

## FALKIRK COUNCIL

**MINUTE of QUARTERLY MEETING of the LICENSING BOARD held in the DISTRICT COURT ROOM, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 20 JUNE 2007 at 10.00 am.**

**PRESENT:** Provost Reid; Depute Provost Black; Councillors Hughes, Kenna, McLuckie, McNally, Nimmo, Thomson and Waddell.

**CHAIRMAN:** Councillor Nicol

**ATTENDING:** Clerk; Head of Environmental and Regulatory Services; Building Standards Manager; Senior Licensing Assistant (L McGarva) and Committee Services Officer (B Douglas).

**ALSO ATTENDING:** Superintendent Samson, PC Simpson and PC Bridges, Central Scotland Police and Station Manager Ticehurst, Central Scotland Fire and Rescue Service.

### **SECTION A**

#### **1. APPOINTMENT OF CONVENER**

In terms of Section 6 of the Licensing (Scotland) Act 1976, the Licensing Board was required to elect a convener.

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

Councillor Nicol accepted the nomination and took the Chair.

#### **OPENING REMARKS**

Councillor Nicol paid tribute to the late Lord Ewing who had recently passed away and extended the Board's sympathy to his family.

#### **2. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of the Adjourned Meeting of the Licensing Board held on 21 March 2007;
- (b) Minute of the Quarterly Meeting of the Licensing Board held on 21 March 2007; and
- (c) Minute of the Adjourned Meeting of the Licensing Board held on 16 April 2007.

### 3. GENDER EQUALITY SCHEME

There was submitted Report (circulated) dated 15 June 2007 by the Clerk advising of the new statutory responsibility placed upon the Board in respect of gender equality under the Sex Discrimination (Public Authorities) (Scotland) Act 2007 and explaining that, following appropriate consultation, a draft gender equality scheme will be presented to the Board for consideration at a future meeting of the Board.

#### **AGREED:-**

- (1) to note the duty placed upon the Board to prepare a Gender Equality Scheme under the Sex Discrimination (Public Authorities) (Scotland) Act 2007;
- (2) to note that Officers are currently preparing a Scheme; and
- (3) that the finalised scheme will be submitted to a future meeting of the Board.

### 4. BYELAWS AND POLICIES

There was submitted report (circulated) dated 14 June 2007 by the Clerk setting out for information, the complete list of byelaws and policies that regulate the liquor licensing regime in Falkirk.

**AGREED** to adopt the policies and byelaws as appended to 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 the Gaming Machine Permits as detailed below.

**Item 1.1 Pennies (Upstairs) Forth Complex, Grangemouth Road, Falkirk**

**Item 1.2 Crown Hotel, 1 Denny Road, Falkirk**

**Item 1.3 Graeme Hotel, 40 Grahams Road, Falkirk**

**Item 1.4 Plough Hotel, 507 Main Street, Stenhousemuir**

**Item 1.5 West Beancross Farm, Beancross Road, Polmont**

**Item 1.6 Blackmill Inn, 193/195 Carronshore Road, Carron**

**Item 1.7 Bo'ness Motor Museum, Bridgeness Road, Bo'ness**

**Item 1.8 Cheyne's Bar, 29 Main Street, Bainsford**

**Item 1.9 Colonial Bar, 250 Grahams Road, Falkirk**

**Item 1.10 Copper Top, 2 Dorrator Road, Camelon**

**Item 1.11 Girsey Nicol's, 1/5 Corbiehall, Bo'ness**

**Item 1.12 Kincardine Way, Haughs of Airth, Falkirk**

**Item 1.13 The Stables, Mount Gerald, Stenhousemuir**

- Item 1.14 The Edge, 18 Grahams Road, Falkirk
- Item 1.15 The Lane, 7/10 Wooer Street, Falkirk
- Item 1.17 The Red Hoose, 1 Lairox Terrace, Dunipace
- Item 1.18 The Tavern, 5 La Porte Precinct, Grangemouth
- Item 1.19 Union Inn, Lock 16, 2 Portdownie, Camelon

2. **Application for the Grant of a Betting Office Licence**

The Board **GRANTED** the application for a new betting office licence as detailed below:-

Item 2.1 Main Street, No. 2, Rumford

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

3. **Applications for the Renewal of Existing Licences**

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

(a)

- Item 3.1 Part Ground Floor, 1<sup>st</sup> and Upper Floor Former ABC Cinema, 8/12 Princes Street, Falkirk
- Item 3.2 Pennies (upstairs), Forth Complex, Grangemouth Road, Falkirk
- Item 3.3 Alldays, Carronshore Road, Carron
- Item 3.4 Costcutter, 301 Carron Road, Falkirk
- Item 3.5 Day 2 Day, Unit A, Salmon Inn Road, Polmont
- Item 3.6 Debenhams, Howgate Shopping Centre, Falkirk
- Item 3.7 Gordon's Newsagents, 306 Main Street, Camelon
- Item 3.8 Lidl Ltd, Carron Road, New Carron Village
- Item 3.9 Maiden Park Post Office/Store, 1/3 Gilburn Place, Bo'ness
- Item 3.10 Scottish Co-operative Superstore, Carron Road, Carron
- Item 3.11 Springfield Service Station, Camelon Road, Falkirk
- Item 3.12 Tesco Store, Retail Park, Grahams Road, Falkirk
- Item 3.13 The Village Store and Post Office, Main Street, Skinflats
- Item 3.14 VG Store, 10 Greenbank Court, Camelon
- Item 3.16 Blackmill Inn, 193/195 Carronshore Road, Carron
- Item 3.17 Bo'ness Motor Museum, Bridgeness Road, Bo'ness
- Item 3.19 Girsey Nicol's, 1/5 Corbiehall, Bo'ness
- Item 3.20 Glenskirlie House Restaurant, Kilsyth Road, Banknock
- Item 3.21 Horsemill Inn, Woodyet Farm, Falkirk Road, Denny
- Item 3.22 Part Ground Floor, Former ABC Cinema, 8/12 Princes Street, Falkirk
- Item 3.23 Smith's Lounge and Bar, 23 Baxter's Wynd, Falkirk
- Item 3.24 Wheelhouse Restaurant, Wester Carmuir, Falkirk

**Item 3.25 Indian Harvest, 1 Union Street, Bainsford**  
**Item 3.26 Teng Huang Palace, 51 Grahams Road, Falkirk**

(b)

**Item 3.15 Wholequarter Avenue, No.20, Redding**

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 3.18 Carronshore Bar, Carronshore Road, Carron**

In view of the absence of a training certificate, 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) below and reached the decisions shown on those items detailed in paragraph (b) below.

(a)

**Item 4.1 Inchyra Grange Hotel, Grange Road, Polmont**  
**Item 4.2 California Post Office/Mini Market, 19 Princes Street, California**  
**Item 4.3 Carronvale Service Station, 263 Main Street, Larbert**  
**Item 4.4 Crossroads Filling Station, 90 Dean Road, Bo'ness**  
**Item 4.5 Fleming Court, No.2/3 Denny**  
**Item 4.6 Hallglen Newsagents, Unit 1, Garry Place, Hallglen**  
**Item 4.7 Loanhead Avenue, No.2 Grangemouth**  
**Item 4.8 M and A Newsagents, 25a Taymouth Road, Gilston Park, Polmont**  
**Item 4.9 Main Street, No. 11 Polmont**  
**Item 4.10 Mariner Street, No.50 Camelon**  
**Item 4.11 Millfield Service Station, Main Street, Polmont**  
**Item 4.12 PKS Stores, 1-3 Gateside Avenue, Bonnybridge**  
**Item 4.14 Argylls, 1 Princes Street, Falkirk**  
**Item 4.15 Blackmill Inn, 193/195 Carronshore Road, Carron**  
**Item 4.16 Bridge Inn, 8/10 High Street, Bonnybridge**  
**Item 4.17 Cheyne's Bar, 29 Main Street, Bainsford**  
**Item 4.18 Cornhill Inn, 34 High Street, Bonnybridge**  
**Item 4.20 The Lane, 7/10 Wooer Street, Falkirk**  
**Item 4.21 Union Inn, Lock 16, 2 Portdownie, Camelon**  
**Item 4.22 Victoria Bar, 75 Grahams Road, Falkirk**

(b)

**Item 4.13 Shop at Bog Road, Banknock**

Mr Watt, the agent for the applicant confirmed he had no preliminary matters and 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 the Chief Constable's letter of objection.

Questions were then asked of Superintendent Samson by Members.

The applicant's agent was heard in support of his client's application.

Following questions to the applicant's agent, the applicant and the applicant's father by members, the Board adjourned for a short period.

On re-convening, both parties were invited to sum up.

The Board unanimously **AGREED** that the application for the permanent transfer of a licence be **REFUSED** on the grounds that the applicant is not a fit and proper person to be the holder of a licence in terms of Section 17(1) (a) of the Licensing (Scotland) Act 1976.

**Item 4.19 Crown Bar, 10/12 Grangepans, Bo'ness**

Having heard Station Manager Ticehurst advise that a fire risk assessment remained outstanding and that a fire alarm had still to be fitted, 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 Bannatyne's Health Club, Unit 10, Central Retail Park, Falkirk**

**Item 5.2 Alldays, Carronshore Road, Carron**

**Item 5.3 Alldays, 23 Maggiewoods Loan, Falkirk**

**Item 5.4 Millfield Service Station, Main Street, Polmont**

**Item 5.5 Scotmid, 19 High Street, Bonnybridge**

**Item 5.6 Scottish Co-op, 38 King Street, Stenhousemuir**

**Item 5.7 Spar Store, 20/26 Central Avenue, Grangemouth**

**Item 5.8 Tesco Store, Talbot Street, Grangemouth**

**Item 5.9 Comma Bar Café, 14 Lint Riggs, Falkirk**

**Item 5.10 Frankie and Benny's, Unit 17, Central Retail Park, Falkirk**

**Item 5.11 Girsey Nicol's, 1/5 Corbiehall, Bo'ness**

**Item 5.12 The Pines, 5/6 Fleming Court, Denny**

6. **Applications for Consent to Alterations**

The Board **AGREED** that consideration of the undernoted applications be continued to the Adjourned Meeting of the Licensing Board to allow an inspection of the premises by members.

**Item 6.1 Martell Leisure, Burnbank Road, Bainsford**

**Item 6.2 Victoria Bar, 75 Grahams Road, Falkirk**

7. **Application for Renewal of Children's Certificate**

The Board **AGREED** that consideration of the undernoted application be continued to the Adjourned Meeting of the Licensing Board to allow an inspection of the premises by members.

**Item 7.1 Bo'ness Motor Museum, Bridgeness Road, Bo'ness**

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

The Board **AGREED** that consideration of the undernoted applications be continued to the Adjourned Meeting of the Licensing Board to allow an inspection of the premises by members.

**Item 8.1 Hotel Cladhan, Kemper Avenue, Falkirk**

**Item 8.2 Park Lodge Hotel, Camelon Road, Camelon**

**Item 8.3 Amarillo, Top Deck, Falkirk Community Stadium**

**Item 8.4 Board Room and Hospitality Suites, Falkirk Community Stadium, West Stand**

**Item 8.5 Comma Bar Café, 14 Lint Riggs, Falkirk**

**Item 8.6 Ellwyn, 95 Newlands Road, Grangemouth**

**Item 8.7 Tropix Bar, 4 High Street, Falkirk**

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

The Board **GRANTED** the applications for regular extension of permitted hours as detailed in paragraph (a) below and reached the decision shown on those items detailed in paragraph (b) below.

(a)

**Item 9.1 Bannatyne's Health Club, Unit 10, Central Retail Park, Falkirk**

**Item 9.2 Gala Club, 1, 2 and 3 Kerse Lane, Falkirk**

**Item 9.3 Martell Leisure, Burnbank Road, Bainsford**

**Item 9.4 Part Ground Floor, First and Upper Floor, Former ABC Cinema, 8/12 Princes Street, Falkirk**

**Item 9.5 Pennies (upstairs) Forth Complex, Grangemouth Road, Falkirk**

**Item 9.6 The Creamery Sports Bar, Main Street, Bainsford**

Item 9.7 Uncle Sam's Pool Club, The Hedges, Camelon  
 Item 9.8 Crown Hotel, 1 Denny Road, Dennyloanhead  
 Item 9.9 Glenbervie House, Larbert  
 Item 9.10 Keith Arms Inn, Higginsneuk, Bothkennar  
 Item 9.11 Park Lodge Hotel, Camelon Road, Camelon  
 Item 9.12 Powfoulis Manor Hotel, Bothkennar  
 Item 9.13 Red Lion Hotel, 2 Stirling Road, Larbert  
 Item 9.16 Amarillo, Top Deck, Falkirk Community Stadium, West Stand, Falkirk  
 Item 9.17 Argylls, 1 Princes Street, Falkirk  
 Item 9.18 Blackbull Inn, Main Street, Polmont  
 Item 9.19 Blackmill Inn, 193/195 Carronshore Road, Carron  
 Item 9.20 Bo'ness Motor Museum, Bridgeness Road, Bo'ness  
 Item 9.22 Birrells Bar, 46 Redding Road, Redding  
 Item 9.23 Camelon Labour Club, Nailer Road, Camelon  
 Item 9.25 Clachan Bar, 15 Main Street, Shieldhill  
 Item 9.27 Comma Bar Café, 14 Lint Riggs, Falkirk  
 Item 9.29 Elphinstone Inn, High Street, Airth  
 Item 9.30 Gilmours, 541 Main Street, Stenhousemuir  
 Item 9.31 Girsey Nicol's, 1/5 Corbiehall, Bo'ness  
 Item 9.32 Goose On Newmarket, Newmarket Street/Lint Riggs, Falkirk  
 Item 9.33 Greyrigg Inn, Blackbrae, California  
 Item 9.34 Kincardine Way, Haughs of Airth, Airth  
 Item 9.35 Learigg Bar, 175 Dean Road, Bo'ness  
 Item 9.36 Martyn's Restaurant, 61 Mary Street, Laurieston  
 Item 9.37 New Ship Inn, 102 Newhouse Road, Grangemouth  
 Item 9.38 Part Ground Floor, Former ABC Cinema, 8/12 Princes Street, Falkirk  
 Item 9.39 Phoenix, Manuel Terrace, Whitecross  
 Item 9.40 Quoit Bar, 63 Main Street, Redding  
 Item 9.42 Smith's Lounge and Bar, 23 Baxter's Wynd, Falkirk  
 Item 9.44 Tam Bain, 96 Mary Street, Laurieston  
 Item 9.45 The Lane, 7/10 Wooer Street, Falkirk  
 Item 9.46 The Outside Inn, Glenbervie Business Park, Bellsdyke Road, Larbert  
 Item 9.47 The Rumford Arms, Maddiston Road, Rumford  
 Item 9.48 The Scotia, 51 Manor Street, Falkirk  
 Item 9.49 The Tavern, 5 La Porte Precinct, Grangemouth  
 Item 9.50 The Visitor Centre, The Falkirk Wheel, Falkirk Interchange, Tamfourhill  
 Item 9.52 Bonnybridge Golf Club, Larbert Road, Bonnybridge  
 Item 9.53 Callendar Miners Welfare Society and Social Club, Glen Crescent, Glen Village  
 Item 9.54 Camelon Labour Club, Nailer Road, Camelon  
 Item 9.56 Dunipace Juniors Social Club, Westfield Park, Denny  
 Item 9.57 Falkirk Bowling Club, Cochrane Street, Falkirk  
 Item 9.58 Falkirk Tryst Golf Club, 86 Burnhead Road, Larbert  
 Item 9.59 Glenbervie Golf Club, Stirling Road, Larbert  
 Item 9.60 Grahamston Bowling Club, Bowling Green Lane, Grahams Road, Falkirk  
 Item 9.61 Grangemouth Railway Club, Barrie Place, Grangemouth  
 Item 9.62 Larbert Bowling Club, Pretoria Road, Larbert  
 Item 9.63 Laurieston Bowling Club, Polmont Road, Laurieston

**Item 9.64 North Broomage Social and Welfare Club, Grahamston Avenue, Larbert**  
**Item 9.65 Redding and Westquarter Unity Club, Station Cottage, Redding Cross, Redding**

(b)

**Item 9.14 Royal Hotel, 30/32 High Street, Bonnybridge**

The Chief Constable's representative advised that the police had been unable to undertake the appropriate checks as yet due to the lateness of the application being notified to the Chief Constable.

