

CLACKMANNANSHIRE LICENSING BOARD

MINUTE OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on TUESDAY 25 MARCH 2014 at 10.0AM

PRESENT

Councillor Walter McAdam, MBE, Convenor (In the Chair)
Councillor Archie Drummond
Councillor Kenneth Earle
Councillor George Matchett, QPM

IN ATTENDANCE

Mark Easton, Solicitor, Acting Clerk to the Board
June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Chief Inspector Stephen Sneddon, Police Scotland (present until item 4(v))

1.0 APOLOGIES

Apologies were submitted from Councillor Hamilton and Councillor Sharp.

2.0 DECLARATIONS OF INTEREST

None.

3.0 MINUTES OF MEETING HELD ON 13 FEBRUARY 2014

The minutes of the meeting of the Licensing Board held on Tuesday 13 February 2014 were submitted for approval.

Moved by Councillor Kenneth Earle. Seconded by Councillor George Matchett, QPM.

Decision

The minutes of the meeting held on Tuesday 13 February 2014 were agreed as a correct record and signed by the Convenor.

4.0 LICENSING (SCOTLAND) ACT 2005

The Board agreed to take Items 4(i) and (ii) as one item.

(i) Applications for Personal Licences - Granted Under Delegated Powers

A list of personal licence applications (numbered 1-3 inclusive) which had been granted under delegated powers was put before the Board for information only.

(ii) Applications for Variation of Licence (Minor) - Granted Under Delegated Powers

A series of applications (1-4 inclusive) for a variation of a licence (Minor) which had attracted no representations or objections were put before the Board for information only.

1. **Morrisons, Clackmannan Road, Alloa, FK10 1RW** - variation to change premises layout granted under delegated powers.
2. **Woolpack Inn, 1 Glassford Square, Tillicoultry, FK13 6AU** - variation to change premises manager granted under delegated powers.
3. **Ochilview, Ochil Vale Terrace, Fishcross, FK10 3HT** - variation to change premises manager granted under delegated powers.
4. **County Bar, 1 Main Street, Clackmannan, FK10 1JA** - variation to change premises manager granted under delegated powers.

Councillor Kenneth Earle moved to note Items 4(i) and (ii). Seconded by Councillor George Matchett QPM.

Decision

The Board agreed to note that the personal licence application and the series of applications (1-4 inclusive) for a variation of a licence (minor), none of which had attracted any representations or objections had been granted under delegated powers.

(iii) Application for Personal Licence

An application for a Personal Licence which had attracted a Notice in Terms of Section 73 (3) (b) of the Licensing (Scotland) Act 2005 from Police Scotland was put before the Board.

Attending: Mr Colin McPhee
Chief Inspector Stephen Sneddon, Police Scotland

The Board heard representations from Mr McPhee and Chief Inspector Sneddon. The Board then had opportunity to put questions to Mr McPhee and Chief Inspector Sneddon.

Motion

Having considered all of the information provided and representations made, that the Board grants the Personal Licence Application.

Moved by Councillor George Matchett QPM. Seconded by Councillor Kenneth Earle.

Decision

The Board agreed unanimously to grant the Personal Licence to Mr Colin McPhee.

Action

Depute Clerk to the Board

(iv) Application for Variation of Licence (Non-Minor) - Representation Received

Premises : Lodge Ladywell 1474, 67a Banchory Place, Tullibody, FK10 2S4

Applicant : Lodge Ladywell 1474, 67a Banchory Place, Tullibody, FK10 2S4

An application for a variation of licence (Non-Minor) which had attracted a representation from Police Scotland was put before the Board

Attending

Mr Kenneth Deacon, Social Convenor, Lodge Ladywell 1474
Chief Inspector Stephen Sneddon, Police Scotland

The Board heard representations from Mr Deacon and Chief Inspector Sneddon. The Board then had opportunity to put questions to Mr Deacon and Chief Inspector Sneddon.

Motion

Having considered all of the information presented to it and representations made, that the Board grants the application.

Moved by Councillor George Matchett QPM. Seconded by Councillor Kenneth Earle.

Decision

The Board agreed unanimously to grant the application.

Action

Acting Clerk to the Licensing Board

(v) Applications for Grant of Premises Licence

Premises: Alva Tandoori, 74 - 76 Stirling Street, Alva, FK12 (On/Off Sales)

An application for a premises licence (On / Off Sales) for the Alva Tandoori, 74-76 Stirling Street, Alva, FK12, which had attracted no objections or representations was put before the Board.

