

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 12 AUGUST 2015 at 9.30 a.m.

PRESENT: Councillors Black, Hughes, McLuckie, Nicol, Nimmo and Turner.

CONVENER: Councillor Nicol.

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

ALSO

ATTENDING: Mr D Frood and Mr T Ross (Licensing Standards Officers), and Mr C Sibbald (Environmental Health Officer).

LB23. APOLOGIES

Apologies for absence were intimated on behalf of Baillie Buchanan and Councillor Ritchie.

LB24. DECLARATIONS OF INTEREST

No declarations were made.

LB25. MINUTE

The minute of the meeting of the Licensing Board held on 15 June 2015 was approved.

LB26. CANTON COLLI EUGANEI, 25 COCKBURN STREET, FALKIRK

There was submitted report (circulated) dated 10 July 2015 from the Clerk to the Licensing Board providing details of an application made in terms of section 29 of the Licensing (Scotland) Act 2005 for the grant of a provisional premises licence.

Having heard from the applicant in support of the application and in clarification of questions raised by Members, the Board **AGREED** to **CONTINUE** the application to a future meeting of the Licensing Board to allow the applicant to provide examples of the proposed containers and to seek views from Police Scotland.

LB27. APPLICATIONS FOR NON MINOR VARIATIONS OF PREMISES LICENCES

There was submitted report (circulated) dated 10 July 2015 from the Clerk to the Licensing Board providing details of applications made in terms of section 29 of the Licensing (Scotland) Act 2005 for the grant of variations to the premises licence as detailed in Appendices 1 to 7 to the report for (1) Quiot Bar, 63 Main Street, Redding, Falkirk, (2) BP Earlsgate Filling Station, Falkirk Road, Grangemouth, (3) Maidenpark Post Office, 1-3 Gilburn Place, Bo'ness, (4) New Ship Inn, 102 Newhouse Road, Grangemouth, (5) JD Rockets, 1 Callendar Road, Falkirk, (6) Lidl, 2-6 Links Road, Bo'ness, and (7) Lidl, The Carron Centre, Ronades Road, Falkirk.

Quiot Bar, 63 Main Street, Redding, Falkirk

Having heard from the applicant in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to the addition of outdoor drinking to the Operating Plan;
- (2) to amend the current layout plan to show the outdoor drinking area, and
- (3) that a condition be added to the licence, namely that the terminal hour for the outdoor drinking area be 2000 hrs.

BP Earlsgate Filling Station, Falkirk Road, Grangemouth

Having heard from the applicant's agent in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) that the on-sales trading hours be varied to:
Sunday 1000 hrs to 2200 hrs
- (2) to reposition the alcohol display area as shown on the amended layout plan, and
- (3) to amend the Operating Plan to reflect an increase in capacity of 3.735m³.

Maidenpark Post Office, 1-3 Gilburn Place, Bo'ness

Having heard from the applicant in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) that the off-sales trading hours be varied to:
Sunday 1000 hrs to 1800 hrs

- (2) to the addition of the following activities to the Operating Plan, namely:
- newspapers
 - cigarettes and tobacco
 - general grocery type products
 - stationery
 - toys
 - frozen goods
 - chilled food and drinks
 - pharmaceutical products
- (3) to amend the current layout plan to reflect the relocation of the Post Office counter and the alcohol display area, and
- (4) to amend the Operating Plan to reflect an increase in capacity of 1.17m³.

New Ship Inn, 102 Newhouse Road, Grangemouth

Having heard from the applicant's agent in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to the addition of outdoor drinking within core hours to the list of activities in the Operating Plan;
- (2) to amend the current layout plan to include the outdoor drinking area;
- (3) to amend the description of the premises to include reference to the outdoor drinking area;
- (4) that the existing specific conditions placed on the licence will remain in force, namely:
- the terminal hour for the outdoor drinking area facility will be 2000 hrs
 - the door to the decking area will not be used after 2000 hrs so as to minimise noise nuisance
 - notices must be displayed prominently alerting patrons to the fact that the premises are within a residential area and that noise levels should be kept to a minimum
 - staff must regularly monitor and check the outdoor drinking area to ensure that no undue disturbance is being caused to neighbouring properties
 - the smoking area and adjacent footpath are to be cleaned on a regular basis to minimise litter nuisance.

JD Rockets, 1 Callendar Road, Falkirk

Having heard from the applicant's agent in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to amend specific Condition No.1 to:

"Evening entertainment to commence on Fridays and Saturdays from 2000 hrs",
and
- (2) that the terminal hour for children and young persons on Fridays and Saturdays will be 2000 hrs.

Lidl, 2-6 Links Road, Bo'ness

Having heard from the applicant's agent in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to increase the size of the alcohol display area from 28.72m³ to 34.04m³ as detailed on the amended layout plan, and
- (2) to the addition of recorded music within and outwith core operating hours to the Operating Plan.

Lidl, The Carron Centre, Ronades Road, Falkirk

Having heard from the applicant's agent in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) to increase the size of the alcohol display area from 29.87m³ to 35.38m³ as detailed on the amended layout plan, and
- (2) to the addition of recorded music within and outwith core operating hours to the Operating Plan.

LB28. JAMIE DOUGALL

There was submitted Report (circulated) dated 22 July 2015 from the Clerk to the Licensing Board providing details of an application for a Personal Licence submitted in terms of section 72 of the Licensing (Scotland) Act 2005 and the Personal Licence (Scotland) Regulations 2007 for the grant of a personal licence.

After hearing from the Consumer Protection Manager on the reason why the applicant was not in attendance, the Board **AGREED** to **CONTINUE** the application to a future meeting of the Licensing Board to allow the applicant to be in attendance.

LB29. THE AIR WEAPONS AND LICENSING BILL

There was submitted report (circulated) dated 29 July 2015 from the Clerk to the Licensing Board detailing the numerous and significant changes to the Licensing (Scotland) Act 2005 that will take effect following the enactment of the Air Weapons and Licensing Bill, which was granted Royal assent on 4 August 2015.

After discussion, the Board **NOTED** the Report.

LB30. VALEDICTORY REMARKS

The Convener advised that both Stuart Henderson and Alf Hillis, Environmental Health Officers would shortly be retiring from Falkirk Council. In their absence, the Convener, on behalf of the Board, wished to record their best wishes to Mr Henderson and Mr Hillis and thanked them for their contribution to the work of the Board over many years.