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

**Item 9.15 Aitkens Bar, 69 Manor Street, Falkirk**

Having heard from the applicant Mr Scott, the Board **AGREED** to **GRANT** hours within policy and the additional hours of 9.30 am to 11.00 am Monday to Saturday.

**Item 9.21 Bo'ness Tavern, 2-6 Main Street, Bo'ness**

In view of the absence of the applicant and or agent, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

**Item 9.24 Cheyne's Bar, 29 Main Street, Bainsford**

In view of the absence of the applicant and or agent, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

**Item 9.26 Claremont Inn, Main Street, Polmont**

The applicant's agent Mr Craster was heard in support of his client's application.

Questions were asked of the applicant's agent by members.

The Board **AGREED** that the application be **REFUSED** on the grounds that demand for the licence had not been justified.

The Board also **AGREED** to Mr Craster's request for a Section 64 (9) direction.

**Item 9.28 Crown Bar, 10/12 Grange pans, Bo'ness**

The Chief Constable's representative advised that the police had been unable to undertake the appropriate checks as yet due to the lateness of the application being notified to the Chief Constable.

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

**Item 9.41 Roman Bar, 470 Main Street, Camelon**

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

Mrs Lang, the applicant's agent confirmed that she did not object to the competency of the police objection and further that she had no preliminary matters.

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

Superintendent Samson was heard in relation to the Chief Constable's letter of objection.

There being no questions put to Superintendent Samson, Mrs Lang was heard in support of her client's application. She confirmed that her client wished to vary the application and sought only hours within policy.

**AGREED** that the revised application for regular extension of permitted hours be **GRANTED**.

**Item 9.43 Stables, Mount Gerald, Stenhousemuir**

Having heard the Clerk confirm that a recent temporary transfer had resulted in the applicant not being the company "Spirit Managed Pubs" as detailed on the agenda, the Board **AGREED** to decline to consider the application.

**Item 9.51 Wellington Bar, 6 Manor Street, Falkirk**

The Board **AGREED** that consideration of the matter be continued to the Adjourned Meeting of the Licensing Board to allow an inspection of the premises by members.

**Item 9.55 Douglas Lodge, Stewart Avenue, Bo'ness**

In view of the absence of the applicant and of the agent, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

**10. Applications for the Grant, including the provisional Grant, of a New Licence**

**Item 10.1 The Wheelhouse, Wester Carmuir, Falkirk**

The Board **AGREED** to the applicant's agent's request that the matter be continued to the Adjourned Meeting of the Licensing Board.

**Item 10.2 Vicar Street, No.43 Falkirk**

Mr Batters, agent for the applicant confirmed that he did not object to the competency of the letter of objection and that he had no preliminary matters.

Copies of the letter of objection were then circulated to members.

Mr McIvor, the applicant's agent was heard in relation to his client's letter of objection.

Mr Batters was heard in support of his client's application.

Questions were then asked of Mr Batters by members of the Board.

Both parties were invited in turn to sum up.

**AGREED** that the application be **GRANTED**.

### **Item 10.3 Bombay Palace, 60b La Porte Precinct, Grangemouth**

The applicant's agent Mr Batters was heard in support of his client's application. He advised that the application had been changed to a section 26 (2) application.

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

### **Late application for the grant of a new licence**

### **Item 10.4 7a High Street, Bonnybridge**

Having heard the applicant's agent Mr Craster explained the reasons for the lateness of the application. The Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

## FALKIRK COUNCIL

**MINUTE of the ADJOURNED MEETING of the LICENSING BOARD held in the DISTRICT COURT ROOM, FALKIRK on WEDNESDAY 11 JULY 2007 at 10.00 AM.**

**PRESENT:** Depute Provost Black; Councillors Hughes, McLuckie, McNally, Nicol, Nimmo and Waddell.

**CONVENER:** Councillor Nicol

**APOLOGIES:** Provost Reid; Councillors Kenna and Thomson.

**ATTENDING:** Consumer Protection Manager; Depute Clerk (P Gilmour); Building Standards Manager; Licensing Co-ordinator (R Watson); Senior Licensing Assistant (L McGarva); Environmental Health Officer (S Henderson) and Committee Services Officer (A Rose).

**ALSO**

**ATTENDING:** Station Manager Ticehurst, Central Scotland Fire and Rescue Service and PC Derek Simpson, Licensing Officer, Central Scotland Police.

There were no Declarations of Interest by any of the Members present.

### **SECTION A**

#### **1. APPOINTMENT OF DEPUTE CONVENER**

The Board **AGREED** that Provost Reid be appointed as Depute Convener of the Licensing Board.

### **UNDER THE LICENSING (SCOTLAND) ACT 1976 (as amended) AND THE LAW REFORM (MISCELLANEOUS PROVISIONS) (SCOTLAND) ACT 1990**

### **SECTION B**

#### **1. Applications for the Renewal of Existing Licenses**

##### **Item 1.1, No. 20 Wholequarter Avenue, Redding**

The Board **DECLINED** to consider the application due to the non-attendance by the applicant or their representative.

##### **Item 1.2, Carronshore Bar, Carronshore Road, Carron**

Having heard from the Depute Clerk to the Board that a Training Certificate had been obtained by the applicant and a copy subsequently received by the Clerk's Office, the Board **GRANTED** the application.

2. **Applications for the Permanent Transfer of Licenses**

**Item 2.1, Crown Bar, 10/12 Grangepans, Bo'ness**

Having heard Mr Lalli, the applicant, and Station Manager Ticehurst, Central Scotland Fire and Rescue Service, confirm that all fire safety works had been completed, the Board **GRANTED** the application.

3. **Applications for Consent to Alterations**

**Item 3.1, Martell Leisure, Burnbank Road, Bainsford**

The Board **GRANTED** this application subject to an undertaking by the applicant to complete works on the disabled toilets.

**Item 3.2, Victoria Bar, 75 Grahams Road, Falkirk**

Having heard from Mrs Lang, agent for the applicant, the Board **GRANTED** this application subject to an undertaking by the applicant to complete works on disabled toilets, instal a push bar on the wooden gate to the car park and make appropriate applications to the planning and building control departments.

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

**Item 4.1 , Bo'ness Motor Museum, Bridgeness Road, Bo'ness**

Having heard from Mr Anderson, the applicant, the Board **GRANTED** this application subject to an undertaking by the applicant to restrict the number of gaming machines on the premises to two in accordance with the conditions of his licence.

6. **Application for New Children's Certificate**

The Board **GRANTED** the applications for New Children's Certificates as detailed below, subject to undertakings by the applicants to complete those works detailed in letters issued to them from the Council's licensing section.:-

**Item 5.1, Hotel Cladhan, Kemper Avenue, Falkirk**

**Item 5.2, Park Lodge Hotel, Camelon Road, Camelon**

**Item 5.5, Comma Bar Café, 14 Lint Riggs, Falkirk**

**Item 5.6, Ellwyn, 95 Newlands Road, Grangemouth**

**Item 5.7, Tropix Bar, 4 High Street, Falkirk**

**Item 5.3, Amarillo, Top Deck, Falkirk Community Stadium**

Having heard from Mrs Hamilton, agent for the applicant, the Board **GRANTED** this application subject to an undertaking by the applicant to complete work relating to installation of radiator covers and pipes.

**Item 5.4, Boardroom & Hospitality Suites, Falkirk Community Stadium, West Stand**

Having heard from Mrs Hamilton, agent for the applicant, the Board **GRANTED** this application subject to an undertaking by the applicant to complete work relating to installation of radiator covers and pipes.

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

The Board **GRANTED** the applications for regular extension of permitted hours as detailed below:-

**Item 6.1, Royal Hotel, 30/32 High Street, Bonnybridge**

**Item 6.2, Bo'ness Tavern, 2-6 Main Street, Bo'ness**

**Item 6.3, Cheyne's Bar, 29 Main Street, Bainsford**

**Item 6.4, Crown Bar, 10/12 Grangepans, Bo'ness**

**Item 6.5, Wellington Bar, 6 Manor Street, Falkirk**

**Item 6.6, Douglas Lodge, Stewart Avenue, Bo'ness**

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

**Item 7.1, 7a High Street, Bonnybridge**

Mr McDonald, agent for the applicant, advised the Board that he had received notification of only one letter of objection. Mr McDonald further added that he did not object to the competency of the objection from Mr & Mrs Halliday and Mr & Mrs Ghee which he had received. A copy of this letter of objection was then circulated to members of the board.

The Depute Clerk to the Board advised that he had received a written objection signed by a Mr Ali, attached to which was a petition signed by a number of persons. The Depute Clerk, however, had concerns regarding the legal authority of Mr Ali to speak as a representative of those persons who had signed the petition, and also, had concerns as to the validity of the objections of some of the persons who had signed the petition.

Mr Ali advised the Board that he was not aware that he was required to inform the applicant of his objection.

The Board **AGREED** to not accept the objection and petition submitted by Mr Ali as a competent objection as Mr Ali had failed to comply with the legal requirement to notify the applicant of his objection.

The Licensing Co-ordinator circulated to the Board, and the other interested parties, two street maps, one of the whole of Bonnybridge and another of Bonnybridge town centre, which highlighted the location of all existing licensed premises. The agent for the applicant informed the Board that he had no objection to the circulation of the maps.

Mr Halliday, an objector, was heard in support of his written objection.

Questions were then asked of Mr Halliday by the Members of the Board.

Mr McDonald, agent for the applicant, made a submission in support of his client's application.

Questions were then asked of the agent for the applicant, and of the applicant directly, by Members of the Board.

The Board adjourned for 20 minutes to consider the details of this application.

Upon reconvening the Board **REFUSED** the application on the grounds of overprovision of licensed premises in the centre of Bonnybridge.

The Board also **REFUSED** to make a direction under Section 14 of the Licensing (Scotland) Act 1976.

#### **Item 7.2, The Wheelhouse**

Mrs Lang, agent for the applicant, advised that this application was withdrawn.

**NOTED.**

**FALKIRK COUNCIL**

**Subject: GENDER EQUALITY SCHEME**  
**Meeting: FALKIRK COUNCIL LICENSING BOARD**  
**Date: 24 OCTOBER 2007**  
**Author: CLERK TO THE LICENSING BOARD**

**1. INTRODUCTION**

1.1 Members will recall that a report was considered at the quarterly meeting of the Licensing Board on 24 June 2007 advising the Licensing Board of its new statutory duties in respect of gender equality under the Sex Discrimination (Public Authorities) (Scotland) Act 2007.

**2. GENDER EQUALITY SCHEME**

2.1 Each Local Authority including Licensing Boards, has the specific duty to produce and publish a Gender Equality Scheme. The draft Scheme for Falkirk Council Licensing Board was prepared in consultation with the Council's equality section and the draft will be sent to various relevant organisations for comment. Comments received thereafter will be incorporated into the Scheme where appropriate. The draft Scheme is attached as appendix 1 to this report.

2.2 The Gender Equality Scheme includes the following essential elements:-

- Arrangements for assessing the impact of Board activities on Gender Equality and improving these where necessary
- Details of how the Board is going to use the information gathered, in particular in reviewing the effectiveness of its action plan
- A commitment to provide training for Licensing Section staff in connection with the new obligations

2.3 It is intended that the Scheme will inform citizens, licensees, applicants for licences and partner bodies of the Board's proposed actions to promote gender equality to ensure that it meets the requirements under the Act.

2.4 Although the Scheme will be reviewed periodically, it will in effect, remain under constant review in order that it can adapt quickly to changing circumstances.

2.5 Consideration will be given in the future to the creation of an Equality Scheme that will unify the equality strands of Race Equality, Disability Equality and Gender Equality. The details of such will be brought before the Board for consideration at a future meeting of the Board.

**3. RECOMMENDATION**

**3.1 Members are asked to:-**

- (i) approve the proposed draft Gender Equality Scheme and to note the scheme will be distributed widely to relevant interest groups and any comments received thereafter will be incorporated into the Scheme as appropriate, and**
- (ii) note the proposal to develop an Equality Scheme to bring together the Board's separate Race, Gender and Disability Schemes.**

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**Clerk to the Board**

**Date: 12 October 2007**

**Contact Officer: Bryan Douglas**

**LIST OF BACKGROUND PAPERS**

- 1. Nil.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506116 and ask for Bryan Douglas.

**THE FALKIRK COUNCIL  
LICENSING BOARD**

**GENDER EQUALITY SCHEME 2007 – 2010**

**1 Introduction**

1.1 The Sex Discrimination Act 1975 as amended (“the Act”) allied with the Sex Discrimination (Public Authorities) (Statutory Duties) (Scotland) Order 2007 (“the Order”) confers a statutory general duty on certain public bodies to demonstrate fair treatment of women and men in the delivery of policy and services as well as in employment. Falkirk Licensing Board (“the Board”) is one of those public bodies. It is the aim of this general duty to make equality central to the way public bodies work and to put it at the heart of policy-making, service delivery and employment practices. The Order requires that when carrying out its functions the Board must:

- promote equality of opportunity between men and women; and
- eliminate unlawful discrimination and harassment

1.2 In their guidance to Scottish Local Authorities, the Equal Opportunities Commission (“EOC”) defines unlawful discrimination as:

- direct and indirect discrimination against women and men, in employment and education, in goods, facilities and services and in the exercise of public functions;
- harassment, sexual harassment and discrimination on the grounds of pregnancy and maternity leave;
- discrimination on the grounds of gender reassignment in employment and vocational training;
- direct and indirect discrimination in the employment field on the grounds that a person is married or a civil partner;
- victimisation as a result of raising, intending to raise a complaint or acting as a witness or giving evidence in support of someone raising a complaint.

1.3 The purpose of this document is to inform citizens, licensees, applicants for licences and partner bodies of the Board’s proposed actions to promote gender equality and to ensure that it meets the requirements under the Act and the Order.

1.4 As part of the legislative framework there is a requirement to gather information on the effect of policies and practices on gender equality and in particular:

- the extent to which they promote equality between male and female staff, and
- the extent to which the services provided and the functions performed take account of the needs of men and women.

The Board itself does not employ anyone. Those carrying out work for the Board are employed by Falkirk Council and will, therefore, be considered under the Council's own equality scheme. The Board is aware of the Council's equality scheme which incorporates gender equality and, in particular, those provisions relating to employment matters and training of employees and, indeed, the training of elected members.

- 1.5 The Gender Equality Scheme identifies the Board's commitment to equality and how the Board will continue to work to promote it, with others as necessary.
- 1.6 The Gender Equality Scheme highlights how the Board will build on what has been achieved to date and where it or others have identified areas where more can be done. The Board also wishes to learn from the best practice demonstrated by others.
- 1.7 The Board's Gender Equality Scheme is a realistic plan, setting out its arrangements for meeting its general and specific duties in terms of gender equality. Its aim is to help to eliminate unlawful discrimination and harassment and to promote equality.
- 1.8 The details of the Gender Equality Scheme are given in Section 4 and the Action Plan for the scheme is attached (Appendix B).

## **2 Falkirk Licensing Board**

- 2.1 The Board is established under the Licensing (Scotland) Act 1976 as amended by the Licensing (Scotland) Act 2005 and deals with the administration of liquor licensing and certain other statutory duties. It comprises ten members, who are elected members of Falkirk Council and are appointed to the Board by the Council.
- 2.2 All income received by the Board from the fees for applications is transferred to the Council. The Council has a duty to provide a venue for the meetings of the Board and meet all necessary expenses in respect of the proceedings of the Board.
- 2.3 In carrying out its business, the Board must have due regard to equality matters and in this regard has had in place a Race Equality Scheme for a number of years. The Board has also recently adopted a Disability Equality Scheme under the Disability Discrimination Act 2005. The Gender Equality Scheme provides a further opportunity for the Board to ensure that it acts in a way which is consistent with good equalities practice. In doing so, it will work closely with partner organisations including Central Scotland Police, Central Scotland Fire and Rescue Service, the Falkirk Licensing Forum and Falkirk Council. It will also continue to work with licence holders, applicants for licences and those who have complaints about licensed premises.

