

# **Agenda Item 4**

Draft

**FALKIRK COUNCIL**

**Minute of Meeting of the Licensing Board held remotely on WEDNESDAY 24 NOVEMBER 2021 at 10.00 a.m.**

**Councillors:** David Balfour  
Lorna Binnie  
Robert Bissett  
Allyson Black  
Niall Coleman (Convener)  
John McLuckie  
Depute Provost Ann Ritchie

**Officers:** Alison Barr, Consumer Protection Manager  
Karen Chambers, Committee Services Officer  
Jack Frawley, Team Leader – Committee Services  
Colin Moodie, Chief Governance Officer (Clerk)  
Wendy Barber, Information Governance Manager

**Attending:** Lindsay Fyfe, Licensing Standards Officer  
Thomas Ross, Licensing Standards Officer

**LB43. Exclusion of Public and Determination of Form of Hearing**

The Board agreed (1) to exclude the public in terms of paragraph 12 of the schedule 1 to the Licensing (Scotland) Act 2005 for a reason connected with coronavirus; and (2) in terms of section 133 of the Act to determine that hearings should not take place in person for a reason connected with coronavirus and that the parties would be heard by video conferencing, telephone or written submissions.

**LB44. Apologies**

Apologies were received from Provost Buchanan and Councillors Kerr and Patrick.

**LB45. Declarations of Interest**

Councillor Black declared a non-financial interest in item 7(1) as a former member of the committee of the Royal British Legion, Grangemouth and stated that she would not take part in the item.

**LB46. Minute**

**The minute of the meeting of the Licensing Board held on 13 October 2021 was approved.**

**LB47. Application for Provisional Grant of a Premises Licence  
Food Warehouse (Iceland), Unit 14, Phase 2, Central Retail Park, Falkirk**

The Board considered a report by the Clerk to the Licensing Board providing details of an application made in terms of section 23 of the Licensing (Scotland) Act 2005 for the provisional grant of a premises licence for namely, Food Warehouse (Iceland), Unit 14, Phase 2, Central Retail Park, Falkirk.

The Board heard from the applicant's agent, Mr Hassard in respect of the application and in clarification of questions raised by members.

**Decision**

**The Board granted the provisional premises licence.**

**LB48. Application for Grant of Premises Licence  
Day to Day, 47 Main Street, Airth, Falkirk**

The Board considered a report by the Clerk to the Licensing Board providing details of an application made in terms of section 23 of the Licensing (Scotland) Act 2005 for the grant of a premises licence for namely, Day to Day, 47 Main Street, Airth, Falkirk.

The Board heard from the applicant's agent, Mr Lingard in respect of the application and in clarification of questions raised by members.

The Board took a short recess and reconvened with all members present as per the Sederunt.

**Decision**

**The Board granted the premises licence.**

**LB49. Applications for Non Minor Variation of a Premises Licences**

The Board considered a report by the Clerk to the Licensing Board providing details of applications made in terms of section 30 of the Licensing (Scotland) Act 2005 for the non minor variation to the following premises licences, namely (1) Royal British Legion Scotland Grangemouth Branch Club, 4 Dundas Street, Grangemouth; (2) Storm, Meadow Street, Falkirk, and (3) Plough Hotel, 507 Main Street, Stenhousemuir.

The Convener varied the order of business. The following items are recorded in the order in which they were considered at the meeting.

### **Storm Nightclub, Meadow Street, Falkirk**

The Board heard from Mr McElroy, the applicant's agent, in respect of the application and in clarification of questions raised by members.

The Board took a short recess and reconvened with all members present as per the Sederunt.

### **Decision**

**The Board agreed to continue consideration of the application to a future meeting to allow the applicant to amend the application to provide further detail.**

Prior to consideration of the following item Councillor Black left the meeting in line with her declaration of interest.

### **Royal British Legion Scotland Grangemouth Branch, 4 Dundas Street, Grangemouth**

The Board heard from the applicant, Mr Lochrie, 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 add:-**

**(1) the following additions to the list of approved activities during and outwith core operating hours:**

- **conference facilities**
- **films**

**(2) the following additions to the list of approved activities outwith core operating hours:**

- **restaurant/bar meals**
- **receptions including weddings, funerals, birthdays, retirements, etc**
- **club and other group meetings**
- **recorded music**
- **live performances**
- **indoor/outdoor sports**

- **televised sports**
  - **outdoor drinking**
- (3) the following additions to the list of other activities:**
- **slimming classes**
  - **Burn's night**
  - **bingo etc**
- (4) addition of statements to explain activities out with core hours.**
- (5) change to access and times for children and young persons as follows:**
- **access to the premises whilst accompanied by an adult to attend bona fide events, birthday parties, remembrance Sunday, prebooked events, slimming classes and band practice;**
  - **0-17 years allowed entry;**
  - **until the terminal hour when attending a function. Children and Young persons may be asked to leave prior to the terminal hour at the discretion of the bar manager; and**
  - **all public parts with the exception of lounge bar and bar serving areas.**

Following consideration of the previous item Councillor Black re-joined the meeting.

### **Plough Hotel, 507 Main Street, Stenhousemuir**

The Board heard from Ms Allison, 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) the addition of outdoor drinking to the list of approved activities;**
- (2) change to the premises layout plan to show the proposed outdoor drinking area;**
- (3) change to access and times for children and young persons as follows:**
  - **residents - children and young persons will be allowed access to the premises at all times;**

- **non residents - children 0 - 15 years of age will be allowed entry for the purpose of taking a meal and provided they are accompanied by an adult;**
- **young persons aged 16 & 17 years of age will be allowed entry unaccompanied for the purpose of taking a meal and/or a soft drink;**
- **children and young persons will be allowed entry for the purpose of attending a bona fide private function when accompanied by an adult;**
- **children 0 to 15 years of age inclusive. Young persons 16 & 17 years of age;**
- **residents - children and young persons will be allowed access to the premises at all times;**
- **non residents - children and young persons will be allowed entry until 22:00 or until the terminal hour whilst attending a bona fide private function;**
- **residents – children and young persons will be allowed access to all public parts of the premises including the outdoor drinking area with the exception of the public bar; and**
- **non residents – children and young persons will be allowed access to all public parts of the premises with the exception of the outdoor drinking area and the public bar.**