

DRAFT

FALKIRK COUNCIL

MINUTE of the QUARTERLY MEETING of the LICENSING BOARD held in the DISTRICT COURT ROOM, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 21 MARCH 2007 at 10.00 a.m.

PRESENT: Depute Provost Wilson; Councillors J Constable, Kenna, McNally, Miller, Nicol, Reid, Spears and Williamson.

CHAIRMAN: Councillor Nicol.

APOLOGIES: Councillors Rev. Jenkinson and McCafferty.

ATTENDING: Clerk; Solicitor (P Gilmour); Consumer Protection Manager; Senior Licensing Assistant (L McGarva) and Committee Services Officer (B Douglas).

ALSO

ATTENDING: Station Manager, Ticehurst, Central Scotland Fire and Rescue Service; Superintendent Samson and PC Bridges and Melia, Central Scotland Police.

SECTION A

1. MINUTES

There was submitted and **APPROVED:-**

- (a) Minute of the Quarterly Meeting of the Licensing Board held on 17 January 2007;
- (b) Minute of the Adjourned Meeting of the Licensing Board held on 12 February 2007;
and
- (c) Minute of the Adjourned Meeting of the Licensing Board held on 6 March 2007.

2. DATES OF QUARTERLY MEETING 2007/2008

There was submitted report (circulated) dated 14 March 2007 by the clerk, advising of a revised date for the quarterly meeting of the board in October 2007.

AGREED to approve the revised date for the October quarterly meeting in 2007 as detailed in the report.

SECTION B

UNDER THE GAMING ACT 1968 AND THE BETTING GAMING AND LOTTERIES ACT 1968

1. Applications for Gaming Machine Permits

The Board **GRANTED** the applications for Gaming Machine Permits as detailed below:-

- Item 1.1 Broomhill Inn, 32/34 Broomhill Road, Bonnybridge
- Item 1.2 Carronbridge Inn, 691 Carron Road, Bainsford
- Item 1.3 Cornhill Inn, 34 High Street, Bonnybridge
- Item 1.4 Crown Inn, 242 Main Street, Stenhousemuir
- Item 1.5 Donner Inn, 76/78 Stirling Street, Denny
- Item 1.6 Goose on New Market, New Market Street/Riggs, Falkirk
- Item 1.7 Hurlet, 1 Carradale Avenue, Tamfourhill
- Item 1.8 Star Inn, 150 Grahams Road, Falkirk Council
- Item 1.9 Turf Tavern, 46/48 South Street, Boness

2. Applications for the Grant of Betting Office Licences

The Board granted that applications for new betting office licences as detailed below:-

- Item 2.1 Church Walk, No 143, Denny
- Item 2.2 High Street, No 8/10, Unit 1, Bonnybridge
- Item 2.3 La Port Precinct, No 60/64, Grangemouth
- Item 2.4 Ladies Gate Court, No1, Carronshore
- Item 2.5 Loanhead Avenue, No 4
- Item 2.6 Main Street, No 99/101, Bainsford
- Item 2.7 Marry Street, No 110, Lauriston
- Item 2.8 Stirling Street, No 12, Denny

3. Application for the Renewal of Existing Licences

The Board **GRANTED** the applications for the renewal of existing licences as detailed in paragraph (a) and reached the decisions shown on those items detailed in paragraph (b) below.

(a)

- Item 3.1 Commercial Hotel, 3 Stirling Street, Larbert
- Item 3.2 Grange Manor, Glensbura Road, Grangemouth
- Item 3.3 Powfoulis Manor Hotel, Bothkenner
- Item 3.4 Station Hotel, 2 Foundry Loan, Larbert
- Item 3.5 79-91 High Street, Falkirk
- Item 3.6 BP Express, Falkirk Road, Grangemouth