### **3 Developing the Gender Equality Scheme**

- 3.1 The Board has adopted the following underlying principles in developing the Gender Equality Scheme:
- involvement of licence holders and organisations concerned with gender equality in the development of the scheme
  - assessment of current functions and policies to establish their relevance to gender equality
  - identification of improvement actions according to the principle of proportionality – attention to be focused on those functions or policies that have the most effect on gender equality or difficulties which might potentially arise in that respect.
- 3.2 This approach recognises the requirements of the general duty as expressed in the Equal Opportunities Commission's Code of Practice. The overall objective is to identify desired outcomes to promote gender equality. This will allow service provision to be improved in order to achieve this. These outcomes have directly informed the contents of the Gender Equality Scheme action plan to improve service provision in respect of gender equality.

#### **Stakeholder Involvement**

- 3.3 The involvement of those who have dealings with the Board such as licensees, applicants for licences and the general public using licensed premises is fundamental to meeting the Board's gender equality duties. This approach will be developed to provide best practice across all parts of the Gender Equality Scheme actions.
- 3.4 The Board will, as a first step towards creating its Gender Equality Scheme, involve licensees and organisations concerned with gender equality by inviting them to respond to a questionnaire and the scheme. This will give them the opportunity to influence the content of the Scheme and to raise specific issues that the Board should address in its Action Plan.
- 3.5 Delivery of the Gender Equality Scheme action plan over the next three years will seek to involve these groups and organisations plus any that may emerge during the lifetime of the Gender Equality Scheme.
- 3.6 One of the first actions that the Board will need to undertake is to establish that it is dealing with the correct individuals and organisations concerned with gender equality.

## **Assessment of relevance of Board functions, policies and processes to Gender Equality**

- 3.7 As the Board's functions are well defined in terms of the legislation under which it operates and as they all relate to the regulation of licensed premises of one sort or another, the Board considers that all of its functions are relevant to gender equality. It follows, therefore, that all of its policies and processes are relevant as well. These may range from the format of application forms to the way in which complaints are handled. A fuller list of the Board's functions is attached at Appendix A.

## **Review the effectiveness of current service delivery**

- 3.8 As mentioned above, a questionnaire will be issued seeking views on what aspects of service delivery could be improved in respect of gender equality. The questionnaire will also seek views in respect of disability equality and race equality. Any matters raised in connection with gender will be taken into account in an early review of the Gender Equality Scheme and Action Plan.

## **4. Gender Equality Scheme**

- 4.1 The Gender Equality Scheme confirms how the Board will meet its obligations under the relevant gender equality legislation. It highlights the importance the Board attaches to eliminating discrimination and promoting equality of opportunity between men and women. The Board will seek to increase the involvement of service users with a specific interest in gender equality in the development of its policies.
- 4.2 The Board will ensure that the information it provides promotes gender equality. This will cover application forms, Licensing Board reports, policy documents, leaflets and posters etc as well as materials on the Licensing web site.
- 4.3 The Action Plan attached at Appendix B shows the steps that the Board will take in identifying and dealing with issues relevant to gender discrimination. Progress of the Action Plan will be monitored on an ongoing basis and there will be a formal annual review of it.
- 4.4 Licensed premises, as providers of goods, facilities or services to the public, are, themselves, subject to the terms of the Act. This includes the requirement that premises should be accessible on a gender equal basis. The same is true for the provision of goods and services in these premises. In considering applications for new licences the Board will, therefore, wish to ensure that these obligations will be discharged.



## LICENSING BOARD FUNCTIONS

The Board accepts and determines all applications for:-

- (a) Liquor licences in terms of the Licensing (Scotland) Act 1976 as amended by the Licensing (Scotland) Act 2005
  - (b) Gaming licences in terms of the Gaming Act 1968 as amended,
  - (c) Gaming machine permits for public houses and hotels in terms of Schedule 9 to the Gaming Act 1968 as amended, and
  - (d) Betting office licences, betting agency permits and bookmakers' permits in terms of the Betting, Gaming and Lotteries Act 1963 as amended
  - (e) Gambling Act 2005
- 5.2 The Board considers complaints in respect of licensees and/or their premises. Where necessary it holds hearings with a view to resolving the complaint. This can result in the suspension of a licence, the reduction in hours the licensee can operate or some less severe remedy.
- 5.3 The Board makes a number of decisions in terms of liquor licensing affecting the day to day management or hours of operation of premises licensed for the sale of alcohol.

<b>FALKIRK COUNCIL LICENSING BOARD</b> <b>GENDER EQUALITY SCHEME</b> <b>ACTION PLAN</b>		
<u>OUTCOME</u>	<b>ACTION</b>	<b>TIMESCALE</b>
1 Information provided by the Board is appropriate and in a suitable format.	Review application forms and guidance notes.	2007/2008
	Review information on Licensing website.	2007/2008
2 Board policies are compliant with its gender equality obligations.	Review of Board policies.	2007/2008
3 All new Board policies will be compliant with its gender equality obligations.	Each new proposed policy will be assessed against the Board's gender equality obligations. Any report proposing the adoption of a new policy will indicate what that assessment was.	2007 - 2010
4 Organisations concerned with gender equality will be involved in the work of the Board and in setting standards for any necessary improvements.	Contact the most relevant agencies and groups concerned with gender equality and establish with them the best way in which they can be involved in taking forward the Scheme and Action Plan.	2007/2008



**FALKIRK COUNCIL LICENSING BOARD**

**Subject: STATEMENT OF LICENSING POLICY – THE LICENSING (SCOTLAND) ACT 2005**  
**Meeting: FALKIRK COUNCIL LICENSING BOARD**  
**Date: 24 OCTOBER 2007**  
**Author: CLERK TO THE BOARD**

**1. INTRODUCTION**

- 1.1 In terms of The Licensing (Scotland) Act 2005 every Licensing Board is required to prepare and approve a Statement of Licensing Policy. The form and content of the Statement of Licensing Policy are laid down in section 6 of the Act. Such statements must be prepared and published every 3 years with provision for supplementary statements during the 3 year period. The statements must promote the five licensing objectives as outlined in the Act. The date set aside by the Scottish Ministers for the formal adoption of the first 3 years licensing policy statement is 30 November 2007.
- 1.2 The Board must have due regard to any Scottish Government Guidance and give weight to the views of consultees. Section 6 (3) (b) of the Act requires the Board to consult the Licensing Forum. In addition, the Board must also consult with other persons/organisations it thinks appropriate.
- 1.3 The attached draft Statement of Policy (Appendix 1) has been prepared for consideration by the Board and if so advised for issue to consultees. It is intended that the consultation be concluded in sufficient time to allow formal adoption of the statement at a specially convened Licensing Board Meeting in late November.

**2. RECOMMENDATION**

**2.1 For consideration.**

.....  
**Clerk to the Board**  
**Date: 21 October 2007**  
**Contact Officer: Robert Watson Ext 4798**

**LIST OF BACKGROUND PAPERS**

- 1. The Licensing (Scotland) Act 2005 and Regulations made thereunder.
- 2. Guidance for Licensing Boards and Local Authorities issued by The Scottish Government 4/4/2007

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506116 and ask for Bryan Douglas.



**Falkirk Council Licensing Board**

**Licensing (Scotland) Act 2005**

**Licensing Policy Statement**

**DRAFT**

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## 1. INTRODUCTION

1.1 Section 6 of the Licensing Scotland Act 2005 places a duty on all Licensing Boards in Scotland to publish a licensing policy statement every three years. The purpose of such a statement is to provide assistance to a Licensing Board in the implementation of the Act, decision making on, and administration of, the licensing of the sale and supply of alcohol within their areas and to outline the way in which Boards intend to exercise their functions under the Act. This statement fulfils that requirement for Falkirk Council Licensing Board.

1.2 **A paragraph is to be included with a description of the Falkirk area including population / number of wards/councillors and the range and number of licensed establishments. It may be considered appropriate to produce plans particularly for the consideration of overprovision issues.**

1.3 Falkirk Council Licensing Board must ensure that its policy stated herein seeks to promote the five licensing objectives set out in Section 4(1) of the Licensing (Scotland) Act 2005 which are as follows :-

- a) Preventing crime and disorder;
- b) Securing public safety;
- c) Preventing public nuisance;
- d) Protecting and improving public health; and
- e) Protecting children from harm.

The licensing policy statement should guide, at all times, the Board, its officers, licence holders and all persons involved in the control, management, operation and running of licensed premises and persons involved in the regulation of such.

1.4 This licensing policy statement has been prepared having regard to :-

- a) the licensing objectives noted above;
- b) the guidance for Licensing Boards and Local Authorities issued by the Scottish Government;
- c) the Scottish Government Plan for Action on Alcohol Problems Update and the accompanying partnership agreement between the alcohol industry and the Scottish Government; and
- d) the terms of the Licensing (Scotland) Act 2005 with particular reference to Section 6.

1.5 In preparing this statement, Falkirk Council Licensing Board consulted widely, including with the undernoted organisations and/or persons :-

- Falkirk Licensing Forum
- Central Scotland Licensed Trade Association
- British Entertainment and Dance Association
- Alcohol Focus Scotland

- BIIAB
- British Beer and Pub Association
- Existing licenceholders
- The Chief Constable of Central Scotland Police
- The Firemaster, Central Scotland Fire and Rescue Service
- Falkirk Council
- MP's and MSP's representing the Board's Area
- All Community Councils within the Board's Area
- Solicitors known to represent licence holders in the area

and had regard to all responses received.

- 1.6 This licensing policy statement will have effect from 30 November 2007 until 30 November 2010. This licensing policy statement will be kept under review. As considered appropriate, Falkirk Council Licensing Board may make necessary revisions in the course of the three year period to 30 November 2010. Such revisions will be by the issue of a supplementary licensing policy statement. Any such supplementary statements will be subject to appropriate prior consultation procedures.

## **2. FALKIRK COUNCIL LICENSING BOARD**

### **General**

- 2.1 In exercising its functions under the Act, Falkirk Council Licensing Board will have regard to this Policy Statement.
- 2.2 The Board will consider each application and/or representations made to it on their own merits within the context of this Policy statement including whether or not an application conforms to any requirements set out therein. The Board expects that all applicants will be able to show how they intend to conform to the five licensing objectives set out in the Licensing (Scotland) Act 2005 and particularly how they will do so in the context of circumstances pertaining to the locality of the premises to which their application relates. Applicants will also require to take into account any relevant policy as set out in this statement.
- 2.3 The Board recognises that its licensing powers are not the main statutory mechanism for dealing with anti social behaviour and nuisance and will have appropriate regard to any other statutory systems of control which can be applied in circumstances where such may be considered to be necessary.
- 2.4 Falkirk Council Licensing Board will deal with all of its business in an open and transparent manner. Information and appropriate assistance will be made available to those persons who wish to apply for a licence, object to an application or make representations. **[Q Should procedure notes be made available on the Council's website ?]** The Board is aware of the need to ensure that the licensing process is accessible to all. Assistance will be available on request to those who require special arrangements to access any part of the process.

- 2.5 The Board has approved a Disability Access Policy (see Appendix XX) and will normally meet in the District Court, Falkirk or the Members Suite, Municipal Buildings, Falkirk where facilities are available for disabled persons.

### **Decision Making, Processes and Procedures**

- 2.6 Falkirk Council Licensing Board comprises 10 members appointed by Falkirk Council from those persons elected to serve as councillors on the Council. The quorum for meetings of the Board is five members. The Board is a separate legal entity from Falkirk Council and has its own procedures which are separate from those applicable to the Council and its committees.
- 2.7 The Board has various requirements it must adhere to in terms of article 6 of the European Convention for the protection of Human Rights and Fundamental Freedoms (incorporated into U.K. domestic law by the Human Rights Act 1998) including that it be an “independent and impartial tribunal”. Members of the Board will declare any interest at the outset of proceedings and will not participate in the consideration of any matter in respect of which there is either a conflict of interest or where they have had prior involvement either personally or in their capacity as a councillor if they feel that such prior involvement would compromise their impartiality.
- 2.8 The Board will aim to make proceedings at meetings of the Board as informal as possible so far as this is consistent with the quasi-judicial nature of its function. It recognises that persons appearing before it may have little or no experience of doing so and will seek to ensure, so far as possible, that all persons understand those proceedings.
- 2.9 The procedure for hearings and other proceedings before the Board will normally be conducted in the following manner. Firstly, submissions will be heard from, or on behalf of objectors, persons making representations or persons seeking reviews. Thereafter that person may be asked questions by the applicants or licensees or their representatives and then finally questions from Board members. Secondly, applicants or licensees or their agents will have an opportunity to make submissions to the Board followed by questions to them from or on behalf of the objectors, persons making representations or persons seeking reviews and finally again questions by Board members. Lastly, there will then be an opportunity for all parties in turn to make final submissions following the order of the submissions. The Board is entitled to adjourn to consider matters in private but will reconvene to resume consideration and/or make its decision before the parties concerned. If the Board has taken legal advice during any adjournment the Clerk will state what that advice was. **[Q Procedure note as above ?- to be discussed]**
- 2.10 It is not anticipated that in the normal conduct of its business the Board will require formal evidence to be called. The Board, however, notes that the Scottish ministers may make regulations under section 133 of the Act setting out procedures to be followed at any hearing where direct evidence is to be given by witnesses.
- 2.11 The Board will aim to provide an efficient and cost effective service to all those who are involved in the licensing process. Therefore, Falkirk Council Licensing Board has adopted a scheme of delegation of functions to ensure that decisions can be made in a way which is consistent with this aim. The

scheme of delegation of functions (contained in the undernoted paragraphs 2.14 and 2.16) sets out those decisions and matters which will be dealt with by the Board and those which will be delegated to the Clerk of the Board and/or officers.

- 2.12 The Board will aim to enhance and develop appropriate arrangements for the use of e-technology with regard to the submission and administration of applications and other documentation.

### **Delegation of Functions**

- 2.13 In terms of the Licensing (Scotland) Act 2005 Falkirk Council Licensing Board is responsible for the consideration of the following types of applications and matters:-

- premises licences;
- occasional licences;
- temporary licences;
- provisional licences;
- personal licences;
- variations of licences;
- review of licences;
- transfer of licences;
- extensions of licensing hours;
- the sale of alcohol by retail;
- the supply of alcohol in members clubs.

The Board is committed to decisions on licensing matters being taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision making.

- 2.14 In accordance with the requirements of paragraph 10 of Schedule 1 to the Act, those applications and matters which require to and will be submitted to the Board are as follows:-

- a. a premises licence application;
- b. a premises licence variation application where the variation applied for is not a minor variation;
- c. an application for the transfer of a premises licence where the applicant has been convicted of a relevant offence or a foreign offence;
- d. a personal licence application or a personal licence renewal application where the applicant has been convicted of a relative or a foreign offence;
- e. conducting any hearing including the issuing of a written warning, revoking or suspending a licence, making a variation of a licence or, in respect of a personal licence, making an order revoking, suspending or endorsing a personal licence;
- f. making of a closure order and

- g. refusal an application for confirmation of a provisional premises licence.
- h. refusal of an occasional licence
- i. refusal of an occasional extension

2.15 All other matters are delegated to the Clerk to the Board to deal with, including:-

**[Should there be any other delegations to either a) a member of the Board b) any committee established by the Board or d) any member of staff as allowed on said para 10 ?]**

- a) all applications for the transfer of a premises licence where the applicant has not been convicted of a relevant offence or a foreign offence;
- b) all applications for the variation of a premises licence where the variation is a minor variation, which means :-
  - i. any variation of the layout plan which does not result in any inconsistency with the operating plan;
  - ii. where, under the operating plan, children or young persons are allowed entry, any variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the premises;
  - iii. any variation of the information contained in the licence relating to the premises manager including substitution of a new premises manager;
- c) all applications for personal licences or for the renewal of personal licences where the applicant has not been convicted of a relevant offence or a foreign offence;
- d) all applications for occasional licences where there is no notice of objection or representation or no notice from the Chief Constable recommending refusal;
- e) grant of occasional extensions of licensed hours for a special event of local or national significance (following consultation with the Convenor of the Board).
- f) grant of extended hours applications where the Chief Constable has not submitted an objection.

