

MINUTE of the MEETING of the WEST LOTHIAN LICENSING BOARD held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on FRIDAY, 8 APRIL 2016 at 10.00am.

Present – Councillor T Boyle (Convener), Councillor J Dickson, Councillor M Dickson, Councillor J Dixon, Councillor H Cartmill, Councillor J Muir, Councillor A McMillan, Councillor G Paul, and Councillor F Toner

Apologies – Councillor J Walker

1. **ORDER OF BUSINESS**

The order of business was as per the agenda.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES**

The Board approved the minutes of its meeting held on 11 March 2016.

4. **HEARING ON APPLICATION FOR VARIATION OF A PREMISES LICENCE – GRAND CENTRAL, CARMONDEAN CENTRE SOUTH, LIVINGSTON**

The Depute Clerk referred the Board to the report on the application. The applicant was represented by James Carlin of Sneddon Morrison solicitors.

Mr Carlin made submissions regarding Police Scotland's representation regarding the application and confirmed the breakdown of capacity numbers.

Chief Inspector Colin Gagen referred the Board to his letter and made no further comment.

**Decision**

The Board agreed unanimously to grant the application.

5. **HEARING ON APPLICATION FOR GRANT OF A PROVISIONAL PREMISES LICENCE – MURCO MOSSHALL SERVICE STATION, 55 WEST MAIN STREET, BLACKBURN**

The Depute Clerk referred the Board to the report on the application. The applicant was represented by Audrey Junner of Hill Brown solicitors. Alison Kerr was present and spoke on behalf of the objection lodged by Blackburn Community Council. The objector Mrs Robertson was not present or represented.

Ms Junner made submissions regarding the application and lodged some additional material in support of the application. The Board agreed to consider that information.

Chief Inspector Gagen referred the Board to his letter and made no further comment.

The Board asked a number of questions and the Depute Clerk provided legal

advice on the definition of excluded premises and the exemption from that.

The Board agreed that the locality was within 10 miles of the premises.

Councillor Boyle moved a motion that the premises were not excluded premises on the basis of the evidence submitted. Councillor Jim Dixon moved that the premises were excluded on the basis of protecting children from harm. That motion was seconded by Councillor Cartmill, and on a vote being taken the motion was granted by 5 votes to 4.

Councillor Boyle moved to grant the application and was seconded by Councillor Toner.

#### Decision

The Board agreed unanimously to grant the application.

#### 6. **HEARING ON APPLICATION FOR VARIATION OF PREMISES LICENCE – FOOTBALL & CRICKETERS ARMS, 111 HIGH STREET, LINLITHGOW**

The Depute Clerk advised the Board that a request from the agent representing the licence holder had been received requesting an adjournment until its meeting to be held on 13 May 2016 to allow the licence holder to be present.

#### Decision

The Board agreed unanimously to adjourn the application to its meeting to be held on 13 May 2016.

#### 7. **HEARING ON APPLICATION FOR VARIATION OF PREMISES LICENCE – THE WEST LOTHIAN GOLF CLUB, AIRNGATH HILL, LINLITHGOW**

The Depute Clerk referred the Board to the report on the application. The applicant was represented by Alistair Macdonald, Macdonald Licensing and accompanied by Alan Gibson, manager and proposed premises manager.

Mr Macdonald made submissions in relation to the application and in relation to the representation made by Police Scotland.

Chief Inspector Colin Gagen referred the Board to the letter from Police Scotland and made no further comment.

#### Decision

The Board unanimously agreed to grant the application.

#### 8. **POLICY REPORT – REVIEW OF BOARD POLICY UNDER THE AIR WEAPONS AND LICENSING (SCOTLAND) ACT 2015**

The Depute Clerk referred the Board to the report.

#### Decision

The Board unanimously agreed the terms of the report.