

Agenda Item 4

Draft

FALKIRK COUNCIL

Minute of Meeting of the Licensing Board held remotely on WEDNESDAY 13 OCTOBER 2021 at 10.00 a.m.

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

Officers: Alison Barr, Consumer Protection Manager
Colin Moodie, Chief Governance Officer (Clerk)
Brian Pirie, Democratic Services Manager

Attending: Liam Livingstone, Police Scotland
Thomas Ross, Licensing Standards Officer
Andy Tough, Police Scotland

LB35. 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.

LB36. Apologies

There were no apologies.

LB37. Declarations of Interest

There were no declarations of interest.

LB38. Minute

The minute of the meeting of the Licensing Board held on 22 September 2021 was approved.

LB39. Extended Hours Application

The Board considered a report by the Clerk to the Licensing Board providing details of an application made in terms of section 68 of the Licensing (Scotland) Act 2005 for the grant of extended hours for namely, (1) City, Princes Street, Falkirk.

City, Princess Street, Falkirk

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

Decision

The Board approved the extended trading hours for the premises in connection with a special event or occasion to be catered for on the premises, in accordance with section 68 of the Licensing (Scotland) Act 2005.

LB40. Applications for Non-Minor Variations of Premises Licence

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 variations to the premises licence, namely Aldi, Redbrae Road, Camelon, Falkirk.

The Board heard from the applicant's agent, Mr McDougall and from Mr Johnston, on behalf of 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 a click and collect service and online sales/deliveries of alcohol to the list of other activities,**
- 2. change to the operating plan showing an increase in capacity from 23.85 m³ to 39.030742 m³.**
- 3. change to the layout plan showing the increase in the alcohol display area.**

LB41. Statutory Functions Report 2020/21

The Board considered a report by the Consumer Protection Manager which presented the Statutory Annual Functions Report 2020/21 for approval.

The Board is required to publish an Annual Functions report no later than 3 months after the end of a financial year however the Coronavirus (Scotland) Act 2020 has extended this period to 9 months after the end of a financial year. The report must:-

- state how, in the exercise of their functions under the Act during the financial year, the Board has had regard to the licensing objectives and their licensing policy statement, including any supplementary policy statement and the Board's overprovision statement, and
- summarise the decisions made by or on behalf of the Board during the financial year and state the number of licences held under the Act in the Board's area, including the number of occasional licences issued during the year.

The report set out:-

- The Licensing Objectives
- Annual Functions
- Decisions of the Board 2020/21
- Licensing Board Training
- Licensing Forum
- Reviews

Decision

The Board approved the Statutory Functions Report 2020/21.

The Board adjourned at 11.20 a.m. and reconvened at 11.30 a.m. with all members present.

LB42. Chief Constable's Report for 1 April 2020 to 31 March 2021

The Board considered a report by the Consumer Protection Manager which presented the Chief Constable's Report for April 2020 to March 2021 for information purposes.

The Licensing (Scotland) Act 2005 Act required the Chief Constable to report the Board in respect of the policing of the 2005 Act in the Board's area and on any police work in preventing the sale or supply of alcohol to those under 18 years.

The report set included overviews of the following:-

- Police Scotland Licensing Overview
- Local Policing priorities
- Operation of the Licensing (Scotland) Act 2005
- Monitoring/Intervention
- Partnership Working
- Exclusion and Closure Orders
- Applications for Licences
- Other Licensing Offences
- Children and Young Persons and Alcohol
- Tackling Serious and Organised Crime

Inspector Andy Tough provided a detailed summary of the report and answered questions from members of the Board, which focussed on underage drinking in public places. Members highlighted instances in their areas and questioned what action Police Scotland took in terms of enforcement and in tackling the sources of the alcohol.

Decision

The Board noted the report and asked for a report from Police Scotland on what was being done to address underage sales and drinking in public places.