### **3. PROMOTION OF THE LICENSING OBJECTIVES**

#### **Overview**

3.1 The following sub-sections set out the Board's policy relating specifically to the five licensing objectives:

- preventing crime and disorder

- securing public safety
  - preventing public nuisance
  - protecting and improving public health
  - protecting children from harm
- 3.2 In each section relating to the objectives, the Board has defined its intended outcome. Each section lists the influencing factors on the achievement of that objective but, because of the wide variety of premises and activities to which this policy applies, the lists provided are not exhaustive. Applicants will know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and the licensable activities for which they are seeking a licence.
- 3.3 In each sub-section, a list of possible control measures is provided, to be of assistance to applicants, but again is not intended to be an exhaustive list. Many control measures achieve more than one objective but have not necessarily been listed under each objective. Some control measures are reproduced as possible model conditions in Appendix XX.
- 3.4 The selection of control measures, should be based upon a risk assessment of the premises, the proposed activities and the type of customers expected to attend for example their age range and numbers. Risk assessment is considered to be good practice and a useful tool in the instruction and training of staff, as well as a sound basis for review by the licence holder, in the event of requiring to make application for a variation or in response to changing circumstances or conditions at the premises.
- 3.5 The Board considers that the applicant should provide in the operating plan details of the arrangements for effective and responsible management of the premises and for instruction, training and supervision of staff. This is considered to be an essential control measure for the achievement of all the licensing objectives.

### **Preventing Crime and Disorder**

- 3.6 Falkirk Council Licensing Board is committed to improving the quality of life for people residing in its area and will seek to ensure that licensed premises are operated in such a way as not to contribute to crime and disorder. Responsibility is also placed on licence holders to be key partners in achieving this objective.
- 3.7 The Board is aware that a great deal of the alcohol fuelled violence and anti-social behaviour dealt with by police in the Falkirk area occurs in the vicinity of off-sales. Applicants should be aware that the Board may apply conditions to off-sales which are located in areas where these problems have been identified and may restrict the hours of operation of such premises for off-sales to hours less than the 10.00am to 10.00pm trading hours permitted under the Act. The Board will consider each case on its own merit.
- 3.8 Applicants for premises licences should be able to demonstrate that they will implement and maintain appropriate and robust policies, procedures and practices to address all the factors that impact on crime and disorder, including:-

- underage drinking
- drunkenness on premises
- public drunkenness
- illegal possession and/or use of drugs
- violent behaviour
- anti-social behaviour
- litter
- noise nuisance
- unauthorised advertising

3.9 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan, having regard to their particular type of premises and/or licensable activities:-

- effective and responsible management of premises
- training and supervision of staff
- adoption of best practice guidance where available, including those relating to
- drinks promotions and safe drinking/units guidance.
- acceptance of accredited proof of age or photographic driving licences or passports
- provision of effective CCTV in and around the premises, which complies with all current legislative provisions
- provision of external lighting and other security measures
- employment of Security Industry Authority licensed door supervisors
- provision of litterbins outside premises
- membership of local PubWatch or Radiolink schemes or similar organisations
- responsible advertising
- distribution of promotional leaflets and posters.
- celebratory firework displays.

3.10 Close circuit television makes a significant contribution to addressing antisocial behaviour across the Falkirk area. In recent years extensive investment in public space CCTV across the area has assisted in the identification and prosecution of criminals and provided reassurance to residents. With a network of [ ] cameras, CCTV cameras are a vital part of the Council's strategy to tackle antisocial behaviour as well as contributing to the development of safer communities. These cameras are designed both to deter and to detect anti social behaviour.

3.11 The Board is aware of the proposals by Scottish Ministers in particular in respect of the installation of CCTV in late opening premises. In order to ensure the greatest possible degree of protection for the public this Board

may consider conditions which go beyond those proposed by Scottish Ministers. In particular the Board may require CCTV to be installed in and around certain off sales premises. Reference is made to paragraph [ ] of this policy in connection with off sales premises.

- 3.12 Falkirk Council made byelaws prohibiting the consumption of alcohol in designated public places which came into effect on 5 January 1998. These were adopted as part of the overall strategy to make safe all the public areas within the Falkirk Council area. The text of the byelaws is produced as **Appendix 1. [ Note the relevant plans have still to be scanned, reduced and reproduced ]**

### **Securing Public Safety**

- 3.13 Falkirk Council Licensing Board is committed to ensuring that the safety of any person visiting or working in or in the vicinity of licensed premises is not compromised and will seek to ensure that the operators of licensed premises implement appropriate robust policies, procedures and practices and, where appropriate, provide and maintain all necessary facilities, preventative measures and equipment.
- 3.14 The Board has agreed to indicate that whilst at this time it does not wish to introduce a policy relating to the use of toughened glass or polycarbonate drinks containers for specific types of premises particularly those where there is a significant amount of vertical drinking, it recognises that the presence of glass in certain premises can pose a risk to public safety through violence or accidental injury.
- 3.15 When addressing the issue of public safety, an applicant must demonstrate that those factors which impact on standards of public safety have been considered. These include:
- the occupancy capacity of the premises
  - the standard of maintenance of the building having regard to its age and the design and layout of the premises, including the means of escape in the event of fire
  - the structural stability and integrity of the premises
  - the nature of the activities to be provided, in particular the sale or supply of alcohol and the provision of music and dancing, including whether those activities are of a temporary or permanent nature
  - the hours of operation differentiating the hours of opening from the hours when licensable activities are provided, if different
  - customer profile for instance age, disability
  - the use of special effects such as lasers, pyrotechnics
  - counter terrorism measures
  - provision of facilities for the hygienic service of food (including alcohol).
- 3.16 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan, having regard to their particular type of premises and/o licensable activities:-

- the provision and effective maintenance of an appropriate CCTV system as proposed at para [ ] under the Heading for the previous licensing objective and as proposed in the model conditions in Appendix 2. Where premises are mainly involved in off-sales, such provision will include at least one camera covering the till area in a manner where both members of staff and customers involved in the purchase of alcohol can be clearly identified at all times.
- the provision in vertical drinking premises of sealed containers of a substantial construction for the disposal of bottles. Such containers should be of a type where items deposited cannot be retrieved by patrons once placed in the container.
- suitable and sufficient risk assessments
- provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- adoption of best practice guidance
- implementation of crowd management measures
- proof of regular testing and certification where appropriate of procedures, appliances and safety systems.
- evacuation procedures for the event of fire or discovery of suspect package or device or vehicle.

### **Preventing Public Nuisance**

- 3.17 Falkirk Council Licensing Board is committed to protecting and maintaining the amenity of residents and occupiers of other business premises from potential adverse consequences of the operation of licensed premises whilst at the same time recognising the valuable, cultural, social and business importance that such premises provide. The Board intends to interpret 'public nuisance' widely having regard to the impact varying forms of nuisance can have on those living, working or otherwise engaged in normal activity in an area or locality.
- 3.18 The Board recognises that many occurrences of crime and disorder as well as public nuisance occur at or immediately after the terminal hour for the supply of alcohol and is of the view that effective policies for the dispersal of patrons will be evidence of good practice.
- 3.19 The Board believes that the impact licensed premises can have on a neighbourhood is significantly influenced by the times when those licensed premises are open. The Board may stipulate shorter hours when considering a premises licence application, if it considers this to be appropriate depending on where the premises are situated or the likelihood of their becoming a source of antisocial behaviour. The Board will consider each case on its merits.
- 3.20 When addressing the issue of prevention of public nuisance, the following facts are relevant:

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes and places of worship
- the hours of opening, particularly late at night or early in the morning
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- the design and layout of premises and in particular the presence of noise limiting features and a CCTV system, which complies with current legislative requirements
- the occupancy capacity of the premises
- the availability of public transport and proximity of taxi ranks
- the wind down period between the end of the licensable activities and the closure of the premises
- the last admission time
- provision of catering establishments.

3.21 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan, having regard to their particular type of premises and/or activities:

- effective and responsible management of premises
- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, for instance to ensure that customers leave quietly
- control of operating hours for all or parts of the premises, for instance garden areas, including deliveries and disposal of glass
- adoption of best practice guidance
- installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices and other mitigation measures including keeping doors and windows closed.
- management of people, including staff and vehicular traffic and resulting queues, arriving and leaving premises
- liaison with public transport providers
- siting of external lighting, including security lighting and installation of an effective CCTV system which complies with current legislative requirements
- management arrangements for collection and disposal of waste and empty bottles
- effective ventilation systems to prevent nuisance from odour
- dispersal policy – Specifically the Board anticipates that where premises have in excess of a **(to be determined)** capacity or where entertainment is provided such measures would include limiting the amount of alcohol sold just before the terminal hour, making sure patrons know well in advance that the last time for purchasing alcohol is approaching, adjusting

lighting, reducing tempo and volume of musical entertainment, inspection of all areas by stewards and external patrols of premises by stewards.

### **Protecting and Improving Public Health**

- 3.22 Falkirk Council Licensing Board is concerned about the link between the consumption of alcohol and public health. The Board wishes to see premises thriving in the area, but this cannot be at the expense of patrons' health and wellbeing. The Board will have regard to the views of the relevant bodies responsible for, and interested in, the protection and improvement of public health in the area. It will take advice from those relevant bodies.
- 3.23 A major concern about excessive alcohol consumption is its impact on people's health. There is ignorance of the advisable daily and weekly units of alcohol which may be consumed which are that men should not regularly drink more than 3 to 4 units a day and that women (excluding pregnant women) should not drink more than 2 to 3 units a day. There is also ignorance of the number of units in commonly consumed drinks. The Board is of the view that licence applicants, door supervisors where employed, premises managers, as well as other staff employed in the premises, must remain vigilant at all times to the risks of excessive consumption and that there should be established practice within premises to ensure that a standard approach is taken where patrons' demeanour demonstrates an excessive consumption of alcohol. There should also be a clear understanding of the offences committed in connection with the service of alcohol to children or drunk persons.
- 3.24 The Board notes that in terms of schedule 3 of the Act, applicants must provide a wide selection of reasonably priced non alcoholic beverages during the whole period the premises are open. Applicants are encouraged to provide food on the premises, so that patrons may eat at the same time as consuming alcoholic beverages if they wish.
- 3.25 Applicants will be expected to demonstrate in their operating plan that suitable and sufficient measures have been identified and will be implemented and maintained to protect patrons' health. This will include such measures as making available information with regard to sensible drinking, the effects of excessive alcohol consumption and contact points where assistance can be obtained for problem drinking. The Board is also concerned to ensure that in those premises where, in addition to the sale of alcohol, food is also provided, that the highest of standards are maintained at all times in regard to food safety. Should the Board receive information regarding failure by operators to do so it may regard this as being grounds for the review of a premises licence.

### **Protecting children from harm**

- 3.26 Falkirk Council Licensing Board supports the development of family friendly premises within its area and will encourage applications that make venues family friendly and safe for children. The Board expects that applicants for licences for such premises will fully understand the additional responsibility that this will place upon them and that this will be reflected in the respective

operating and layout plans, facilities provided and the policies, practices and procedures implemented by operators whilst at the same time recognising that parents and other adults accompanying children also have responsibilities. The Board considers that the protection of children from harm includes protection of children from moral, psychological and physical harm. This would cover exclusion of children from serious gambling, lap or pole dancing or other sexually orientated entertainment whether live or on screen.

The Board will have particular regard to this objective when:-

- there have been convictions of staff or licence holders for serving alcohol to underage persons or where premises are in an area where there is a history or other evidence of underage drinking;
- there is a serious element of gambling within the premises (including premises with more than two category C machines);
- entertainment of an adult or sexual nature is provided;
- the operating plan shows that the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the service provided (referred to as vertical drinking establishments);
- licence holders or staff have criminal convictions for offences against children or have otherwise been found unsuitable to work with children.

3.27 The Board wishes to state its support for Test Purchasing schemes and to indicate that any failure of a Test Purchase would be seen as grounds for review of a premises licence.

3.28 The Board further wishes to state that it will not be minded to grant a licence for internet or telephone sales which includes the storage of alcohol at domestic premises due to this being inconsistent with the protecting children from harm objective.

3.29 The following examples of control measures are given for the assistance of applicants. The Board anticipates that in their operating plans applicants will be able to take account of a combination of the following matters:-

- measures to secure the safety of children such as Disclosure Certificates for staff working within the premises or employed as stewards;
- effective and responsible management of premises;
- appropriate instruction, training and supervision of staff;
- adoption of best practice, including a written policy on prevention of sales of alcohol to children;
- limitation on the hours when children may be present, in all or parts of the premises;
- limitations or exclusions by age;

- acceptance/
- acceptance of accredited proof of age schemes or photographic driving licences or passports;
- measures to ensure children do not purchase, acquire or consume alcohol;
- measures to ensure children are not exposed to incidences of strong and offensive language, violence or disorder; and
- use of fixed fire guards on open fires and prohibition of mobile heaters when young children are in the premises.

#### **4. TYPES OF LICENCE**

##### **Premises Licences**

4.1 The Board will consider applications for premises licences as required in terms of the Act or any regulation made there under where it is intended that alcohol is to be sold whether for consumption on or off the premises. The Premises Licence will govern the activities which are allowed to take place on the premises and the hours when the premises can be open for business. Premises licences will be tailored to the specific premises concerned. Applicants seeking such licences will require to provide a description of the premises, an operating plan, and a layout plan of the premises. Such plans will require to comply with the Act and any Regulation made thereunder.

##### **Provisional Premises Licences**

4.2 The Board will consider applications in relation to premises which are being constructed or converted for use as licensed premises. A provisional premises licence has no effect until confirmed by the Licensing Board. The licence requires to be confirmed within two years, otherwise it will automatically be revoked. This two year period can be extended if the construction or conversion work of the premises is delayed for reasons outwith the control of the licence holder. Section 47 of the 2005 Act makes further provision in respect of temporary premises licences and this applies where any licensed premises are undergoing, or are about to undergo, reconstruction or conversion. On application to the Licensing Board, the licence holder can obtain a temporary premises licence in respect of other premises within the Board's area, provided that the other premises are suitable for use for the sale of alcohol and the Board is satisfied that it is necessary to grant the application to enable the applicant to carry on business pending reconstruction or conversion of the principal premises. Such temporary licence has effect for a maximum period of two years and is subject to the same conditions as those to which the principal premises licence is subject. The two year period can be extended for a maximum further period of twelve months on application by the licence holder.

##### **Personal Licences**

4.3 The Board will consider applications for personal licences as required in terms of the Act or any Regulation made thereunder. This will normally relate

only to applications from persons residing in the Falkirk Council area although the Act makes provision for applications to be made by certain other persons.

- 4.4 The Board will work closely with Central Scotland Police to establish whether applicants have been convicted of any relevant offence. Where the police have advised that an applicant has an unspent conviction for a relevant offence, the Board will consider whether or not the application should be refused under the Act. In making a decision the Board will have regard to the seriousness and age of the conviction along with any other circumstances it considers relevant.

### **Occasional Licences**

- 4.5 The Board will consider applications for occasional licences authorising the sale of alcohol on premises which are not licensed for the sale of alcohol. Applications for occasional licences may be made by :-

- The holder of a premises licence.
- The holder of a personal licence.
- A representative of any voluntary organisation.

