

FALKIRK COUNCIL

MINUTE of MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 13 JUNE 2012 at 9.30 A.M.

PRESENT: Councillors Black; Buchanan; D Goldie; Hughes; McLuckie; McNally; Nicol; Nimmo, and Turner.

CONVENER: Councillor Nicol.

APOLOGY: Councillor Ritchie.

ATTENDING: Clerk; Consumer Protection Manager; Licensing Co-ordinator (R Watson); Solicitor (P Gilmour); and Committee Services Officer (A Fraser).

ALSO

ATTENDING: Licensing Standards Officers (D Frood and T Ross); Chief Inspector G Taylor and PC Kane, Central Scotland Police.

1. DECLARATIONS OF INTERESTS

No declarations were made.

2. ELECTION OF CONVENER AND DEPUTE CONVENER

There was submitted Report (circulated) dated 1 June 2012 from the Clerk to the Licensing Board outlining the process for the selection of a Convener and Depute Convener of Falkirk Licensing Board.

Councillor Buchanan moved, Councillor Nimmo seconded and the Board unanimously **AGREED** that Councillor Nicol be elected as Convener of Falkirk Council Licensing Board.

Councillor Nicol then took the Chair and, the Board having agreed to appoint a Depute Convener, invited nominations for that position.

Councillor Nimmo moved, Councillor Nicol seconded and the Board unanimously **AGREED** that Councillor Black be elected as Depute Convener of Falkirk Council Licensing Board.

Councillor Nicol welcomed the new Licensing Board members to the meeting. He also expressed his thanks to previous Board Members, Lynda Kenna, Georgie Thomson and Alex Waddell for their hard work and service which they had given to the Board over the years.

3. DATES OF LICENSING BOARD MEETINGS: JUNE TO DECEMBER 2012

There was submitted Report (circulated) dated 1 June 2012 from the Clerk to the Licensing Board detailing the proposed Licensing Board dates from June to December 2012.

The Board **APPROVED** the dates for meetings of the Licensing Board from June to December 2012, but **AGREED** that an alternative date be arranged for the meeting scheduled to take place on 12 September.

4. William James Dixon

There was submitted Report (circulated) dated 23 May 2012 from the Clerk to the Licensing Board providing details for a Personal Licence submitted in terms of Section 72 of the Licensing (Scotland) Act 2005 and the Personal Licence (Scotland) Regulations 2007.

In accordance with s.74(5A) of the Licensing (Scotland) Act 2005, the Board determined to hold a hearing and, having heard from the applicant in support of his application, **GRANTED** the application for a personal licence.

5. Oxbang House Hotel, 15-17 Oxbang Road, Grangemouth

There was submitted Report (circulated) dated 23 May 2012 from the Clerk to the Licensing Board providing details of an application made in terms of Section 29 of the Licensing (Scotland) Act 2005 for the grant of a variation to the premises licence.

The Board **NOTED** that this application had previously been called at the meeting of the Licensing Board held on 28 March 2012, but continued to a future meeting of the Licensing Board at the request of the applicant.

Having heard from the applicant's agent in support of his client's application, the Board **GRANTED** the following variations to the current premises licence:-

- (1) the addition of a new restaurant by way of conversion of two bedrooms;
- (2) to increase the capacity of the premises from 220 to 246 persons; and
- (3) to vary access areas and times for children and young persons as follows:
 - (a) children and young persons permitted entry to the lounge bar and restaurant when taking a meal until 2100 hrs, and
 - (b) children and young persons permitted entry to the function suite, lounge bar, restaurant and all routes of access to and egress from the premises and toilets.

6. Greenhill Mini Market, 2 Leapark Drive, High Bonnybridge

There was submitted Report (circulated) dated 23 May 2012 from the Clerk to the Licensing Board providing details of an application made in terms of Section 29 of the Licensing (Scotland) Act 2005 for the grant of a variation to the premises licence.

Having heard from the applicant in support of his application, the Board **GRANTED** the following variations to the current premises licence:-

- (1) to amend the current off-sales trading hours of the premises to:

Monday to Sunday 1000 to 2200 hrs

- (2) to change the layout of the premises to allow alcohol to be displayed in both accessible and non-accessible areas. The non-accessible area will be reduced from 1.84m³ to 0.89m³ and the display in the accessible area will be 7.26m³ resulting in an overall increase in the size of the total alcohol display area to 8.15m³

7. Camelon Store, Fairlie Street, Camelon

There was submitted Report (circulated) dated 10 May 2012 from the Clerk to the Licensing Board providing details of an application made in terms of Section 29 of the Licensing (Scotland) Act 2005 for the grant of a variation to the premises licence.

