

## **FALKIRK COUNCIL**

**MINUTE of QUARTERLY MEETING of the LICENSING BOARD held in the DISTRICT COURT ROOM, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 16 JANUARY 2008 at 10.00 am.**

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

**CONVENER:** Provost Reid.

**APOLOGIES:** Councillors McNally and Nicol.

**ATTENDING:** Clerk; Consumer Protection Manager; Solicitor (P Gilmour); Licensing Co-ordinator (R Watson); Senior Licensing Assistant (L McGarva); Environmental Health Officer (S Henderson) and Committee Services Officer (B Douglas).

### **ALSO**

**ATTENDING:** Station Manager Ticehurst, Central Scotland Fire and Rescue Service; Superintendent McGregor and Sergeant Simpson, Central Scotland Police.

## **SECTION A**

### **1. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of the Quarterly Meeting of the Licensing Board held on 24 October 2007;
- (b) Minute of the Adjourned Meeting of the Licensing Board held on 21 November 2007;
- (c) Minute of the Special Meeting of the Licensing Board held on 28 November 2007; and
- (d) Minute of the Further Adjourned Meeting of the Licensing Board held on 19 December 2007.

### **2. LICENSING (SCOTLAND) ACT 2005 – TRANSITIONAL ARRANGEMENT**

There was submitted Report (circulated) dated 15 January 2008 by the Clerk (1) advising that the transitional period relative to the coming into effect of the Licensing (Scotland) Act 2005 will commence on 1 February 2008; and (2) suggesting that, in terms of powers available to it through the statement of Licensing Policy, that a formally established sub committee of the Board be established to concentrate on transitional arrangements.

**AGREED:-**

- (i) to adopt the fee levels for premises set out in regulation 6 (1) of the Licensing (Fee) (Scotland) Regulations 2007 and not to exercise the Board's discretion at this time under regulation 6 (2);
- (ii) that a sub committee of the Board consisting of Provost Reid, Councillor Nicol and Councillor Kenna be established with powers to determine those matters referred to in paragraph 1.2 of the report and any such other matters as may be remitted to it by the Board from time to time;
- (iii) that any other similar administrative matters arising from the transitional phase implementation of the Licensing (Scotland) Act 2005 be remitted to the Sub-Committee for determination; and
- (iv) to note that a Report on trading hours will be presented to the Board at a future meeting for determination following on from a brief consultation exercise with interested parties within the licensed trade.

**SECTION B**

**APPLICATIONS MADE UNDER THE GAMBLING ACT 2005**

**1. Applications for Premises Licences**

The Board **GRANTED** the applications for premises licences as detailed below:-

- 1.1 **Ladbrokes, Block D, Unit 6B, Stenhousemuir Town Centre, Stenhousemuir**
- 1.2 **Betfred, 36 Manor Street, Falkirk**

**SECTION C**

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

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

The Board **GRANTED** the applications as detailed below in paragraph (a) and reached the decisions shown on those items detailed in paragraph (b) below:-

**(a)**

- Item 1.1 Bannatyne's Health Club, Unit 10, Central Retail Park, Falkirk**
- Item 1.2 Cinema Complex, Central Retail Park, Falkirk**
- Item 1.3 Antonine Hotel, Manor Street, Falkirk**
- Item 1.4 Glenskirlie Castle, Kilsyth Road, Banknock**
- Item 1.5 Cowden Bonnybridge Ltd, 88 Main Street, Bonnybridge**
- Item 1.8 Sami Convenience Store, 26 Cadzow Avenue, Bo'ness**

Item 1.9 Saji Superstore, Station Road, Whitecross  
Item 1.10 Tesco Store, Callendar Road, Falkirk  
Item 1.11 The Corner Shop, 98 Hamilton Street, Camelon  
Item 1.13 Goose on Newmarket, Newmarket Street/Lint Riggs, Falkirk  
Item 1.14 Martyn's Restaurant, 61 Mary Street, Laurieston  
Item 1.15 The Visitor Centre, The Falkirk Wheel, Falkirk Interchange, Tamfourhill  
Item 1.16 Sumo Noodle Café, 4/6 Melville Street, Falkirk

(b)

Item 1.6 Maddiston Post Office, Main Street, Maddiston

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 1.7 R K Store, 120 Haugh Street, Bainsford

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

Item 1.12 Elphinstone Inn, High Street, Airth

Having heard Station Manager Ticehurst explain that fire issues remained outstanding; including no fire risk assessment or testing of equipment, the Board **AGREED** to continue the matter to the Adjourned Meeting of the Licensing Board.

