



NOTICE OF MEETING

28 September 2020

A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held via MS Teams, on TUESDAY 6 OCTOBER 2020 at 9.30 am.

LINDSAY THOMSON
Clerk to the Clackmannanshire Licensing Board

	Page No
1. Apologies	--
2. Declarations of Interest	--
Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest Form should be completed and passed to the Committee Services Officer.	
3. Confirm minutes of meetings:	
a. Clackmannanshire Licensing Board 11 June 2020	05
b. Clackmannanshire Licensing Board 18 June 2020	08
c. Clackmannanshire Licensing Board 3 July 2020	11
d. Clackmannanshire Licensing Board Sub Committee 10 July 2020	13
e. Clackmannanshire Licensing Board Sub Committee 24 July 2020	20
f. Clackmannanshire Licensing Board Sub Committee 14 August 2020	23
g. Clackmannanshire Licensing Board Sub Committee 1 September 2020	31
h. Clackmannanshire Licensing Board Sub Committee 21 September 2020	33

4.	Licensing (Scotland) Act 2005:	
(i)	Application for Variation of Licence (Non-Minor) - No objections/representations received from Police Scotland 1 September 2020, Application and Licensing Standards Officer Report (copies herewith)	37
	Premises: Bar Aldo	
	Applicant: Aldo Pia c/o McGregor Thomson Solicitors Springfield House, Stirling, FK7 9JQ	
5.	Police Scotland: Chief Constable's Report to the Clackmannanshire Licensing Board for the Period 1 April 2019 to 31 March 2020 – report by Mr Iain Livingstone QPM, Chief Constable, Police Service of Scotland (Copy herewith)	57
6.	General Permitted Extension – Festive Period 2020-21 – report by the Clerk to the Licensing Board (Copy herewith)	75
7.	AOCB - Occasional Licence Applications	79

Clackmannanshire Licensing Board – Board Members 9 (Quorum 5)

Councillors

Wards

Councillor	Kenneth Earle (Convenor)	4	Clackmannanshire South	LAB
Councillor	Mike Watson (Vice Convenor)	3	Clackmannanshire Central	CONS
Councillor	Martha Benny	2	Clackmannanshire North	CONS
Councillor	Dave Clark	2	Clackmannanshire North	LAB
Councillor	Helen Lewis	2	Clackmannanshire North	SNP
Councillor	George Matchett, QPM	1	Clackmannanshire West	LAB
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Les Sharp	1	Clackmannanshire West	SNP

Vacancy

The quorum for the Board by virtue of Schedule 1 paragraph 12(1) of the Licensing (Scotland) Act 2005 is 5 members



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via MS TEAMS on THURSDAY 11 JUNE 2020 at 10.00 am.

Prior to the start of the meeting, the Chair confirmed with the Board that the meeting was being held via video conferencing as the meeting could not be held in person due to Coronavirus. He also confirmed that everyone involved in the items before the Board had been given the opportunity to be represented at the meeting.

The Chair set out the protocol for the meeting and invited the Clerk to take a roll call of members present.

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor Dave Clark
Councillor Helen Lewis
Councillor George Matchett, QPM
Councillor Les Sharp
Councillor Mike Watson

IN ATTENDANCE

June Andison, Licensing Administrator
Lindsay Thomson, Senior Service Manager, Partnership & Performance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor Tina Murphy.

2.0 DECLARATIONS OF INTEREST

None

3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 25 FEBRUARY 2020

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 25 February 2020 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 25 February 2020 were agreed as a correct record and signed by the Convenor.

4.0 LICENSING (SCOTLAND) ACT 2005

(i) Hearing to Consider a Premises Licence Review Proposal in respect of the Premises Licence for the premises known as the Royal Oak Hotel, 7 Bedford Place, Alloa, FK10 1LJ

A review hearing in terms of Section 38 of the Licensing (Scotland) Act 2005 was held to consider and determine a Premises Licence Review Proposal in respect of the Premises Licence for the Royal Oak Hotel, 7 Bedford Place, Alloa, FK10 1LJ, held by Mr Alan Bradie. Review of the licence was sought on the grounds specified in **Section 36(3) (b)** relevant to one or more of the licensing objectives as articulated at Section 4(1) of the 2005 Act, namely:

- Protecting and Improving Public Health

Attending

Sergeant Derek Simpson, Police Scotland

Mr Paul Fair, Licensing Standards Officer (LSO)

Ms Janet Hood, Solicitor representing Mr Alan Bradie, Royal Oak (Mr Bradie was not in attendance)

The Board heard representation from the Sergeant Simpson; Mr Fair, Licensing Standards Officer; and Ms Hood, Solicitor representing Mr Bradie; and had the opportunity to put questions to them.

The meeting adjourned at 10.55 am to consider whether grounds for review were established. The meeting reconvened at 11.45 am.

Motion

That having considered all of the information provided and the representations made and having taken legal advice, that the Board agree that grounds for review are not established.

Moved by Councillor Kenneth Earle. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information provided and representations made, the Board was satisfied that grounds of review were not established and the item of business was dismissed.