Item 3.7 Cost Cutter, 65 Main Street, Redding
 Item 3.8 Economic Food Store, 2 Bankhead Crescent, Denny Loanhead
 Item 3.10 Hallglen Newsagents, Unit 1, Garry Place, Hallglen
 Item 3.11 MA Cash & Carry, Unit 16, Powdrake Road, Grangemouth
 Item 3.12 Mohamed Ali Licensed Grocers, 31 Godfrey Avenue, Denny
 Item 3.13 Moon Stores, 42 Bow Mains Road, Bo'ness
 Item 3.14 Omar Stores, 29 High Street, Bonnybridge
 Item 3.15 Paris Avenue Store, 23 Paris Avenue, Denny
 Item 3.16 R Newbiggin, 117 La Port Precinct, Grangemouth
 Item 3.17 S McNeil Newsagents, Brighton's Cross, Maddiston Road, Brighton's
 Item 3.18 The Scottish CO-OP, MARY Street, Laurieston
 Item 3.20 Spar Thornhill, 241 Thornhill Road, Falkirk
 Item 3.21 Stenhousemuir Mini Market, 24 Johnston Avenue, Stenhousemuir
 Item 3.22 The Local Store, 18 Nisbet Drive, Denny
 Item 3.24 Cavalier Inn, Crossberry, Sheildhill
 Item 3.25 Coppertop, 2 Doritor Road, Camelon
 Item 3.27 Ellwyn, 95 Newlans Road, Grangemouth
 Item 3.28 Fiscos bar and Restaurant, Redding Road, Reddingmuirhead
 Item 3.29 Kincardine way, Haughs of Airth, Falkirk
 Item 3.31 Stables, Mount Gerald, Mount Gerald, Stenhousemuir
 Item 3.33 The Tavern, Kilsyth Road, Haggs
 Item 3.34 Turf Tavern, 46/48 South Street, Bo'ness
 Item 3.35 Omar Kiam, 1 Church Walk, Denny
 Item 3.36 Pizza Hut, Unit 8, Phase 2, Central Retail Park, Falkirk

(b)

Item 3.9 Fleming Court, No 2/3, Denny

Having heard the applicant explain the reasons for the lateness of the application, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 3.19 Sharp Newsagents, 174 Grahams Road, Falkirk

Having heard the applicant explain the reasons for the lateness of the application, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 3.23 189 Bar, Airth Community Hall, Main Street, Airth

In view of the absence of a training certificate, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 3.26 Criterion Bar, 8 Stirling Street, Denny

Having heard Station Manager Ticehurst advise that he was unaware of requested works being completed, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 3.30 Magpie, Magiewoods Loan, Falkirk

Having heard Station Manager Ticehurst advise that he was unaware of requested works being completed, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 3.32 The Pines, 5/6 Fleming Court, Denny

Having heard Station Manager Ticehurst advise that he was unaware of requested works being completed, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

4. Applications for the Permanent Transfer of Licences

The Board **GRANTED** the applications for the permanent transfer of licences detailed in paragraph (a) and reached the decision shown on those items detailed in paragraph (b) below.

(a)

Item 4.2 GKR Store, 52 South Street, Bo'ness

Item 4.3 Maddiston Post Office, Main Street, Maddiston

Item 4.4 Morning Noon and Night, 10 Blinkbonny Road, Falkirk

Item 4.5 Orchard Street, No 1A, Grangemouth

Item 4.8 Masonic Arms, Glasgow Road, Longcroft

Item 4.9 The Outside Inn, Glenberive Business Park, Bellsdyke Road, Larbert

Item 4.10 Tropix Bar, 4 High Street, Falkirk

Item 4.11 Wheatsheaf Inn, 16 Baxtors Wynd, Falkirk

(b)

Item 4.1 Crown Hotel, 1 Denny Road, Dennyloanhead

Having heard Station Manager Ticehurst advise that a number of requested works remained outstanding, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 4.6 Samis Convenience Store, 26 Cadzow Avenue, Boness

The Clerk advised that the letter of objection had been received.

Mr Ali, the applicant, advised that he did not object to the competency of the police objection.

Copies of the police letter of objection were then circulated to Members.

Superintendent Samson was heard in relation to Chief Constables letter of objection. He confirmed that CCTV footage referred to in the letter was available on dvd to view if Members wished.

The Applicant confirmed he had not viewed the dvd.

Having heard Superintendent Samson explain that the footage shown on the dvd was condensed highlights of footage from the applicants shop, the Board **AGREED** to view the dvd.

Members then viewed the short dvd which portrayed scenes of alcohol sales to young people on 12 November 2006. Questions were then asked of Superintendent Samson by Members of the Board.

