

Agenda Item 4

Draft

FALKIRK COUNCIL

Minute of Meeting of the Licensing Board held remotely on Wednesday 26 May 2021 at 10.00 a.m.

Councillors:

David Balfour
Lorna Binnie
Robert Bissett
Allyson Black
Provost William Buchanan
Niall Coleman (Convener)
James Kerr
John McLuckie
John Patrick

Officers:

Alison Barr, Consumer Protection Manager
Karen Chambers, Committee Services Officer
Jack Frawley, Team Leader
Colin Moodie, Chief Governance Officer (Clerk)

Attending:

Lindsay Fyfe, Licensing Standards Officer
Sergeant Liam Livingstone, Police Scotland

LB13. Exclusion of Public and Determination of Form of Hearing

The Board agreed (1) to exclude the public in terms of paragraph 12 of the schedule 1 to the Licensing (Scotland) Act 2005 for a reason connected with coronavirus; and (2) in terms of section 133 of the Act to determine that hearings should not take place in person for a reason connected with coronavirus and that the parties would be heard by video conferencing, telephone or written submissions.

LB14. Apologies

Apologies were received from Depute Provost Ann Ritchie.

LB15. Declarations of Interest

There were no declarations of interest.

LB16. Occasional Licence Application
The Plough Hotel, 507 Main Street, Stenhousemuir

The Board considered a report by the Clerk to the Licensing Board providing details of an application made in terms of section 56 of the Licensing (Scotland) Act 2005 for an occasional licence for the period 24th May 2021 to 6th June 2021 for The Plough Hotel, 507 Main Street, Stenhousemuir.

The board heard from the LSO.

There were no preliminary objections from the applicant Mrs Allison.

The Board heard from an objector, Mr Sloan. Questions were asked of Mr Sloan by the Board.

The Board heard from the applicant Mrs Allison.

Questions were asked of Mrs Allison by the Board.

The board heard again from the LSO.

The Board heard from Sergeant Livingstone on behalf of Police Scotland.

Mr Sloan, the objector summed up.
Mrs Allison, the applicant summed up.

The committee took a short recess and resumed with all members present as per the sederunt.

Councillor Coleman moved that the application be granted with a condition that the outdoor drinking area close one hour earlier on a Friday and Saturday night.

As an amendment, Councillor Bissett moved that the application be granted as applied for.

The vote was taken by roll call, there being 9 members present with voting as undernoted:-

For the motion (2) – Councillor Coleman and Councillor Balfour.

For the amendment (7) – Provost Buchanan and Councillors Bissett, Black, Binnie, Kerr, McLuckie and Patrick.

Decision

The Board granted the Occasional Licence as applied for with effect from 26th May 2021 and for the balance of the 14 days applied for.

LB17. Application for Non Minor Variation to Premises Licences

The Board considered a report by the Clerk to the Licensing Board providing details of an applications made in terms of section 30 of the Licensing (Scotland) Act 2005 for the non minor variations to the premises licences, namely (1) Lidl, 2-6 Links Road, Bo'ness; (2) Lidl, Carron Centre, Ronades Road, Carron and (3) Co-op Carron Centre, Ronades Road, Carron.

Lidl, 2-6 Links Road, Bo'ness

The Board heard from Mr Hunter, agent for the applicant in respect of the application and in clarification of questions raised by members.

Decision

The Board granted the following variations to the current licence, namely:-

- (1) to change the layout of the alcohol display area resulting in an increase in capacity from:**

Non Seasonal 36.03 m³

Seasonal Extra 8.58 m³ - total seasonal capacity 44.61 m³ to:

Non Seasonal 48.92 m³

Seasonal Extra 8.58 m³ - total seasonal capacity 57.5 m³

- (2) to change the layout plan to show the change to the alcohol display area.**

Lidl, Carron Centre, Ronades Road, Carron

The Board heard from Mr Hunter, agent for the applicant in respect of the application and in clarification of questions raised by members.

Decision

The Board granted the following variations to the current licence, namely:-

- (1) to change the layout of the alcohol display area resulting in an increase in capacity from:**

Non Seasonal 37.52 m³

Seasonal Extra 8.58 m³ - total seasonal capacity 46.1 m³ to:

Non Seasonal 41.24 m³

Seasonal Extra 8.58 m³ - total seasonal capacity 49.82 m³

(2) to change the layout plan to show the change to the alcohol display area.

Co-op Carron Centre, Ronades Road, Carron

The Board heard from Mrs McGuire, agent for the applicant in respect of the application and in clarification of questions raised by members.

Decision

The Board granted the following variations to the current licence, namely to add the addition of deliveries of groceries and alcohol to the list of other activities