Late Application – Item 1.17 Premier Store, 139 Main Street, Shieldhill

Having heard the applicant's agent Mrs Hamilton, explain the reasons for the lateness of the application, the Board **AGREED** to continue the matter to the adjourned meeting of the Licensing Board.

## **2. Applications for Affirmation of Provisional Licences**

Item 2.1 Vicar Street, No. 43, Falkirk

At the request of Mrs Hamilton, the applicant's agent, the Board **AGREED** to continue the matter to the adjourned meeting of the Licensing Board.

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

The Board **GRANTED** the Permanent Transfer of Licences detailed in paragraph (a) below and reached the decisions shown on those detailed in paragraph (b) below:-

(a)

Item 3.2 Park Lodge Hotel, Camelon Road, Falkirk  
Item 3.3 A-Z Stores, 63 Easton Drive, Shieldhill  
Item 3.4 Carronvale Service Station, 263 Main Street, Larbert

Item 3.6 Maggiewoods Loan, No.23, Falkirk  
Item 3.7 Refinery Connect, Bo'ness Road, Grangemouth  
Item 3.8 Sami Convenience Store, 26 Cadzow Avenue, Bo'ness  
Item 3.9 Cadger's Brae, Klandyke Garden Centre, Polmont  
Item 3.10 Cheyne's Bar, 29 Main Street, Bainsford  
Item 3.11 Kincardine Way, Haughs of Airth, Falkirk  
Item 3.12 Masonic Arms, Glasgow Road, Longcroft  
Item 3.13 Roman Bar, 470 Main Street, Camelon  
Item 3.14 St Laurence Bar, Main Street, Slamannan  
Item 3.15 The Rumford Arms, Maddiston Road, Rumford

(b)

**Item 3.1 The Frat House, 31 Manor Street, Falkirk**

The applicant was not in attendance despite being cited to attend.

The Clerk advised that a letter of observation had been received from Central Scotland Police.

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

Superintendent Macgregor was heard in relation to the Chief Constable's letter of observation.

The Clerk outlined the options available to the Board members.

The Board **AGREED** to decline to consider the matter.

**Item 3.5 M&M Stores, 7 Kings Road, Grangemouth**

The applicant was not in attendance despite being cited to attend.

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

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

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

The Board **AGREED** to adjourn for a short period.

On reconvening, questions were asked of Superintendent MacGregor by Members.

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 (i) (a) of the Licensing (Scotland) Act 1976.

#### **4. Applications for Confirmation of Transfer**

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

- Item 4.1 Iceland Frozen Foods, C5 & C6 Callendar Square, Falkirk
- Item 4.2 Iceland Frozen Foods, 2 York Square, Grangemouth
- Item 4.3 Iceland Frozen Foods, 2 Cruickshank Court, Denny
- Item 4.4 Lidl, 11 Arnot Street, Falkirk
- Item 4.5 Lidl Ltd, Carron Centre, Ronades Road, Falkirk
- Item 4.6 Tesco Store, Callendar Road, Falkirk
- Item 4.7 Tesco Store, Talbot Street, Grangemouth
- Item 4.8 Cadger's Brae, Klondyke Garden Centre, Polmont
- Item 4.9 Passage to India, Underwood Lockhouse, Lock 17, Allandale, By Bonnybridge

#### **5. Application for Consent to Alterations**

- Item 5.1 Bluebell Inn, 83 Main Street, Bainsford

**AGREED** to continue the matter to the Adjourned Board to enable Officers to inspect the premises.

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

The Board **GRANTED** the applications for Regular Extension of Permitted Hours as detailed in paragraph (a) and reached the decisions shown on those items detailed in paragraph (b) below:-

(a)

