

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 23 SEPTEMBER 2015 at 9.30 a.m.

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

CONVENER: Councillor Black.

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 D Wilcox (Environmental Health Officer).

The following items have been recorded in the order that they were taken at the meeting.

LB31. APOLOGIES

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

LB32. DECLARATIONS OF INTEREST

No declarations were made.

LB33. MINUTES

The minutes of meeting of the Licensing Board held on 12 August 2015, and the special meeting of the Licensing Board held on 3 September 2015 were approved.

LB34. CANTON COLLI EUGANEI

With reference to Minute of Meeting of the Licensing Board held on 12 August 2015 (Paragraph LB26 refers), there was submitted report (circulated) dated 8 September 2015 from the Clerk to the Licensing Board providing (a) details of an application made in terms of section 29 of the Licensing (Scotland) Act 2005 for the grant of a provisional premises licence, and (b) setting out the additional information requested by members at the meeting on 12 August.

The Convener advised the applicant's agent, Mr McGowan, that the composition of the Licensing Board was different to that from the meeting of 12 August. Mr McGowan confirmed that he had no objection to this.

Mr McGowan was then heard in support of the application and in clarification of questions raised by members. A sample of small, medium and large size glass and plastic wine containers were provided to members.

After discussion, the Board **GRANTED** the application for a provisional premises licence.

LB35. APPLICATIONS FOR NON MINOR VARIATIONS TO PREMISES LICENCES

There was submitted report (circulated) dated 8 September 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 6 to the report for (1) Anchor Tavern, 54 North Street, Bo'ness, (2) The Carron Works, Bank Street, Falkirk, (3) Chianti, East Beancross Farm, Polmont, (4) Rosebank Beefeater, Main Street, Camelon, (5) Blackness Boat Club, The Foreshore, Blackness, and (6) Railway Inn, 27 Glasgow Road, Dennyloanhead.

Anchor Tavern, 54 North Street, Bo'ness

The applicant was not in attendance but had given authorisation to his son, Paul Fraser, to act on his behalf.

The Board **NOTED** that one objection had been received in respect of the variation application. The objector had been invited to attend but was not in attendance.

The applicant's representative advised that he had no preliminary matters to raise concerning the validity of the objection. Accordingly, a copy of the objection was circulated to members.

The applicant's representative was heard in response to the issues raised in the objection and in clarification of questions raised by members.

After hearing further from the applicant's representative in support of the application, the Board **GRANTED** the following variations to the current licence, namely:-

- (1) that the Sunday on-sales trading hours be 1100 hrs to 2300 hrs;
- (2) to the addition of off-sales provision in the operating plan during the following operating hours:

Monday to Sunday 1100 hrs to 2200 hrs

- (3) to remove reference to an AWP machine in part 5 of the operating plan.

Chianti, East Beancross Farm, Polmont

Having heard from Mr Innes, the applicant's agent, in support of the application and in clarification of questions raised by Members, the Board **GRANTED** the variation to the current licence and to amend the operating plan to reflect the addition of live performances to the list of approved activities during core operating hours.

Rosebank Beefeater, Main Street, Camelon

Having heard from Mr Grunert, 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 include a new 20 bedroom annex to the existing Premier Inn Hotel as detailed on the amended layout plan submitted with the application;

- (2) to the creation of a pavement between the main building and the new annex, and
- (3) to amend the operating plan to reflect the increase in capacity from 340 to 400, and the increase in residential capacity from 93 to 153.

The Carron Works, Bank Street, Falkirk

Mr A McIver, agent for the applicant, and the premises manager, were in attendance.

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) children and young persons will be allowed entry to the premises if they are accompanied by an adult (i.e. a person over 18 years of age). Young persons will be allowed entry to the premises unaccompanied at the management's discretion. Children and young persons will only be allowed entry when attending for a meal; and
- (2) children and young persons will be allowed entry to the premises at any time during their opening hours but they must vacate the premises by:-

2200 hrs	Sunday to Thursday
2100 hrs	Friday and Saturday
- (3) children and young persons will have access to the whole premises, and
- (4) to amend the current layout plan to reflect the change to the part of the premises to which children and young persons will be allowed entry.

Blackness Boat Club, The Foreshore, Blackness

Three office bearers of the applicant company were in attendance, namely Mr Halliday, Mr McKay and Ms Rowland.

The Board were advised that four objections had been received within the statutory objection period in relation to the application and that two of the objectors were in attendance, namely Mrs Bugg and Mr Melville.

There being no preliminary matters, copies of the objections were circulated to members.

The Board were further advised that two representations in support of the application had been received outwith the statutory period. The question of competency therefore arose. After being advised of the deadline date for objections and/or representation, the Board agreed to accept the representation dated 6 September.

Thereafter the representation was circulated to members.

After a short discussion and after hearing from the Convener, the Board **AGREED** to **CONTINUE** the application to a future meeting of the Licensing Board to allow an inspection of the premises to be carried out by Licensing Board members.

Railway Inn, 27 Glasgow Road, Dennyloanhead

Having heard from Mr Emslie, 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) the trading hours be varied to:

On Sales

Monday to Thursday - 1000 hrs to 2400 hrs

Friday and Saturday - 1000 hrs to 0100 hrs

Sunday - 1000 hrs to 2400 hrs

Off Sales

Monday to Sunday – 1000 hrs to 2200 hrs

- (2) to the addition of an outdoor drinking area to the front of the premises with a terminal hour of 2200 hrs, as detailed on the approved layout plan submitted with the application;
- (3) to amend the operating plan to include the addition of the outside drinking within core operating hours to the list of activities;
- (4) to amend the operating plan to include the addition of conference facilities outwith core operating hours to the list of activities, and
- (5) to amend the telephone number of the premises.

LB36. JAMIE DOUGALL – APPLICATION FOR PERSONAL LICENCE

With reference to Minute of Meeting of the Licensing Board held on 12 August 2015 (Paragraph LB28 refers), there was submitted Report (circulated) dated 12 August 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.

Having heard from the applicant, the Board **GRANTED** the application.