

**FALKIRK COUNCIL**

**MINUTE of MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 9 DECEMBER 2015 at 9.30 a.m.**

**PRESENT:** Baillie Buchanan; Councillors Black, Blackwood, Hughes, McLuckie, Meiklejohn, Nicol, Nimmo and Turner.

**CONVENER:** Councillor Nicol.

**ATTENDING:** Clerk; Consumer Protection Manager; Solicitor (P Gilmour); Licensing Assistant (L Burgess), and Committee Services Officer (A Fraser).

**ALSO**

**ATTENDING:** D Frood, Licensing Standards Officer; and Sergeant I McGregor, Police Scotland.

**LB59. ORDER OF BUSINESS**

The Convener varied the order of business. The following items have been recorded in the order that they were taken at the meeting.

**LB60. APOLOGY**

An apology for absence was intimated on behalf of Councillor Ritchie.

**LB61. DECLARATIONS OF INTEREST**

No declarations were intimated.

**LB62. MINUTE**

The minute of meeting of the Licensing Board held on 18 November 2015 was approved.

**LB63. APPLICATIONS FOR EXTENDED HOURS OVER THE FESTIVE PERIOD**

There was submitted report (circulated) dated 13 November 2015 from the Clerk to the Licensing Board providing details of applications made in terms of section 68 of the Licensing (Scotland) Act 2005 for the grant of extended hours as detailed in appendix 1 to the report, and those contained within the additional appendix (tabled).

The Board **GRANTED** the extended hours for each application detailed in the appendix attached to this minute.

**LB64. THREE KINGS, WESTER SHIELDHILL, FALKIRK**

There was submitted report (circulated) dated 13 November 2015 from the Clerk to the Licensing Board providing details of two applications made in terms of section 68 of the Licensing (Scotland) Act 2005 for the grant of extended hours.

Having heard from the applicant's agent in support of the applications and in clarification of questions raised by Members, the Board **GRANTED** the extended hours applications for (a) 2400 hrs on Wednesday 30 December to 0100 hrs on Thursday 31 December 2015, and (b) 2400 hrs on Thursday 31 December to 0200 hrs on Friday 1 January 2016.

**LB65. APPLICATION FOR THE GRANT OF PREMISES LICENCE  
LIFESTYLE EXPRESS, 1-3 GATESIDE AVENUE, BONNYBRIDGE**

There was submitted report (circulated) dated 12 November 2015 from the Clerk to the Licensing Board providing details of applications made in terms of section 20 of the Licensing (Scotland) Act 2005 for the grant of a premises licence in respect of Lifestyle Express, 1-3 Gateside Avenue, Bonnybridge.

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

**LB66. APPLICATIONS FOR NON MINOR VARIATION TO PREMISES LICENCE**

There was submitted report (circulated) dated 13 November 2015 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 variations to the premises licences as detailed in Appendices 1 to 4 of the report for (1) The Auld Vic, 75 Grahams Road, Falkirk; (2) Lodge Polmont 793, 14 Maddiston Road, Brightons; (3) Craiglee Inn, Redding Road, Redding, and (4) Cadger's Brae, Beancross Road, Polmont, Falkirk.

**The Auld Vic, 75 Grahams Road, Falkirk**

Having heard from the applicant's representative, the Board **GRANTED** the following variations to the current licence, namely to:-

- (1) the addition of gaming to the list of approved activities within the core operating hours;
- (2) the addition of outdoor drinking facilities to the list of approved activities from 1100 hrs until 2200 hrs;
- (3) the addition of outdoor drinking to the Operating Plan;
- (4) the amendment to the layout plan to show the outdoor drinking area at the rear of the premises, and
- (5) a condition being added to the licence, namely that the terminal hour for the outdoor drinking area will be 2200 hrs.

### **Lodge Polmont 793, 14 Maddiston Road, Brightons**

Having heard from the applicant's representative, the Board **GRANTED** the following variation to the current licence, namely:-

- (1) that the on-sales operating hours be amended as follows:-

Monday 19:00 until 24:00  
Thursday 19:00 until 24:00  
Saturday 12:30 until 01:00

### **Craiglee Inn, Redding Road, Redding**

Having heard from the applicant's representative, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to amend Specific Condition 1, namely "Televised sport will only be permitted in the function suite", to "Televised sport will only be permitted in the public bar";
- (2) to vary Section 6(e) of the Operating Plan which relates to the parts of the premises to which children and young persons have access as follows:-

Children and young persons will be allowed entry to all public parts of the premises with except the public bar. Children and young persons will not be permitted to sit at bar counters nor to stand in the bar areas of the premises, and

- (3) to change the lounge/function suite area of the premises to lounge area of the premises on the layout plan submitted with the application.

### **Cadger's Brae, Beancross Road, Polmont, Falkirk**

Having heard from the applicant's representative, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to include a new 22 bedroom annex to the existing Premier Inn Hotel as detailed on the amended layout plan submitted with the application, and
- (2) to amend the Operating Plan to reflect the increase in capacity from 320 to 380, and the increase in residential capacity from 120 to 180.