(ii) Hearing to Consider making an Order in terms of Section 83(9) of the Licensing (Scotland) Act 2005 to revoke, suspend or endorse Personal Licence Number CC102 granted by Clackmannanshire Licensing Board (Mr Craig Stewart)

A hearing was held to consider and determine a Personal Licence Review Proposal in respect of Personal Licence Number CC102, held by Mr Craig Stewart. Review was sought in terms of Section 84A of the Licensing (Scotland) Act 2005 that Craig Stewart had acted in a manner which was inconsistent with the licensing objective articulated at Section 4(1) of Act, namely:

- Protecting and Improving Public Health

Attending

Sergeant Derek Simpson, Police Scotland

Mr Jim Kelly, Agent representing Mr Craig Stewart (Mr Stewart was not in attendance)

The Board heard representation from the Sergeant Simpson; and Mr Kelly, representing Mr Stewart; and had the opportunity to put questions to them.

The meeting adjourned at 12.15 pm to consider whether grounds for making and order were established. The meeting reconvened at 12.58 pm.

Motion

That having considered all of the information provided and the representations made and having taken legal advice, that the Board agree that grounds for review were established; and that the Board agree that it is necessary and appropriate for the purposes of the licensing objective of "Protecting and Improving Public Health" to endorse the personal licence of Mr Craig Stewart.

Moved by Councillor Kenneth Earle. Seconded by Councillor Mike Watson.

Decision

The Board, having considered all of the information provided and representations made, were satisfied that grounds of review were established and agreed that it was necessary and appropriate for the purposes of the licensing objective of "Protecting and Improving Public Health" to endorse the personal licence of Mr Craig Stewart.

(iii) Hearing to Consider a Premises Licence Review Proposal in respect of the Premises Licence for the premises known as the Abercromby Arms, 14/16 Stirling Road, Tullibody, FK10 2QE

A review hearing in terms of Section 38 of the Licensing (Scotland) Act 2005 was held to consider and determine a Premises Licence Review Proposal in respect of the Premises Licence for the Abercromby Arms, 14/16 Stirling Road, Tullibody, held by Greene King Retailing Limited. Review of the licence was sought on the grounds specified in **Section 36(3) (b)** relevant to one or more of the licensing objectives as articulated at Section 4(1) of the 2005 Act, namely:

- Preventing Crime and Disorder
- Protecting and Improving Public Health

Attending

Sergeant Derek Simpson, Police Scotland

Mr Paul Fair, Licensing Standards Officer (LSO)

Mr Stephen McGowan, Solicitor representing Greene King Retailing Limited, Abercromby Arms

Mr Billie Guthrie, Observer, Greene King Retailing Limited

The Board heard representation from the Sergeant Simpson; Mr Fair, Licensing Standards Officer; and Mr McGowan, Solicitor representing Greene King Retailing Limited; and had the opportunity to put questions to them.

The meeting adjourned at 13.34 am to consider whether grounds for review were established. The meeting reconvened at 2.05 pm.

Motion

That having considered all of the information provided and the representations made and having taken legal advice, that the Board agree that grounds for review are not established.

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

Decision

Having considered all of the information provided and representations made, the Board was satisfied that grounds of review were not established and the item of business was dismissed.

Ends: 2.15 pm



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via MS TEAMS on THURSDAY 18 JUNE 2020 at 10.00 am.

Prior to the start of the meeting, the Chair confirmed with the Board that the meeting was being held via video conferencing as the meeting could not be held in person due to Coronavirus. He also confirmed that everyone involved in the items before the Board had been given the opportunity to be represented at the meeting.

The Chair set out the protocol for the meeting and invited the Clerk to take a roll call of members present.

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor Helen Lewis
Councillor George Matchett, QPM
Councillor Mike Watson

IN ATTENDANCE

June Andison, Licensing Administrator
Lindsay Thomson, Senior Service Manager, Partnership & Performance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor Tina Murphy, Councillor Dave Clark and Councillor Les Sharp.

2.0 DECLARATIONS OF INTEREST

None

4.0 LICENSING (SCOTLAND) ACT 2005

(i) Hearing to Consider a Premises Licence Review Proposal in respect of the Premises Licence for the premises known as the Holly Tree, Main Street East, Menstrie, FK11 7BJ

A review hearing in terms of Section 38 of the Licensing (Scotland) Act 2005 was held to consider and determine a Premises Licence Review Proposal in respect of the Premises Licence for the Holly Tree, Main Street East, Menstrie, FK11 7BJ, held by Caledonian Heritable Limited. Review of the licence was sought on the grounds specified in **Section 36(3) (b)** relevant to one or more of the licensing objectives as articulated at Section 4(1) of the 2005 Act, namely:

- Preventing Crime and Disorder
- Protecting and Improving Public Health

Attending

Sergeant Derek Simpson, Police Scotland
Mr Paul Fair, Licensing Standards Officer (LSO)
Mr Andrew Thomson, Solicitor representing Caledonian Heritable Limited, The Holly Tree
Mr Graeme Arnott, Director, Caledonian Heritable Limited
Mr Satnam Singh Shergill, Lessee, The Holly Tree

The Board heard representation from all parties attending; and had the opportunity to put questions to them.

The meeting adjourned at 1:10 pm to consider whether grounds for review were established.

The meeting reconvened at 2.05 pm, for the board to ask further questions of Mr Shergill. Following his responses, the meeting adjourned at 2.12 pm.

The Board reconvened at 2.20 pm.

The Board considered all of the information provided and the representations made In respect of the review application from Police Scotland, the Board agreed that grounds for review were not established.