- 4.6 The Board considers that, in general, fund raising events and other activities by organised community groups, concerts, dinners, dances, discos, dinner dances, wedding receptions and other commemorative parties where a disco or band for dancing is provided are all acceptable for the granting of occasional licences.

## **5. APPLICATIONS**

### **Operating Plans**

- 5.1 An "operating plan" in relation to any premises is a document in the prescribed form containing:-

- (a) a description of the activities to be carried in the premises
- (b) a statement of the times during which it is proposed that alcohol be sold in the premises;
- (c) a statement as to whether the alcohol is to be sold for consumption in the premises, off the premises, or both;
- (d) a statement of the times at which other activities, in addition to the sale of alcohol, are to be carried out in the premises;
- (e) where alcohol is to be sold for consumption in the premises, a statement as to whether children or young persons are to be allowed entry to the premises and, if they are allowed entry, a statement of the terms on which they are allowed entry including, in particular:-
  - (i) the ages of children or young persons to be allowed entry;
  - (ii) the time at which they are to be allowed entry; and

- (iii) the parts of the premises to which they are to be allowed entry;
- (f) information as to the proposed capacity of the premises;
- (g) prescribed information about the individual who is to be the premises manager; and
- (h) such other information in relation to the premises and the activities to be carried on as may be prescribed.

Where alcohol is to be sold both for consumption on and for consumption off any premises, the operating plan for the premises may state different times for:-

- (a) the sale of alcohol for consumption on the premises; and
- (b) the sale of alcohol for consumption off the premises.

- 5.2 In preparing and presenting the operating plan, applicants should be aware that the Board will require to be satisfied that the premises are to be run in a way compliant with, and promoting, the five licensing objectives and will expect the operating plan to say how each of the objectives will be achieved. In respect of each of these therefore the Board will expect applicants to provide evidence that suitable and sufficient measures, as detailed in their operating plan, will be implemented and maintained, relevant to the individual style and characteristics of their premises and activities. Reference will also require to be made to additional measures to be taken on an occasional or specific basis, such as when a special event or promotion is planned, which is likely to attract larger audiences.
- 5.3 The Board suggests that in order to reduce the likelihood of religious, homophobic or racial hatred, applicants should include a statement in their operating plan to the effect that they intend their premises to be inclusive, regardless of a person's gender, sexuality, race or religion. Applicants should also seek to encourage an acceptable standard of dress among patrons which would not be inflammatory or incite disorder. This may include a reference to football colours.
- 5.4 The Board will further expect operating plans to have regard to the nature of the area where the premises are situated, the type of premises, the activities to be provided, operational procedures and the concerns of the local community. The Board will also expect the plan to demonstrate how it is intended that the premises will be good neighbours both to residents, to other venues and businesses.
- 5.5 In terms of the Act, Falkirk Council may itself make applications for premises licences. When this is the case, the Board and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, they will be given full and equitable consideration by the Board.
- 5.6 The Board will not accept any premises licence application which fails to satisfy the requirements of Section 20 of the Act and any regulations made under the Act. Any such application will be returned to the applicant.

### **Layout Plans**

- 5.7 The layout plan of the premises should conform to the terms of the Act or any regulation made thereunder and show, among other things, the area where

alcohol will be sold, seating arrangements and areas suitable for children. Each area should be clearly delineated including any beer gardens, outdoor seating areas, smoking areas. Inclusion of any outside areas will avoid any doubts when it comes to bye-laws concerning the consumption of alcohol in public places. Where the premises covers more than one floor then there should be a layout plan for each floor. Off sales plans should clearly show all areas where alcohol will be displayed for the purpose of sale. This should include seasonal variations if additional areas are used at certain times. The Board expects plans as far as possible to be to the prescribed scale and of good quality. Inadequate plans may be rejected. The Board will accept plans in paper or electronic format. Paper plans should be of a size no larger than A3 for ease of conversion to electronic format. For ease of distribution and security applicants are requested to note that wherever possible electronic format should be .pdf. Other types of specialist application, like .cad, or general applications prone to manual alteration should not be used. In addition the Board would like electronic format files to remain under 4 megabytes in size.

### **Notification of Application**

- 5.8 The Board will have to deliver, within 21 days of receipt of the application, notification of each application to every occupier of any property within a 4 metre radius of any part of the boundary of the premises. The Board will also publish notice of each application on the Falkirk Council's website and/or a designated public access system available on the internet.

### **Objections and Representations**

- 5.9 The new licensing system allows anyone to object to or make representations to a Licensing Board about any application for a premises licence.
- 5.10 An objector opposes the grant of a licence - objectors should address the statutory grounds including the licensing objectives.
- 5.11 A person making a representation is not concerned with the issue of a licence in principle. A representation is concerned with the conditions or the suggestion of possible modifications support of an application.
- 5.12 The Board will reject what it considers to be frivolous or vexatious objections or representations and may seek to recover any expenses incurred by the Board in considering the notice.

## **6. CONSIDERATION OF IMPACT/TOURISM**

- 6.1 When considering whether any licence should be granted, the Board will assess the likelihood of it having an adverse impact. The Board will take into account relevant matters including:
- the nature of the premises, the style and type of use, the potential number and profile of the customers likely to attend the premises
  - the proposed hours of operation

- the means of access to the premises including the location and adequacy of customer entrances and exits
  - the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by them
  - the likely level of car parking demand on principal roads and surrounding residential streets in comparison with the existing situation, its effect on local residents and on residential parking and emergency access
  - the provision of toilet facilities and ventilation of the premises
- 6.2 Arrangements will be made for the Board to receive, when appropriate, reports on the needs of the local tourist economy for the area to ensure that the Board take note and reflect on these needs in the consideration of applications.

## 7. CONDITIONS

- 7.1 Board acknowledges the mandatory conditions laid down in Schedules 3 and 4 of the Act and is aware that other conditions remain under discussion. Appropriate use will be made of all such conditions.
- 7.2 The Board has the opportunity of adding conditions to licences in addition to any statutory conditions.
- 7.3 The Board recognises that all applications should be considered on their own merits. Any condition attached to a licence will either be derived from the licence holder's operating plan, or as a result of a representation and will be tailored to each individual premises.
- 7.4 Where relevant representations are made, the Board will make an objective judgement as to whether other conditions may need to be attached to a licence to secure achievement of the licensing objectives. Any conditions arising as a result of representations will primarily focus on the impact of the activities taking place at the licensed premises, on those attending the premises and members of the public living, working or engaged in normal activity in the vicinity of the premises, and will cover matters that are within the control of the licence holder.
- 7.5 The Board believes that it would be helpful for applicants to offer conditions which they consider are necessary to achieve the five licensing objectives. If an applicant volunteers a prohibition or restriction in their operating plan because their own assessment has determined such prohibition or restriction to be appropriate, such volunteered prohibition or restriction if accepted will become a condition attached to the licence and will be enforceable as such
- 7.6 To assist applicants, and in the interests of consistency, the Board has prepared the model conditions detailed in **Appendix 2** to this Statement which have been drafted in recognition that any such condition should not duplicate other legislation or have the effect of making an existing mandatory or pool condition more onerous. The conditions must not be regarding as standard conditions which are to be automatically imposed, as they are

designed to be a range of possible conditions. These model conditions may be used with or without modification and the Board will draw upon these model conditions to impose conditions where this is considered necessary, appropriate and proportional. The Board may devise further conditions if considered necessary.

7.7 The Board welcomes comments in the course of the consultation on this document on any additional model conditions it may consider in addition to the mandatory and discretionary conditions laid down in regulations.

## **8. FORMS AND FEES**

Forms are available on Falkirk Council's website by following this link:

\*\*(link to be inserted when forms available on website)

Details of the fees are also available on Falkirk Council's website by following this link:

\*\*(link to be inserted when fee available on website)

## **9. OPERATING HOURS**

9.1 The Board expects that all applicants for licensed premises will consider hours of trading to be an important issue when preparing their operating plans. In particular the Board notes the duty to trade contained in the Act. Applicants should not overestimate their trading hours just in case they may be required, as this may precipitate a review of the licence.

9.2 In its approach to hours of trading the Board will distinguish mainly commercial town centres from mainly residential non town centre areas. In determining the hours of trading, the Board will give full consideration to the Scottish Executive guidance under the Act and to the provisions of the Act itself.

9.3 Each case will be dealt with according to its individual circumstances. The Board will deem 14 hours continuous trading in any 24 hour period to be reasonable. The Board will not normally grant hours beyond midnight outwith town centre areas on any day of the week. The Board will not normally grant hours beyond 2.00 am within town centre areas on weekdays and 3am on Fridays and Saturdays. Function rooms, for private functions only, wherever located will normally have a terminal hour of 1.00 am. Premises may have differing terminal hours for different parts of the premises.

9.4 Applicants wishing to trade before 10.00am and beyond 1.00am will have to show that they have taken account of all the following matters ;-

- the impact their patrons may have after leaving their premises, taking into account the likely exits of patrons from nearby licensed establishments
- the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance, public health and children

- the proposed hours when any music, including incidental music and karaoke, will be played
  - the hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises
  - whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night
  - the capacity of the premises
  - the type of use, recognising that premises which sell alcohol, play music, provide late night refreshment or takeaway food, are more likely to be associated with crime and disorder and public nuisance than restaurants, theatres, cinemas or other performance venues
  - the hours at which noise may occur and the disturbance of nearby residents' rest, relaxation and sleep.
- 9.5 The Board further considers that it would be extremely difficult for any applicant to justify the sale of alcohol prior to 10.00am and after 3.00am unless there are exceptional circumstances.
- 9.6 Late opening will be considered as opening beyond 12.00 midnight. Such premises will be subject to mandatory late opening conditions and the Board may attach further conditions. The later a premises wishes to trade, the more the Board will expect applicants to demonstrate measures that promote the licensing objectives and justify the request for later hours.
- 9.7 Premises which wish to open after 1.00am will be subject to a curfew. This will prevent customers who intend to drink alcohol past 1.00am from drifting between premises and/or remaining on the streets with the potential for anti-social behaviour and public nuisance. The Board is of the opinion that the curfew should be in place from 12.00am and customers should not be admitted to premises after this time. The Board will allow an extra hour of trading for all premises from the first Thursday in December of each year until 3 January each year for premises holding *bona fide* festive functions at which meals and/or entertainment is being provided. On these nights, the curfew referred to previously will be 1.00am.
- 9.8 The Board will expect licence holders who wish to trade late on the Sunday night preceding a Monday local holiday to apply for an occasional extension of hours.

For the avoidance of doubt the local holidays referred to are:-

**(to be detailed)**

- 9.9 Premises licensed for off sale only, will be subject to the statutory hours of 10.00am to 10.00pm daily. The Board however does have powers to restrict these hours if it considers it to be necessary to meet the licensing objectives.
- 9.10 The Board is of the view that when preparing operating plans there may be merit in applicants giving consideration to the principle of winding down periods at the end of the night. By gradually increasing the lighting and winding down entertainment such as loud music before ending the sale of alcohol and the end of trading hours, thereby creating a calmer ambience,

patrons leaving the premises may be inclined to behave less boisterously after they have left the premises. In addition patrons may be inclined to leave the premises spasmodically in small groups on a gradual basis rather than simultaneously.

- 9.11 Restricted licensing hours may be appropriate in cases where licensed premises are situated in the vicinity of residential property or where the trading hours of the premises and competing businesses in the vicinity are likely to lead to undue pressure on public transport systems, additional public nuisance disorder or anti social behaviour, and where licensed premises include external areas. Where the circumstances relating to a particular premises dictate, the Board may impose different restrictions on hours for different premises and for different days of the week in order to achieve the licensing objectives.
- 9.12 Consideration will always be given to an applicant's individual case and the Board will take into account any proposals the applicant has to minimise the risk of nuisance or disorder caused or exacerbated by customers departing from the premises.
- 9.13 The Board is of the view that by adopting an approach which is sufficiently flexible, it is possible to ensure that restrictions on the hours of trading will only be applied where this is necessary in order to promote the licensing objectives.

## **10. OVERPROVISION**

### **Occupancy Capacity**

- 10.1 The Board's responsibilities in relation to overprovision are clearly defined in the Act and attached Regulations although it will not be able to properly address the issue until full information becomes available on the matter of over capacity. However, the Board is of the view that the current wide availability of alcohol and in particular from those premises specialising in off-sales raises concerns that this ease of access is inconsistent with the Licensing Objectives and contributes to the excessive and irresponsible drinking seen in communities on a daily basis. Accordingly, the Board may use its discretion to prevent the further proliferation of licensed premises generally unless good reason can be shown why there is an unmet demand in an area.

### **Occupancy Capacity**

- 10.2 The occupancy capacity of premises is an important factor in the assessment of overprovision. Except for off sale premises, the occupancy capacity for premises and for events is important in the achievement of the five licensing objectives. The Board will set maximum occupancy limits to ensure the safety of persons in the premises and safe escape in the case of an emergency. If there are additional concerns about crime and disorder or public nuisance, the Board may consider setting a lower maximum occupancy limit than that recommended by building standards officers.
- 10.3 The Board has concerns about the potential for so called vertical drinking establishments. Particular attention will be paid to any applications for a premises licence which demonstrates that large numbers of patrons will be

provided only with standing accommodation. It is considered that likely levels of disturbance and public nuisance caused by the number of licensed premises in a locality may be exacerbated where those premises have very high capacity levels. The Board will not look favourably on such applications and is of the view that a minimum provision of seating should be made available of 25% of the occupancy capacity of the premises.

- 10.4 The determination of a capacity should not be interpreted as a requirement to always provide permanent monitoring arrangements such as door staff or attendance clickers, to verify the number of persons present. The Board recognises that premises managers should be able to assess occupancy levels without resort to such measures. Operating plans should address the issue of how occupancy levels will be monitored on busy evenings such as at weekends and special events/promotions.

### **Review of Premises Licences**

- 10.5 A licence may be reviewed on the application of any person on the grounds specified in section 36 of the Act. A review may include consideration being given to the suspension, revocation or variation of a licence or alternatively to the issue of a written warning. If a premises licence review application does not disclose any matter relevant to any ground for review or if it is vexatious or frivolous the Board will reject it.

### **Enforcement/Licensing Standards Officers**

- 10.6 Falkirk Council will employ Licensing Standards Officers (LSOs) to investigate allegations of unlicensed activities, to ensure that licence conditions are complied with, and to provide information and guidance and a mediation service.
- 10.7 There is a firm commitment to ensuring that the LSOs are fully trained and that they will be enabled to carry out their functions efficiently, including participating as members of Falkirk Council Licensing Forum. Resources will be targeted towards high-risk premises and activities that require greater attention. Officers will work in co-operation with Central Scotland Police and there will be sharing of data between these parties as provided for in the relevant Data Sharing Protocol between Central Scotland Police and the Local Authority. Falkirk Council delivers a wide range of enforcement services aimed at safeguarding the environment and the community. The enforcement of the licensing regime is one of these services. The Council is committed to the principles of good enforcement practice by carrying out its regulatory functions in a fair, open and consistent manner.
- 10.8 The Board recognises the interests of both citizens and businesses and will work closely with its partners, to assist licence holders to comply with the law and the five licensing objectives. Proportionate but firm action will be taken against those who commit offences.
- 10.9 The Board expects enforcement agencies to adopt a similar approach and will seek to work actively with them to enforce the licensing legislation. In particular the Board anticipates cooperation with the police and to share information where appropriate in order to enhance the promotion of the five licensing objectives.

