

Agenda Item 4

Draft

FALKIRK COUNCIL

**Minute of Meeting of the Licensing Board held remotely on WEDNESDAY 9
FEBRUARY 2022 at 10.00 a.m.**

Councillors: David Balfour
Lorna Binnie
Robert Bissett
Provost William Buchanan
Niall Coleman (Convener)
James Kerr
John McLuckie
Depute Provost Ann Ritchie

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

**Also
Attending:** Lindsay Fyfe, Licensing Standards Officer
Sergeant Liam Livingston, Police Scotland
Thomas Ross, Licensing Standards Officer

LB60. 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 determined 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.

LB61. Apologies

Apologies were received from Councillors Black and Patrick.

LB62. Declarations of Interest

There were no declarations of interest.

LB63. Minute

The minute of the meeting of the Licensing Board held on 15 December 2021 was approved.

LB64. Application for Grant of a Premises Licence

The Board considered a report by the Clerk to the Licensing Board which provided details of an application made in terms of section 23 of the Licensing (Scotland) Act 2005 for the grant of a premises licence for Glen Village Store, Glen Crescent, Glen Village, Falkirk.

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

Decision

The Board granted the application for a premises licence.

LB65. Applications for Non Minor Variations to Premises Licences

The Board considered a report by the Clerk to the Licensing Board which provided 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) Sainsbury's, Glasgow Road, Denny; (2) Sainsbury's, Kinnaird Village, Larbert; (3) Petrol Station, 235 Kilsyth Road, Banknock, and (4) Scotfresh, Unit 3, Fleming Court, Denny.

(1) Sainsbury's, Glasgow Road, Denny

The Board heard from Mr Hassard, the applicant's agent, who requested a continuation of the application to the next meeting to allow the Board to be provided with an updated Home Delivery Policy in respect of the application.

Decision

The Board agreed to continue the application to the next meeting at the request of the applicant's agent.

(2) Sainsbury's, Kinnaird Village, Larbert

The Board heard from Mr Hassard, the applicant's agent, who requested a continuation of the application to the next meeting to allow the Board to be provided with an updated Home Delivery Policy in respect of the application.

Decision

The Board agreed to continue the application to the next meeting at the request of the applicant's agent.

(3) Petrol Station, 235 Kilsyth Road, Banknock

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

Decision

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

to change the alcohol display area resulting in an increase in capacity from 8.61 m³ to 11.07 m³.

(4) Scotfresh, Unit 3, Fleming Court, Denny

The Board heard from Mr Hassard, the applicant's agent, 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:-

The addition of the following to the list of other activities:-

- **the premises will be open from 6am**
- **the sale of hot food to take away**
- **home delivery services including the delivery of alcohol.**

LB66. Personal Licence - Notification of Conviction

The Board considered a report by the Clerk of the Licensing Board which sought consideration of a Notification of Conviction submitted for Personal Licence holder, Lucy Jane MacAulay by Police Scotland.

Sergeant Livingston addressed the Board.

The Board asked questions of Sergeant Livingston.

The Board heard from the licence holder, Ms MacAulay.

The Board asked questions of Ms MacAulay.

Sergeant Livingston summed up.

The Board adjourned at 11.05am and reconvened at 11.50am with all members present as per the sederunt.

Decision

The Board, being satisfied that it was necessary to do so for the purposes of the licensing objective of preventing crime and disorder, agreed to make an Order to revoke the personal licence held by the licence holder concerned.

LB67. Annual Retention Fee

The Board considered a report by the Clerk to the Licensing Board which provided updates in relation to the payment of the annual retention fee.

Decision

The Board noted the report.

LB68. Police Scotland – Spiking Toolkit Information

The Board considered a report by the Clerk to the Licensing Board which provided an update on the Police Scotland toolkit to provide consistent messaging and reassurance about Police Scotland's approach to reports of incidents of spiking in pubs and clubs across Scotland.

Decision

The Board noted the report.