However, from the information set out in the Licensing Standards Officer's report, the Board agreed that grounds for review were established as a result of the premises having operated in a manner contrary to the licensing objectives of:

- i. Preventing Crime and disorder and
- ii. Securing Public Safety and Protecting and Improving Public.

Mr Andrew Thomson, Solicitor representing Caledonian Heritable Limited offered mitigation on behalf of his client.

The meeting adjourned at 2.40 pm to consider sanctions.

The Board reconvened at 2.50 pm.

Motion

That having considered all of the information provided and the representations made and having established that grounds for review are established, that the Board issue Caledonian Heritable Limited with a written warning as a result of the premises having operated in a manner contrary to the licensing objectives of "Preventing Crime and Disorder" and "Securing Public Safety".

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

Decision

Having considered all of the information provided and representations made, and having established that grounds for review are established, the Board agreed unanimously to issue Caledonian Heritable Limited with a written warning as a result of the premises having operated in a manner contrary to the licensing objectives of "Preventing Crime and Disorder", and "Securing Public Safety".

- (ii) **Hearing to Consider making an Order in terms of Section 84(7) of the Licensing (Scotland) Act 2005 to revoke, suspend or endorse Personal Licence Number SL/EK/974 granted by South Lanarkshire Licensing Board (Mr Inderjit Singh Shergill)**

A hearing was held to consider and determine a Personal Licence Review Proposal in respect of Personal Licence Number SL/EK/974, held by Mr Inderjit Singh Shergill. Review was

sought in terms of Section 84A of the Licensing (Scotland) Act 2005 that Mr Inderjit Singh Shergill had acted in a manner which was inconsistent with the licensing objectives articulated at Section 4(1) of Act, namely:

- Preventing Crime and Disorder; and
- Protecting and Improving Public Health

Attending

Sergeant Derek Simpson, Police Scotland

Mr Paul Fair, Licensing Standards Officer (LSO)

Mr Andrew Thomson, Solicitor representing Mr Inderjit Singh Shergill

Mr Inderjit Singh Shergill, Designated Premises Manager, the Holly Tree, Menstrie

The Board heard representation from the Sergeant Simpson; Mr Andrew Thomson, Solicitor representing Mr Inderjit Singh Shergill; and Paul Fair, Licensing Standards Officer and had the opportunity to put questions to them.

The meeting adjourned at 3.30 pm to consider whether grounds for making an order were established. The meeting reconvened at 3.50 pm.

Decision

The Board, having considered all of the information provided and the representations made and having taken legal advice, agreed that grounds for making an order were not established; and the Board agree to dismiss this item of business.

Ends: 4.00 pm



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via MS TEAMS on FRIDAY 3 JULY 2020 at 2.00 PM.

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor Dave Clark
Councillor Helen Lewis
Councillor George Matchett, QPM
Councillor Les Sharp
Councillor Mike Watson

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Lindsay Thomson, Senior Service Manager, Partnership & Performance (Clerk to the Board)

1.0 APOLOGIES

Apologies were received from Councillor Tina Murphy.

2.0 DECLARATIONS OF INTEREST

None

3.0 UPDATE ON OUTDOOR HOSPITALITY

The report, submitted by the Clerk to the Licensing Board noted that there is now an indicative timeline set out by the Scottish Government to allow outdoor hospitality and then to re-open indoor hospitality. The report outlined the work Clackmannanshire Council has been doing to support this process. Finally the report identified that the Licensing Board will have an important role to play in the re-opening process and therefore the Board was invited to consider establishing a sub-committee to deal with any applications over recess and also to review some guidance and some proposed conditions which may be applied to occasional licences during this period.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Kenneth Earle . Seconded by Councillor Les Sharp

Decision

The Licensing Board unanimously agreed :

1. To note the work which Clackmannanshire Council, and in particular the Licensing Standards Officer, has been doing to support the re-opening of outdoor and indoor hospitality;
2. To establish a sub-committee of the Licensing Board with a quorum of three and membership of the Chair plus two other members to determine applications over the

summer recess; and

3. The guidance and the set of draft conditions which may be suggested by the Licensing Standards Officer to support the re-opening process (as set out in Appendix 1 of the report)

Action

Clerk to the Licensing Board

Ends: 3.07 pm



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD SUB
COMMITTEE held via MS TEAMS, on FRIDAY 10 JULY at 8.30 am.**

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor George Matchett QPM

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Richard Thompson, Solicitor, Legal and Governance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

None.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

**(a) Applications for Occasional Licences:
6 – 19 July, 20 July – 2 August and 3 – 16 August 2020**

Applicant: Stephen Polley
Premises: Crown Inn, 77 Stirling Street, Alva, FK12 5ED
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
The Applicant did not attend
Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 28) with an amended condition 7 as follows:

7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

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 Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 28) with an amended condition 7, namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

Action

Clerk to the Board

(b) Applications for Occasional Licences: 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020

Applicant: Alan Bradie
Premises: Oakwood Lounge, Fairfield Road, Sauchie, FK10 3DE
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 49) with an amended condition 7 as follows:

7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

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 Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 49) with an amended condition 7, namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

Action

Clerk to the Board

(c) Applications for Occasional Licences: 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020

Applicant: David White
Premises: No. 5 Inn, Brook Street, Alva, FK12 5JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 74) with an amended condition 7 as follows:

