

FALKIRK COUNCIL

**Minute of Meeting of the Licensing Board held in the Council Chambers,
Municipal Buildings, Falkirk on Wednesday 7 September 2016 at 9.30 a.m.**

Present: Baillie Buchanan; Councillors Black; Blackwood; Hughes;
McLuckie; Nicol; Nimmo; Ritchie and Turner.

Convener: Councillor Nicol.

Attending: Clerk; Consumer Protection Manager; Committee Services
Officer (A Fraser), and Licensing Assistant (C Henderson).

Also
Attending: Douglas Frood and Thomas Ross, Licensing Standards Officers.

LB30. Apology

An apology was intimated on behalf of Councillor Meiklejohn.

LB31. Declarations of Interest

No declarations were intimated.

LB32. Minute

The minute of meeting of the Licensing Board held on 10 August 2016 was approved.

LB33. Earl of Zetland, Bo'ness Road, Grangemouth

With reference to Minute of Meeting of the Licensing Board held on 10 August 2016 (Paragraph LB28 refers), there was submitted report (circulated) dated 16 August 2016 from the Clerk to the Licensing Board (a) providing details of an application made in terms of section 283 of the Gambling Act 2005, and (b) advising that the application was before the Board on 10 August 2016 but continued to allow the premises licence holder to attend and to allow further information relating to the existing gaming machines to be made available.

After hearing from both the applicant and the Designated Premises Manager in support of the application, the Board **GRANTED** the application for one additional category C gaming machine permit in terms of s.283 of the Gambling Act 2005.

LB34. Quoit Bar, 63 Main Street, Redding

With reference to Minute of Meeting of the Licensing Board held on 10 August 2016 (Paragraph LB29 refers), there was submitted report (circulated) dated 16 August 2016 from the Clerk of the Licensing Board (a) providing details of an application made in terms of section 29 of the Licensing (Scotland) Act 2005 for the variation to the premises licence, and (b) advising that the application was before the Board on 10 August 2016 but was continued to allow the applicant to clarify children and young persons' access.

After hearing from the applicant in support of the application, the Board **GRANTED** the following variations to the current premises licence, namely to:

- (1) amend the operating plan in relation to children and young persons access as follows:
 - (a) children and young persons will only be allowed entry under the supervision of a responsible adult and will only be allowed entry for the purpose of attending a function;
 - (b) children and young persons aged 14 to 17 years will be allowed entry;
 - (c) children and young persons will be allowed entry until 2300 hrs, and
 - (d) children and young persons will be entitled to use the lounge only, however, they may use the toilets in the main bar area.

- (2) the operating hours for on and off sales be as follows:-

On Sales

Sunday to Thursday
1000 hrs to 2400 hrs

Friday and Saturday
1000 hrs to 0100 hrs

Off Sales

Monday to Sunday
1000 hrs to 2200 hrs

- (3) to the addition of the following seasonal variation –
to allow the premises to open from 0900 hrs on the first Saturday in August each year for Colliers Day, and
- (4) to the addition of indoor/ outdoor sports and gaming to the list of approved activities within core operating hours.

LB35. Applications for Non Minor Variations of Premises Licences

There was submitted report (circulated) dated 16 August 2016 from the Clerk of the Licensing Board providing details of applications made in terms of section 29 of the Licensing (Scotland) Act 2005 for variations to the premises licences as detailed on Appendices 1, 2, 3 and 4 to the report for (1) Antonio's, 32-38 Grahams Road, Falkirk; (2) David's Kitchen, 50 Dalderse Avenue, Falkirk; (3) Polmont Bowling Club, Station Road, Polmont, and (4) The Auld Toll Tavern, 85 Dalgrain Road, Grangemouth.

Antonio's, 32-38 Grahams Road, Falkirk

The Board **NOTED** that one objection had been received in respect of the application. The objector had been invited to attend but was not in attendance.

The applicant's representative, Ms Loudon, advised that she had no preliminary matters to raise concerning the validity of the objection. Accordingly, a copy of the objection was circulated to members.

The applicant's representative was heard in response to the issues raised in the objection and in clarification of questions raised by members.

