
Report to the Licensing Board

Date of Meeting: 29 November 2016

**Subject: Premises Licence Review Proposal – The Bottle Shop, 96
Stirling Street, Alva, FK12 5EH**

Report by: Clerk to the Licensing Board

1.0 Introduction

- 1.1 The Licensing Standards Officer wrote to the Clerk by letter dated 3 November 2016 bringing to his attention matters of concern regarding the above premises, and inviting the Board to make a proposal to review the premises licence relating to said premises.

2.0 Recommendation

2.1 That the Board:

- 2.1.1 consider the information contained in the said letter a copy of which is annexed to this report (Appendix A);
- 2.1.2 consider whether to make a premises licence review proposal in terms of the draft premises licence review proposal annexed to this report (Appendix B) or in such other terms as the Board considers appropriate; and
- 2.1.3 if the Board makes a premises licence review proposal in respect of the premises licence relating to said premise, to fix a hearing for the purposes of considering and determining said premises licence review proposal.

3.0 Consideration

- 3.1 In terms of section 37(1) of the Licensing (Scotland) Act 2005, a Licensing Board may, on its own initiative, in respect of any licensed premises in relation to which a premises licence has effect propose to review the licence on any of the grounds of review.

3.2 The grounds of review are:

- (a) one or more conditions to which the premises licence is subject has been breached;
- (b) any other ground relevant to one or more of the licensing objectives.

3.3 The draft premises licence review proposal contained in Appendix B sets out, for consideration by the Board, grounds of review and background information based on the information provided by the Licensing Standards Officer. The Board is invited to consider whether it wishes to make a premises licence review proposal in these terms or in such other terms as the Board considers appropriate.

3.4 If the Board proposes to review the said premises licence and makes a premises licence review proposal it must hold a hearing to consider and determine the proposal. This hearing must be convened no later than 42 days after making the premises licence review proposal.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. *Financial Details*

5.2. None.

5.3. *Staffing*

None.

6.0 Equalities Impact

6.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

7.0 Legality

7.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

8.0 Appendices

8.1 Appendix A - Letter dated 3 November 2016 from the Licensing Standards Officer

8.2 Appendix B - Draft Premises Licence Review Proposal.

9.0 Background Papers

9.1 None.

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart McQueen	Depute Clerk to the Licensing Board	2085

Approved by

NAME	DESIGNATION	SIGNATURE
Andrew Wyse	Clerk to the Licensing Board	