

FALKIRK COUNCIL

MINUTE of the ADJOURNED MEETING of the LICENSING BOARD held in the COUNCIL CHAMBERS, MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 6 MARCH 2007 at 1.30 PM.

PRESENT: Depute Provost Wilson; Councillors Kenna, McNally, Miller, Nicol and Williamson.

CONVENER: Councillor Nicol

ATTENDING: Clerk; Solicitor (P Gilmour); Senior Licensing Assistants (L McGarva and I Renton); and Committee Services Officer (B Douglas).

ALSO

ATTENDING: Station Officer Ticehurst, Central Scotland Fire and Rescue Service and PC Willox & PC Melia, Central Scotland Police

UNDER THE GAMING ACT 1968 AND THE BETTING GAMING AND LOTTERIES ACT 1968

1. Applications for the Grant of Betting Office Licences

Item 1.1 High Station Road No. 84, Falkirk

The Clerk reminded Members that at the previous meeting of the Licensing Board, they had requested a report from Roads Officials regarding the parking issues at the premises.

Copies of the Roads report were then circulated to Members of the Board and to the applicant's agent.

Mr Shepherd, of Russell and Aitken, agent for the applicant, was heard in support of his client's application.

The Board **AGREED** to **GRANT** this application.

Councillor Reid entered the Meeting during consideration of the foregoing item of business. The agent for the applicant indicated he had no objection to Councillor Reid joining the meeting.

UNDER THE LICENSING (SCOTLAND) ACT 1976 (AS AMENDED) AND THE LAW REFORM (MISCELLANEOUS PROVISIONS) (SCOTLAND) ACT 1990

2. Applications for the Renewal of Existing Licences

The Board **GRANTED** the applications for the renewal of existing licences as detailed in paragraph (a) and reached the decisions shown in paragraph (b) below:-

(a)

Item 2.1 Callendar House, Callendar Park, Falkirk

Item 2.2 Oxbang House Hotel, Oxbang Road, Grangemouth

Item 2.3 Royal Hotel, 30/32 High Street, Bonnybridge

Item 2.4 Grangepans Post Office, 14 Grangepans, Bo'ness

Item 2.8 Grubowski's Tavern, 54 Bellsdyke Road, Larbert

Item 2.10 Sanam Tandoori, 5 Callendar Road, Falkirk

(b)

Item 2.5 Loanhead Avenue No.2 Grangemouth

Having heard from Mr Travers, the applicant's agent, the Board **AGREED** to continue the matter to a further Adjourned Meeting of the Licensing Board to enable the applicant's agent sufficient time to (a) produce evidence of right to occupy the premises and appropriate lease documentation and (b) allow Falkirk Council Property Services section to reach a view as to whether assignment was required.

Item 2.6 Redding Mini Market, Redding Road, Redding

In view of the absence of the applicant, the Board declined to consider the application.

Item 2.7 The Foodstore, Ladeside Crescent, Stenhousemuir

In view of the applicant's failure to attend the meeting and the previous two meetings, the Board **AGREED** that the application for the renewal of an existing licence be **REFUSED** on the grounds that the applicant is not a fit and proper person to be the holder of a licence, in terms of Section 17 (1)(a) of the Licensing (Scotland) 1976.

Item 2.8 Mahratta Bar and Galley Bar, 173/175 Bo'ness Road, Grangemouth

The Clerk advised the applicant had confirmed by telephone that she was no longer involved in the premises and had returned the keys back to the landlord.

In view of the absence of the applicant, the Board declined to consider the application.

3. **Applications for Regular Extension of Permitted Hours**

Item 3.1 Oxbang House Hotel, Oxbang Road, Grangemouth

The Board **AGREED** to **GRANT** the application.

Item 3.2 Cheyne's Bar, 29 Main Street, Bainsford

Mr Smith representing the owners of the premises, Kingdom Taverns, advised that a temporary transfer would be lodged on 7 March 2007. He confirmed that he had been asked to represent the applicant in this matter.

Questions were asked of Mr Smith by Members of the Board.

AGREED:

- (i) to refuse to grant the application for the regular extension of permitted hours;
and
- (ii) to make a Section 64 (9) direction.

Item 3.3 Crown Bar, 10/12 Grangepans, Bo'ness

PC Willox confirmed that the Chief Constable had yet to be notified of the application.

The applicant was not in attendance.

The Clerk advised that the applicant had failed to satisfy legislative requirements in terms of notification to the Chief Constable and as a result the applicant's application was not competent and could not be entertained.

AGREED not to entertain the application.

Item 3.4 Grubowski's Tavern, 54 Bellsdyke Road, Larbert

The applicant Mr Jenkins was heard in support of his application.

The Board **AGREED** to **GRANT** this application.