

Draft

FALKIRK COUNCIL

**Minute of Meeting of the Licensing Board held in the Council Chambers,
Municipal Buildings, Falkirk on Wednesday 8 August 2018 at 9.30 a.m.**

COUNCILLORS:

David Balfour
Lorna Binnie
Provost William Buchanan
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:

Lindsay Fyfe, Licensing Standards Officer
Thomas Ross, Licensing Standards Officer
PC G Hutchison, Police Scotland
Sergeant C Mackenzie, Police Scotland

LB24. Apologies

Apologies were intimated on behalf of Councillor Bissett.

LB25. Declarations of Interest

Councillor Kerr declared a non-financial declaration in agenda Item LB27 – Oxbang House Hotel, 15-17 Oxbang Road, Grangemouth by virtue of having prior knowledge of the owner of the applicant company and recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

LB26. Minute

The minute of meeting of the Licensing Board held on 26 June 2018 was approved.

LB27. 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 3 to the report for (1) Carron & Carronshore Bowling Club, 25 Beaumont Drive, Carron (2) Stenhousemuir Bowling Club, 105 Church Street, Stenhousemuir, and (3) Oxbang House Hotel, 15-17 Oxbang Road, Grangemouth. The applications were continued from the previous meeting of the Licensing Board to allow members an opportunity to visit the premises. The visits took place on 2 August 2018.

Carron & Carronshore Bowling Club, 25 Beaumont Drive, Carron

The Board noted that two objections had been submitted, but that the objectors were not in attendance.

The representative of the applicant club confirmed that he had no issue with the letters of objections being circulated. Accordingly, copies of the objections were circulated to members.

The Board heard from the club's representative in response to the issues raised in the objections and in respect of the application, and in clarification of questions raised by members.

The Board then heard from the Licensing Standards Officer and Sergeant Mackenzie, a representative of the Chief Constable.

Decision

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

- (1) increase the seasonal variation to allow the premises to open until 2am on Christmas Day and New Year's Day;**
- (2) the addition of outdoor drinking facilities to the list of approved activities within operating hours as shown on the plan submitted with the application;**
- (3) change the terms, times and parts for children and young persons as follows:-**
 - (a) children and young persons be allowed entry whilst accompanied by an adult for the purpose of attending a function or having a meal;**
 - (b) allow children and young persons 0 to 17 years of age of entry to the premises;**
 - (c) children and young persons be allowed when attending a function permitted until the terminal hour, and**
 - (d) children and young persons be allowed access to the function suite and toilets**

The Board agreed to attach the following condition to the current licence, namely:-

That outdoor drinking will cease at 2200 hrs.

Stenhousemuir Bowling Club, 105 Church Street, Stenhousemuir

The Board noted that an objection had been submitted from Larbert, Stenhousemuir and Torwood Community Council and that the Secretary of the Community Council, Mr Power, was in attendance.

The representative of the applicant club confirmed that he had no issue with the letter of objection being circulated. Accordingly, a copy of the objection was circulated to members.

The Board heard from Mr Power in relation to the Community Council's letter of objection.

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

The Board then heard from the Licensing Standards Officer and Sergeant Mackenzie, a representative of the Chief Constable.

Both parties summed up.

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

In response to a question, the club's representative confirmed that the part of the variation application seeking the addition of outdoor drinking facilities outwith core operating hours, be withdrawn.

Decision

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

(1) increase the activities within and outwith core operating hours:

- **conference facilities**
- **restaurant facilities**

(2) increase the activities outwith core operating hours:

- **recorded music**
- **live performances**
- **televised sport**

(3) to amend the further details provided in respect of activities taking place outwith the core operating hours

- (4) the following additions to the list of any other activities;
- charity nights for fund raising
 - children's parties
- (5) the addition of outdoor drinking facilities to the list of approved activities within operating hours as shown on the plan submitted with the application;
- (6) change the terms, times and parts for children and young persons as follows:-
- (a) children and young persons be allowed entry whilst accompanied by an adult;
 - (b) children and young persons be allowed entry unaccompanied when participating in a bowling game;
 - (c) children and young persons age 0 to 15 years of age be allowed entry;
 - (d) young persons 16 and 17 years be allowed entry, and
 - (e) children and young persons be allowed entry from opening until the terminal hour whilst attending functions
 - (f) young persons/members playing or spectating until 2230 hrs

The Board agreed to attach the following condition to the current licence, namely:-

That outdoor drinking will cease at 2200 hrs.

