

CLACKMANNANSHIRE LICENSING BOARD

MINUTE OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 13 FEBRUARY 2014 at 10.00 am.

PRESENT

Councillor Walter McAdam, MBE, Convenor (In the Chair)
Councillor Les Sharp, Vice Convenor
Councillor Archie Drummond
Councillor Kenneth Earle
Councillor Irene Hamilton
Councillor George Matchett, QPM

IN ATTENDANCE

Mark Easton, Solicitor, Acting Clerk to the Board
June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Alastair MacKenzie, Team Leader, Licensing and Building Standards

1.0 APOLOGIES

None

2.0 DECLARATIONS OF INTEREST

None

3.0 MINUTES OF MEETING HELD ON 23 JANUARY 2014

The minutes of the meeting of the Licensing Board held on Thursday 23 January 2014 were submitted for approval.

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

Decision

The minutes of the meeting held on Thursday 23 January 2014 were agreed as a correct record and signed by the Convenor.

6.1 Body Camera Trial

The Acting Clerk undertook to further report to the Board in relation to protocols for the wearing of body cameras by authorised officers of the Council.

4.0 LICENSING (SCOTLAND) ACT 2005

(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.

The Board agreed to note that the personal licence applications (numbered 1-3 inclusive) had been granted under delegated powers.

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

Premises: Eagle Inn, 110 High Street, Tillicoultry -
variation to change premises manager granted under delegated powers.

An application for a variation of a licence (Minor) which had attracted no representations or objections was put before the Board for information only.

Decision

The Board agreed to note that the application for a variation of a licence (minor) which had attracted no representations or objections had been granted under delegated powers.

(iii) Occasional Licence Application - Hall at Lodge St Servanus, Ochil Road, Alva Applicant: Mr Douglas Buck - Rock Night-Live Music Event - 19 April 2014

Attending

Mr Douglas Buck, representing Lodge St Servanus
Mr Paul Fair, Licensing Standards Officer

An application for an Occasional Licence for a large scale music event which had attracted comment from the Licensing Standards Officer was put before the Board for determination.

Motion

That the Board grants the application for an Occasional Licence subject to removal of the condition set out in the Licensing Standards Officer's report dated 21 January 2014 in relation to the use of plastic bottles and glassware and subject to the use of a sufficient number of SIA Licensed Stewards, such number to be proposed by the applicant and approved by the Licensing Standards Officer (on behalf of the Board).

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

Decision

The Board agreed unanimously to grant the application subject to the following conditions :

- Use of a sufficient number of SIA Licensed Stewards, such number to be proposed by the applicant and approved by the Licensing Standards Officer (on behalf of the Board).
- Personal licence holder to be working at the event to supervise and authorise the sale of alcohol.
- Recognised first aider to be working on the premises for the duration of the event.
- Only trained staff permitted to make sales of alcohol
- All musical performance of live or recorded music must end at least 15 minutes prior to the terminal hour.

The Acting Clerk advised that he would write formally to the applicant outlining the approved conditions.

Action

Acting Clerk to the Board

5.0 HEARING TO CONSIDER A PREMISES LICENCE REVIEW APPLICATION

Premises Licence Review in respect of the licensed premises known as Weirs (Alloa) Social and Recreation Club, 1 Church Street, Alloa, FK10 1DH

Review Hearing in terms of Section 38 of the Licensing (Scotland) Act 2005 to consider and determine a Premises Licence Review Application in respect of the Premises Licence for Weirs (Alloa) Social and Recreation Club, 1 Church Street, Alloa, FK10 1DH.

Review of the above licence was sought on the grounds specified in section 36(3)(a) and (b) of the Licensing (Scotland) Act 2005.

Attending

Mr Paul Fair, Licensing Standards Officer

Ms Margaret Lang, Solicitor, Russel and Aitken LLP (representing (Weirs (Alloa) Social and Recreation Club)

Ms Marlene Hughes, Committee Member, Weirs (Alloa) Social and Recreation Club (Premises Licence Review Applicant)

Ms Sharon Fisher, Committee Member, Weirs (Alloa) Social and Recreation Club (Premises Licence Review Applicant)

Mr John Cowie, Secretary, Weirs (Alloa) Social and Recreation Club

The Licensing Board, having heard representation from Ms Marlene Hughes (Joint Applicant) and Ms Sharon Fisher (Joint Applicant), Ms Margaret Lang, Solicitor, Russel and Aitken, on behalf of Weirs (Alloa) Social and Recreation Club, and the Licensing Standards Officer and having had opportunity to put questions to all of the parties, agreed to adjourn at this point in the proceedings (11.25 am). The meeting resumed at 11.45 am.

Motion

Having considered all of the information provided and representations made, that the Board is satisfied that it is necessary for the purposes of the licensing objective of preventing crime and disorder to (i) suspend the premises licence for a period of one month commencing on 14 February 2014; and (ii) vary the licence to include a condition requiring that the Licence Holder submits a management plan in the form of a method statement detailing how the Premises Licence holder will regulate the sale of alcohol in accordance with the requirements of the Licensing (Scotland) Act 2005, with such plan to be submitted to the Clerk for approval.

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

Decision

Having considered all of the information provided and representations made, that the Board is satisfied that grounds of review had been established and agreed unanimously for the purposes of the licensing objective of preventing crime and disorder to (i) suspend the premises licence for a period of one month commencing on 14 February 2014; and (ii) vary the licence to include a condition requiring that the Licence Holder submits a management plan in the form of a method statement detailing how the Premises Licence holder will

regulate the sale of alcohol in accordance with the requirements of the Licensing (Scotland) Act 2005, with such plan to be submitted to the Clerk for approval.

The Board also made a finding that Ms Catherine Houston had, as a result of working in the premises subject to the review, acted in a manner inconsistent with the licensing objectives of preventing public nuisance and preventing crime and disorder. The Board agreed to make a finding in accordance with Section 84(1) and (2) of the 2005 Act, in respect of the personal licence held by Ms Catherine Houston, and to hold a hearing as required by the 2005 Act.

Action

Acting Clerk to the Board

6.0 AOCB

(i) Filming - Crams Bar 06/02/14

The Board heard that a letter had been received from Crams Bar thanking Board Members and administrative staff for advice and also the grant of an extended hours application at short notice to facilitate filming in Alloa for the Scottish Police Federation. A copy of the letter to be circulated to Board Members for information.

Action

Acting Clerk to the Board

ENDS 11.50 am