

FALKIRK COUNCIL LICENSING BOARD

MEETING, 17 NOVEMBER 2008 at 9:30am in Council Chambers, Municipal Buildings, West Bridge Street, Falkirk, FK1 5RS

Licensing (Scotland) Act 2005

Conversion(s)					
Premises	Applicant	Date Received	Comments		
1	BHS LEVEL 2 CALLENDAR SQUARE SHOPPING CENTRE CALLENDAR SQUARE FALKIRK	BHS LIMITED C/O LINDSAYS CALEDONIAN EXCHANGE 19A CANNING STREET EDINBURGH EH3 8HE	6 June 2008		
2	CARRONSHORE BAR CARRONSHORE ROAD CARRON FALKIRK FK2 8EW	GARY DEMPSTER C/O MARSHALL WILSON 20 LA PORTE PRECINCT GRANGEMOUTH FALKIRK FK3 8AS	6 June 2008		
3	U SAVE STORE 45 DRUMPARK AVENUE BONESS EH51	ASIF MOHAMMED C/O MARSHALL WILSON 20 LA PORTE PRECINCT GRANGEMOUTH FALKIRK FK3 8AS	6 June 2008		

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4 MAIDENPARK POST OFFICE 1-3 GILBURN PLACE BONESS EH51 0BE	FIAZ UR RAHIM	6 June 2008		
5 FORTH SOCIAL & LEISURE CLUB LIMITED/FORTH BINGO FORTH CENTRE GRANGEMOUTH ROAD FALKIRK FK2 9AB	FORTH SOCIAL & LEISURE CLUB LIMITED C/O HILL & ROBB 3 PITT TERRACE STIRLING	6 June 2008		
6 VG STORE 10 GREENBANK COURT CAMELON FK1 5DT	ISHAQ MOHAMMED C/O MARSHALL WILSON 20 LA PORTE PRECINCT GRANGEMOUTH FALKIRK FK3 8AS	6 June 2008		

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7 MOHAMMED SALEEM T/A BARRIE FOOD STORE 40C HAWTHORN STREET GRANGEMOUTH FALKIRK FK3 8NA	MOHAMMED SALEEM C/O MARSHALL WILSON 20 LA PORTE PRECINCT GRANGEMOUTH FALKIRK FK3 8AS	7 March 2008		
8 THE RED HOOSE 1 LAIROX TERRACE DUNIPACE FK6 6JR	COLIN DENNIS C/O MARSHALL WILSON 20 LA PORTE PRECINCT GRANGEMOUTH FALKIRK FK3 8AS	6 June 2008		
9 GORDON'S NEWSAGENT 306 MAIN STREET CAMELON FK1 4EG	GORDON GOW C/O MARSHALL WILSON 20 LA PORTE PRECINCT GRANGEMOUTH FALKIRK FK3 8AS	6 June 2008		

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10 THE ANCHOR TAVERN 54 NORTH STREET BO'NESS EH51 0AG	ALAN FRASER C/O MARSHALL WILSON 20 LA PORTE PRECINCT GRANGEMOUTH FALKIRK FK3 8AS	6 June 2008		
11 LIDL UK GMBH (STORE: 160) THE CARRON CENTRE RONADES ROAD FALKIRK FK2 7TA	LIDL UK (GMBH) C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON SUPER MARE	6 June 2008		
12 INDIAN HARVEST 1 UNION STREET BAINSFORD FALKIRK FK2 7NU	JASVINDER SINGH	6 June 2008		

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Licensing (Scotland) Act 2005

New Grant(s)	
Premises	Applicant
	Date Received
	Comments
13 ASDA 17 HALLAM ROAD STENHOUSEMUIR FALKIRK FK5 3BD	ASDA STORES LIMITED C/O GOSSCHALKS QUEENS GARDENS HULL HU1 3DZ
	2 May 2008
	OFF SALES APPLICANT CITED

FALKIRK COUNCIL LICENSING BOARD

MEETING, 17 NOVEMBER 2008 at 9:30am in Council Chambers, Municipal Buildings, West Bridge Street, Falkirk, FK1 5RS

Licensing (Scotland) Act 1976

Regular Extension(s) - New

Premises	Applicant	Date Received	Comments
14 LA BANCA 43 VICAR STREET FALKIRK	ALAN MILLIKEN C/O RUSSEL & AITKEN 8 SHILLINGHILL ALLOA FK10 1JT	16 September 2008	Sunday to Thursday 11.00 pm to 12.00 midnight Friday & Saturday 11.00 pm to 1.00 am Sunday 2.30 pm to 6.30 pm

AGENDA ITEM

FALKIRK COUNCIL LICENSING BOARD

Subject: **Licensing (Scotland) Act 2005**
 Members' Clubs and Seamen's Canteens
Meeting: **Licensing Board**
Date: **17 November 2008**
Author: **Clerk to the Board**

1. INTRODUCTION

- 1.1 The purpose of this report is to recommend to the Board an "appropriate date" in respect of applications for premises licences for those premises previously licensed under parts III and VII of the Licensing (Scotland) Act 1976, being for seamen's canteens and members' clubs.
- 1.2 The Board is aware that applications for 2005 Act licences in respect of premises previously licensed under part II of the 1976 Act (public houses, off-sales, hotels etc.) required to be submitted in tranches with deadlines for each of the tranches being set out in para 20(3) of The Licensing (Transitional and Saving Provisions) (Scotland) Order 2007. The deadline dates for each of the tranches was the "appropriate date" under the Order. The Order did not, however, specify an "appropriate date" for part III (seamen's canteens) and part VII (clubs) licenses, leaving this instead to the discretion of Boards.

2. CLUBS AND CANTEENS

- 2.1 At its meeting on 5 February 2008, the Board Sub-Committee agreed that transitional applications for clubs and canteens should be dealt with by way of a 5th tranche of applications commencing in March, 2009.
- 2.2 The Board will recollect that previously licensed members' clubs and seamen's canteens enjoy the same grandfather rights and require to follow the same transitional application procedures as for other licensed premises. Similarly the Board requires to undertake the same processes in determining such applications including the requirement to notify each licence holder in writing as to the last lodging date (i.e. the "appropriate date"). In this connection, it is anticipated that one seamen's canteen application and approximately 50 members' club applications will be received.

3. APPROPRIATE DATE

- 3.1 It is proposed that, in order to ensure the maximum possible period for determination of the applications referred to in para 2.2, the “appropriate date” (i.e. the final date by which applications require to be lodged) for members’ clubs and seamen’s canteens should be determined to be 28 February, 2009

4. RECOMMENDATION

- 2.1 In terms of paragraph 20 of The Licensing (Transitional and Saving Provisions) (Scotland) Order 2007, it is recommended that the Board determines 28 February, 2009 to be the appropriate date for any application relating to premises in respect of which a licence under part III of the Licensing (Scotland) Act 1976 is in effect or a certificate of registration under part VII of that Act is in force.

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Clerk to the Board

Date: 11 November 2008

Contact Officer: Robert Watson, Licensing Co-ordinator Ext 4798