7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

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 Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 74) with an amended condition 7, namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

Action

Clerk to the Board

(d) Applications for Occasional Licences: 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020

Applicant: Craig Stewart
Premises: The Royal Oak, 7 Bedford Place, Alloa, FK10 1LJ
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 103) with an amended condition 7 as follows:

7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

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

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 103) with an amended condition 7, namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

Action

Clerk to the Board

(e) Applications for Occasional Licences: 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020

Applicant: Bramley Eccles
Premises: Royal Arms, 2 High Street, tillicoltry, FK13 6AE
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 126) with an amended condition 7 as follows:

7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

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 Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 126) with an amended condition 7, namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

At the request of the Sub Committee, the Licensing Standards Officer advised he would discuss the end time of 10pm for under 18's with the applicant.

Action

Clerk to the Board

**(f) Applications for Occasional Licences:
6 – 19 July, 20 July – 2 August and 3 – 16 August 2020**

Applicant: Steven Fullerton
Premises: Abercromby Arms, 14/16 Stirling Road, Tullibody, FK10 2QE
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 151) with an amended condition 7 as follows:

7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

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 Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 6 – 19 July, 20 July – 2 August and 3 – 16 August 2020, subject to the conditions set out in Appendix A (page 151) with an amended condition 7, namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. Any and all parts of licensed premises shall be operated in compliance with relevant legislative provision and an amendments thereof during the licensed period, an in particular to include and provision governing restrictions on the use of premises and any parts thereof that are not defined as indoors.

Action

Clerk to the Board

Ends: 09.40 hrs



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD SUB
COMMITTEE held via MS TEAMS, on FRIDAY 24 JULY at 11.00 am.**

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor Les Sharp

IN ATTENDANCE

June Andison, Licensing Administrator
Richard Thompson, Solicitor, Legal and Governance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

Apologies were submitted by Paul Fair, Licensing Standards Officer.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

**(a) Applications for Occasional Licences:
01 – 14 August, 15 – 28 August and 29 August – 11 September 2020**

Applicant: Aldo Pia c/o Macgregor Thomson Solicitors
Premises: Bar Aldo, 9 – 11 Coalgate, Alloa, FK10 1EH
Event: Provision of Outdoor Drinking Area

Attending

Mr Andrew Thomson, Solicitor representing Mr Aldo Pia
Mr Aldo Pia, Applicant (joined the meeting via telephone call with Solicitor to answer questions)
Police Scotland had no objections and did not attend.

The Board heard representation from the Mr Andrew Thomson, solicitor and his client Mr Aldo Pia and had the opportunity to put questions to them.

In the absence of the Licensing Standards Officer, the Sub Committee acknowledged his written report.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 1 – 14 August, 15 – 28 August and 29 August – 11 September 2020, subject to the conditions set out in Appendix A (page 20) .

Moved by Councillor Kenneth Earle. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 1 – 14 August, 15 – 28 August and 29 August – 11 September 2020, subject to the conditions set out in Appendix A (page 20), namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

(b) Applications for Occasional Licences: 14 – 27 July, 28 July – 10 August and 11 – 24 August 2020

Applicant: Hillfoots Rugby Club
Premises: Hillfoots Rugby Club, Oakmill, Lower Mill Street, Tillicoultry,
FK13 6BP
Event: Provision of Outdoor Drinking Area

Attending

Mr Edward Inglis, Past President, representing Hillfoots Rugby Club
Police Scotland had no objections and did not attend.

The Board heard representation from Mr Inglis, representing Hillfoots Rugby Club and had the opportunity to put questions to him.

In the absence of the Licensing Standards Officer, the Sub Committee acknowledged his written report.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 14 – 27 July, 28 July – 10 August and 11 – 24 August 2020, subject to the conditions set out in Appendix A (page 45) .

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

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 14 – 27 July, 28 July – 10 August and 11 – 24 August 2020, subject to the conditions set out in Appendix A (page 45), namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

Ends: 11.21 hrs



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD SUB
COMMITTEE held via MS TEAMS, on FRIDAY 14 AUGUST 2020 at 8.30 am.**

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor Helen Lewis

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Richard Thompson, Solicitor, Legal and Governance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

None.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

**(a) Applications for Occasional Licences:
1 – 14 August, 15 – 28 August and 29 August - 11 September 2020**

Applicant: JD Wetherspoons
Premises: **Bobbing John**, 24 Drysdale Street, Alloa, FK10 1JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
The Applicant did not attend
Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 1 – 14 August, 15 – 28 August and 29 August - 11 September 2020, subject to the conditions set out in Appendix A (page 23)

Moved by Councillor Martha Benny. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 1 – 14 August, 15 – 28 August and 29 August - 11 September 2020, subject to the conditions set out in Appendix A (page 23); namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.
8. The licensed area must be supervised by an SIA licensed Steward between 6pm and closure on each Friday and Saturday (applies only when the area is in use).

