

CLACKMANNANSHIRE LICENSING BOARD

MINUTE OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on TUESDAY 25 APRIL 2017 at 10.00 am.

PRESENT

Councillor Les Sharp, Vice Chair (In the Chair)
Councillor Donald Balsillie
Councillor Kenneth Earle
Councillor Irene Hamilton
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, Committee Services

1.0 APOLOGIES

Apologies for absence were received from Councillor Walter McAdam, MBE, and Councillor Craig Holden.

In the absence of the Chair, Councillor Walter McAdam, the meeting was chaired by Councillor Les Sharp, Vice Chair.

2.0 DECLARATIONS OF INTEREST

None

3.0 MINUTES OF MEETING: LICENSING BOARD 28 MARCH 2017

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 28 March 2017 were submitted for approval.

Moved by Councillor Donald Balsillie. Seconded by Councillor Kenneth Earle.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 28 March 2017 were agreed as a correct record and signed by the Vice Chair.

4.0 LICENSING (SCOTLAND) ACT 2005

Agenda items 4(i) and 4(ii) had been granted under delegated powers and were put before the Board for information only. Items 4(i) and 4(ii) were, therefore, considered together as one item.

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

A list of personal licence applications numbered 1-4 (inclusive) which had been granted under delegated powers was put before the Board for information only.

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

Decision

The Board agreed to note that Personal Licence Applications numbered 1-4 (inclusive) had been granted under delegated powers.

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

An application for a 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 Kenneth Earle. Seconded by Councillor George Matchett, QPM.

Decision

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

5.0 LICENSING (SCOTLAND) ACT 2005 – EXTENDED HOURS APPLICATIONS

(i) Application for Extended Hours

Applicant: Green King Retailing Ltd, Westgate Brewery, Bury St Edmonds, IP33 1QT
Premises: Old Brewery, East Vennel, Alloa, FK10 1ED
Event: Bank Holiday Weekend, Live Band Night – 30 April 2017

Attending

Mr Paul Fair, Licensing Standards Officer
The Applicant did not attend

An application for extended hours, which had attracted no objection or representation together with the Licensing Standards Officer's report in terms of Section 69(3), was put before the Board for determination.

The application sought to extend the terminal hour of the trading period that commences on Sunday 30 April 2017 from midnight to the later time of 0100 hours.

Motion

Having considered the content of the application and taken into account the Licensing Standards Officer's report dated 5 April 2017, that the Board grants the application for extended hours.

Moved by Councillor Donald Balsillie. Seconded by Councillor George Matchett, QPM.

Decision

Having considered the content of the application and taken into account the Licensing Standards Officer's report dated 5 April 2017, the Board agreed unanimously to grant the application for extended hours.

Action

Depute Clerk to the Board

(ii) Application for Extended Hours

Applicant: Milimia Ltd, St Davids, George Street, Bathgate, West Lothian, EH48 1PH

Premises: Chalmers, 2A Bank Street, Alloa, FK10 1HP

Event: Bank Holiday Event – 30 April 2017

Attending

Mr Paul Fair, Licensing Standards Officer

The Applicant did not attend

An application for extended hours, which had attracted no objection or representation together with the Licensing Standards Officer's report in terms of Section 69(3), was put before the Board for determination.

The application sought to extend the terminal hour on Sunday 30 April 2017 from 1.00 am until 2.00 am.

Motion

Having considered the content of the application and taken into account the Licensing Standards Officer's report dated 5 April 2017, that the Board grants the application for extended hours.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Donald Balsillie

Decision

Having considered the content of the application and taken into account the Licensing Standards Officer's report dated 5 April 2017, the Board agreed unanimously to grant the application for extended hours.

Action

Depute Clerk to the Board

(iii) Application for Extended Hours

Applicant: Milimia Ltd, St Davids, George Street, Bathgate, West Lothian, EH48 1PH
Premises: Chalmers, 2A Bank Street, Alloa, FK10 1HP
Event: Spring Break Event – 28 May 2017

Attending

Mr Paul Fair, Licensing Standards Officer
The Applicant did not attend

An application for extended hours, which had attracted no objection or representation together with the Licensing Standards Officer's report in terms of Section 69(3), was put before the Board for determination.

The application sought to extend the terminal hour on Sunday 28 May 2017 from 1.00 am until 2.00 am.

Motion

Having considered the content of the application and taken into account the Licensing Standards Officer's report dated 5 April 2017, that the Board grants the application for extended hours.

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

Decision

Having considered the content of the application and taken into account the Licensing Standards Officer's report dated 5 April 2017, the Board agreed unanimously to grant the application for extended hours.

Action

Depute Clerk to the Board

(iv)(v)(vi) Applications for Extended Hours

Applicant: R&C Black, Volunteer Arms, 132 High Street, Tillicoultry, FK13 6DU

Premises: Volunteer Arms, 132 High Street, Tillicoultry, FK113 6DU

Events: International Rugby – British Lions Summer Test Series 2017

Dates: Various Dates June/July 2017 – 24 June, 01 July and 08 July 2017

Attending

Mr Paul Fair, Licensing Standards Officer

Mr John Black, Premises Licence Holder

The Board agreed that agenda items 5(iv), (v) and (vi) would be considered together as one single item as the three applications dealt with the same subject matter.

Three applications for extended hours, which had attracted no objection or representation together with the Licensing Standards Officer's report in terms of Section 69(3), were put before the Board for determination.

The applications sought to extend the licensed hours in respect of the premises by such period as is specified in the application or such other period as the Board considered appropriate to facilitate the televising of the three British Lions versus New Zealand All Blacks rugby matches to a private audience on the premises.