The Applicant was heard in support of his application.

Questions were then asked of the applicant by Members of the Board.

Both parties in turn were invited to sum up.

AGREED that the application for the permanent transfer of a licence be refused on the grounds referred to in section 17 (1) (a) of the Licensing (Scotland) act 1976, namely that the applicant is not a fit and proper person to be the holder of a licence.

Item 4.7 Bo'ness Tavern, 2/6 Main Street, Bo'ness

Having heard Station Manager Ticehurst advise that the submission of a fire risk assessment remained outstanding, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

5. Applications for Confirmation of Transfer

The Board **GRANTED** the applications for confirmation of transfer as detailed below:-

Item 5.1 Callander House, Callander Park, Falkirk

Item 5.2 Asda, New Link Road, Grangemouth

Item 5.3 Glenberive Crescent, No2, Larbert

Item 5.4 Lidl, 2/6 Links Road, Bo'ness

Item 5.5 Morrison's Supermarket, Brockville Park, Hope Street, Falkirk

Item 5.6 Tesco Store, 2/26 Main Street, Bo'ness

Item 5.7 Stenhousemuir Football Club, Local View Park, Gladstone Road, Stenhousemuir

Item 5.8 The Carron Works, Bank Street, Falkirk

Item 5.9 The Lane, 7/10 Wooer Street, Falkirk

Item 5.10 Pizza Hut, 37 High Street, Falkirk

6. **Applications for Consent to Alterations**

The Board **AGREED** the consideration of the under noted applications be continued to the Adjourned Meeting of the Licensing Board to run inspections of the premises by officers:-

Item 6.1 Blackmill Inn, 193/195 Carronshore Road, Carron

Item 6.2 Wellington Bar, 6 Manor Street, Falkirk

7. **Applications for Renewal of Children's Certificates**

The Board **AGREED** that consideration of the undernoted applications to be continued to the Adjourned Meeting of the Licensing Board to allow inspections of the premises by Officers:-

Item 7.1 Ellwyn, 95 Newlands Road, Grangemouth

Item 7.2 Stables, Mount Gerald, Mount Gerald, Stenhousemuir

8. **Applications for New Children's Certificates**

The Board **AGREED** the consideration of the under noted applications be continued to the Adjourned Meeting of the Licensing Board to allow inspections of the premises by Officers:-

Item 8.1 Cornhill Inn, 34 High Street, Bonnybridge

Item 8.2 Tollbooth Tavern, Tollbooth Street, Falkirk

Councillor Spears declared and interest in this matter and took no part in consideration there off.

9. **Applications for Regular Extension of Permitted hours**

The Board granted the application's for the regular extension of permitted hours as detailed in paragraph (a) and reached the decision shown on those items detailed in paragraph (b) below:-

(a)

