

FALKIRK COUNCIL

MINUTE of MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 23 SEPTEMBER 2014 at 9.30 A.M.

PRESENT: Baillie Buchanan; Councillors Hughes, McLuckie, Nicol, Nimmo and Ritchie.

CONVENER: Councillor Nicol.

ATTENDING: Clerk; Consumer Protection Manager; Licensing Assistant (L Burgess); and Committee Services Officer (A Sobieraj).

ALSO

ATTENDING: Licensing Standards Officer (T Ross).

LB35. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Black, McNally and Turner.

LB36. DECLARATIONS OF INTEREST

No declarations were made.

LB37. MINUTE

The minute of the meeting of the Licensing Board held on 13 August 2014 was approved.

LB38 DAVID'S KITCHEN, 50 DALDERSE AVENUE, FALKIRK

There was submitted Report (circulated) dated 10 September 2014 from the Clerk to the Licensing Board providing details of an application made in terms of the Licensing (Scotland) Act 2005 for the grant of a provisional premises licence.

Ms Flynn, agent for the applicant, was in attendance with her client, Mr Fernie.

The Board **NOTED** that one objection had been received in respect of the application and that Mr McKerral, Chair, Grahamston Middlefield and Westfield Community Council, the objector, was in attendance accompanied by Mr Wilson, a Community Council member.

A copy of the proposed layout plan was circulated to Members.

The applicant's agent, Ms Flynn, confirmed that she had had sight of the objection and had no issue with it being circulated to Members. Accordingly, copies were circulated to Members.

The Board heard from Mr McKerral, in relation to specific aspects of the Community Council objection and in clarification of questions raised by Members.

The Board then heard from Ms Flynn in relation to concerns raised in the objections, the action to be taken to address specific issues, and in clarification of questions raised by Members.

With regard to overprovision, the Board was supplied with two maps showing those licensed premises situated, respectively, with a 200m and a 500m radius.

Having heard further from the applicant's agent in support of the application, and in clarification of questions raised by Members, the Board (a) determined that there was no overprovision, (b) **GRANTED** the provisional licence application, and (c) **NOTED** the applicant's commitment to liaise with the local community, Police Scotland, the Community Council and the Licensing Standards Officer to ensure that local concerns are addressed and to establish a local community liaison group.

LB39. PANTRY DELI & BAKERY, 50 COW WYND, FALKIRK

There was submitted Report (circulated) dated 10 September 2014 from the Clerk to the Licensing Board providing details of an application made in terms of the Licensing (Scotland) Act 2005 for the grant of a premises licence.

Ms Cieslik, the applicant, was in attendance.

Having heard further from the applicant in support of the application, and in clarification of questions raised by Members, the Board **GRANTED** the premises licence application.

LB40. APPLICATIONS FOR VARIATION TO PREMISES LICENCE

There was submitted report (circulated) dated 10 September 2014 from the Clerk to the Licensing Board providing details of applications made in terms of section 29 of the Licensing (Scotland) Act 2005 for the grant of a variation to the premises licence for (1) Crown Bar, 10/12 Grangepans, Bo'ness, and (2) Argyll's Bar, 1 Princes Street, Falkirk.

(1) Crown Bar, 10/12 Grangepans, Bo'ness

Mr Lalli, agent for the applicant, was in attendance with Ms McMinn, Premises Manager.

Having heard from the applicant's agent, in support of the application, and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

(a) that the on sales trading hours be varied as follows:-

Monday to Thursday
1100 hrs to 2400 hrs

Friday 1100 hrs to 0100 hrs

Saturday 1000 hrs to 0100 hrs

Sunday 1000 hrs to 2400 hrs

- (b) the addition of bar meals to the list of approved activities within core operating hours on Saturdays and Sundays; and
- (c) the addition of a seasonal variation to allow the premises to open at 0900 hours and serve food on Bo'ness Fair Day.

(2) Argyll's Bar, 1 Princes Street, Falkirk

Mr Hamilton, on behalf of the applicant, was in attendance.

Having heard from the applicant's representative in support of the application, and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (a) that access for children and young persons be varied as follows:-
 - children and young persons aged 0-17 years will be allowed entry when accompanied by a responsible adult;
 - children and young persons will be allowed entry to all areas of the ground floor of the premises and the first floor function room when attending a bonafide function;
 - children under 16 years will be allowed entry to the first floor function room until 2200 hours and young persons aged 16 and 17 years until the terminal hour for the purposes of attending a function only;
 - children and young persons aged 0-17 years will be allowed entry until 1800 hrs within the ground floor;
 - children and young persons will have access to all areas on the ground floor and to the first floor function room; and
 - children aged under 16 years when attending a function will also be allowed access to the baby change facility and the disabled toilet on the ground floor until 2200 hours and young persons aged 16 and 17 years will have similar access until the terminal hour; and
- (b) that the premises capacity be increased from 150 to 210;
- (c) that the name of the premises will change to One Princes Street;
- (d) the addition of conference facilities, dance facilities, theatre and films to the list of approved activities available within core operating hours;
- (e) the addition of conference facilities to the list of activities outwith core operating hours; and
- (f) the changes to the approved layout plan to show changes to children and young persons accessible areas and the removal of fixed seating.