Depute Provost Ritchie left the meeting after consideration of the foregoing item.

In accordance with his earlier declaration, Councillor Kerr left the meeting prior to consideration of the following application.

Councillor Black, Depute Convener, assumed the Chair.

Oxgang House Hotel, 15-17 Oxgang Road, Grangemouth

The Board heard from the Consumer Protection Manager in relation to the two late objections which had been submitted.

The Board noted that following a discussion with the Licensing Standards Officer, both objectors were content that their objections be withdrawn on the

proviso that it was highlighted to the Board that the premises was located in a residential area.

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 operating hours as follows (On Sales) only:

Monday to Thursday	1000 until 2400
Friday and Saturday	1000 until 0100
Sunday	1000 until 2400

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

Monday to Sunday	1000 until 2200
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(3) increase the seasonal variation to allow the premises to open until 2am on Christmas Eve, Christmas Day and New Years Eve;

(4) increase the following activities to the list of approved activities within and outwith core hours:

- **theatre**
- **films**

(5) increase the following activities to the list of approved activities outwith the core hours:

- **conference facilities**
- **receptions including weddings, funerals, birthdays, retirements etc.**
- **club or other group meetings**
- **recorded music**
- **live performances**
- **indoor/outdoor sports**
- **televised sports**
- **outdoor drinking**

(6) amend further details provided for activities outwith core hours

(7) change the terms, times and parts for children and young persons as follows:-

- (a) children and young persons allowed entry when accompanied by an adult**

- (b) children 0 to 16 years of age and young persons 16 and 17 years of age be allowed entry
 - (c) children and young persons be allowed entry from opening until the terminal hour
 - (d) children and young persons be allowed entry to all public parts of the premises
- (8) changes to the internal layout of the ground floor of the premises leading to an increase in capacity from 246 to 295.

The Board agreed to attach the following condition to the current licence, namely:-

That outdoor drinking will cease at 2200 hrs.

The Board also noted the applicant's intention to install a gate at the outdoor drinking facility.

Councillor Kerr re-joined the meeting and assumed the Chair.

LB28. Application for Non Minor Variations to Premises Licence

Lodge Carron No. 139, 234 Main Street, Stenhousemuir

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

In response to a question, the applicant's representative confirmed that the part of the variation application seeking to change the terms under which children and young persons will be allowed entry, be withdrawn and that the existing terms be retained.

Decision

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

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

Wednesday until Friday	1200 until 2400
Saturday	1200 until 2400

- (2) to remove the seasonal variation
- (3) the addition of conference facilities within core hours to the list of approved activities
- (4) the addition of the following activities held outwith core operating hours:

- Tai Kwan Do Classes on Tuesdays from 1800 until 2100
- Dance classes on Saturdays from 0900 until 1200

(5) the addition of the following to the list of any other activities

- Burns supper annually in February
- Children's Christmas party in December
- Hall lets to various local groups after approval by the general committee

(6) change the times and parts for children and young persons as follows:-

- (a) children and young persons be allowed entry up to 17 years of age;
- (b) children and young persons be allowed entry from 1200 until terminal hour, and
- (c) children and young persons will be allowed entry in all public parts of the premises

(7) change the internal layout of the premises as a result of the lounge area being refurbished as shown on the layout plan

LB29. Supplementary Statement of Licensing Policy – Festive Trading Dates for General Extension to Hours

The Board considered a report by the Consumer Protection Manager seeking approval of the Supplementary Statement of Licensing Policy – Festive Trading Dates for General Extension to Hours

Decision

The Board approved the Supplementary Statement of Licensing Policy – Festive Trading Dates for General Extension to Hours.