Attending

Ms Natalie Wallace, Applicant

Motion

That the Board, having considered the application and determining that no grounds for refusal exist, grants the application for a premises licence (off sales) for the Alva Tandoori, 74-76 Stirling Street, Alva, FK12.

Moved by Councillor Archie Drummond. Seconded by Councillor George Matchett, QPM.

Decision

The Board agreed unanimously to grant the application for a premises licence (On / Off Sales) for the Alva Tandoori, 74-76 Stirling Street, Alva, FK12.

Action

Acting Clerk to the Board

Premises: JNB Tron Court Ltd, 32 Tron Court, Tullibody, FK10 2PS (Off Sales)

An application for a premises licence (Off Sales) for JNB Tron Court, 32 Tron Court, Tullibody, FK10 2PS, which had attracted five objections was put before the Board.

Attending

Mr John Friel, Applicant
Mr James Savage, Solicitor representing Mr Friel

None of the objectors were in attendance.

The Licensing Board, having heard representation from Mr Savage and having had the opportunity to put questions to both Mr Savage and Mr Friel, the Board agreed to adjourn at this point in the proceedings (10.40 am). The meeting resumed at 10.45 am.

Motion

That the Board, having considered the all of the information presented to it and the representations made, grants the application for a premises licence (off sales) to JNB Tron Court Ltd, 32 Tron Court, Tullibody, FK10 2PS.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Kenneth Earle.

Decision

The Board agreed unanimously to grant the application for a premises licence (Off Sales) for JNB Tron Court Ltd, 32 Tron Court, Tullibody, FK10 2PS.

Action

Acting Clerk to the Board

(vi) Applications for Extended Hours

**Old Brewery, East Vennel, Alloa
Special Events: 20 April 2014, 4 May 2014 and 25 May 2014**

Three applications for extended hours for special events being held on 20 April 2014, 4 May 2014 and 25 May 2014 and which had attracted comment from the Licensing Standards Officer in terms of Section 69(3) of the 2005 Act, was put before the Board.

Attending

Mr Paul Fair, Licensing Standards Officer

Motion

Having considered the content of the applications and the content of the Licensing Standards Officer's reports, that the Board grant the applications for extended hours for special events on 20 April 2014, 4 May 2014 and 25 May 2014 subject to the conditions set out in the Licensing Standards Officer's report.

Moved by Councillor George Matchett QPM. Seconded by Councillor Archie Drummond.

Decision

The Board agreed to grant the applications for extended hours on 20 April 2014, 4 May 2014 and 25 May 2014 to Old Brewery, East Vennel, Alloa subject to the conditions set out in the Licensing Standards Officer's report.

Action

Acting Clerk to the Board

5.0 GAMBLING ACT 2005

(i) Application for Grant of a Licensed Premises Gaming Machine Permit

Premises: JD Wetherspoon, 46 Drysdale Street, Alloa, FK10 1JL

Applicant: JD Wetherspoon, c/o Brunton Miller, 22 Herbert Street, Glasgow, G20 6NB

An application for the grant of a licensed premises gaming machine permit, which had attracted no objections or representations, was put before the Board.

Attending: Mr Archie MacIver, Brunton Miller Solicitors

The Board heard representation from Mr Archie MacIver, Brunton Miller Solicitors, on behalf of the applicant.

Motion

Having heard the representations, the Board grant the application for a licensed premises gaming machine permit to JD Wetherspoon, 46 Drysdale Street, Alloa, FK10 1JL.

Moved by Councillor George Matchett QPM. Seconded by Councillor Kenneth Earle.

Decision

The Board agreed unanimously to grant the application for a licensed premises gaming machine permit to JD Wetherspoon, 46 Drysdale Street, Alloa, FK10 1JL.

Action

Acting Clerk to the Board

6.0 AOCB

(i) Occasional Licence Applications - Alloa Town Hall, Marshall, Alloa Applicant: Symon Pellicci - Help for Heroes Fundraising Concert - 11 April 2014

An application for an Occasional Licence for a Help for Heroes Fundraising Concert which had attracted comment from the Licensing Standards Officer was put before the Board for determination.

Motion

That the Board grants the applications for an Occasional Licence subject to the conditions set out in the Licensing Standards Officer's report dated 18 March 2014.

Moved by Councillor Kenneth Earle. Seconded by Councillor George Matchett QPM.

Decision

The Board agreed unanimously to grant the application subject to the conditions set out in the Licensing Standards Officer's report dated 18 March 2014:

- All drinks to be served in plastic bottles and glasses
- Sufficient SIA Licence Stewards
- Personal licence holder on premises for duration of event
- Only trained staff permitted to make sales of alcohol

Action

Acting Clerk to the Board

ENDS 11.15 am