- Item 6.2 Cinema Complex, Central Retail Park, Falkirk
- Item 6.3 Falkirk Town Hall, West Bridge Street, Falkirk
- Item 6.4 Premier Snooker Club, 18-20 Graham's Road, Falkirk
- Item 6.5 Storm Nightclub, Meadow Street, Falkirk
- Item 6.6 Antonine Hotel, Manor Street, Falkirk
- Item 6.7 Bowhouse Hotel, Bowhouse Road, Grangemouth
- Item 6.8 Glenskirnie Castle, Kilsyth Road, Banknock
- Item 6.9 Graeme Hotel, 40 Grahams Road, Falkirk
- Item 6.10 Grange Manor Hotel, Glensburgh Road, Grangemouth
- Item 6.11 Hotel Cladhan, Kemper Avenue, Falkirk
- Item 6.12 Leapark Hotel, 130 Bo'ness Road, Grangemouth
- Item 6.13 Oxbang House Hotel, Oxbang Road, Grangemouth
- Item 6.14 Plough Hotel, 507 Main Street, Stenhousemuir
- Item 6.15 Railway Hotel, 2 Broad Street, Denny
- Item 6.16 The Richmond Park Hotel, 20 Linlithgow Road, Bo'ness
- Item 6.17 189 Bar, Airth Community Hall, Main Street, Airth
- Item 6.19 Bridge Inn, Linlithgow Bridge, Linlithgow
- Item 6.20 Brightons Inn, Waggon Road, Brightons

Item 6.21 Callendar Arms, 1 Callendar Road, Falkirk  
 Item 6.22 Canal Inn, Canal Street, Camelon  
 Item 6.23 Carronshore Bar, Carronshore Road, Carron  
 Item 6.24 Copper Top, 2 Dorrator Road, Camelon  
 Item 6.25 Crosskeys Inn, 81 North Street, Bo'ness  
 Item 6.26 Fratellis on the Canal, Burnbank Road, Bainsford  
 Item 6.28 Hollandbush Inn, 192 Kilsyth Road, Banknock  
 Item 6.29 Housemill Inn, Woodyett Farm, Falkirk Road, Denny  
 Item 6.30 Hurlett, 1 Carradale Avenue, Tamfourhill  
 Item 6.33 Pennies Ground Floor, Forth Complex, Grangemouth Road, Falkirk  
 Item 6.34 Railway Inn, 27 Glasgow Road, Dennyloanhead  
 Item 6.35 Railway Tavern, 7/9 Grahams Road, Falkirk  
 Item 6.36 Rialto, 28 Vicar Street, Falkirk  
 Item 6.37 The Edge, 18 Grahams Road, Falkirk  
 Item 6.38 The Tavern, Kilsyth Road, Haggs  
 Item 6.40 Wheatscheaf Inn, 16 Baxter's Wynd, Falkirk  
 Item 6.41 Woodside Inn, 76 High Station Road, Falkirk  
 Item 6.42 Yang Sing, 43 Union Road, Camelon  
 Item 6.43 Allandale Bowling Club, Thorndale Gardens, Allandale, Bonnybridge  
 Item 6.44 Bainsford Area Bowling Club, David's Loan, Bainsford  
 Item 6.45 Camelon Bowling Club, Main Street, Camelon  
 Item 6.46 Camelon Junior FC Social Club, Falkirk Drive, Camelon  
 Item 6.47 Carron & Carronshore Bowling Club, 25 Beaumont Drive, Carron  
 Item 6.48 Carronshore Social Club, Bothkenner Road, Carronshore  
 Item 6.49 Casting's Community Sports and Social Club, Etha Road, Falkirk  
 Item 6.50 Denny Bowling Club, Stirling Street, Denny  
 Item 6.51 Falkirk Golf Club, 136 Stirling Road, Camelon  
 Item 6.52 Grangemouth Bowling Club, Talbot Street, Grangemouth  
 Item 6.53 Lodge Carron No.139, 234 Main Street, Stenhousemuir  
 Item 6.54 Lodge Polmont No.793, Masonic Hall, 14 Maddiston Road, Brightons  
 Item 6.55 Lodge St John Falkirk No.16, 200 Grahams Road, Falkirk  
 Item 6.56 Polmont Bowling Club, Station Road, Polmont  
 Item 6.57 St May's Social Club, Linlithgow Road, Bo'ness  
 Item 6.58 Stenhousemuir Cricket Club, The Tryst, Tryst Road, Stenhousemuir

(b)

Item 6.31 Mill Inn, 2 Thornhill Road, Falkirk

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

Item 6.32 Millfield, Main Street, Polmont

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

### **Item 6.39 Vicar Street No. 43, Falkirk**

At the request of the agent for the applicant, the Board **AGREED** that consideration of the application be continued to the adjourned meeting of the Licensing Board.