Action

Clerk to the Board

- (b) **Applications for Occasional Licences:**
26 August – 8 September 2020, 9 – 23 September 2020, 24 September – 7 October 2020 and 8 -21 October 2020

Applicant: Ross Henderson
Premises: **The Kings Seat**, Bridge Street, Dollar, FK14 7DE
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for four occasional licences on 26 August – 8 September 2020, 9 – 23 September 2020, 24 September – 7 October 2020 and 8 -21 October 2020, subject to the conditions set out in Appendix A (page 46)

Moved by Councillor Helen Lewis. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for four occasional licences on 26 August – 8 September 2020, 9 – 23 September 2020, 24 September – 7 October 2020 and 8 -21 October 2020, subject to the conditions set out in Appendix A (page 46); namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

(c) Applications for Occasional Licences: 17-30 August 2020, 31 August–13 September 2020 and 14-27 September 2020

Applicant: Stephen Polley
Premises: Crown Inn, 77 Stirling Street, Alva, FK12 5ED
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 17-30 August 2020, 31 August–13 September 2020 and 14-27 September 2020, subject to the conditions set out in Appendix A (page 63).

Moved by Councillor Kenneth Earle. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 17-30 August 2020, 31 August–13 September 2020 and 14-27 September 2020, subject to the conditions set out in Appendix A (page 63); namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.

2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

(d) Applications for Occasional Licences: 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020

Applicant: David White
Premises: No. 5 Inn, Brook Street, Alva, FK12 5JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to the conditions set out in Appendix A (page 80).

Moved by Councillor Martha Benny. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to the conditions set out in Appendix A (page 80), namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.

7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

**(e) Applications for Occasional Licences:
17 – 30 August, 31 August – 13 September and 14 – 27 September 2020**

Applicant: Craig Stewart
Premises: The Royal Oak, 7 Bedford Place, Alloa, FK10 1LJ
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

The Licensing Standards Officer advised that a letter of complaint regarding noise had been received from a neighbouring property and that the letter had been circulated to the Licensing Board members. Police Scotland had been called to the premises regarding excessive noise, but, having been unable to attend before closure of the premises, they had since referred the matter to Environmental Health. The LSO raised with Environmental Health who advised that they are investigating a noise issue, but they are reasonably satisfied with the premises' Covid-19 control measures. The premises has been visited regularly, by the LSO, Police Scotland and Environmental Health as part of a specific operation for newly opened licenced areas and no issues had been found. All patrons had been seated, well behaved and adhering to restrictions.

The applicant, Craig Stewart, had submitted a letter to the Board responding to the letter of complaint and explained that he had spoken to the complainant previously in relation to filming of patrons at the premises and the issue of noise. He offered to meet with the neighbour and work to resolve the situation.

The Clerk provided advice to the Board that the focus has to be on the Board's statutory function. The complainant is one individual next to the premises who hasn't said how they would like the situation resolved. The Board would have to consider whether these communications were material to consideration of the three applications before them.

The Licensing Standards Officer offered to facilitate mediation between the parties to try and resolve the situation and work with the premises to bring forward a solution.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to the conditions set out in Appendix A (page 100) and subject to mediation being carried out between the applicant and the complainant.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to mediation being carried out between the applicant and the complainant and subject to the conditions set out in Appendix A (page 100), namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

(f) Applications for Occasional Licences: 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020

Applicant: Bramley Eccles
Premises: Royal Arms, 2 High Street, Tillicoultry, FK13 6AE
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to the conditions set out in Appendix A (page 117).

Moved by Councillor Helen Lewis. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to the conditions set out in Appendix A (page 117), namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.

2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

(g) Applications for Occasional Licences: 14 – 27 August, 28 August – 10 September and 11 – 24 September 2020

Applicant: Sharon McKnight
Premises: Crams Bar, 8 – 10 Candleriggs, Alloa
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 14 – 27 August, 28 August – 10 September and 11 – 24 September 2020, subject to the conditions set out in Appendix A (page 134)

Moved by Councillor Kenneth Earle. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 14 – 27 August, 28 August – 10 September and 11 – 24 September 2020, subject to the conditions set out in Appendix A (page 134), namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.

- No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

(h) Applications for Occasional Licences: 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020

Applicant: Alan Bradie
Premises: Oakwood Lounge, Fairfield Road, Sauchie, FK10 3DE
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to the conditions set out in Appendix A (page 151)

Moved by Councillor Kenneth Earle. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 17 – 30 August, 31 August – 13 September and 14 – 27 September 2020, subject to the conditions set out in Appendix A (page 151), namely:

- Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
- The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
- The outside area can only be occupied by persons seated at a table.
- The licence holder must ensure that alcohol is only consumed by persons seated at a table.
- (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
- No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

Ends: 12:00 hrs



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD SUB
COMMITTEE held via MS TEAMS, on TUESDAY 1 SEPTEMBER 2020 at 9.30 am.**

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Les Sharp
Councillor Helen Lewis

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Richard Thompson, Solicitor, Legal and Governance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

None.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

**(a) Applications for Occasional Licences:
12 – 25 September, 26 September – 8 October and 9 – 22 October, 2020**

Applicant: JD Wetherspoons
Premises: **Bobbing John**, 24 Drysdale Street, Alloa, FK10 1JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
The Applicant did not attend
Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 12 – 25 September, 26 September – 8 October and 9 – 22 October, 2020, subject to the conditions set out in Appendix A (page 20)

Moved by Councillor Kenneth Earle. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 12 – 25 September, 26 September – 8 October and 9 – 22 October, 2020, subject to the conditions set out in Appendix A (page 20); namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.
8. The licensed area must be supervised by an SIA licensed Steward between 6pm and closure on each Friday and Saturday (applies only when the area is in use).