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## **11. ADULT ENTERTAINMENT**

- 11.1 The Board will expect applicants who propose to offer adult entertainment to show evidence of having given consideration to the promotion of all the licensing objectives, in particular those relating to the protection of children, the prevention of crime and disorder and the prevention of public nuisance.
- 11.2 Where premises licence applications include adult entertainment in the planned activities, the Board will have particular regard to the location of the premises in relation to places of religious worship, schools, youth clubs or other premises where significant numbers of children are likely to congregate.
- 11.3 The Board recognises the potential for exploitation, abuse and human trafficking associated with the sex industry. With that in mind, those who operate for the purpose of adult entertainment must maintain a register of their 'performers', including their date of birth and address and a photograph and make this available at any time for the Police to inspect without warrant.
- 11.4 The Board will expect licence holders to ensure that "performers", while outside the premises smoking, do not cause a nuisance to neighbouring residents, businesses and/or the public.

## **12. OFF SALES**

- 12.1 Applicants for premises licences for the sale of alcohol for consumption off the premises, will be expected to address the five licensing objectives in their operating plans. The Board will monitor developments in the area of test purchasing and will take enforcement action where necessary. Consideration will be given to establishing a standard condition relating to proof of age, without which no sale will be made. On cause shown the Board may consider restricting the terminal hours of off sales premises taking into account all the licensing objectives.
- 12.2 Every application will be treated on its merits but the Board will have particular regard to applications for premises licences for domestic premises. The Board is inclined to the view that such applications are inappropriate insofar as the applicant will not be able to fully comply with the licensing objectives, in particular protecting children from harm or to provide what the Board regards as proper storage for the alcohol offered for sale. As previously indicated at paragraph 3.25, the Board will not be minded to grant applications for internet sales which include storage of alcohol at domestic premises.

## **13. BEER GARDENS**

- 13.1 The Board recognises a growing trend for outside seating areas in licensed premises. The Act allows the consumption of alcohol off the premises in these areas. However Falkirk Council operates Bye-laws which prohibit the consumption of alcohol in public places. with two main exceptions, 1) where the area is licensed and 2) where the area forms part of the public pavement and there is in place a permit to occupy the pavement, granted by Falkirk Council roads service. This latter exception allows only the consumption of alcohol outside and not the sale.

- 13.2 The Board will expect any licence holder who intends to provide outside seating, tables, or other facilities to hold a licence which includes the outside area. Where the premises do not currently include such an outside area the Board will expect licence holders to apply for a new licence. Applicants who propose to provide outdoor areas, should ensure that their use will not cause disturbance or nuisance to the occupiers of other premises in the vicinity. These areas should be shown on the layout plan and will be taken into account in the overall assessment, particularly in relation to exits and sanitary facilities.
- 13.3 Falkirk Council operates a scheme whereby a permit may be applied for to occupy the footway with tables and chairs. This scheme is operated under the Roads (Scotland) Act 1984. The Board expects that licence holders will not only comply with any conditions attached to such a permit but will also put into place effective management controls, supervision and other measures to ensure that the use of such areas by patrons or by any other persons does not have a negative impact in the vicinity.

#### **14. UNDER 18'S**

- 14.1 Certain licensed premises have, in the past, held events on the premises catering only for customers who are under 18 years of age. Previously during these events the licence holder would have ensured that no alcohol was sold or was on display. Under the Act licence holders are under a new duty to trade. The Board considers this will have the effect of prohibiting the holding of such events during the hours

#### **15. PREMISES MANAGER**

- 15.1 The Board recognises that there is no requirement in the Act for a premises manager or personal licence holder to be present on licensed premises at all times. However the Board expects either a premises manager or other personal licence holder to be present on the premises for sufficient periods to ensure personal supervision of the premises and considers this to be no less than 50% of the licensed trading hours of the premises other than during occasional periods when a licence holder may be on holiday. It would be seen as good practice to have a personal licence holder present at all times, including holiday periods and periods when the premises licence holder is absent through ill-health.

#### **16. MEMBERS CLUBS**

- 16.1 Members clubs are non-profit making with a constitution and limited access to members of the public. Each club in submitting an application for a premises licence should also submit a copy of its current constitution.
- 16.2 The Board expects clubs to reflect certain operational requirements in their constitution and may impose conditions on a premises licence to that effect on the following matters (though not limited to):-

- that the business and affairs of the club shall be under the management of a committee or governing body who shall be elected for not less than one year by a general body of members.
- that the committee or governing body shall hold periodic elections and meetings.
- that correct accounts and books shall be kept showing the financial affairs and intrusions of the club.
- that no member of the committee or governing body and no manager or staff employed in the club shall have any personal interest in the sale of alcoholic liquor in the premises or in the profits arising from.
- that there shall be a definable subscription payable in advance by members of the club.
- that no persons shall be allowed to become honorary or temporary members of the club or be relieved of the payment of the regular entrance fee or subscription, except those possessing certain qualifications defined in the constitution.
- that a maximum of 3 visitors per member shall be permitted in the club premises provided they are signed into the club by that member into a book kept for that purpose by the club.

## **17. OTHER POLICIES, STRATEGIES & LEGISLATION**

- 17.1 In administering its responsibilities in respect of licensing the Board believes that it is important that it does not operate in isolation. Due regard will be given to the policies and decisions of Falkirk Council.
- 17.2 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a Convention Right. The Board will have particular regard to the following relevant provisions of the European Convention on Human Rights in respects of its licensing responsibilities:
- Article 1 of the First Protocol: that every person is entitled to the peaceful enjoyment of their possessions, including for example the possession of a licence;
  - Article 6: that in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law; and
  - Article 8: that everyone has the right to respect for his private and family life, his home and his correspondence.
- 17.3 The Disability Discrimination Act 1995 introduced measures to tackle discrimination encountered by disabled people in certain Areas including employment, access to goods, facilities and services. The Board has adopted a Disability Equality Scheme and Action Plan under the said 1995 Act. It is subject to review every three years. **[Should there be reference to the Gender Equality Policy which is presently under consideration?]**
- 17.4 The Board recognises its responsibilities under the Race Relations Act 1976 and Sex Discrimination Act 1975. The impact of this Policy on race relations

will be monitored through the Board's Race Equality Scheme. The impact of this Policy on sex discrimination will be monitored through the Board's Gender Equality Scheme.

**18. TRANSPORT**

- 18.1 Over time the Board will develop arrangements with Central Scotland Police and Licensing Standards Officers for reporting concerns to Falkirk Council Roads and Transportation Service.

DRAFT

**MODEL CONDITIONS**

1. The applicant is required to consult with Central Scotland Police Community Safety Department at the design stage, prior to detailed planning consent being applied for. Consideration must be given to incorporating the Secured By Design initiative into any such development. *(Applicable to new-build or refurbished premises applying for provisional grant under S45 )*
2. A digital CCTV system which complies with current legislative requirements covering all areas of the premises available to the public must be fitted and maintained in full working order in accordance with guidance provided by the Information Commissioner and to the satisfaction of the Chief Constable of Central Scotland Police. Should any CCTV footage be required by the police this must be provided without delay.
3. All sales of alcohol must be entered through a till with a facility to print itemised sales. Any such till must have a date and time facility and must be maintained in proper working order at all times. A print-out of relevant sales must be provided to police or a Licensing Standards Officer at any reasonable time.
4. A notice no less than A4 size must be displayed in a prominent place near to all exits from the premises with the following wording: "Respect Our Neighbours - Please Keep Noise to a Minimum on Leaving these Premises."
5. Display of alcohol in off-sales premises must be done in a responsible manner. The following would not be considered to comply with this requirement:
  - Displays located at the entrances/exits of the premises
  - Displays located in aisles which interfere with customer flow
  - Displays at or near check-outs
6. The premises are required to take-up membership of the PubWatch scheme operating in the area and participate fully in its operation including the effective sharing of information.
7. The premises manager must implement a Dispersal Policy in conjunction with Central Scotland Police in order to minimise disorder and public nuisance caused by persons leaving the premises at the terminal hour.
8. A minimum ratio of 1 steward to 40 patrons must be maintained at all times with an appropriate mix of male and female stewards. All stewards must be SIA licensed and a register of the stewards on duty maintained at all times. All incidents dealt with by stewards must be entered in a log book which should be made available for inspection by police or licensing standards officers at any reasonable time. *(Applicable to premises providing entertainment)*
9. The licence holder is required to co-operate fully with any initiative run by Central Scotland Police or their partner agencies as may be reasonably requested by them in the pursuance of any of the Licensing Objectives. Such schemes may include but are not limited to bottle marking, display of materials, provision of information.

FALKIRK COUNCIL LICENSING BOARD

**Subjects: OCCASIONAL EXTENSION OF PERMITTED HOURS FOR FESTIVE PERIOD**  
**Meeting: LICENSING BOARD**  
**Date: 24 OCTOBER 2007**  
**Author: CLERK TO THE LICENSING BOARD**

**1. INTRODUCTION**

- 1.1 It has been the Board's practice over a number of years to grant additional opening hours during the Christmas and New Year Festive period, to those premises where *bona fide* festive functions are being held. This has been effected by way of a block occasional extension for a period of approximately three to four weeks. Applications are required to pay a fee for each evening required (currently £17.00).
- 1.2 The relevant period in 2007/2008 is from the evening of Thursday, 6 December 2007 until the morning of Thursday, 3 January 2008.

**2. RECOMMENDATION**

**For noting.**

.....  
**Clerk to the Licensing Board**

**Date: 17 October 2007**

**Contact Officer: Robert Watson, Licensing Co-ordinator**

**LIST OF BACKGROUND PAPERS**

- 1. Nil.



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

1. Applications for Gaming Machine Permits

<u>Premises/ Type of Licence</u>	<u>Name and Address of Applicant</u>	<u>No. Machines Requested</u>	
1. Cheyne's Bar 29 Main Street Bainsford (Public House)	Marion Hughes c/o MooreMarshall Unit 6 Callendar Business Park Falkirk	1 -	New (Transfer)

SEE PAGE 12 ITEM 4.10 - PERMANENT TRANSFER

2. Masonic Arms Glasgow Road Longcroft (Public House)	CMC Management Ltd and Alistair Dalglish c/o Eildon Licensing Ltd The Rectory Waverley Road Melrose	2 -	New (Transfer)
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TEMPORARY TRANSFER GRANTED - 02/10/07

3. The Rumford Arms Maddiston Road Rumford (Public House)	Belhaven Brewery Co Ltd and Lisa McAdam c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	1 -	New
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TEMPORARY TRANSFER GRANTED 11/05/07  
SEE PAGE 7 ITEM 2.24 - RENEWAL  
SEE PAGE 13 ITEM 4.17 - PERMANENT TRANSFER

## RENEWALS

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

	<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
1.	Grangelea Hotel Kerse Road Grangemouth	AVSD Limited and Dhillon, Amrit V S c/o Russel & Aitken King's Court High Street Falkirk	Hotel

NO COMMENTS RECEIVED FROM FIRE SERVICE

2.	Park Lodge Hotel Camelon Road Falkirk	Garfield Hotels Limited and Iain Templeton c/o Cannons 30 George Square Glasgow	Hotel
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NO COMMENTS RECEIVED FROM FIRE SERVICE

3.	Ali's Store Roughlands Drive Carronshore	Karen Gibson 13 Skaithmuir Avenue Carronshore	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

4.	Ann Baff 10 Kerse Lane Falkirk	Douglas Lewars 26 Station Road Kincardine	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

## RENEWALS

Applications for the Renewal of Existing Licences

<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
5. Asda Newlink Road Grangemouth	Asda Stores Ltd and Paul Green c/o MacLay, Murray & Spens 3 Glenfinlas Street Edinburgh	Off-sale

NO COMMENTS RECEIVED FROM FIRE SERVICE

6. Avonbridge Post Office 75 Main Street Avonbridge	A N Brothers (A Firm) and Safdar, Mohammed 75 Main Street Avonbridge	Off-sale
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NO TRAINING CERTIFICATE

NO COMMENTS RECEIVED FROM FIRE SERVICE

7. Booker Limited Falkirk Branch Middlefield Industrial Estate Middlefield Road Falkirk	Booker Limited and Kevin McGrath c/o DLA Piper 249 West George Street Glasgow	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

8. Casker's 3 Pretoria Place Station Road Brightons	Giannino's Restaurants Ltd and McLuckie, Elsie Abercorn School Newton Broxburn	Off-sale
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LATE APPLICATION RECEIVED 02/10/07

SEE PAGE 10 ITEM 4.4 - PERMANENT TRANSFER  
APPLICANT CITED

## RENEWALS

Applications for the Renewal of Existing Licences

<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
9. Churchill's 192-198 Thornhill Road Falkirk	Alan Churchill 'Sonachan' Shieldhill Road Reddingmuirhead	Off-sale

NO COMMENTS RECEIVED FROM FIRE SERVICE

10. Costcutters 47 Main Street Airth	Sarfraz Ali c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

11. D and S Hill 66 Wheatlands Avenue Bonnybridge	David Hill 49 South Broomage Avenue Larbert	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

12. Early Till Late Shop 455 King Street Stenhousemuir	Chris Love 29 Bryson Place Larbert	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

13. Grahams Road No.204 Falkirk	Faquir Mohammed 10 Burns Avenue The Inches Larbert	Off-sale
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PREMISES NOT BEING USED AS OFF SALE AT PRESENT  
NO COMMENTS RECEIVED FROM FIRE SERVICE  
APPLICANT CITED

## RENEWALS

Applications for the Renewal of Existing Licences

<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
14. Hallglen Convenience Store Unit 5 Hallglen Shopping Centre Hallglen	Abdul Rashid c/o Sandemans Jubilee House 256 Main Street Camelon	Off-sale

NO COMMENTS RECEIVED FROM FIRE SERVICE  
POLICE OBJECTION RECEIVED  
APPLICANT AND OBJECTOR CITED  
SEE PAGE 11 ITEM 4.7

15. High Station Newsagent 52 High Station Road Falkirk	Ijaz Sardar c/o Russel & Aitken King's Court High Street Falkirk	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

16. High Station Grocer 88 High Station Road Falkirk	Ali Qurban 35 Prospecthill Road Falkirk	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

17. Maggiewoods Loan No.23 Falkirk	Alldays Stores Limited and Shaun Aitcheson c/o Tho. & J W Barty 61 High Street Dunblane	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

## RENEWALS

Applications for the Renewal of Existing Licences

<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
18. Morrison's Supermarket Brockville Park Hope Street Falkirk	Wm Morrison Supermarkets plc and Radley Small c/o Hill Brown Licensing R & J M Hill Brown & Co 3 Newton Place Glasgow	Off-sale

NO COMMENTS RECEIVED FROM FIRE SERVICE

19. Scottish Co-op Greenpark Drive Polmont	Co-operative Group (CWS) Ltd and Brian Gough c/o Tho. & J W Barty 61 High Street Dunblane	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

20. Union Road Newsagent 68 Union Road Camelon	Ishaq Mohammed 13 Carrongrove Avenue Carron	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

21. Whyte and MacKay Limited South Lumley Street Grangemouth	Whyte and MacKay Limited and Martin Cotter c/o McClure Naismith 292 St. Vincent Street Glasgow	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

## RENEWALS

Applications for the Renewal of Existing Licences

<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
22. Woodlands Store Majors Loan Falkirk	Khalid Hussain 1 Fulmar Crescent Larbert	Off-sale

NO COMMENTS RECEIVED FROM FIRE SERVICE  
SEE PAGE 12 ITEM 4.9 - PERMANENT TRANSFER

23. Your Store 244/244a Grahams Road Falkirk	Your Store and Ali, Amjed 244/244a Grahams Road Falkirk	Off-sale
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NO COMMENTS RECEIVED FROM FIRE SERVICE

24. The Rumford Arms Maddiston Road Rumford	Belhaven Brewery Co Ltd and Lisa McAdam c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	Public House
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NO COMMENTS RECEIVED FROM FIRE SERVICE  
SEE PAGE 1 ITEM 1.3 - GAMING MACHINE PERMIT  
SEE PAGE 13 ITEM 4.17 - PERMANENT TRANSFER

25. Upper Floor 264 Grahams Road Falkirk	Dhillon's Restaurants Limited  c/o Brunton Miller 22 Herbert Street Glasgow	Public House Provisional Grant Section (26/2) Procedure
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NO COMMENTS RECEIVED FROM FIRE SERVICE  
SEE PAGE 9 ITEM 3.1 - AFFIRMATION