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

### **Item 7.1 Behind the Wall Entertainment Venue, 1 South Melville Lane, Falkirk**

Mr Thomson, the agent for the applicant confirmed he had no preliminary matters and that he did not object to the competency of the objection from Brunton Miller on behalf of Castle Leisure Group or to the letter of observation from Central Scotland Police.

Copies of both letters were then circulated to members.

Mr McIver was heard in relation to his client's letter of objection.

Sergeant McGregor was then heard in relation to the Chief Constable's letter of observation.

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

Questions were then asked of Mr Thomson by members.

All parties were invited in turn to sum up.

The members adjourned for a short period.

On reconvening the members determined the locality and **AGREED** that the matter be continued to the Adjourned Meeting of the Licensing Board to allow an inspection of the premises by Members.

### **Item 7.2 The Richmond Park Hotel, 26 Linlithgow Road, Bo'ness**

Mrs Hamilton, agent for the applicant, was heard in support of her client's application.

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

### **Item 7.3 Falkirk Wheel, Lime Road, Tamfourhill**

Having heard the Licensing Co-ordinator confirm that the certificate of completion had not been **GRANTED** the Board **AGREED** that the application be continued to the Adjourned Meeting of the Licensing Board.

#### **Item 7.4 Shop at 18 West Boreland Road, Denny**

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

Mr Ahmed **AGREED** to the Board's request that he pay all advertising costs borne by the Board in respect of the late application.

#### **Item 7.5 Behind the Wall Public House, 14 Melville Street, Falkirk**

Mr Thomson, the applicant's agent was heard in support of his client's application.

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

#### **Late Application – Item 7.6 Kinneil Inn, 84 Corbiehall, Bo'ness**

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

Mr Sandeman **AGREED** to the Board's request that his client pay all advertising costs borne by the Board in respect of the late application.



## FALKIRK COUNCIL

**MINUTE of the ADJOURNED MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 6 FEBRUARY 2008 at 2.00 pm.**

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

**CONVENER:** Provost Reid

**ATTENDING:** Clerk; Consumer Protection Manager; Solicitor (P Gilmour); Licensing Co-ordinator (R Watson); Environmental Health Officer (S Henderson); Senior Licensing Assistant (L McGarva) and Committee Services Officer (B Douglas).

**ALSO**

**ATTENDING:** Station Officer Law, Central Scotland Fire and Rescue Service; PC J McKenzie and PC T Campbell, Central Scotland Police.

**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 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 1.2 Maddiston Post Office, Main Street, Maddiston**

**Item 1.3 Premier Store, 139 Main Street, Shieldhill**

**Item 1.5 Elphinstone Inn, High Street, Airth**

**(b)**

**Item 1.1 Glen Village Post Office, Glen Crescent, Glen Village**

Having heard the applicant's agent Mr Travers explain the reasons for the lateness of the application, the Board **AGREED** that the provisions of section 13(2) of the Licensing (Scotland) Act 1976 applied to the situation and to continue the matter to a further adjourned meeting of the Licensing Board.

#### **Item 1.4 RK Store, 120 Haugh Street, Bainsford**

The applicant Mr Rashid was in attendance.

The Clerk confirmed that the applicant had undertaken the Servewise training course and awaited the training certificate.

The Licensing Co-ordinator advised that the course undertaken by the applicant was relevant to the new 2005 Act.

The Board **AGREED** that the training course relative to the new 2005 Act was acceptable and to continue consideration of the matter to a further meeting of the Adjourned Licensing Board to enable the applicant to submit the training certificate. It was further **AGREED** to delegate powers to the Clerk to approve the application should the certificate be handed in prior to the said meeting.

### **2. Applications for Affirmation of Provisional Licence**

#### **Item 2.1 Vicar Street, Falkirk**

Having heard the applicant's agent Mr Travers advise that the requisite building warrant was still awaited by his client, the Board **AGREED** to delegate affirmation of the provisional licence to the Clerk.

