



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on TUESDAY 24 APRIL 2018 at 9.30 am.

PRESENT

Councillor Kenneth Earle, (Chair)
Councillor Martha Benny
Councillor Dave Clark
Councillor George Matchett, QPM
Councillor Tina Murphy

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer (LSO)
Lindsay Thomson, Service Manager, Legal and Democracy (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

Apologies for absence were received from Councillor Mike Watson, Councillor Craig Holden and Councillor Les Sharp.

2.0 DECLARATIONS OF INTEREST

None

**3.0 MINUTES OF MEETING: CLACKMANNANSHIRE LICENSING BOARD:
27 MARCH 2018**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 27 March 2018 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 27 March 2018 were agreed as a correct record and signed by the Chair.

4.0 LICENSING (SCOTLAND) ACT 2005

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

Moved by Councillor Tina Murphy. Seconded by Dave Clark.

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

A list of personal licence applications numbered 1-5 (inclusive), which had been granted under delegated powers, was put before the Board for information only.

Decision

The Board agreed to note that Personal Licence Applications numbered 1-5 (inclusive) had been granted under delegated powers.

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

An application for a minor variation to vary the Designated Premises Manger for the Bridge Inn, 1 High Street, Tillicoultry, FK13 6AA, which had been granted under delegated powers, was put before the Board for information only.

Decision

The Board agreed to note that an application for a minor variation to vary the Designated Premises Manager for the Bridge Inn, 1 High Street, Tillicoultry, FK13 6AA had been granted under delegated powers.

(iii) Application for Transfer to Licence – Granted Under Delegated Powers

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

Decision

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

5.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

(i) Application for Occasional Licence – 6 May 2018

Applicant: Lynne Hunter
Premises: Alloa Town Hall, Marshall, Alloa, FK10 1AB
Event: Live Music Night

Attending

Mr Paul Fair, LSO

The Board heard representation from the LSO and had the opportunity to put questions to him. Councillor Matchett asked whether Police Scotland had made representations and was advised that they had no objections to the application. It was agreed that the response of Police Scotland to each application would be included within the papers in future.

Motion

Having considered all of the information presented to it the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 21) of the Licensing Standards Officer's report dated 12 April 2018.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Martha Benny

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 21) of the Licensing Standards Officer's report dated 12 April 2018, 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 licensee can be consumed at the event.
- A minimum of 6 SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any area immediately outside the premises used by persons attending the event who temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue and leaving the venue. Including a specific responsibility to make regular checks of the toilets and to monitor the upper Balcony area.
- 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 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.
- 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.
- Full particulars (Name, Date of Birth and SIA Badge Number) of the SIA Stewards to be employed at the event will be provided in writing to the Licensing Standards Officer at least 72 hours prior to the event.
- The applicant must prepare an age verification policy, this policy should be supplied to the Licensing Standards Officer at least 72 hours prior to the event.
- The applicant/event organiser must brief all stewards and staff authorised to serve or make sales of alcohol prior to the commencement of the event, this briefing should include information relating to the terms and conditions of the licence, and any other relevant licensing matters – a record of this briefing including details of who delivered the briefing and details of all staff and stewards who received it must be kept. All staff receiving this brief must sign a record of the briefing acknowledging that they received and understood the terms of the brief.

Action

Clerk to the Board

(ii) Application for Occasional Licence – 12 May 2018

Applicant: Vincent Coyle

Premises: Alloa Town Hall, Marshill, Alloa, FK10 1AB

Event: Boxing/ MMA Event – 12 May 2018

Attending

Mr Paul Fair, LSO

The Board heard representation from the LSO and had the opportunity to put questions to him.

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 31) of the Licensing Standards Officer's report dated 11 April 2018.

Moved by Councillor George Matchett QPM. Seconded by Councillor Tina Murphy.

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 31) of the Licensing Standards Officer's report dated 11 April 2018, namely:

- All alcohol and other drinks must be sold and supplied to the customer in, or decanted into, plastic or polycarbonate bottles and drinking vessels. This includes all drinks originally contained within metal cans.
- Only alcohol sold at the event by the licensee can be consumed at the event.
- A minimum of 8 SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any area immediately outside the premises used by persons attending the event who temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue and leaving the venue. Including a specific responsibility to make regular checks of the toilets and to monitor the upper Balcony area.
- 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 event, and be responsible for authorising all sales of alcohol.
- Only trained staff (trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations, 2007) will be 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 written age verification policy for use at the event must be prepared by the licence holder and supplied to the Licensing Board or Licensing Standards Officer at least 72 hours before the event. This policy must form part of a briefing for staff and stewards.

- All staff authorised to sell alcohol at the event and all stewards on duty at the event must be briefed prior to the commencement of the event in relation to the terms and conditions of the Occasional Licence, in particular in relation to the local conditions attached thereto.
- 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

Clerk to the Board

(iii) Application for Occasional Licence – 18 May 2018

Applicant: Kelly Whyte

Premises: Alloa Town Hall, Marshill, Alloa, FK10 1AB

Event: Amateur Youth Boxing Event – 18 May 2018

Attending

Mr Paul Fair, LSO

The Board heard representation from the LSO and had the opportunity to put questions to him.

