interest by applying the objective test.**

**The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.**

**If the connection does not amount to an interest then you have nothing to declare and no reason to withdraw.**

**If the connection amounts to an interest, declare it as soon as possible and leave the meeting when the agenda item comes up.**

**When you declare an interest, identify the agenda item and give enough information so that the public understands what it is and why you are declaring it.**

**Even if the connection does not amount to an interest you can make a statement about it for the purposes of transparency.**

**More detailed information is on the next page.**

Look at each item on the agenda, consider if there is a “connection”, take advice if necessary from appropriate officers in plenty of time. A connection is any link between the item of business and:-

- you
- a person you are associated with (e.g., employer, business partner, domestic partner, family member)
- a body or organisation you are associated with (e.g., outside body, community group, charity)

Anything in your Register of Interests is a connection unless one of the following exceptions applies.

A connection does not exist where:-

- you are a council tax payer, a rate payer, or a council house tenant, including at budget-setting meetings
- services delivered to the public are being considered, including at budget-setting meetings
- councillors’ remuneration, expenses, support services or pensions are being considered
- you are on an outside body through a council appointment or nomination unless it is for regulatory business or you have a personal conflict due to your connections, actions or legal obligations
- you hold a view in advance on a policy issue, have discussed that view, have expressed that view in public, or have asked for support for it

If you see a connection then you have to decide if it is an “interest” by applying the objective test. The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection amounts to an interest then:-

- declare the interest in enough detail that members of the public will understand what it is
- leave the meeting room (physical or online) when that item is being considered
- do not contact colleagues participating in the item of business

Even if decide your connection is not an interest you can voluntarily make a statement about it for the record and for the purposes of transparency.

The relevant documents are:-

- [Councillors’ Code of Conduct, part 5](#)
- [Standards Commission Guidance, paragraphs 129-166](#)
- [Advice note for councillors on how to declare interests](#)

If you require assistance, contact:-

- James Millar, Interim Monitoring Officer and Governance Manager, 01506 281613, [james.millar@westlothian.gov.uk](mailto:james.millar@westlothian.gov.uk)
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, [carol.johnston@westlothian.gov.uk](mailto:carol.johnston@westlothian.gov.uk)
- Committee Services Team, 01506 281604, 01506 281621  
[committee.services@westlothian.gov.uk](mailto:committee.services@westlothian.gov.uk)

January 2022

MINUTE of MEETING of the WEST LOTHIAN LICENSING BOARD held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 11 NOVEMBER 2022.

Present – Councillors George Paul (Convener), Alison Adamson and Stuart Borrowman

Apologies – Councillors Damian Doran-Timson and Tony Pearson

In Attendance

Gary McMullan, Depute Clerk, West Lothian Licensing Board  
Douglas Frood, Licensing Standards Officer, West Lothian Council  
PC Rachel Stark, Police Scotland

1. ORDER OF BUSINESS

In the absence of the Councillor Pearson, the Board unanimously agreed to appoint Councillor Paul as Convener for the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTE

The Board confirmed the draft Minute of its Meeting held on 7 October 2022 as a correct record. The Minute was thereafter signed by the Convener.

4. APPLICATION FOR VARIATION OF PREMISES LICENCE, BP DEER PARK CONNECT, LIVINGSTON EAST ROUNDABOUT, DEER PARK DRIVE, LIVINGSTON

The legal agent for BP Deer Park Connect, Livingston, took part in the MS Teams virtual meeting. Introductions were made and procedures explained.

The Board considered a report (copies of which had been circulated) by the Clerk with regard to the application for variation of premises licence.

The report recommended that the Board consider and determine the application for a variation of premises licence having regard to the content of the report and any submissions made by or on behalf of the applicant. The Board heard submissions from the applicant's agent in relation to the application.

Decision

To grant the application.

5. APPLICATION FOR PROVISIONAL PREMISES LICENCE, HIDEAWAY CAFE, BEECRAIGS, LINLITHGOW

The applicant and legal agent for the Hideaway Café, Beecraigs, Linlithgow, took part in the meeting. Introductions were made and procedures explained.

The Board considered a report (copies of which had been circulated) by the Clerk with regard to the application for a provisional premises licence.

The report recommended that the Board consider and determine the application for a provisional premises licence having regard to the content of the report and any submissions made by or on behalf of the applicant. The Board heard submissions from the applicant's agent in relation to the application. The legal agent indicated that the applicant wished to amend their application to accept a terminal time of 9pm daily for the outdoor drinking area in accordance with the Board's policy.

Decision

- (a) To note that the applicant amended their application to accept a terminal time of 9pm daily for the outdoor drinking area in accordance with the Board's policy.
- (b) To grant the amended application for Provisional Premises Licence for Hideaway Cafe, Beecraigs, Linlithgow, subject to the Board's current local conditions for children and young persons.

6. POLICE SCOTLAND'S WEST LOTHIAN LICENSING REPORT 2021-22

The Board considered the Chief Constable's Annual Report (copies of which had been circulated) for the West Lothian area as required by Section 12(A) of the Licensing (Scotland) Act 2005.

Decision

To note the terms of the Chief Constable's report for 2021-2022.