

## **CLACKMANNANSHIRE LICENSING BOARD**

**MINUTE OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Patons Building, Greenside Street, Alloa, FK10 1EB, on THURSDAY 28 AUGUST 2014 at 10.00 am.**

### **PRESENT**

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

### **IN ATTENDANCE**

Mark Easton, Solicitor, Depute Clerk to the Board  
June Andison, Licensing Administrator  
Paul Fair, Licensing Standards Officer

#### **1.0 APOLOGIES**

Apologies for absence were received from Councillor Les Sharp and Councillor Irene Hamilton.

#### **2.0 DECLARATIONS OF INTEREST**

None

#### **3.0 MINUTES OF MEETING HELD ON 24 JUNE 2014**

The minutes of the meeting of the Licensing Board held on Tuesday 24 June 2014 were submitted for approval.

The minutes of the meeting of the Licensing Board held on Tuesday 24 June 2014 were agreed as a correct record and signed by the Convenor.

#### **4.0 LICENSING (SCOTLAND) ACT 2005**

The Board agreed to consider agenda Items 4(i) to (iii) as one item.

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

A list of personal licence applications numbered 1-7 (inclusive) which had been granted under delegated powers was put before the Board for information only.

The Board agreed to note that Personal Licence Applications numbered 1-7 (inclusive) had been granted under delegated powers.

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

A list of applications (1-9 inclusive) for a variation of a licence (Minor) which had attracted no representations or objections were put before the Board for information only.

The Board agreed to note that the applications for variation of licence (minor) numbered 1-9 (inclusive) had been granted under delegated powers.

**(iii) Applications for Transfer of Licence - Granted Under Delegated Powers**

Three applications for a transfer of Licence which had attracted no representations or objections and had been granted under delegated powers was put before the Board for information only.

The Board agreed to note that the three applications for transfer of licence which had attracted no objections or representations had been granted under delegated powers.

**5.0 Application for Variation of Licence (Non Minor) - No Representations/objections received**

- a) Premises - Lidl GmbH, Candleriggs Road, Alloa, FK10 1EA  
Applicant - Lidl GmbH, 19 Worples Road, London. SW19 4JS

An application for a variation of licence (non minor) which had attracted no representations or objections was put before the Board for determination.

**Attending**

Mr David Scott, Lidl GmbH, Applicant

**Motion**

Having considered all of the information presented to it and having had the opportunity to put questions to the applicant, that the Board grants the application.

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

**Decision**

Having considered all of the information presented to it and having had opportunity to put questions to the applicant, the Board agreed unanimously to grant the application.

**Action**

Depute Clerk to the Board

The Board agreed to consider agenda Items 5 (b) and (c) together as although the applications were for separate premises, the applicant and representative were the same.

- b) Premises - Spar, 11 Lornshill Crescent, Alloa, FK10 2JL  
Applicant - Khalsa Retail Ltd, c/o Mailers Solicitors, 88 Henderson Street,  
Bridge of Allan, FK9 4HA
- c) Premises - AG Stores, 82 Hill Street, Alloa, FK10 2LW  
Applicant - Khalsa Retail Ltd, c/o Mailers Solicitors, 88 Henderson Street,  
Bridge of Allan, FK9 4HA

Applications for variation of licence (non minor) which had attracted no representations or objections were put before the Board for determination.

### **Attending**

Mr Alastair Mackie, Mailers Solicitors on behalf of the Applicant

### **Motion**

Having considered all of the information presented to it and having had the opportunity to put questions to the applicant's representative, that the Board grants both the applications.

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

### **Decision**

Having considered all of the information presented to it and having had opportunity to put questions to the applicant, the Board agreed unanimously to grant both the applications.

### **Action**

Depute Clerk to the Board

## **6.0 DECLARATION BY CLACKMANNANSHIRE LICENSING BOARD**

### **Premises Licence No. CC 0029 in the name of Robert and Jacqueline Hunter Premises - The Gartmorn Lounge, Posthill, Sauchie**

A report which provided update information in terms of sections 28(1)(b) and 28(5)(d) of the Licensing (Scotland) Act 2005 in respect of which a premises ceases to be used for the sale of alcohol was submitted by the Licensing Standards Officer.

### **Motion**

That the Board confirms by declaration that Premises Licence No. CC0029 ceases to have effect and that the premises licence holder is notified accordingly.

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

### **Decision**

The Board, having considered all of the information before it, confirmed by declaration that Premises Licence No. CC0029 ceases to have effect and that the premises licence holder is notified accordingly.

### **Action**

Depute Clerk to the Board

## **7.0 AOCB**

### **(a) APPLICATION FOR EXTENDED HOURS - LICENSING (SCOTLAND) ACT 2005**

**Premises: Peppe's Bar, 12 Mar Place, Alloa, FK10 2AB**

**Leaving Party - 29/30 August 2014**

#### **Attending**

Mr Paul Fair, Licensing Standards Officer

An application for extended hours together with the Licensing Standards Officer's report in terms of Section 69(1)(b) thereon was put before the Board for determination.

The application sought an extension of licensed hours from 1.00 am until 2.00 am on Saturday 30 August 2014.

#### **Motion**

Having heard from the Licensing Standards Officer and having considered the content of the application and having taken into account the Licensing Standards Officer's report that the Board grant the application for extended hours.

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

#### **Decision**

Having considered the representation made and having considered the content of the application, the Board agreed unanimously to grant the application for extended hours.

#### **Action**

Depute Clerk to the Board

### **(b) FESTIVE PERIOD EXTENDED HOURS - RECOMMENDATION BY LOCAL LICENSING FORUM**

#### **Attending**

Mr Paul Fair, Licensing Standards Officer, on behalf of Andrew Mitchell, Chair of the Local Licensing Forum

The Local Licensing Forum has a general function of keeping under review the operation of the Licensing (Scotland) Act, 2005 in the Forum's area; and in particular the exercise by the relevant Licensing Board of their functions, and giving such advise and making such recommendations to the Board in relation to those matters as the Forum considers appropriate.

The Local Licensing Forum made a recommendation to the Board regarding the Festive Period Extended Hours.

**Motion**

Having heard from the Licensing Standards Officer on behalf of the Local Licensing Forum, and having considered the recommendations of the Forum, that the Board defer the decision on this matter to allow for the Board to carry out a short consultation on the recommendations of the Forum with the general public and statutory consultees. At the end of the consultation period, the Depute Clerk will submit a report for decision to the Licensing Board by no later than 21 October 2014.

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

**Decision**

Having considered the representation made by the Local Licensing Forum, the Board agreed unanimously to proceed as set out above.

**Action**

Depute Clerk to the Board

Ends: 11 am