Having heard from the applicant in support of his application, the Board **GRANTED** the following variations to the current premises licence:-

- (1) to amend the current off-sales trading hours of the premises to:

Monday to Sunday 1000 to 2200 hrs
- (2) to increase the size of the total alcohol display area from 5.68 m³ to 6.86 m³, as detailed on the plan submitted with the application.

8. Barrie Food Store, 40c Hawthorn Street, Grangemouth

There was submitted Report (circulated) dated 10 May 2012 from the Clerk to the Licensing Board providing details of an application made in terms of Section 29 of the Licensing (Scotland) Act 2005 for the grant of a variation to the premises licence.

Having heard from the applicant in support of her application, the Board **GRANTED** the following variation to the current premises licence:-

- (1) to increase the size of the alcohol display area from 7.10 m³ to 8.12 m³, as detailed on the plan submitted with the application.

9. Tam Bain Tavern, 96 Mary Street, Laurieston

There was submitted Report (circulated) dated 10 May 2012 from the Clerk to the Licensing Board providing details of an application made in terms of Section 29 of the Licensing (Scotland) Act 2005 for the grant of a variation to the premises licence.

After hearing from the applicant's agent in support of his client's application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current premises licence:-

- (1) to vary the layout of the premises as shown on the proposed layout plan as detailed in Para.4(c) of the application form;
- (2) the addition of access for children and young persons as follows:

- (a) children and young persons will be permitted access to the premises if accompanied by an adult for the purpose of dining or attending a function;
 - (b) children 0 to 15 years of age and young persons 16 & 17 years of age will be allowed entry;
 - (c) children and young persons will be permitted access to the premises until 2000 hrs if dining or until the terminal hour if attending a function, except when a darts match is being played in which case no children and young persons will be allowed on the premises, and
 - (d) children and young persons will be allowed entry to the lounge bar area, toilets and routes of access only. Children and young persons will not be permitted to the public bar area.
- (3) to amend the current on and off sales trading hours as follows:

On Sales –

Monday to Thursday 1000 to 2400 hrs

Friday and Saturday 1000 to 0100 hrs

Sunday 1230 to 2400 hrs

Off Sales –

Monday to Saturday 1000 to 2200 hrs

Sunday 1230 to 2200 hrs

- (4) the addition of bar meals to the list of approved activities;
- (5) the addition of live entertainment, pub quizzes and charity events during core hours; and
- (6) to amend the operating plan to allow service of non-alcoholic drinks and breakfasts from 0900 hrs.

The Licensing Board **AGREED** to apply the following conditions to the current licence:

- no darts will be played before 2000 hrs except when there is a formal darts match
- the darts board will be removed when not in use.

10. North Star 28-30 Vicar Street, Falkirk

There was submitted Report (circulated) dated 5 June 2012 from the Clerk to the Licensing Board providing details of an application made in terms of Section 29 of the Licensing (Scotland) Act 2005 for the grant of a variation to the premises licence.

After hearing from the applicant's agent in support of his client's application and in clarification to questions raised by Members, the Board **GRANTED** the following variations to the current premises licence:-

- (1) to vary access areas and times for children and young persons as follows:

- (a) children and young persons will be allowed entry whilst accompanied by an adult for the purpose of consumption of a meal. Last orders for meals for children and young persons will be 1800 hrs;
 - (b) children 0 to 15 years of age inclusive and young persons 16 & 17 years of age will be allowed entry;
 - (c) all children and young persons will vacate the premises by 1900 hrs;
 - (d) children and young persons will be permitted entry to the parts of the premises to which adult customers are permitted, i.e. the main floor area and toilets. However, this will exclude the immediate bar area (indicated on the layout plan).
- (2) to amend the current on sales trading hours as follows:

On Sales –

Monday to Thursday 1100 to 2400 hrs

Friday and Saturday 1100 to 0100 hrs

Sunday 1230 to 2400 hrs

- (3) to add to the list of activities to permit live performances to take place within core licensing hours and the availability of meals outwith those hours.;
- (4) any music, whether live or recorded, and any other performance will cease 15 minutes before the terminal hour; and
- (5) to amend the list of activities to reflect that meals will be available outwith core licensed hours.

11. North Star 28-30 Vicar Street, Falkirk

There was submitted Report (circulated) dated 7 June 2012 from the Clerk to the Licensing Board providing details of an application made in terms of Section 29 of the Licensing (Scotland) Act 2005 for the grant of the following extended hours:-

In light of the decision taken under the previous item, this application was **WITHDRAWN** by the applicant.