## RENEWALS

Applications for the Renewal of Existing Licences

<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
26. Beijing Cuisine 18 High Street Bonnybridge	Sooleng Lee 19 Mossbank Drive Glasgow	Restaurant

NO COMMENTS RECEIVED FROM FIRE SERVICE

27. Pizza Hut 37 High Street Falkirk	Pizza Hut (UK) Ltd and Myles, Tracy c/o Brodies 15 Atholl Crescent Edinburgh	Restaurant
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NO COMMENTS RECEIVED FROM FIRE SERVICE  
SEE PAGE 36 ITEM 8.61 - REGULAR EXTENSION

## AFFIRMATIONS

3. Applications for Affirmation of Provisional Licences

<u>Premises Name And Address</u>	<u>Name and Address of Applicant</u>	<u>Type of Licence</u>
1. Upper Floor 264 Grahams Road Falkirk	Dhillon's Restaurants Limited  c/o Brunton Miller 22 Herbert Street Glasgow	Public House Provisional Grant Section (26/2) Procedure

SEE PAGE 7 ITEM 2.25 - RENEWAL

## PERMANENT TRANSFERS

4. Applications for the Permanent Transfer of Licences

	<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
1.	Royal Hotel 30/32 High Street Bonnybridge	Good Entertainment Limited and Kate Dempster 18 Woodburn Street Falkirk	Hotel
<b>FIRE SERVICE COMMENTS APPLICANT CITED</b>			
2.	West Beancross Farm Beancross Road Polmont	Gelink Limited and James Snowdon c/o John Batters & Co 17 Marine Crescent Kinning Park Glasgow	Hotel
<b>FIRE SERVICE COMMENTS APPLICANT CITED SEE PAGE 21 ITEM 8.4 - REGULAR EXTENSION</b>			
3.	Bargain Booze 52 South Street Bo'ness	Shirley Islam 24 Muirhouses Crescent Bo'ness	Off-sale
4.	Casker's 3 Pretoria Place Station Road Polmont	Giannino's Restaurants Ltd and Elsie McLuckie c/o McClure Naismith 3 Ponton Street Edinburgh	Off-sale

SEE PAGE 3 ITEM 2.8 - RENEWAL

## PERMANENT TRANSFERS

Applications for Permanent Transfer of Licences

	<u>Premises Name And Address</u>	<u>Name and Address of Applicant</u>	<u>Type of Licence</u>
5.	Costcutter 2 Sulven Heights Laurieston	Shazad Ali, Safdar Ali, Shabana Ali t/a Laurieston Post Office and Margaret Erskine 44 Pender Gardens Rumford	Off-sale
6.	Costcutter 65 Main Street Redding	Shazad Ali, Safdar Ali, Shabana Ali t/a Laurieston Post Office and Shabana Ali 44 Pender Gardens Rumford	Off-sale
7.	Hallglen Convenience Store Unit 5 Hallglen Shopping Centre Hallglen	Mohammad Khaliq c/o Sandemans Jubilee House 256 Main Street Camelon	Off-sale
<b>POLICE OBJECTION RECEIVED APPLICANT AND OBJECTOR CITED SEE PAGE 5 ITEM 2.14 - RENEWAL</b>			
8.	Shop at Bog Road Banknock	Mumtaz Ali c/o Brunton Miller 22 Herbert Street Glasgow	Off-sale

## PERMANENT TRANSFERS

Applications for Permanent Transfer of Licences

	<u>Premises Name And Address</u>	<u>Name and Address of Applicant</u>	<u>Type of Licence</u>
9.	Woodlands Store Majors Loan Falkirk	Khalid Hussain 1 Fulmar Crescent Larbert	Off-sale
SEE PAGE 7 ITEM 2.22 - RENEWAL			
10.	Cheyne's Bar 29 Main Street Bainsford	Marion Hughes c/o MooreMarshall Unit 6 Callendar Business Park Falkirk	Public House
SEE PAGE 1 ITEM 1.1 - GAMING MACHINE PERMIT OBSERVATION RECEIVED FROM CENTRAL SCOTLAND POLICE APPLICANT CITED			
11.	Donner Inn 76-78 Stirling Street Denny	Wilfigibli Co Ltd and Nuala Whinnery 76/78 Stirling Street Denny	Public House
12.	Girsey Nicol's 1/5 Corbiehall Bo'ness	Derek Smith 23 Drumshoreland Rod Pumpherston West Lothian	Public House
13.	Mill Inn 2 Thornhill Road Falkirk	Good Entertainment Limited and N S Lalli 18 Woodburn Street Falkirk	Public House

## PERMANENT TRANSFERS

Applications for Permanent Transfer of Licences

<u>Premises Name And Address</u>	<u>Name and Address of Applicant</u>	<u>Type of Licence</u>
14. Newtown Bar Linlithgow Road Bo'ness	Bay Inn Ltd and Dorothy Harper Newtown Bar Linlithgow Road Bo'ness	Public House
SEE PAGE 28 ITEM 8.30 - REGULAR EXTENSION		
15. Stables Mount Gerald Stenhousemuir	Mary Yuill c/o Macdonald Licensing Limited Thistle Court 1-2 Thistle Street Edinburgh	Public House
PASSED TRAINING - CERTIFICATE NOT YET RECEIVED SEE PAGE 28 ITEM 8.31 - REGULAR EXTENSION		
16. The Red Hoose 1 Lairrox Terrace Dunipace	Colin Dennis 6 Lithgow Place Denny	Public House
17. The Rumford Arms Main Street Rumford	Belhaven Brewery Co Ltd and Lisa McAdam c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	Public House

SEE PAGE 1 ITEM 1.3 - GAMING MACHINE PERMIT  
SEE PAGE 7 ITEM 2.24 - RENEWAL

## CONFIRMATION OF TRANSFER

5. Applications for Confirmation of Transfer

	<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
1.	Oxgang House Hotel Oxgang Road Grangemouth	Shalco Ltd and Sheena Dewar c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Hotel
2.	Boots 79-91 High Street Falkirk	Boots Stores Limited and Julie Cunningham c/o Brunton Miller 22 Herbert Street Glasgow	Off-sale
3.	Botterills/Spar 87/91 Church Walk Denny	Botterills Convenience Stores Ltd and Marie Mitchell Block 9 South Avenue Blantyre Industrial Estate High Blantyre	Off-sale
4.	Lidl Ltd Carron Road New Carron Village	Lidl UK GmbH and Craig Mitchell c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	Off-sale

## CONFIRMATION OF TRANSFER

Applications for Confirmation of Transfer

	<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
5.	Scotmid 169/171 Dean Road Bo'ness	Scottish Midland Co-operative Society and Donna McCallum c/o Anderson Strathern 1 Rutland Court Edinburgh	Off-sale
6.	Scottish Co-op 50/70 Stirling Street Denny	Co-operative Group (CWS) Ltd and Peter Tobin c/o Tho. & J W Barty 61 High Street Dunblane	Off-sale
7.	Victoria Wine 38 Vicar Street Falkirk	First Quence Retailing Limited and Iain Aucott c/o McGrigors Pacific House 70 Wellington Street Glasgow	Off-sale
8.	Amarillo Top Deck Falkirk Community Stadium West Stand Falkirk	Alchemy Inns Ltd and Alexandra le Febvre 2 Melville Street Falkirk	Public House

## CONFIRMATION OF TRANSFER

Applications for Confirmation of Transfer

	<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
9.	Boardroom & Hospitality Suites Falkirk Community Stadium West Stand Falkirk	Alchemy Inns Ltd and Alexandra le Febvre c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Public House
10.	Ellwyn 95 Newlands Road Grangemouth	CMC Management Ltd and Davids, Kirsty Ann c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	Public House
11.	Wellington Bar 6 Manor Street Falkirk	Jada Leisure Ltd and Marion Stewart c/o Brunton Miller 22 Herbert Street Glasgow	Public House

## ALTERATIONS

6. Applications for Consent to Alterations

	<u>Premises Name And Address</u>	<u>Name And Address of Applicant</u>	<u>Type of Licence</u>
1.	Kincardine Way Haughs Of Airth Falkirk	Whitbread Group Plc and Guthrie, Gordon c/o Brunton Miller 22 Herbert Street Glasgow	Public House

## CHILDREN'S CERTIFICATE

**7. Applications for New Children's Certificate**

<u>Address of Premises</u> <u>And</u> <u>Type of Licence Held</u>	<u>Name and Address</u> <u>of Applicant</u>	<u>Days and times of</u> <u>Children's Certificate</u> <u>Requested</u>
1. Argylls 1 Princes Street Falkirk (Public House)	On the Corner Inns Ltd and Yuill, David 1 Princes Street Falkirk	Whole Premises  Monday to Saturday 11.00 am to 8.00 pm Sunday 12.30 pm to 8.00 pm
2. Fusco's Bar & Restaurant Redding Road Reddingmuirhead (Public House)	Frank Fusco Craiglee Flat Redding Road Reddingmuirhead	Whole Premises  Monday to Saturday 11.00 pm to 8.00 pm Sunday 12.30 pm to 8.00 pm
3. Greyrigg Inn Blackbrae California (Public House)	Firm of Greyrigg Inn and Fuzzard, Nigel Maurice Blackbrae California	Lounge Bar and Rear Bar  Friday 5.00 pm to 8.00 pm Saturday 12.00 noon to 8.00 pm Sunday 12.30 pm to 8.00 pm

## CHILDREN'S CERTIFICATE

Applications for New Children's Certificate

<u>Address of Premises</u> <u>And</u> <u>Type of Licence Held</u>	<u>Name and Address</u> <u>of Applicant</u>	<u>Days and times of</u> <u>Children's Certificate</u> <u>Requested</u>
4. The Visitor Centre The Falkirk Wheel Falkirk Interchange (Public House)	British Waterways (Scotland) and Carole Keltie c/o MacLay, Murray & Spens 3 Glenfinlas Street Edinburgh	Whole Premises  Monday to Saturday 11.00 am to 8.00 pm Sunday 12.30 pm to 8.00 pm

## REGULAR EXTENSIONS

8. Applications for Regular Extension of Permitted Hours

<u>Address of Premises And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
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NOTE: PERIOD OF EXTENSION SOUGHT IS FOR THE FORTHCOMING LICENSING YEAR AND WILL BE EFFECTIVE UNTIL THE QUARTERLY MEETING OF THE LICENSING BOARD IN OCTOBER, 2008 UNLESS OTHERWISE STATED.

- |  |   |   |
|--|---|---|
| 1. Rosie O'Grady's<br>3 Princes Street<br>Falkirk<br>(Entertainment) | Castle Inns (Stirling)<br>Ltd<br>and Paul Smith<br>c/o Brunton Miller<br>22 Herbert Street<br>Glasgow | Sunday to Thursday 11.00 pm to<br>2.00 am<br>Friday & Saturday 11.00 pm to<br>3.00 am |
|--|---|---|

## RENEWAL - WITHIN POLICY

- |   |   |  |
|---|---|--|
| 2. Airth Castle Hotel<br>Airth<br>(Hotel) | Airth Castle Limited<br>and Steven McLeod<br>c/o Warners<br>26 George Square<br>Edinburgh | *Sunday to Thursday 11.00 pm<br>to 1.00 am<br>*Friday & Saturday 11.00 pm to<br>2.00 am<br>Sunday 2.30 pm to 6.30 pm |
|---|---|--|

RENEWAL  
\*HOURS REQUIRE TO BE JUSTIFIED  
APPLICANT CITED

- |   |   |  |
|---|---|--|
| 3. Airth Castle Hotel Country<br>Club<br>Airth<br>(Hotel) | Airth Castle Limited<br>and Steven McLeod<br>c/o Warners<br>26 George Square<br>Edinburgh | *Sunday to Thursday 11.00 pm<br>to 1.00 am<br>*Friday & Saturday 11.00 pm to<br>2.00 am<br>Sunday 2.30 pm to 6.30 pm |
|---|---|--|

RENEWAL  
\*HOURS REQUIRE TO BE JUSTIFIED  
APPLICANT CITED

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
4. Beancross Bar & Hotel Beancross Road Polmont (Hotel)	Gelink Limited and James Snowdon c/o John Batters & Co 17 Marine Crescent Kinning Park Glasgow	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm *Monday to Sunday 11.00 pm to 1.00 am (Function Suite Only)

## RENEWAL

\*HOURS TO BE JUSTIFIED

APPLICANT CITED

SEE PAGE 10 ITEM 4.2 - PERMANENT TRANSFER

5. Commercial Hotel 3 Stirling Road Larbert (Hotel)	Kenneth Risk 3 Stirling Road Larbert	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 12.45 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

6. Graeme Hotel 40 Grahams Road Falkirk (Hotel)	Burnside UK Ltd and Margaret Gowans 1 Langside Gardens Polbeth	Sunday to Thursday 11.00 pm to 12.00 midnight Friday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## NEW APPLICATION

PREVIOUS EXTENSION EXPIRED JUNE 2007

APPLICANT CITED

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
7. Inchyra Grange Hotel Grange Road Polmont (Hotel)	MacDonald Inchyra Lodge Limited and Chris Quinn-Waugh c/o HBJ Gateley Wareing 146 West Regent Street Glasgow	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am *Sunday to Thursday 11.00 pm to 1.00 am (function suite only) *Friday & Saturday 11.00 pm to 2.00 am (function suite only) Sunday 2.30 pm to 6.30 pm

## RENEWAL

\*HOURS REQUIRE TO BE JUSTIFIED  
APPLICANT CITED

8. Orchard Hotel 2 Kerse Lane Falkirk (Hotel)	Stuart Crawford c/o Brunton Miller 22 Herbert Street Glasgow	Sunday to Thursday 11.00 pm to 12 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm *Monday to Saturday 9.00 am to 11.00 am *Sunday 9.00 am to 12.30 pm
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## RENEWAL

\*HOURS REQUIRE TO BE JUSTIFIED  
APPLICANT CITED

9. Plough Hotel 507 Main Street Stenhousemuir (Hotel)	Burnside UK Ltd and Margaret Lindsay 1 Langside Gardens Polbeth	Sunday to Thursday 11.00 pm to 12.00 midnight Friday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## NEW APPLICATION

PREVIOUS EXTENSION EXPIRED JUNE 2007  
APPLICANT CITED

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
10. Riverview 16 Church Wynd Bo'ness (Hotel)	Kevin Groves c/o Russel & Aitken King's Court High Street Falkirk	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL - WITHIN POLICY

11. Anchor Inn 209 Stirling Road Dunipace (Public House)	Forthflats Ltd and Christine Gray 18 Benholm Garden Forfar	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

12. Anchor Tavern 54 North Street Bo'ness (Public House)	Frasers (A Firm) and Paul Fraser c/o Gillespie Macandrew 5 Atholl Crescent Edinburgh	Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

13. Avonside Inn Main Street Avonbridge (Public House)	The Firm of Avonside Inn and Diane Martin c/o Gillespie Macandrew 5 Atholl Crescent Edinburgh	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
14. Behind the Wall 14 Melville Street Falkirk (Public House)	Crispnew Ltd and Brian Flynn 14 Melville Street Falkirk	*Monday to Saturday 9.00 am to 11.00 am Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

**RENEWAL  
\*HOURS TO BE JUSTIFIED  
APPLICANT CITED**

15. Boardroom & Hospitality Suites Falkirk Community Stadium West Stand Falkirk (Public House)	Alchemy Inns Ltd and le Febvre, Alexandra c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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**RENEWAL - WITHIN POLICY**

16. Bridge Inn 8/10 High Street Bonnybridge (Public House)	Mary Devanny c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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**RENEWAL - WITHIN POLICY**

17. Cadger's Brae Klondyke Garden Centre Polmont (Public House)	Whitbread Group Plc and Shona Simpson c/o Brunton Miller 22 Herbert Street Glasgow	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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**RENEWAL - WITHIN POLICY**