## **LB67. STATEMENT OF LICENSING POLICY UPDATE**

There was submitted report (circulated) dated 2 December 2015 from the Clerk to the Licensing Board advising on the progress to date of the review of the Board's draft Statement of Licensing Policy.

The Consumer Protection Manager was heard in summary to the background of the consultation process and the responses received. She advised that comments had been submitted by the Chief Constable and the local Licensing Forum and that these had been discussed by a sub group of Licensing Board Members after the meeting of the Board on

18 November. She further advised that clarification had been sought in relation to the Forum's comments at the joint meeting of the Licensing Board and Licensing Forum on 24 November.

Both the Chief Constable and the Licensing Forum's comments had made reference to the Alcohol Fact Sheet which contained statistics for the period 2012/13. It had been agreed at the meeting on 24 November, that more up to date information be sourced, and that the draft Statement of Licensing Policy be updated to reflect the new statistical information and thereafter, a report be submitted to the Board for consideration.

The Board **NOTED** the report.

#### **LB68. APPLICATION FOR PERSONAL LICENCE - KIRSTY MUIR**

With reference to Minutes of Meetings of the Licensing Board held on 21 October and 18 November 2015 (Paragraphs LB48 and LB55 refer), there was submitted report (circulated) dated 18 November 2015 from the Clerk to the Licensing Board providing (a) details of an application made in terms of section 72 of the Licensing (Scotland) Act 2005 for the grant of a personal licence, and (b) referring to the notice submitted by the Chief Constable and the recommendation contained therein.

The Board agreed that as the matter was part heard at the meeting on 18 November, and was continued to allow clarification on a matter relating to any subsequent application being submitted by the applicant, the Board agreed that only those members present at the previous meeting would take part in determining the application.

Councillors Black, Blackwood and Meiklejohn withdrew from the meeting at the stage.

The applicant was not in attendance.

Sergeant McGregor informed the Board that a date had now been set for the applicant's court appearance.

After hearing from the Clerk clarifying the position in relation to any subsequent application being lodged; and after due consideration of the matter before it, and in accordance with section 74(6) of the Act, the Board **AGREED** that it was satisfied that it was necessary for the purposes of the licensing objective of preventing crime and disorder to **REFUSE** the personal licence application.

Premises	Event	Date Event Starts	Hours Granted on 9 December 2015	Current Hours Granted
<b>Leapark Hotel</b>	Hogmanay Ball	Thursday 31 December 2015	<b>24:00 until 3:00</b>	11:00 until 24:00
<b>Falkirk Rugby Club</b>	Hogmanay Celebration	Thursday 31 December 2015	<b>23:00 until 01:00</b>	11:00 until 23:00
<b>Grangemouth Golf Club</b>	Hogmanay Party	Thursday 31 December 2015	<b>23:00 until 2:00</b>	11:00 until 23:00
<b>The New Ship Inn</b>	Charity Hogmanay Party	Thursday 31 December 2015	<b>24:00 until 02:00</b>	11:00 until 24:00
<b>The Scotts</b>	Hogmanay Party	Thursday 31 December 2015	<b>24:00 until 02:00</b>	11:00 until 24:00
<b>The Songbird Bar and Function Suite</b>	Christmas Eve Party with DJ Santa	Thursday 24 December 2015	<b>24:00 until 02:00</b>	11:00 until 24:00
<b>The Songbird Bar and Function Suite</b>	Live Scottish Music Hogmanay Party	Thursday 31 December 2015	<b>24:00 until 02:00</b>	11:00 until 24:00
<b>Behind the Wall</b>	Christmas Eve party Night with live band and 2 DJs	Thursday 24 December 2015	<b>01:00 until 03:00</b>	09:00 until 01:00
<b>Behind the Wall</b>	Hogmanay Party Night with live band and 2 DJs	Thursday 31 December 2015	<b>01:00 until 03:00</b>	09:00 until 01:00
<b>The Shore</b>	Bringing in the Bells Hogmanay Dinner and Piper	Thursday 31 December 2015	<b>24:00 until 02:00</b>	11:00 until 24:00
<b>Stenhousemuir Cricket Club</b>	Hogmanay Party Night	Thursday 31 December 2015	<b>23:00 until 01:00</b>	19:00 until 23:00 (winter) 20:00 until 23:00 (summer)
<b>Katie's</b>	Hogmanay Party with Karaoke	Thursday 31 December 2015	<b>24:00 until 2:00</b>	11:00 until 24:00
<b>Lodge Polmont</b>	Hogmanay Party	Thursday 31 December 2015	<b>19:30 until 01:00</b>	Closed on a Thursday
<b>Oxgang House Hotel</b>	Christmas Eve Disco	Thursday 24 December 2015	<b>24:00 until 02:00</b>	11:00 until 24:00
<b>Oxgang House Hotel</b>	Hogmanay Dinner	Thursday 31 December 2015	<b>24:00 until 02:00</b>	11:00 until 24:00