### **3. 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 decisions shown on those items detailed in paragraph (b) below:-

**(a)**

**Item 3.2 Behind the Wall Public House, 14 Melville Street, Falkirk**

**Item 3.4 Mill Inn, 2 Thornhill Road, Falkirk**

**Item 3.5 Millfield, Main Street, Polmont**

**(b)**

**Item 3.1 Behind the Wall Entertainment Venue, 1 South Melville Lane, Falkirk**

The Board **AGREED** to grant the revised hours submitted, namely:- Sunday and Thursday 11 pm – 1 am; Monday – Wednesday 11pm to Midnight; Friday and Saturday 11 pm to 3 am, and Sunday 2.30 pm to 6.30 pm

### **Item 3.3 Gordon Lounge, 100 Thornhill Road, Falkirk**

The applicant Mrs Reddington was heard in support of her application.

Following questions to the applicant the Board adjourned for a short period. On re-convening, the Board **AGREED** that the application be **GRANTED** in part with the exception of the additional hours on Tuesday, Friday and Saturday 9.30 am – 11 am which were **REFUSED** on the basis that no need had been established.

### **Item 3.6 Vicar Street No, 43, Falkirk**

Having heard the agent for the applicant Mr Travers explain that he was not the principal agent for the matter and could not himself address the Board in justification of the extended hours, the Board **AGREED** to continue the matter to the further meeting of the Adjourned Board.

Councillors McLuckie and Waddell left the meeting prior to the Board hearing item 4.1 but were present for items 4.2, 4.3 & 4.5.

## **4. Application for the Grant, including the Provisional Grant of a New Licence**

### **Item 4.1 Behind the Wall Entertainment Venue, 1 South Melville Lane, Falkirk**

The applicant's agent Mr Thomson and the objector's agent Mr McIver, Brunton Miller were both in attendance.

The Provost advised that Members had recently attended a site visit of the premises. The visit focussed on what existed at present; it was a purely physical inspection.

Plans detailing the proposals were circulated to Members of the Board.

The Clerk reminded Board Members that a letter of police observation and a letter of objection from Brunton Miller on behalf of Castle Leisure Group were considered at the recent Licensing Board Meeting. She also reminded the Board that the locality had been determined and what the locality was.

Questions were then asked of the applicant's agent Mr Thomson by Members of the Board.

Both parties were in turn invited to sum up.

The Board **AGREED** to adjourn for a period.

On re-convening the Board **AGREED** that the application be **GRANTED** subject to the following condition.

1. the Applicant shall submit for approval of the Licensing Board a formal programme of types of entertainment (including breaks) to be provided during the opening hours

of the premises; “entertainment” to include, but not be limited to, performances, revues, acts, dancing to live or pre-recorded amplified music, but shall not include the simple provision of live television or the mere giving of permission to dance in the premises, such programme to be approved prior to the premises operating under the licence. The applicant shall be entitled to submit variations to the programme for approval, but until such variation is approved the existing programme shall be adhered to.

2. Alcohol shall only be supplied during the hours in which the approved programme is in operation

Mr McIver requested a statement of reasons.

**Item 4.2 The Falkirk Wheel, Lime Road, Tamfourhill**

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

**Item 4.3 Shop at 18 Westboreland Road, Denny**

The Clerk advised that the application had been withdrawn.

**NOTED**

**Item 4.4 Behind the Wall Public House, 14 Mellville Street, Falkirk Council**

On clarifying that the objector to Behind the Wall Entertainment Venue was not objecting to this application, the Board **GRANTED** the public house licence.

**Item 4.5 Kinneil Inn, 84 Corbiehall, Bo’ness**

The Board **NOTED** that the item had been advertised and would be continued to a further adjourned meeting of the Licensing Board.

## FALKIRK COUNCIL

**MINUTE of the FURTHER ADJOURNED MEETING of the LICENSING BOARD held in the DISTRICT COURT ROOM, MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 4 MARCH 2008 at 2.00 pm.**

**PRESENT:** Provost Reid; Councillors Hughes, Kenna, McLuckie and Thomson.

**CONVENER:** Provost Reid.

**APPOLOGIES:** Depute Provost Black; Councillors Nimmo and Waddell.

**ATTENDING:** Clerk; Solicitor (P Gilmour); Licensing Co-ordinator (R Watson); Senior Licensing Assistant (L McGarva) and Committee Services Officer (B Douglas).

**ALSO**

**ATTENDING:** Sergeant D Simpson, Central Scotland Police.

### **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 Licences**

###### **Item 1.1 Glen Village Post Office, Glen Crescent, Glen Village**

Having heard the applicant's agent Mrs Hamilton speak in support of her client's application, the Board **AGREED** to grant the application.

