

## **FALKIRK COUNCIL**

**MINUTE of the ADJOURNED MEETING of the LICENSING BOARD held in the DISTRICT COURT ROOM, MUNICIPAL BUILDINGS, FALKIRK on MONDAY 16 APRIL 2007 at 9.30am.**

**PRESENT:** Depute Provost Wilson; Councillors Kenna, McNally, Miller, Nicol, Pollock and Williamson.

**APOLOGY:** Councillor J Constable.

**CHAIRMAN:** Councillor Nicol.

**ATTENDING:** Depute Clerk (P Gilmour); Consumer Protection Manager; Licensing Co-ordinator; Senior Licensing Assistant (L McGarva); and Committee Services Officer (B Douglas).

**ALSO**

**ATTENDING:** Station Manager Ticehurst, Central Scotland Fire and Rescue Service.

### **SECTION A**

#### **1. DISABILITY EQUALITY SCHEME**

There was submitted Report (circulated) by the Clerk presenting a draft Disability Equality Scheme for consideration.

**AGREED** to approve the Disability Equality Scheme and to receive annual review updates.

### **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 Station Hotel, 2 Foundry Loan, Larbert**

**Item 1.2 Behind the Wall, 14 Melville Street, Falkirk**

**Item 1.3 Donner Inn, 76/78 Stirling Street, Denny**

**UNDER THE LICENSING (SCOTLAND) ACT 1976 (AS AMENDED) AND  
THE LAW REFORM (MISCELLANEOUS PROVISIONS) (SCOTLAND)  
ACT 1990**

**2. Applications 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 2.1 Fleming Court No. 2/3, Denny**

**Item 2.2 Sharp Newsagent, 174 Grahams Road, Falkirk**

**Item 2.3 189 Bar, Airth Community Hall, Main Street, Airth**

**Item 2.6 The Pines, 5/6 Fleming Court, Denny**

**(b)**

**Item 2.4 Criterion Bar, 8 Stirling Street, Denny**

Station Manager Ticehurst advised that the requested Fire Risk Assessment had yet to be submitted.

Mr Sandeman, the applicant's agent, confirmed that the Fire Risk Assessment had been posted to Central Scotland Fire and Rescue Service.

Having heard Mr Sandeman give an undertaking that his client would comply with all recommendations in the Fire Risk Assessment, the Board **AGREED** to grant the application.

**Item 2.5 Magpie, Maggiewoods Loan, Falkirk**

Station Manager Ticehurst advised that the requested Fire Risk Assessment had yet to be submitted.

Mr Sandeman, the applicant's agent, confirmed that the Fire Risk Assessment had been prepared and would be submitted to Central Scotland Fire and Rescue Service today.

Having heard Mr Sandeman give an undertaking that his client would comply with all recommendations in the Fire Risk Assessment, the Board **AGREED** to grant the application.

**3. Applications for the Permanent Transfer of Licences**

The Board granted the applications for the permanent transfer of licences as detailed below:-

**Item 3.1 The Crown Hotel, 1 Denny Road, Dennyloanhead**

**Item 3.2 Bo'ness Tavern, 2/6 Main Street, Bo'ness**

**4. Applications for Consent to Alterations**

The Board granted the applications for the consent to alterations as detailed below:-

**Item 4.1 Blackmill Inn, 193/195 Carronshore Road, Carron**

**Item 4.2 Wellington Bar, 6 Mariner Street, Falkirk**

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

**Item 5.1 Ellwyn, 95 Newlands Road, Grangemouth**

The Licensing Co-ordinator confirmed that a site visit by officers had taken place and no-one with day to day operational experience of the premises was in attendance, despite the applicant having been advised of the visit. He confirmed that there were a few matters that required to be addressed.

Neither the applicant nor his agent were in attendance.

Mr Morton, agent for a separate application, advised that he had acted as agent for the premises in the past and asked if a Section 64(9) direction could be given to enable the applicant to apply for a children's certificate again within the year following this refusal.

The Board **AGREED**:-

- (1) to refuse the application; and
- (2) to agree a Section 64(9) direction.

**Item 5.2 Stables, Mount Gerald, Stenhousemuir**

Having heard the Licensing Co-ordinator confirm that everything was in order, the Board **AGREED** to grant the application.

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

**Item 6.1 Cornhill, 34 High Street, Bonnybridge**

The Licensing Co-ordinator confirmed that officers had visited the premises recently and a few minor matters, including socket covers, notices and a baby changing mat were required.

Having heard Mr MacDonald, the applicant's agent, give an undertaking that all required works would be carried out, the Board **AGREED** to grant the certificate

**Item 6.2 Tolbooth Tavern, Tolbooth Street, Falkirk**

Having heard the Licensing Co-ordinator confirm that everything was in order, the Board **AGREED** to grant the certificate.

**7. Applications for Regular Extension of Permitted Hours**

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

**(a)**

**Item 7.1 Crown Hotel, Main Street, Airth**

**Item 7.3 Station Hotel, 2 Foundry Loan, Larbert**

**Item 7.4 Crown Inn, 242 Main Street, Stenhousemuir**

**Item 7.5 Magpie, Maggie Woods Loan, Falkirk**

**Item 7.6 The Red Hoose, 1 Lairrox Terrace, Dunipace**

**Item 7.7 Tolbooth Tavern, Tolbooth Street, Falkirk**

**Item 7.8 Wheatsheaf, 3 Broad Street, Denny**

**(b)**

**Item 7.2 Red Lion Hotel, 2 Stirling Road, Larbert**

In view of the absence of the applicant, and there being no-one available to justify the regular extension sought, the Board **AGREED** to refuse the application for the regular extension of permitted hours.

**8. Applications for the Grant, including the Provisional Grant of a New Licence**

**Item 8.1 Redding Mini-Market, Redding Road, Redding**

Having heard the Depute Clerk and Mr Travers, agent for the applicant, confirm that all required paperwork had been satisfactorily lodged, the Board **AGREED** to grant the licence.

**Item 8.2 Claremont Inn, Main Street, Polmont**

Having heard the Depute Clerk and Mr MacDonald, agent for the applicant, confirm that all the required paperwork had been satisfactorily lodged, the Board **AGREED** to grant the licence.

**5. Applications for Renewal of Children's Certificate**

**Item 5.1 Ellwyn, 95 Newlands Road, Grangemouth**

The applicant's agent, Mr Travers, explained the reasons for the lateness of his arrival and asked if the Board could reconsider their earlier decision taken in respect of the Ellwyn.

Having heard the Depute Clerk advise that the Board had now made a decision on the matter and effectively the matter was out of its hands, the Board **AGREED** to reaffirm its earlier decision to refuse the application.

## **9. VALEDICTORY**

The Chairman, on the occasion of the last scheduled meeting of the Licensing Board before the forthcoming elections, thanked all the members and officers for their contributions during his tenure as Chairman.