

CLACKMANNANSHIRE LICENSING BOARD

MINUTE OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on Wednesday 23 NOVEMBER 2016 at 10.00 am.

PRESENT

Councillor Walter McAdam, MBE (In the Chair)
Councillor Donald Balsillie (item 4.0)
Councillor Kenneth Earle
Councillor Les Sharp
Councillor Graham Watt

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Stuart McQueen, Solicitor, Depute Clerk to the Licensing Board
Sergeant Marie White, Police Scotland

1.0 APOLOGIES

Apologies for absence were received from Councillor Irene Hamilton, Councillor Craig Holden and Councillor George Matchett, QPM.

2.0 DECLARATIONS OF INTEREST

None

3.0 LICENSING (SCOTLAND) ACT 2005 – EXTENDED HOURS APPLICATION

(i) Application for Extended Hours

Applicant: Candleriggs Inns Limited, Inchview House, Kelliebank, Alloa, FK10 1NT
Premises: Peppe's Bar, 12 Mar Place, Alloa, FK10 2AB
Event: Candleriggs Inns Limited – Sunday 27 November 2016

Attending

Sgt Marie White, Police Scotland (Representing the Chief Constable).
Mr Gerry Mulraney, Applicant
Mr Paul Fair, Licensing Standards Officer

An application for extended hours, which had attracted an objection from the Chief Constable in terms of Section 69(2), together with the Licensing Standards Officer's report in terms of Section 69(3) thereon was put before the Board for determination.

The application sought to bring forward by way of extended hours the commencement hour at the premises known as Peppe's, 12 Mar Place, Alloa, from 11.00 am by 60 minutes to 10.00am to facilitate a private event exclusively for members of the St Mungo's Shamrock Celtic Supporters Club and the Tommy Craig Celtic Supporters Club..

Motion(s)

Having heard representation from the Applicant and Police Scotland and having considered the content of the application and taken into account the Licensing Standards Officer's report dated 4 November 2016, that the application be refused as it falls outwith the general terms of the Clackmannanshire Licensing Board Statement of Licensing Policy.

Moved by Councillor Les Sharp. Seconded by Councillor Kenneth Earle.

A counter-motion was proposed by Councillor Graham Watt and seconded by Councillor Walter McAdam, MBE, that the application be granted given the recent history of a similar application..

Vote

For the motion to refuse	2 votes
For the motion to grant	2 votes

The motion to grant the application was carried on the casting vote of the Chair.

Decision

Accordingly, on the casting vote of the Chair, having heard representation from the Applicant and Police Scotland and having considered the content of the application and taken into account the Licensing Standards Officer's report dated 4 November 2016, the Board agreed to grant the application for extended hours.

Action

Depute Clerk to the Board

- *Councillor Balsillie joined the meeting during the Licensing Standards Officer's representation on the following item (10.15 am)*

4.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATION

(i) Application for Occasional Licence

Applicant: Mr Graham Baillie, 1 Craigrie Cottages, Port Street, Clackmannan
Venue: Lodge Clackmannan 1303, Kirkwynd, Clackmannan, FK10 4JF
Event: Under-13s Girls Football Presentation.

Attending

Mr Paul Fair, Licensing Standards Officer
The applicant did not attend.

An occasional licence application together with the Licensing Standards Officer's report in terms of Section 57(3) of the Licensing (Scotland) Act 2005 was put before the Board for determination.

Motion

Having considered the content of the application and having taken into account the Licensing Standards Officer's report dated 26 October 2016, that the application be refused for the reason that grant of the application would be inconsistent with the licensing objective of protecting children from harm.

Moved by Councillor Kenneth Earle. Seconded by Councillor Graham Watt.

A counter-motion was proposed by Councillor Les Sharp and seconded by Councillor Donald Balsillie, that the application be granted subject to the conditions set out in Appendix A of the Licensing Standards Officer's report dated 26 October 2016.

Vote

For the motion to refuse	2 votes
Against the motion to refuse	3 votes

For the motion to grant	3 votes
Against the motion to grant	2 votes

The motion to grant the application was carried on a division of 3 votes to 2

Decision

Accordingly, on a division of 3 votes to 2, having considered all of the information presented to it, the Board agreed to grant the application subject to the conditions set out in Appendix A of the Licensing Standards Officer's report dated 26 October 2016, namely:

- All alcohol must be sold and supplied to the customer in, or decanted into, plastic or polycarbonate bottles and drinking vessels.
- Only alcohol sold at the event by the licence holder can be consumed at the event.
- At least one person who holds a suitable first aid qualification must be on duty at the event.
- At least one Personal Licence Holder must be on the premises for the duration of the event, and be responsible for authorising all sales of alcohol.
- Only staff trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007 are permitted to make sales of alcohol and all staff authorised to serve and sell alcohol will have with them a training certificate in the prescribed form.
- Any music or other entertainment must cease at no later than 15 minutes prior to the end of licensed hours.
- A suitable and effective age verification policy must be adopted by the licence holder, this policy should be in writing and a copy of the policy should be kept on the premises for the duration of the licence. The policy must be made available to the Licensing Standards Officer at least 48 hours prior to the event.
- Prior to the commencement of the event, all staff working at the event should be briefed in relation to the terms and conditions of the occasional licence.
- No glass or other forms of waste likely to produce excessive noise will be disposed of in the external bins at the premises after 9pm and before 10am the following morning.

Action

Depute Clerk to the Board

5.0 AOCB

None.

Ends 1035 hrs