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 39) of the Licensing Standards Officer's report dated 12 April 2018.

Moved by Councillor George Matchett QPM. Seconded by Councillor Tina Murphy.

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 39) of the Licensing Standards Officer's report dated 12 April 2018, namely:

- All alcohol and other drinks must be sold and supplied to the customer in, or decanted into, plastic or polycarbonate bottles and drinking vessels. No glass or metal containers are to be given to the customer.
- Only alcohol sold at the event by the licensee can be consumed at the event.
- A minimum of 5 SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any area immediately outside the premises used by persons attending the event who temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue. In particular to monitor the wellbeing of children and young persons in the Balcony area.
- At all times at least 1 SIA Licenced Steward will be responsible for monitoring the Balcony area to ensure no alcohol is taken into this area.
- 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 event, and be responsible for authorising all sales of alcohol.

- Only trained staff will be 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. Trained staff means staff trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations, 2007)
- Any music or other entertainment must cease at no later than 15 minutes prior to the end of licensed hours.
- Except when competing in a boxing match, all children and young persons must remain in the company of an adult over the age of 18 years and must remain in either the changing rooms or in the upper Balcony area for the duration of the event.
- No alcohol is to be taken into or consumed within the changing rooms, Balcony, foyer, stairwells, upper landings or toilets.
- Full particulars (Name, Date of Birth and SIA Badge Number) of the SIA Stewards to be employed at the event will be provided in writing to the Licensing Standards Officer at least 48 hours prior to the event.

Action

Clerk to the Board

(iv) Application for Occasional Licence – 10 August 2018

Applicant: Vincent Coyle

Premises: Cochrane Hall, West Stirling Street, Alva, FK12 5LJ

Event: Boxing Event – 10 August 2018

Attending

Mr Paul Fair, LSO

The Board heard representation from the LSO and had the opportunity to put questions to him.

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 49) of the Licensing Standards Officer's report dated 11 April 2018 which includes an amendment to bullet point three:

"A sufficient number of SIA Licensed Stewards" is to be replaced with the wording "A minimum of 6 Licensed Stewards".

Moved by Councillor George Matchett QPM. Seconded by Councillor Dave Clark.

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 49) (as amended) of the Licensing Standards Officer's report dated 12 April 2018, namely:

- All alcohol and other drinks must be sold and supplied to the customer in, or decanted into, plastic or polycarbonate bottles and drinking vessels. This includes all drinks originally contained within metal cans.
- Only alcohol sold at the event by the licensee can be consumed at the event.

- A minimum of 6 SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any area immediately outside the premises used by persons attending the event who temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue. Including a specific responsibility to make regular checks of the toilets and to monitor the upper Balcony area.
- 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 event, and be responsible for authorising all sales of alcohol.
- Only trained staff (Trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations, 2007) will be 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 written age verification policy for use at the event and all stewards on duty at the event must be briefed prior to the commencement of the event in relation to the terms and conditions of the Occasional Licence, in particular in relation to the local conditions attached thereto.
- 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

Clerk to the Board

6.0 REVIEW OF STATEMENT OF LICENSING POLICY

The report, submitted by the Clerk to the Licensing Board, advised members that the current Statement of Licensing Policy needs to be reviewed by November 2018 and proposed a process for the review to be carried out.

Motion

That the Licensing Board agree to:

1. Note the requirement to review the Statement of Licensing Policy, including an assessment of overprovision.
2. Approve the proposed approach and timescale for the review as set out in Appendix 1, including the requirement to consult.
3. Nominate five members of the Licensing Board to take forward the review, namely: Councillor Kenneth Earle (Chair), Councillor George Matchett QPM, Councillor Dave Clark, Councillor Martha Benny and Councillor Les Sharp.
4. Provide feedback on the matters which should be covered by the review as appropriate.

Moved by Councillor Kenneth Earle. Seconded by Councillor Dave Clark.

Decision

The Licensing Board unanimously agreed to:

1. Note the requirement to review the Statement of Licensing Policy, including an assessment of overprovision.
2. Approve the proposed approach and timescale for the review as set out in Appendix 1, including the requirement to consult.
3. Nominate five members of the Licensing Board to take forward the review, namely: Councillor Kenneth Earle (Chair), Councillor George Matchett QPM, Councillor Dave Clark, Councillor Martha Benny and Councillor Les Sharp*.
4. Provide feedback on the matters which should be covered by the review as appropriate.

** As Councillor Sharp was not in attendance, the Clerk will ascertain Councillor Sharp's availability to participate in the Sub-Committee. Should Councillor Sharp not be available, alternative representation will be sought.*

7.0 AOCB

None.

Ends 10.30 am