###### **Item 1.2 RK Store, 120 Haugh Street, Bainsford**

The applicant Mr Rashid was in attendance.

The Clerk reminded Board members that at the previous meeting of the Board, she had advised that the applicant had undertaken the Servewise training in respect of the 1976 Act, however, he was tested on the new 2005 Act.

In supplement, the Licensing Co-ordinator confirmed that the fault lay with Falkirk college due to an administrative mix-up and not the applicant.

Having heard advice from the Clerk regarding the Board's position concerning its training policy and its application thereof, the Board **AGREED** to grant the application subject to an undertaking from the applicant that he undertakes and successfully completes training in respect of the 2005 Act as soon as possible.

2. **Applications for Consent to alterations**

**Item 2.1 Bluebell Inn, 83 Main Street, Bainsford**

The Clerk explained that the Board had, at its previous meeting, delegated the task of inspecting the premises to Officers.

The Licensing Co-ordinator outlined the minor changes including the moving of a toilet, extending the size of the cellar and the introduction of a snug area in the bar and confirmed that all matters were in order.

The Board **AGREED** to grant the application.

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

**Item 3.1 Vicar Street No. 43, Falkirk**

The Clerk advised that this item had been withdrawn.

**NOTED.**

4. **Application for the Grant, including the Provisional Grant of a New Licence**

**Item 4.1 Kinneil Inn, 84 Corbiehall, Bo'ness**

Mr Sandeman, the applicant's agent, was heard in support of his client's application.

The Board **AGREED** to grant this application.

## **FALKIRK COUNCIL**

**MINUTE of the SPECIAL MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 20 MARCH 2008 at 9.00 a.m.**

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

**CONVENER:** Councillor Nicol.

**APOLOGIES:**

**ATTENDING:** Clerk; Director of Development Services and Committee Services Officer (B Douglas).

**ALSO**

**ATTENDING:** PC D Bridges, Central Scotland Police.

### **SECTION A**

#### **1. STATEMENT OF LICENSING POLICY – THE LICENSING (SCOTLAND) ACT 2005 – TRADING HOURS**

With reference to Minutes of Meetings of the Licensing Board held on 28 November 2007 and 16 January 2008, there was submitted Report dated 17 March 2008 by the Director of Development Services advising that the Licensing Board Sub-Committee had considered responses received from various consultees, following on from a further consultation exercise with various interested parties in respect of the trading hours element within the Statement of Licensing Policy and enclosing as Appendix 1 the Report on trading hours recently considered at the Licensing Sub-Committee meeting including a summary of responses/issues received from consultees on the trading hours, as Appendix 2 the Extract of Minute relative to that meeting and as Appendix 3 a copy of the Board's existing trading hours policy under the Licensing (Scotland) Act 1976.

#### **AGREED:-**

- (a) that existing policy be maintained as per Appendix 3 to the Report subject to (b) below;
- (b) that the maximum trading hours permitted with regard to off-sales shall conform to the legislative provisions contained in the Licensing (Scotland) Act 2005, i.e. 10.00 a.m. to 10.00 p.m. Monday to Sunday;
- (c) there be no minimum charge for entry to entertainment licensed premises; and
- (d) that it be remitted to the Clerk to prepare for publication an appropriate statement reflecting the Board's decision and that this statement should be included within the Statement of Licensing Policy agreed by the Board at its meeting on 28 November 2007.

## **2. STATEMENT OF PRINCIPLES – THE GAMBLING ACT 2005**

With reference to Minute of Meeting of the Licensing Board held on 21 November 2007, there was submitted Report dated 17 March 2008 by the Director of Development Services explaining that a consultation exercise involving appropriate consultees had taken place and that a revised Statement of Principles taking cognises of comments received where appropriate was appended as an Appendix to the Report.

### **AGREED:-**

- (i) to note the terms of the Report; and
- (ii) to formally adopt the Statement of Principles.