Action

Clerk to the Board

Ends: 09:40 hrs



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD SUB
COMMITTEE held via MS TEAMS, on MONDAY 21 SEPTEMBER 2020 at 1.00 pm.**

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Les Sharp
Councillor Martha Benny

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Lindsay Thomson, Senior Service Manager, Partnership & Performance (Clerk to the Board)
Melanie Moore, Committee Services

1.0 APOLOGIES

None.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

**(a) Applications for Occasional Licences:
28 September – 11 October 2020, 12 – 25 October 2020 and 26 October – 8
November 2020**

Applicant: Stephen Polley
Premises: Crown Inn, Alva 77 Stirling Street, Alva, FK11 5ED
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
The Applicant did not attend
Police Scotland made no representation and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 28 September – 11 October and 12 – 25 October 2020 and 26 October – 8 November 2020, subject to the conditions set out in Appendix A (page 21)

Moved by Councillor Kenneth Earle. Seconded by Councillor Les Sharp

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the applications for three occasional licences on 12 – 25 September, 26 September – 8 October and 9 – 22 October, 2020 subject to the conditions set out in Appendix A (page 20); namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
2. The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
3. The outside area can only be occupied by persons seated at a table.
4. The licence holder must ensure that alcohol is only consumed by persons seated at a table.
5. (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
6. No entertainment, live or recorded music or performances will be permitted in any outdoor area.
7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

- (b) Applications for Occasional Licences:
28 September – 11 October 2020, 12 – 25 October, 2020 and 26 October – 8
November 2020**

Applicant: Craig Stewart
Premises: The Royal Oak, 7 Bedford Place, Alloa, FK10 1JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer

The Applicant did not attend

Police Scotland made no representation and did not attend.

The Licensing Standards Officer had prepared a report which had then been withdrawn. The withdrawal of the original report had been following a request from the applicant to revise his application to reduce the terminal hour and capacity outside. This revision was a result of information contained within the Licensing Standards Officer's first report. Following the revision of the application by the Applicant the Licensing Standards Officer submitted a fresh report.

The Board were advised that there was no provision in the 2005 Act which covered a revised application and Licensing Standards Officer report once an agenda had been issued. In this case the revised application addressed previous concerns, reduced the terminal hour and capacity of the outdoor drinking area. The Board were invited to determine whether they wished to consider the revised application the new information. The Board decided to proceed.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the amended applications for three occasional licences on 28 September – 11 October and 12 – 25 October, 2020 and 26 October – 8 November 2020, subject to the reduce the terminal hour to 1900 hours and

capacity outside to 30 and also the conditions set out in Appendix A of the Licensing Standards Officer's second report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Les Sharp

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board agreed unanimously to grant the amended applications for three occasional licences 28 September – 11 October and 12 – 25 October, 2020 and 26 October – 8 November 2020, subject to reducing the terminal hour to 1900 hours and capacity outside to 30 and also the conditions set out in the amended Appendix A; namely:

- 1 Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
- 2 The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
- 3 The outside area can only be occupied by persons seated at a table.
- 4 The licence holder must ensure that alcohol is only consumed by persons seated at a table.
- 5 (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
- 6 No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- 7 All outdoor areas will be operated in compliance with the current Scottish Government guidance for the hospitality sector, including any amendments to that guidance which occurs in the duration of the licence.
- 8 The Licence holder will ensure that no more than 30 patrons occupy the licensed area at any time.

Action

Clerk to the Board

Ends: 1317 hrs

CLACKMANNANSHIRE LICENSING BOARD

MEETING 06 October at 09.30am in

**The Council Offices, Kilncraigs,
Greenside Street, Alloa, FK10 1EB**

<p>THIS PAPER RELATES TO ITEM 4i ON THE AGENDA</p>

Licensing (Scotland) Act 2005

Variation(s) (Non Minor)

Premises	Applicant	Date Received	Comments
Bar Aldo 9-11 Coalgate Alloa FK10 1EH	Aldo Pia c/o McGregor Thomson Solicitors Springfield House Stirling FK7 9JQ	05 August 2020	<p>Variation to Operating Plan to include:-</p> <p>Incorporate the new layout to include courtyard outside area</p> <p>Alcohol sold for consumption for on and off the premises</p> <p>Amend commencement hour on Sundays for on sales to 11:00am</p> <p>Include seasonal variations</p> <p>Restaurant, receptions and recorded music change from no to yes</p> <p>Outdoor drinking facilities change from no to yes</p> <p>Allow Young Persons admittance till 10.00pm unaccompanied by an adult</p> <p>Include 30persons in gazebo/courtyard area</p> <p>Application and Licensing Standards Officer Report (copies attached)</p> <p>No objections/representations received from Police Scotland 01 September 2020</p>



APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, Section 29

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB

If you are Completing this Form by Hand, Please Write Legibly in Block Capitals using **BLACK INK**. Please Ensure the Completed Application is Signed by the Applicant, Dated and Returned to the Above Address along with the Fee and the Original Licence or a Statement of Reasons as to why the Original Licence Cannot be Produced.

APPLICANT INFORMATION

Question 1

Name, Address, Postcode and Licence Number of Premises.