After hearing further from Ms Loudon in support of the application, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to amend the layout plan to show an extension to the rear of the premises which has created a garden room and increased the size of the restaurant. The applicant also proposes to add an external children's play area and outdoor seating in the garden. The work on the extension has started and it is anticipated that it will be completed by December;
- (2) to amend the operating plan to show an increase in the capacity from 120 to 190 persons;
- (3) to change the name of the premises to Café Corvina;
- (4) to increase the approved on sales operating hours as follows:-

On Sales

Sunday to Thursday 1100 hrs to 2400 hrs
Friday and Saturday 1100 hrs to 0100 hrs

Off Sales

Monday to Sunday 1100 hrs to 2200 hrs

- (5) to add the following seasonal variation:

"during the Festive period and at any other times throughout the year as defined by Falkirk Council Licensing Board, the premises will

operate additional hours for the sale of alcohol in accordance with the Licensing Board's policy in that regard";

(6) the addition of the following to the list of approved activities within and outwith approved operating hours:

- conference facilities
- bar meals
- receptions including weddings, funerals, birthdays, retirements, etc
- club or other group meetings
- films
- televised sport
- outdoor drinking facilities

(7) the addition of the following to the list of approved activities outwith approved operating hours;

- restaurant facilities
- recorded music
- live performances;

(8) the addition of the following to the list of any other activities:

- themed nights
- charity events (actions, raffles etc)
- corporate functions
- tastings
- demos
- product launches
- children's play area
- takeaways
- outside catering

The Board applied the following condition to the licence, namely –

- that the outdoor drinking area will be accessible from 0900 hrs and cease at 2100 hrs.

David's Kitchen, 50 Dalderse Avenue, Falkirk

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 to:-

(1) amend the layout plan to include five dedicated alcohol display locations for large stacks of beers/ciders, bin end wines and wine promotions. The five locations are all in front of the accessible alcohol display area, and

- (2) amend the operating plan to show an increase in capacity from 16.04m³ to 17.84m³ which is an increase of 1.8m³.

Polmont Bowling Club, Station Road, Polmont

The Board **NOTED** that one objection had been received in respect of the application. The objector had been invited to attend but was not in attendance.

The applicant's representative, Mr Meikle, advised that he had no preliminary matters to raise concerning the validity of the objection. Accordingly, a copy of the objection was circulated to members.

The applicant's representative was heard in response to the issues raised in the objection and in clarification of questions raised by members.

After hearing further from Mr Meikle in support of the application, the Board **GRANTED** the following variations to the current licence, namely to:-

- (1) amend the approved on sales operating hours as follows -

Monday to Thursday
1100 hrs to 2400 hrs

Friday and Saturday
1100 hrs to 0100 hrs

Sunday – 1230 hrs to 2400 hrs
- (2) amend the current seasonal variation to permit the sale of alcohol to commence at 1000 hrs on Saturdays and Sundays during the bowling season (1 April to 30 September)
- (3) the addition of conference facilities within core operating hours to the list of approved activities;
- (4) the addition of the following outwith core operating hours to the of approved activities, namely –
 - receptions including weddings, funerals, birthdays, retirements etc.
 - indoor/outdoor sports
- (5) amend the access and times for children and young persons, as follows:-
 - (a) children and young persons will be allowed entry when attending a function and must be accompanied by an adult. During the bowling season (1 April to 30 September), children under 12 years of age will be allowed access when accompanied by an adult to play bowls or to spectate. Children aged 12-15 years and young persons aged 16 & 17 years are allowed access when playing bowls or when spectating.
 - (b) children and young persons will be permitted until the terminal

hour when attending a function. During the bowling season (1 April to 30 September), children and young persons will be permitted until 2200 hrs when playing or spectating a game of bowls.

The Auld Toll Tavern, 85 Dalgrain Road, Grangemouth

Having heard from the applicant's representative in support of the application and in clarification of questions raised by members, the Board **GRANTED** the variation to the current operating plan to amend the approved Sunday opening hours to 1100 hrs to 2400 hrs.

LB36. Project Argus

John Lindsay, Police Scotland Counter Terrorism Security Adviser presented the Licensing Board with a short overview of Project Argus. The presentation highlighted what is likely to happen in the event of a terrorist attack and the importance of being prepared and having the necessary plans in place to help safeguard those involved in and contributing to the night time economy

The Board thanked Mr Lindsay for his informative presentation.