Item 9.1 Fitches, 31 Manor Street, Falkirk

Item 9.4 Richmond Park Hotel, 26 Linlithgow Road, Boness

Item 9.5 Royal Oak Hotel, Stirling Street, Denny

Item 9.7 Bluebell Inn, 83 Main Street, Bainsford

Item 9.8 Broomhill Inn, 32/34 Broomhill Road, Bonnybridge

Item 9.9 Carronade Arms, 97 Main Street, Bainsford

Item 9.10 Colonial Bar, 250 Grahams Road, Falkirk

Item 9.11 Cornhill Inn, 34 High Street, Bonnybridge

Item 9.14 Donner Inn, 76/78 Stirling Street, Denny

Item 9.15 First Down, 162 Stirling Street, Denny

Item 9.16 Former Chang Cross and West Parish Church, Bo'ness Road, Grangemouth
Item 9.19 Masonic Arms, Glasgow Road, Longcroft
Item 9.20 Passage to India, Underwood lock house, Lock 17, Allandale, By Bonnybridge
Item 9.21 Rosebank Beefeater, Main Street, Camelon
Item 9.22 St Laurens Bar, Main Street, Slamannan
Item 9.25 Turft Tavern, 46/48 South Street, Bo'ness
Item 9.26 West Quarter Club, West Quarter Avenue, West Quarter
Item 9.27 Bridgeness and Karidin Miners Welfare and Social Club, Harbour Road, Bo'ness
Item 9.30 Burnhead Boling Club, Queens Drive, Larbert
Item 9.31 Denny Masonic Lodge, Kirkslapp, Denny
Item 9.32 Falkirk Indoor Bowling Club, Glasgow Road, Camelon
Item 9.33 Grangemouth Dock Worker Social and Recreation Club, 2 Dundass Street, Grangemouth
Item 9.34 Grangemouth Golf Club, Polmont Hill, Polmont
Item 9.35 Grangemouth Rangers Supporter Social and Recreation Club, Wood Street, Grangemouth
Item 9.36 Larbert Bowling Club, Pretoria Road, Larbert
Item 9.37 Ochiltree Social Club, Ochiltree Terrace, Camelon
Item 9.38 Polmont Golf Club Ltd, Manual Rigg, Maddiston
Item 9.39 Slamannan Bowling Club, Station Road, Slamannan
Item 9.40 Pizza Hut, Unit 8, Phase 2, Central Retail Park, Falkirk

(b)

Item 9.2 Crown Hotel, Main Street, Airth

The Clerk advised that the application had not been properly notified to the Chief Constable.

AGREED that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.3 Red Lion Hotel, 2 Stirling Road, Larbert

The Clerk advised that the application had not been properly notified to the Chief Constable.

AGREED that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.6 Station Hotel, 2 Foundry Loan, Larbert

The Clerk advised that the application had not been properly notified to the Chief Constable.

AGREED that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.12 Crown Inn, 242 Main Street, Stenhousemuir

The Applicants representative Mr Robertson confirmed the applicant was on holiday.

In view of Mr Robertson being unable to explain to the Board the reasons for expiration of the Licence, **AGREED** that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.13 Donner Inn, 76/78 Stirling Street, Denny

The clerk confirmed that this application would follow by virtue of a parallel application having been **GRANTED** by the Board today.

Item 9.17 Magpie, Maggie Woods Loan, Falkirk

The Clerk advised that the application had not been properly notified to the Chief Constable.

AGREED that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.18 Mariner Bar, 90 Glasgow Road, Camelon

The Applicants agent Mr Lawson confirmed that the application had been withdrawn.

Item 9.23 The Red Hoose, 1 Laird Terrace, Dunipace

The Clerk advised that the application had not been properly notified to the Chief Constable.

AGREED that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.24 TolBooth Tavern, Tolbooth Street, Falkirk

Councillor Spears declared an interest in this matter and took no part in consideration thereof.

The clerk advised that the application had not been properly notified to the Chief Constable.

AGREED that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.27 Wheatsheaf Inn, 3 Broad Street, Denny

The clerk advised that the application had not been properly notified to the Chief Constable.

AGREED that the matter be continued to the Adjourned Meeting of the Licensing Board.

Item 9.28 Bo'ness Chemical Workers Social Club, Cairns Hall, Linlithgow Road, Bo'ness

Councillor J Constable declared an interest in this matter and took no part in consideration thereof.

AGREED the application be Granted.

10. Applications for the Grant, including the provisional grant of a new licence

Item 10.1 Glenbervie House, Larbert

Mr Innis, the Applicants agent, was heard in support of his client's application. He advised that the application had been downgraded to a section 26(2) application.

The Board **AGREED** to **GRANT** the licence allowing affirmation and finalisation to be dealt with under delegated powers.

Item 10.2 Middlefield Stores, 38 York Street, Middlefield

The Applicant Mr Ahmed, was heard in support of his application.

The Board **AGREED** to **GRANT** the licence.

Item 10.3 Redding Mini Market, Redding Road, Redding

Having heard the applicant's agent Mr Travers explain the reasons for the lateness of the application, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 10.4 Claremont Inn, Main Street, Polmont

Having heard the Applicant's agent Mr McDonald explain the reasons for the lateness of the application, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Item 10.5 Former Charing Cross and West Parish Church, Bo'ness Road, Grangemouth

Mr McIvor, the Applicants agent, was heard in support of his client's application.

The Board **AGREED** to **GRANT** the licence allowing affirmation and finalisation to be dealt with under delegated powers.