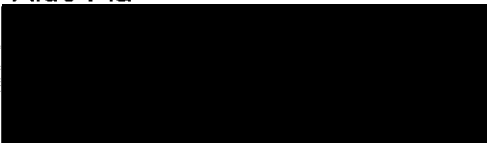
BAR ALDO
9-11 Coalgate
Alloa
FK10 1EH

PREMISES LICENCE NUMBER: CC045

Question 2

Full Name, Address, Postcode, Telephone Number and Email Address of the Current Licensee or the Applicant if Different.

Aldo Pia



DETAILS OF VARIATION

Question 3

Brief Details of Variation (Continue on Separate Sheet if Necessary)

1. VARIATION TO THE LAYOUT PLAN TO INCORPORATE THE NEW LAYOUT TO INCLUDE COURTYARD OUTSIDE AREA.
2. VARIATION TO QUESTION 1 TO CONFIRM AND CLARIFY ALCOHOL TO BE SOLD FOR CONSUMPTION BOTH ON AND OFF THE PREMISES.
3. VARIATION TO SUNDAY OPENING AT QUESTION 2 FROM 12.30 PM TO 11.00 AM.
4. VARIATION AT QUESTION 4 TO INCLUDE SEASONAL VARIATIONS.
5. VARIATION TO QUESTION 5 (a) RESTAURANT, RECEPTIONS AND RECORDED MUSIC TO CHANGE NO IN COLUMN 4 TO YES.
6. VARIATION TO QUESTION 5 (a) OUTDOOR DRINKING FACILITIES TO CHANGE NO TO YES.
7. VARIATION TO QUESTION 6 (b) TO ALLOW YOUNG PERSONS ADMITTANCE TILL 10 PM UNACCOMPANIED BY AN ADULT.
8. VARIATION TO QUESTION 7 CAPACITY TO INCLUDE 30 PERSONS IN GAZEBO/COURTYARD AREA

OPERATING PLAN

Question 4

Do you Propose to Vary any of the Information Within the Operating Plan Contained in the Licence?

YES/NO

If Yes Please Complete and submit New Operating Plan to include the Proposed Variations.

LAYOUT PLAN

Question 5

Do you Propose a Variation to the Layout Plan Contained in the Licence?

YES/NO

If Yes Please Supply **6 Copies** of the New Layout Plan Conforming to Paragraph 5 of The Premises Licence (Scotland) Regulations 2007.

If there is a Change of Premises Manager Please Provide the following:-

Name and Address of the Proposed Premises Manager

--

Date and Place of Birth of the Proposed Premises Manager

--

Email Address and Telephone Number of the Proposed Premises Manager

--

Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence

Is the Variation Relating to the change of Premises Manager to Take Effect During the Application Period

YES/NO

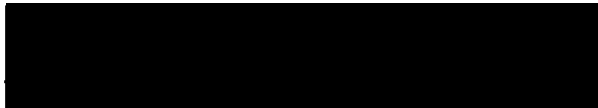
If the Answer to the Above Question is NO Please Provide Below the Date the Variation is to Take Effect.

--

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If Signing on Behalf of the Applicant Please State in What Capacity.

The Contents of This Application Are True to the Best of my Knowledge and Belief.

Signature  * (See Note Below)

Date 4/5/20

Capacity **APPLICANT/AGENT**
(Delete as appropriate)

Telephone Number and Email Address of Signatory

01786 406423

jireland@macgregorthomson.co.uk

*** Data Protection Act 1998**

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

Clackmannanshire Licensing Board has a duty to protect public funds that it administers and may use this information for the prevention and detection of fraud. For more details, please contact The Councils, Senior Auditor, on telephone number 01259 452047

Checklist	
Fee enclosed	
Application signed/dated	
Original Licence enclosed or a Statement of reasons for failing to produce the Licence	
New Operating Plan Enclosed	
New Layout Plan Enclosed	

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES
<i>*Delete as appropriate</i>	

Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00 AM	12.00 MIDNIGHT
<i>Tuesday</i>	11.00 AM	12.00 MIDNIGHT
<i>Wednesday</i>	11.00 AM	12.00 MIDNIGHT
<i>Thursday</i>	11.00 AM	12.00 MIDNIGHT
<i>Friday</i>	11.00 AM	1.00 AM
<i>Saturday</i>	11.00 AM	1.00 AM
<i>Sunday</i>	11.00 AM	12.00 MIDNIGHT

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00 AM	10.00 PM
<i>Tuesday</i>	11.00 AM	10.00 PM
<i>Wednesday</i>	11.00 AM	10.00 PM
<i>Thursday</i>	11.00 AM	10.00 PM
<i>Friday</i>	11.00 AM	10.00 PM
<i>Saturday</i>	11.00 AM	10.00 PM
<i>Sunday</i>	12.30PM	10.00 PM

Notes: Non Minor Variation to include off-sales and hot food takeaway from the premises granted by Clackmannanshire Licensing Board on 15 August 2017.

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES</i>
--	------------

**If YES – provide details*

SUCH EXTENSIONS AS PERMITTED BY THE LICENSING BOARD FOR FESTIVE PERIOD AND OTHER PUBLIC AND NATIONAL HOLIDAYS
--

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	NO	NO	NO
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	NO	NO	NO
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
5(d) <i>Activity</i>	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	YES	YES	YES
5(e) <i>Activity</i>	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

THE PREMISES WILL OCCASIONALLY OPEN AT 9 AM TO PROVIDE BREAKFAST FACILITIES WITH BACKGROUND MUSIC AND TO HOST RECEPTIONS.

