

FALKIRK COUNCIL

**Minute of Meeting of the Licensing Board held in the Council Chambers,
Municipal Buildings, Falkirk on Tuesday 26 June 2018 at 9.30 a.m.**

COUNCILLORS:

David Balfour
Lorna Binnie
Robert Bissett
Allyson Black
Niall Coleman
James Kerr (Convener)
John McLuckie
John Patrick
Depute Provost Ann Ritchie

OFFICERS:

Alison Barr, Consumer Protection Manager
Arlene Fraser, Committee Services Officer
Colin Moodie, Chief Governance Officer (Clerk)

ALSO ATTENDING:

David Gray, Environmental Protection Co-ordinator
Thomas Ross, Licensing Standards Officer

LB16. Apologies

Apologies were intimated on behalf of Provost Buchanan.

LB17. Declarations of Interest

Councillor Kerr declared a non-financial declaration in agenda Item LB20 – Oxbang House Hotel, 15-17 Oxbang Road, Grangemouth by virtue of having prior knowledge of the applicant and recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

LB18. Minute

The minute of meeting of the Licensing Board held on 23 May 2018 was approved.

**LB19. Gambling Act 2005 – Application for Club Machine Permit
Grangemouth Bowling Club, Talbot Street, Grangemouth**

The Board considered a report by the Clerk to the Licensing Board providing details of an application made in terms of section 273 of the Gambling Act

2005 for the purpose of offering a Category B4 gaming machine at Grangemouth Bowling Club, Talbot Street, Grangemouth.

The Board heard from the applicant's representative in respect of the application and in clarification of questions raised by members.

Decision

The Board granted the application for a club machine permit within Grangemouth Bowling Club, subject to the mandatory conditions set out in section 273(3), (4) & (5) of the Gambling Act 2005.

LB20. Applications for Non Minor Variations to Premises Licences

The Board considered a report by the Clerk to the Licensing Board providing details of applications made in terms of section 29 of the Licensing (Scotland) Act 2005 for variations to the premises licences as detailed on Appendices 1 and 8 to the report for (1) Carron & Carronshore Bowling Club, 25 Beaumont Drive, Carron, (2) Donner Inn, 76 Stirling Street, Denny, (3) Lidl, 1 Arnot Street, Falkirk, (4) Stenhousemuir Bowling Club, 105 Church Street, Stenhousemuir, (5) Day Today Express, 168 Alloa Road, Stenhousemuir, (6) Oxbang House Hotel, 15-17 Oxbang Road, Grangemouth, (7) Woodside Inn, 76 High Station Road, Falkirk, and (8) The Earl of Zetland, Bo'ness Road, Grangemouth.

Carron & Carronshore Bowling Club, 25 Beaumont Drive, Carron

Decision

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.

Donner Inn, 76 Stirling Street, Denny

The Board heard from the applicant in respect of the application and in clarification of questions raised by members.

Decision

The Board granted the following variations to the current licence, namely to:-

- (1) increase the approved operating hours as follows (On Sales) only:-**

**Sunday to Thursday – 1000 hrs to 2400 hrs
Friday and Saturday – 1000 hrs to 0100 hrs**

- (2) increase the approved operating hours as follows (Off Sales) only:-**

Monday to Sunday – 1000 hrs to 2200 hrs

- (3) the addition of dance facilities to the list of approved activities within and outwith core operating hours, and**
- (4) the addition of dance facilities outwith core operating hours.**

Lidl, 1 Arnot Street, Falkirk

The Board heard from the applicant's representative in respect of the application.

Decision

The Board granted the following variation to the current licence, namely to:-

- (1) amend the operating plan and layout plan to reflect the increase in the (accessible only) capacity from 23.47m³ to 26.06m³.**

Stenhousemuir Bowling Club, 105 Church Street, Stenhousemuir

Decision

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.

Day Today Express, 168 Alloa Road, Stenhousemuir

The Board heard from the applicant in respect of the application and in clarification of a question raised by a member.

Decision

The Board granted the following variation to the current licence, namely to:-

- (1) amend the operating plan and layout plan to reflect the increase in the capacity from 6.81 m³ to 9.44 m³.**

Oxgang House Hotel, 15-17 Oxgang Road, Grangemouth

Decision

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.

Woodside Inn, 76 High Station Road, Falkirk

The Board heard from the applicant's representatives in respect of the application and in clarification of questions raised by members.

Decision

The Board granted the following variations to the current licence, namely to:-

- (1) increase the approved Sunday operating hours as follows (On Sales) only:-**

1100 hrs to 2400 hrs

- (2) increase the approved Sunday operating hours as follows (Off Sales) only:-**

1100 hrs to 2200 hrs

- (3) amend the seasonal variations to read as follows:-**

“We will take grant of any extension to licensing hours during any local, national and international festivals and/or holidays as and when applicable, in accordance with Falkirk Council licensing policies/guidelines.”

- (4) the addition of the following to the list of approved activities within core operating hours:**

- receptions including weddings, funerals, birthdays, retirements etc**
- recorded music**
- indoor/outdoor sports**

- (5) increase access times to the beer garden on Sundays from 1100 hrs to 2100 hrs.**

The Earl of Zetland, Bo'ness Road, Grangemouth

The Board heard from the applicant's representative in respect of the application and in clarification of questions raised by members.

Decision

The Board granted the following variations to the current licence, namely to:-

- (1) increase the approved Sunday operating hours as follows (On Sales) only:-**

1000 hrs to 2400 hrs

- (2) increase the approved Sunday operating hours as follows (Off Sales) only:-**

1000 hrs to 2200 hrs

LB21. Annual Fees Report, including the Statutory Financial Report 2017/18

The Board considered a report by the Consumer Protection Manager providing details of the income and expenditure of the Board for 2017/18, and proposing the annual fee levels for premises licences, which were set out in appendix 1.

The report also sought approval of the proposed Statutory Annual Income and Expenditure report 2017/18 which was set out in appendix 2.

Decision

The Board agreed to:-

- (1) note the contents of the report;**
- (1) adopt the premises licences annual fee levels proposed in appendix 1, and**
- (3) approve the Statutory Annual Income and Expenditure report 2016/17 proposed in appendix 2.**

LB22. Statutory Functions Report 2017/18

The Board considered a report by the Consumer Protection Manager seeking approval of the Statutory Annual Functions Report 2017/18.

The report outlined the requirement for Licensing Boards to prepare and publish an annual functions report by no later than 3 months after the end of the financial year.

The following information must be included in the functions report:-

- details of how, in the exercise of their functions under the Act during the financial year, the Board has had regard to the licensing objectives and their licensing policy statement, including any supplementary policy statement and the Board's overprovision statement, and
- a summary of decisions made by or on behalf of the Board during the financial year and stating the number of licences held under the Act in the Board's area, including the number of occasional licences issued during the year.

The Board's information was set out in Appendix 1 attached to the report.

Decision

The Board:-

- (1) noted the contents of the report, and**
- (2) approved the Statutory Functions Report 2017/18 proposed in appendix 1.**

LB23. Supplementary Statement of Licensing Policy – Festive Trading (including recommendations for the dates for extended hours for Festive Period 2018/19)

The Board considered a report by the Consumer Protection Manager seeking approval of the Supplementary Statement of Licensing Policy – Festive Policy.

The report set out the details of the further clarification which had been required in relation to some of the points raised by the Local Licensing Forum following the consultation exercise.

Decision

The Board approved the Supplementary Statement of Licensing Policy – Festive Policy.