## FALKIRK COUNCIL LICENSING BOARD

MEETING, 5 JUNE 2008 at 10:00am in Committee Room A, Members' Suite, Municipal Buildings, Falkirk, FK1 5RS

## Licensing (Scotland) Act 1976

## Regular Extension(s) - New

Premises	Applicant	Date Received	Comments
8 BANSFORD BOWLING CLUB HENDRY STREET BANSFORD FALKIRK FK2 7NX	ALISTAIR RUSSELL	21 February 2008	REGISTERED CLUB Monday to Saturday 9.30am to 11.00am Monday to Saturday 11.00pm to 1.00am Sunday 11.00am to 12.30pm and 2.30pm to 6.30pm APPLICANT CITED
9 BLACKNESS BOAT CLUB THE FORESHORE BLACKNESS EH49 7NQ	CAROL STORRAR	20 February 2008	REGISTERED CLUB Monday to Sunday 11.00pm to 1.00am Sunday 2.30pm to 6.30pm APPLICANT CITED
10 UNION INN LOCK 16 2 PORTDOWNIE CAMELON FALKIRK FK1 4QZ	JAMES VAUSE	4 February 2008	PUBLIC HOUSE Sunday to Thursday 11.00pm to 12.00midnight Friday & Saturday 11.00pm to 1.00am Sunday 2.30pm to 6.30pm APPLICANT CITED

## FALKIRK COUNCIL LICENSING BOARD

MEETING, 5 JUNE 2008 at 10:00am in Committee Room A, Members' Suite, Municipal Buildings, Falkirk, FK1 5RS

## Licensing (Scotland) Act 1976

## Childrens Certificates - New

Premises	Applicant	Date Received	Comments
11 THE EARL OF ZETLAND BO'NESS ROAD GRANGEMOUTH	J D WETHERSPOON PLC C/O BRUNTON MILLER 22 HERBERT STREET GLASGOW G20 6NB	17 March 2008	PUBLIC HOUSE Whole premises Monday to Saturday 11.00 am to 8.00 pm Sunday 12.30 pm to 8.00 pm APPLICANT CITED

## FALKIRK COUNCIL LICENSING BOARD

MEETING, 5 JUNE 2008 at 10:00am in Committee Room A, Members' Suite, Municipal Buildings, Falkirk, FK1 5RS

## Licensing (Scotland) Act 2005

Conversion(s)					
Premises	Applicant	Date Received	Comments		
1 AULD TOON SHOP 41 DALGRAIN ROAD GRANGEMOUTH FALKIRK FK3 8HL	AULD TOON SHOP LTD C/O MAILERS 88 HENDERSON STREET BRIDGE OF ALLAN FK9 4HA	7 March 2008	OFF SALE APPLICANT INVITED TO ATTEND		
2 CO-OPERATIVE GROUP LIMITED 23 MARINER STREET CAMELON FALKIRK FK1 4LF	CO-OPERATIVE GROUP LIMITED C/O THO. & J W BARTY 61 HIGH STREET DUNBLANE FK15 0EH	7 March 2008	OFF SALE APPLICANT INVITED TO ATTENDED		
3 CO-OPERATIVE GROUP LIMITED 76/78 MARY STREET LAURIESTON FALKIRK FK2 9PS	CO-OPERATIVE GROUP LIMITED C/O THO. & J W BARTY 61 HIGH STREET DUNBLANE FK15 0EH	7 March 2008	OFF SALE APPLICANT INVITED TO ATTEND		

## FALKIRK COUNCIL LICENSING BOARD

MEETING, 5 JUNE 2008 at 10:00am in Committee Room A, Members' Suite, Municipal Buildings, Falkirk, FK1 5RS

## Licensing (Scotland) Act 2005

Conversion(s)

Premises	Applicant	Date Received	Comments
4 FIONA KENNEDY LICENSED GROCERS 54 MCLACHLAN STREET STENHOUSEMUIR FALKIRK FK5 3HN	FIONA MARGARET KENNEDY	7 March 2008	OFF SALE APPLICANT INVITED TO ATTEND
5 LIDL UK GMBH (STORE:778) 1 ARNOT STREET FALKIRK FK1 1YG	LIDL UK GMBH	7 March 2008	OFF SALE APPLICANT INVITED TO ATTEND
6 OMAR STORES 29 HIGH STREET BONNYBRIDGE FALKIRK FK4 1BX	AKBAR ALI	7 March 2008	OFF SALE APPLICANT INVITED TO ATTEND
7 THE EARL OF ZETLAND BONESS ROAD GRANGEMOUTH FK3 8AN	J. D. WETHERSPOON PLC C/O BRUNTON MILLER 22 HERBERT STREET GLASGOW G20 6NB	7 March 2008	ON & OFF SALE APPLICANT INVITED TO ATTEND