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
18. Carronbridge Inn 691 Carron Road Bainsford (Public House)	Veronica Benwell Carronbridge Inn 691 Carron Road Bainsford	Monday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL - WITHIN POLICY

19. Champany Inn Linlithgow (Public House)	Clive Davidson c/o Balfour and Manson 54-66 Frederick Street Edinburgh	Monday to Sunday 11.00 pm to 12.00 midnight Sunday 2.30 pm to 6.30 pm
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NEW - WITHIN POLICY  
APPLICANT CITED

20. Claremont Inn Main Street Polmont (Public House)	R & L Properties No.1 Limited  c/o Macdonald Licensing Limited Thistle Court 1-2 Thistle Street Edinburgh	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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NEW - WITHIN POLICY  
APPLICANT CITED

PREVIOUS APPLICATION REFUSED AT JUNE 2007 QUARTERLY MEETING - SECTION 64  
DIRECTION GRANTED

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
21. Ellwyn 95 Newlands Road Grangemouth (Public House)	CMC Management Ltd and Jean Bowman c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm *Monday to Saturday 9.00 am to 11.00 am

## RENEWAL

\*HOURS REQUIRE TO BE JUSTIFIED  
APPLICANT CITED

22. Firkins 42 Vicar Street Falkirk (Public House)	Lesley Croy c/o Macdonald Licensing Limited Thistle Court 1-2 Thistle Street Edinburgh	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

23. First Floor Falkirk Community Stadium Falkirk (Public House)	Alchemy Inns Ltd and John McQueen c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## NEW - WITHIN POLICY

APPLICANT CITED  
SEE PAGE 37 ITEM 9.4 - NEW APPLICATION

24. Frankie & Benny's Unit 17 Central Retail Park Falkirk (Public House)	City Centre Restaurants (UK) Ltd and Leanne Cook c/o McGrigors Pacific House 70 Wellington Street Glasgow	Monday to Sunday 11.00 pm to 12.00 midnight Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
25. Fusco's Bar Redding Road Reddingmuirhead (Public House)	Frank Fusco Craiglee Flat Redding Road Reddingmuirhead	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL - WITHIN POLICY

26. Glenskirlie House Restaurant Kilsyth Road Banknock (Public House)	Colin MacAloney Glenskirlie House Restaurant Kilsyth Road Banknock	Friday 11.00 pm to 1.00 am Saturday to Thursday 11.00 pm to 12.00 midnight Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

27. Maddiston Inn Main Street Maddiston (Public House)	Elizabeth Forsyth c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

28. Mahratta 173-175 Bo'ness Road Grangemouth (Public House)	Kenneth Cook c/o Hill Brown Licensing R & J M Hill Brown & Co 3 Newton Place Glasgow	Friday & Saturday 11.00 pm to 12.00 midnight Sunday 2.30 pm to 6.30 pm
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## NEW - WITHIN POLICY

## APPLICANT CITED

SEE PAGE 38 ITEM 9.5 - NEW APPLICATION

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
29. Mariner Bar 90 Glasgow Road Camelon (Public House)	Victor Wileman c/o Gillespie Macandrew 5 Atholl Crescent Edinburgh	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL - WITHIN POLICY

30. Newtown Bar Linlithgow Road Bo'ness (Public House)	Bay Inn Ltd and Dorothy Harper Newtown Bar Linlithgow Road Bo'ness	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## NEW - WITHIN POLICY

PREVIOUS EXTENSION EXPIRED JUNE 2007

APPLICANT CITED

SEE PAGE 12 ITEM 4.14 - PERMANENT TRANSFER

31. Stables Mount Gerald Stenhousemuir (Public House)	Mary Yuill c/o Sandemans Jubilee House 256 Main Street Camelon	Sunday to Thursday 11.00 pm to 12.00 midnight Saturday & Sunday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## NEW - WITHIN POLICY

PREVIOUS EXTENSION EXPIRED JUNE 2007

APPLICANT CITED

SEE PAGE 13 ITEM 4.15 - PERMANENT TRANSFER

32. Star Inn 150 Grahams Road Falkirk (Public House)	Ann O'Donnell c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
33. Tam Bain 96 Mary Street Laurieston (Public House)	James O'Donnell c/o Marshall Wilson 20 La Porte Precinct Grangemouth	*Monday, Friday & Saturday 9.00 am to 11.00 am Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

**RENEWAL/ADDITION  
\*HOURS TO BE JUSTIFIED  
APPLICANT CITED**

34. The Auld Toll 85 Dalgrain Road Grangemouth (Public House)	Robert Vickers 85 Dalgrain Road Grangemouth	Monday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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**NEW - WITHIN POLICY  
PREVIOUS EXTENSION EXPIRED JUNE 2007  
APPLICANT CITED**

35. The Auld Vic 75 Grahams Road Falkirk (Public House)	McGrandles Properties (Falkirk) Ltd and Sarah McGrandles c/o Russel & Aitken King's Court High Street Falkirk	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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**NEW - WITHIN POLICY  
PREVIOUS EXTENSION EXPIRED JUNE 2007  
APPLICANT CITED**

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
36. The Carron Works Bank Street Falkirk (Public House)	J D Wetherspoon Plc and Anne Fallon c/o Brunton Miller 22 Herbert Street Glasgow	*Monday to Saturday 9.30 am to 11.00 am Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL

\*HOURS REQUIRE TO BE JUSTIFIED

APPLICANT CITED

37. The Lane 7/10 Wooser Street Falkirk (Public House)	David Kerr c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	Sunday to Wednesday 11.00 pm to 12.00 midnight *Thursday to Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL/ADDITION

\*HOURS FOR THURSDAY 12.00 midnight to 1.00 am OUTWITH POLICY

OBSERVATION RECEIVED FROM CENTRAL SCOTLAND POLICE

APPLICANT CITED

38. The Pines 5/6 Fleming Court Denny (Public House)	Eadie Cairns Ltd and Linsey Hamilton c/o Harper Macleod The Ca'd'oro 45 Gordon Street Glasgow	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

39. Three Kings Wester Shieldhill Falkirk (Public House)	David Cattanach c/o Three Kings Wester Shieldhill Falkirk	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
40. Tropix Bar 4 High Street Falkirk (Public House)	John Jenkins & Jane Walker in Partnership and Jane Walker Tropix 4 High Street Falkirk	*Monday to Saturday 9.00 am to 11.00 am Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL/ADDITION

\*HOURS REQUIRE TO BE JUSTIFIED

APPLICANT CITED

41. Victoria Inn 60 North Main Street Carronshore (Public House)	Gordon Smith c/o Gillespie Macandrew 5 Atholl Crescent Edinburgh	Sunday to Thursday 11.00 pm to 12.00 Midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

42. Wheelhouse Wester Carmuir Camelon (Public House)	Townhouse Restaurants Limited and Malcolm Binnie c/o Russel & Aitken King's Court High Street Falkirk	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## NEW - WITHIN POLICY

APPLICANT CITED

SEE PAGE 38 ITEM 9.6 - NEW APPLICATION

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
43. Ye Olde Carriers Quarters 8/10 Main Street Bo'ness (Public House)	The Firm of A & L Mason and Lyn Mason 8-10 Main Street Bo'ness	Monday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

**NEW - WITHIN POLICY  
PREVIOUS EXTENSION EXPIRED JUNE 2007  
APPLICANT CITED**

44. Adrian Bowling Club The Pleasance Falkirk (Registered Club)	David Grieve 39 Glenview Drive Falkirk	Monday to Saturday 11.00 pm to 1.00 am Monday to Saturday 10.00 am to 11.00 am (9.30 am to 11.00 am April to October inclusive) Sunday 10.00 am to 12.30 pm (9.30 am to 12.30 pm April to October inclusive) and 2.30 pm to 6.30 pm
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**RENEWAL - WITHIN POLICY**

45. Bo'ness Bowling Club 52 Grange Terrace Bo'ness (Registered Club)	Robert Keltie 76 Stewart Avenue Bo'ness	Friday & Saturday 11.00 pm to 1.00 am Saturday & Sunday 9.30 am to 11.00 am (April to October inclusive) Sunday 2.30 pm to 6.30 pm
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**RENEWAL - WITHIN POLICY**

46. Bo'ness Recreation Centre Social Club Bo'ness Recreation Centre Gauze Road Bo'ness (Registered Club)	Agnes McGregor 39 Mingle Place Bo'ness	Friday 11.00 pm to 1.00 am Saturday 11.00 pm to 12.00 Midnight Sunday 2.30 pm to 6.30 pm & 11.00 pm to 12.00 Midnight
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**RENEWAL - WITHIN POLICY**

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
47. Bonnybridge Bowling Club 1 Drove Loan Larbert Road Bonnybridge (Registered Club)	Michael Robinson 1 Harley Gardens Bonnybridge	Monday to Sunday 11.00 pm to 1.00 am Saturday 9.30 am to 11.00 am (Apr to Oct inclusive) Sunday 9.30 am to 12.30 pm (Apr to Oct inclusive) & 2.30 pm to 6.30 pm

## RENEWAL - WITHIN POLICY

48. Bonnybridge Social Club 35 Main Street Bonnybridge (Registered Club)	Margaret Wannan 6 Margaret Drive Bonnybridge	Friday 11.00 pm to 12.30 am Saturday & Sunday 11.00 pm to 11.45 pm Sunday 12.00 noon to 12.30 pm & 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

49. Earls gates Social & Recreation Club Earls gates Grangemouth (Registered Club)	Robert Hulett 1 Skaithmuir Avenue Carronshore	Monday to Saturday 11.00 pm to 1.00 am Sunday 12.00 noon to 12.30 pm, 2.30 pm to 6.30 pm & 11.00 pm to 11.45 pm Saturday 9.30 am to 11.00 am (April to October inclusive) Sunday 9.30 am to 12.30 pm (April to October inclusive)
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## RENEWAL - WITHIN POLICY

50. Falkirk Rugby Football Club Dorrator Road Camelon (Registered Club)	Shane Fullerton c/o Sandemans Jubilee House 256 Main Street Camelon	Friday and Saturday 11.00 pm to 1.00 am
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NEW - WITHIN POLICY  
PREVIOUS EXTENSION EXPIRED JUNE 2007  
APPLICANT CITED

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
51. Grangemouth Rugby Football Club Glensburgh Grangemouth (Registered Club)	Fred Rae 23 South Pilmuir Road Clackmannan	Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL - WITHIN POLICY

52. Kinneil Bowling & Social Club Angus Road Bo'ness (Registered Club)	Hamilton Miller 65 Linlithgow Road Bo'ness	Monday to Sunday 11.00 pm to 1.00 am Monday to Saturday 9.30 am to 11.00 am (Apr to Oct inclusive) Sunday 11.00 am to 12.30 pm, 9.30 am to 12.30 pm (Apr to Oct inclusive) and 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

53. Lodge Callendar No.588 Masonic Temple Lint Riggs Falkirk (Registered Club)	Gavin Shearer 1 Johnston Court Bainsford	Monday to Friday 11.00 pm to 1.00 am Saturday 11.00 pm to 11.45 pm
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## RENEWAL - WITHIN POLICY

54. Lodge Dolphin Masonic Club No.911 53 Wellpark Terrace Bonnybridge (Registered Club)	Alexander Thomson 35 MacLachlan Avenue Denny	Monday to Saturday 10.00 am to 11.00 am Thursday to Sunday 11.00 pm to 1.00 am Sunday 11.00 am to 12.30 pm & 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
55. Lodge Zetland No.391 41 Bo'ness Road Grangemouth (Registered Club)	Nicol Scobbie 46 Rae Street Stenhousemuir	Monday to Saturday 11.00 pm to 1.00 am

## RENEWAL - WITHIN POLICY

56. Polish Ex-servicemens Club Woodside House 37 Arnot Street Falkirk (Registered Club)	Teresa Thomson 48 Burnside Place Carron	Monday to Sunday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

57. Royal British Legion Bo'ness Branch 82-84 Corbiehall Road Bo'ness (Registered Club)	RBL and John McIntosh Bo'ness Branch 82-84 Corbiehall Road Bo'ness	Monday to Saturday 10.00 am to 11.00 am & 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm
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## RENEWAL - WITHIN POLICY

OBJECTIONS RECEIVED  
APPLICANT AND OBJECTORS CITED

58. Royal British Legion Scotland Grangemouth Branch 4 Dundas Street Grangemouth (Registered Club)	Royal British Legion Scotland and Nancy Bickerton 4 Dundas Street Grangemouth	Monday to Sunday 11.00 pm to 1.00 am Sunday 11.00 am to 12.30 pm & 2.30 pm to 6.30 pm
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## NEW - WITHIN POLICY

PREVIOUS EXTENSION EXPIRED JUNE 2007  
APPLICANT CITED

## REGULAR EXTENSIONS

Applications for Regular Extension of Permitted Hours

<u>Premises Name And Address and Type of Licence Held</u>	<u>Name and Address of Applicant</u>	<u>Dates and Times of Regular Extension Requested</u>
59. Stenhousemuir Bowling Club 105 Church Street Stenhousemuir (Registered Club)	David Philip c/o Russel & Aitken King's Court High Street Falkirk	Saturday to Thursday 11.00 pm to 12.00 Midnight Friday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

## RENEWAL - WITHIN POLICY

60. Warriors Social Club Ochilview Park Gladstone Road Stenhousemuir (Registered Club)	Moira McGregor 72 Tryst Road Stenhousemuir	Monday to Saturday 11.00 pm to 12.30 am Sunday 11.00 am to 12.30 pm; 2.30 pm to 6.30 pm & 11.00 pm to 12.00 midnight
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## RENEWAL - WITHIN POLICY

61. Pizza Hut 37 High Street Falkirk (Restaurant)	Pizza Hut (UK) Ltd and Tracy Myles c/o Brodies 15 Atholl Crescent Edinburgh	Sunday 12.00 Noon to 12.30 pm and 2.30 pm to 6.30 pm Monday to Sunday 11.00 pm to 1.00 am
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RENEWAL - WITHIN POLICY  
SEE PAGE 8 ITEM 2.27 - RENEWAL

## NEW LICENCES

9. Applications for the Grant, the Provisional Grant of a New Licence

<u>Premises Name And Address</u>	<u>Name and Address of Applicant</u>	<u>Type of Licence</u>
1. AGS Stores 20 Wholequarter Avenue Redding	Sarah Gray c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Off-sale

LATE APPLICATION  
RECEIVED 02/10/07  
APPLICANT CITED

2. Charlotte Dundas Court No.40 Grangemouth	Nadeem Akhtar 18 Gouldon Place Dunfermline	Off-sale
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OBJECTIONS RECEIVED  
APPLICANT & OBJECTORS CITED

3. The Champany Inn Linlithgow	Clive Davidson c/o Balfour and Manson 54-66 Frederick Street Edinburgh	Off-sale
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APPLICANT CITED

4. First Floor Falkirk Community Stadium Falkirk	Alchemy Inns Ltd and John McQueen c/o Marshall Wilson 20 La Porte Precinct Grangemouth	Public House
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APPLICANT CITED  
OBSERVATION LETTER RECEIVED FROM DIRECTOR OF COMMUNITY SERVICES  
SEE PAGE 26 ITEM 8.23 - REGULAR EXTENSION

## NEW LICENCES

Applications for the Grant, the Provisional Grant of a New Licence

<u>Premises Name And Address</u>	<u>Name and Address of Applicant</u>	<u>Type of Licence</u>
5.   Mahratta 173-175 Bo'ness Road Grangemouth	Kenneth Cook c/o Hill Brown Licensing R & J M Hill Brown & Co 3 Newton Place Glasgow	Public House

APPLICANT CITED  
SEE PAGE 27 ITEM 8.28 - REGULAR EXTENSION

6.   Wheelhouse Wester Carmuir Camelon	Townhouse Restaurants Limited and Malcolm Binnie c/o Russel & Aitken King's Court High Street Falkirk	Public House
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APPLICANT CITED  
SEE PAGE 31 ITEM 8.42 - REGULAR EXTENSION