

## **CLACKMANNANSHIRE LICENSING BOARD**

**MINUTE OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Patons Building, Kilncraigs, ALLOA, FK10 1EB, on TUESDAY 30 AUGUST 2016 at 10.00 am.**

### **PRESENT**

Councillor Walter McAdam, MBE (In the Chair)  
Councillor Kenneth Earle  
Councillor Irene Hamilton  
Councillor Craig Holden  
Councillor George Matchett, QPM  
Councillor Graham Watt

### **IN ATTENDANCE**

June Andison, Licensing Administrator  
Paul Fair, Licensing Standards Officer  
Stuart McQueen, Solicitor, Depute Clerk to the Board  
Margaret Summers, Business Support to the Board

### **1.0 APOLOGIES**

Apologies for absence were received from Councillor Donald Balsillie and Councillor Les Sharp.

### **2.0 DECLARATIONS OF INTEREST**

None

### **3.0 MINUTES OF MEETING HELD ON 5 JULY 2016**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 5 July 2016 were submitted for approval.

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

### **Decision**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 5 July 2016 were agreed as a correct record and signed by the Chair of the Board.

**4.0/**

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

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

A list of personal licence applications numbered 1-9 (inclusive) which had been granted under delegated powers was put before the Board for information only.

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

The Board agreed to note that Personal Licence Applications numbered 1-9 (inclusive) had been granted under delegated powers.

##### **(ii) Application for Variation of Licence (Minor) – Granted Under Delegated Powers**

A list of applications (1-8 inclusive) for minor variation of licence which had attracted no objections or representations and had been granted under delegated powers was put before the Board for information only.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Graham Watt.

The Board agreed to note that the applications (1-8 inclusive) for variation of licence (minor) which had attracted no objections or representations had been granted under delegated powers.

##### **(iii) Application for Transfer of Licence – Granted Under Delegated Powers**

An application for transfer of premises licence which had attracted no objections or representations and had been granted under delegated powers was put before the Board for information only.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Graham Watt.

The Board agreed to note that the application for a transfer or premises licence which had attracted no objections or representations had been granted under delegated powers.

#### **5.0 LICENSING (SCOTLAND) ACT 2005 – EXTENDED HOURS APPLICATION**

##### **(i) Application for Extended Hours**

**Applicant: John Black, The Volunteer Arms, 132 High Street, Tillicoultry, FK10 6DU**  
**Premises: The Volunteer Arms, 132 High Street, Tillicoultry, FK10 6DU**  
**Event: Birthday Party - 3 September 2016**

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 the terminal hour (1.00 am) at the premises by one additional hour until 2.00 am to facilitate a birthday party for family, friends and regular customers.

The Board heard briefly from the Licensing Standards Officer that he had no further comments to add to his report.

### **Motion**

Having considered the content of the application and having taken into account the Licensing Standards Officer's report dated 20 July 2016, that the Board grants the application for extended hours.

Moved by Councillor Graham Watt. Seconded by Councillor Irene Hamilton.

### **Decision**

Having considered the content of the application and having taken into account the Licensing Standards Officer's report dated 20 July 2016, the Board agreed unanimously to grant the application for extended hours.

### **Action**

Depute Clerk to the Board

## **6.0 LICENSING (SCOTLAND) ACT 2005 – VARIATION (NON-MINOR)**

### **(i) Application for Variation of Licence (Non-Minor) – Objection/Representation received**

**Premises:** Bridge Street Kitchen, 24 Bridge Street, Dollar, FK14 7DE

**Applicant:** Mr Andrew Mackie

An application for a variation of licence (non-minor) which had attracted objection/representation was put before the Board for determination. The Board heard representation from the applicant and the Licensing Standards Officer.

### **Attending**

Mr Andrew Mackie, Applicant

Mr Paul Fair, Licensing Standards Officer

### **Motion**

Having considered all of the information presented to it and having had opportunity to put questions to the applicant and the Licensing Standards Officer, that the Board grants the application subject to standard conditions for outdoor drinking areas in Clackmannanshire.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Irene Hamilton.

### **Decision**

Having considered all of the information presented to it and having had opportunity to put questions to the applicant and the Licensing Standards Officer, the Board agreed unanimously to grant the application subject to standard conditions for outdoor drinking areas in Clackmannanshire.

### **Action**

Depute Clerk to the Board

## **7.0 GENERAL PERMITTED EXTENSION – FESTIVE PERIOD 2016-17**

A report was submitted by the Depute Clerk to the Licensing Board which asked the Board to consider whether and to what extent a general extension of the licensing hours be allowed to cover the Festive Period 2016-17.

### **Motion**

That the Board agrees the recommendations set out in the report subject to the undernoted amendment:

Moved by Councillor Craig Holden. Seconded by Councillor Graham Watt.

### **Amendment**

To add recommendation 3.1.4 to read:

“The Clerk of the Licensing Board is tasked with supporting the local licensed trade by working to re-establish the Local Licensing Forum and that the Licensing Board considers a report on this at a future date”.

Moved by Councillor Craig Holden. Seconded by Councillor Graham Watt.

### **Decision**

The motion as amended was agreed without division. Accordingly, the Board agreed to grant a general extension of licensed hours in the following terms:

- 3.1.1 Each licensed premises licensed to sell alcohol on the premises within the local government area of Clackmannanshire shall be entitled to an additional one hour extension to the terminal hour as set out on their operating plan during the festive period.
- 3.1.2 Notwithstanding the above permitted extension, no licensed premises shall be permitted to an extra hour of trade where as a result of the extension, licensed hours would be extended beyond 2.00 am on the day in question.
- 3.1.3 The general extension set out in paragraph 3.1.1 shall apply for the period 16 December 2016 to 3 January 2017, being the festive period as determined by the Board.
- 3.1.4 The Clerk to the Licensing Board is tasked with supporting the local licensed trade by working to re-establish the Local Licensing Forum and that the Licensing Board considers a report on this at a future date.

### **Action**

Clerk/Depute Clerk to the Board

## **8.0 AOCB**

None

Ends 1045 hrs



