

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on MONDAY 15 JUNE 2015 at 9.30 a.m.

PRESENT: Baillie Buchanan; Councillors Black, McLuckie, Nimmo, Ritchie and Turner.

CONVENER: Councillor Black.

ATTENDING: Clerk; Consumer Protection Manager; Solicitor (P Gilmour); Licensing Assistant (C Henderson), and Committee Services Officer (A Fraser).

ALSO

ATTENDING: Mr D Frood and Mr T Ross (Licensing Standards Officers), and PC Kane, Police Scotland.

LB17. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Hughes and Nicol.

LB18. DECLARATIONS OF INTEREST

No declarations were made.

LB19. MINUTE

The minute of the meeting of the Licensing Board held on 26 May 2015 was approved.

LB20. CONTINUATION OF REVIEW HEARING IN TERMS OF SECTION 36 OF THE LICENSING (SCOTLAND) ACT 2005: PREMISES LICENCE AT CASTLETON MINI MARKET, 1a CASTLETON CRESCENT, GRANGEMOUTH

There was submitted Report (circulated) from the Clerk to the Licensing Board (a) referring to the Licensing Board on 26 May 2015 when the matter had been continued to allow the Licensing Standards Officer to be in attendance, b) summarising the review process in terms of section 36 of the Licensing (Scotland) Act 2005, and (c) advising that an application had been received from the Licensing Standards Officer to review the premises licence in respect of Castleton Mini Market, 1A Castleton Crescent, Grangemouth, details of which were circulated as an appendix to the Report.

Mohammed Saleem, premises licence holder was in attendance and accompanied by his agent, Mr Sandeman.

After hearing from the Clerk and the appellant's agent in relation to preliminary matters, the Board agreed to the application being heard as new, due to the difference in member composition of the Licensing Board to that of the meeting on 26 May.

The Board then heard from Thomas Ross, Licensing Standards Officer in relation to the premises licence review request, which had been submitted in terms of s.36(3)(b).

Questions were asked by members of the Board.

Mr Sandeman was then heard in relation to matters detailed in the premises licence review and to the concerns raised.

Questions were asked by members of the Board.

The Board agreed to a short adjournment. The Board adjourned at 10.30 a.m. and reconvened at 10.45 a.m. with all Members present as per the sederunt.

Both parties summed up.

After due consideration of the matter before it, the Board **AGREED** that no grounds for review in terms of section 36(3)(b) of the Act had been established.

LB21. THE LICENSING (FEES) (SCOTLAND) REGULATIONS 2007 – ANNUAL FEES

There was submitted Report (circulated) dated 1 June 2015 from the Clerk to the Licensing Board on the requirement of the Board to set an annual fee for holders of premises licences in accordance with the Licensing (Fees) (Scotland) Regulations 2007.

After discussion, the Board **AGREED** to adopt the annual fee levels detailed in Appendix 1 to the Report for payment by 1 October 2015.

LB22. DRAFT STATEMENT OF LICENSING POLICY

There was submitted Report (circulated) dated 12 June 2015 from the Clerk to the Licensing Board (a) advising on the requirement of the Board to publish their statutory policy statement and to review them every 3 years, (b) attaching as an appendix to the report, a draft revised Statement of Licensing Policy for consideration as a consultative document, and (c) setting out details of the proposed consultation process.

After discussion, the Board **AGREED** to adopt the draft Statement of Licensing Policy for the purpose of consultation.