Motion

Having heard representation from the Applicant and having considered the content of the applications and taken into account the Licensing Standards Officer's report dated 20 March 2017, that the Board grants the three applications for extended hours each application subject to the conditions set out in Appendix B of the Licensing Standards Officer's report dated 20 March 2017 (pages 52 and 53),

Moved by Councillor Graham Watt. Seconded by Councillor Donald Balsillie.

Decision

Having heard representation from the Applicant and having considered the content of the application and taken into account the Licensing Standards Officer's report dated 20 March 2017, the Board agreed unanimously to grant the three applications for extended hours, each subject to the conditions set out in Appendix B (Page 53) of the Licensing Standards Officer's report dated 20 March 2017, namely:

Local Conditions (Appendix B) (Page 53)

- (i) No tickets for the event will be sold after midnight on the day preceding the event.
- (ii) Entry to the premises during the extended hours periods will be strictly limited to those persons who have purchased a ticket in advance.
- (iii) A record of all ticket sales, including the name and address of the purchaser will be kept on the premises and made available, if required, for inspection by the Police and Licensing Standards Officer prior to, during and after the event (for a period of at least 21 days).
- (iv) The doors to the premises will be kept closed at all times during any period of extended hours, except to allow egress of persons wishing to leave the premises.
- (v) Food and snacks will be available throughout the extended hours period.

Action

Depute Clerk to the Board

6.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

(i) Application for Occasional Licence – 10 June 2017

Applicant: Alexander Drysdale, Drysdale's Catering, Summerhill, Clarebrand, Castle Douglas, DG7 3AQ

Premises: Marquee at Blackgrange Field, A907, Alloa

Event: Stirling Agricultural Show – 10 June 2017

Attending

Mr Paul Fair, Licensing Standards Officer

The Applicant did not attend

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 67) of the Licensing Standards Officer's report dated 10 April 2017.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Donald Balsillie.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application subject to the conditions set out in Appendix A (page 67) of the Licensing Standards Officer's report dated 10 April 2017, namely:

- No alcohol is to be removed from the licensed area (ie from the marquee and identified outdoor drinking area) and the licensee must ensure that staffing levels are sufficient to ensure compliance with this condition and this is ensured by a requirement for an SIA Licensed Steward at the entrance/exit of the marquee.
- A notice must be positioned at each exit from the licensed area in a location that is conspicuous and easily readable, reminding all customers that alcohol must not be removed from the licensed area. This notice should be no less than A4 in size.
- All alcohol sold for consumption on the premises must be supplied in plastic drinking vessels or decanted into such a plastic drinking vessel by the bar staff prior to supply to the customer.
- A personal licence holder who is responsible for authorising all sales of alcohol must be present and working within the bar for the duration of the event.
- The outdoor drinking area and extent of the licensed area (if different) must be clearly identified with a fixed barrier which is at least one metre high (such as a series of stakes and ropes, or other temporary fence).
- A copy of the age verification policy intended for use at the event must be supplied to the Licensing Standards Officer at least seven days prior to the event. All staff must be trained in this policy and this policy must be adhered to for the duration of the event.
- Only alcohol sold in the licensed area can be consumed within the licensed area.

Action

Depute Clerk to the Board

(ii) Application for Occasional Licence – 10 June 2017

Applicant: Edward Inglis, Hillfoots Rugby Football Club, Oakmill, Lower Mill Street, Tillicoultry

Premises: Hillfoots Rugby Football Club Playing Field

Event: Charity Touch Rugby Tournament – 10 June 2017

Attending

Mr Paul Fair, Licensing Standards Officer

Mr Edward Inglis, Applicant

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to a single local condition in the terms set out in the Licensing Standards Officer's report dated 7 April 2017 and subject to the deletion of Paragraph 8 of the management plan which duplicates Paragraph 4.

Moved by Councillor Donald Balsillie. Seconded by Councillor George Matchett, QPM.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application subject to a single local condition set out in the Licensing Standards Officer's report dated 7 April 2017 and subject to the deletion of Paragraph 8 of the management plan (which duplicates Paragraph 4), in the following terms:

- The event must operate strictly in accordance with the management plan submitted along with the application. A copy of the management plan to be included as part of the issued licence.

Action

Depute Clerk to the Board

(iii) Application for Occasional Licence – 18 August 2017

Applicant: Edward Inglis, Hillfoots Rugby Football Club, Oakmill, Lower Mill Street, Tillicoultry

Premises: Hillfoots Rugby Football Club Playing Field

Event: Open Air Music Festival – 18 August 2017

Attending

Mr Paul Fair, Licensing Standards Officer

Mr Edward Inglis, Applicant

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to a single local condition in the terms set out in the Licensing Standards Officer's report dated 10 April 2017, and subject to the deletion of Paragraph 8 of the management plan which duplicates Paragraph 4.

Moved by Councillor Donald Balsillie. Seconded by Councillor Irene Hamilton.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application subject to a single local condition set out in the Licensing Standards Officer's report dated 10 April 2017, and subject to the deletion of Paragraph 8 of the management plan (which duplicates Paragraph 4), in the following terms:

- The event must operate strictly in accordance with the management plan submitted along with the application. A copy of the management plan to be included as part of the issued licence.

Action

Depute Clerk to the Board

7.0 AOCB

7.1 Additional Licensing Board Meeting – 27 April 2017 at 10.00 am

Councillors Sharp, Matchett, Earle and Balsillie indicated that they would be available to attend the additional Board meeting on 27/04/17 at 10.00 am (or following the conclusion of the Planning Committee meeting, whichever is the later).

Ends 1030 hrs