OUTDOOR DRINKING FACILITIES MAY BE OFFERED FOR THE SALE OF NON ALCOHOLIC DRINKS BEFORE THE CORE OPERATING HOURS

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

HOT FOOD TAKEAWAY

5(g) Late night premises opening after 1.00am N/A

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	
---	--

When fully occupied, are there likely to be more customers standing than seated?	
*Delete as appropriate	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

<p>CHILDREN WILL REQUIRE TO BE ACCOMPANIED BY ADULTS.</p> <p>YOUNG PERSONS WILL BE ALLOWED ADMITTANCE TO TAKE A MEAL UNACCOMPANIED BY AN ADULT TILL 10 PM AND ACCOMPANIED BY AN ADULT AFTER 10 PM.</p>
--

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

BIRTH -18 YEARS

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

NORMAL OPENING TIMES

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

PUBLIC AREAS OF THE RESTAURANT

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

ON SALES INTENRAL AREA – 90 PERSONS
GAZEBO AND COURTYARD AREA – 30 PERSONS

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

8(a) *Name*

ALDO PIA

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[REDACTED]

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
01 OCTOBER 2009	EDINBURGH LICENSING BOARD	275666

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature  (see note below)

Date 4/8/20

Capacity AGENT (delete as appropriate).

Telephone number and email address of signatory

ANDREW THOMSON, INN BUSINESS SCOTLAND LIMITED, SPRINGFIELD HOUSE,
LAURELHILL BUSINESS PARK, STIRLING, FK7 9JQ

EMAIL: athomson@innscotland.com

TEL: 

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in connection with premises licences under Part 3 of the Licensing (Scotland) Act 2005 ("the Act"). The form of a premises licence and of a summary of such a licence are set by regulations 2 and 3 and Schedules 1 and 2. Regulation 4 and Schedules 3 and 4 set down the form of an application for a premises licence. In terms of section 20(2) of the Act, any application for a premises licence requires to be accompanied by a layout plan and an operating plan. Regulation 5 makes provision as to the layout plan and regulation 6 and Schedule 5 prescribe the form of an operating plan.



Partnership and Performance

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

Memo

To: **The Clerk to the Licensing Board
Greenfield
Alloa
FK10 2AD**

From: **Paul Fair
Licensing Standards Officer**

Extension: **2091**

Email: **pfair@clacks.gov.uk**

Our Ref: **PF/LSO/NMV/REP/CC045**

Your Ref:

Date: **17 September, 2020**

Subject: **Licensing (Scotland) Act, 2005. Section 29
Application for a Non Minor Variation
Bar Aldo, 9-11 Coalgate, Alloa, FK10 1EH CC045**

1. Having considered the content of the application I have the following comments to make, these comments should be treated as a representation in the terms of section 22 of the Licensing (Scotland) Act, 2005.
2. The application seeks to vary the premises licence No CC045 in the following ways :
 - a) To include an outdoor courtyard in the licensed area.
 - b) Change the terms of young persons access to the premises.
 - c) Amend the commencement hour on Sundays to allow alcohol sales from 11am.
 - d) Amend the operating plan to include a seasonal variations.
 - e) Add off sales of alcohol to the licence.
 - f) Other minor consequential changes to the operating plan
3. In relation to matters above I have no comment to make other than to highlight that these changes cause me no concern and simply bring the premises up to date with the licence holder's current business model and into line with other similar premises operating within Clackmannanshire.
4. The Premises Licence Holder both understands the additional responsibilities involved in the changes to the young persons access to the premises.
5. In relation to Item "a" above, the courtyard area has been an existing part of the premises for many years although is not part of the licensed area. I am unaware of any complaints made in relation to the courtyard and its use by customers of Bar Aldo.
6. The applicant is aware that recent amendments to the Statement of Licensing Policy, include a number licensing conditions that effect outdoor drinking areas, he has indicated that none of the proposed conditions would cause him any operating difficulty.

7. Having considered the context and likely levels of use of this particular outdoor area I would suggest that the conditions marked in bold and with an asterisk (*) in the list contained at appendix A to this report may be necessary and expedient for the purposes of securing compliance with the licensing objectives. However I have reproduced the full list of pool conditions from the 2018 Statement of Licensing Policy document and the Licensing Board may consider that additional condition as are necessary.

Paul Fair

Licensing Standards Officer.

Appendix A – Extract from 2018 Statement of Licensing Policy

Premises with Outdoor Drinking Areas

The Board will require that in order to meet the licensing objectives under the Act that the applicant manages the outdoor drinking area in a responsible manner. Where the Board is minded to grant the application, some or all of the following conditions may apply to the licence:

*** Consumption of alcohol in the outdoor drinking is not permitted after 10.00pm. (other times may be agreed in appropriate circumstances)**

*** No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking area.**

*** Customers using the outdoor drinking area shall at all times be supervised and/or monitored to ensure that nuisance or annoyance to neighbouring residents is not caused. In particular staff must take all reasonable steps to prevent shouting, singing and disorderly conduct within the outdoor area.**

Customers consuming alcohol must not be permitted to not encroach on to the footpath or any adjoining public area outwith the boundaries of the licensed outdoor drinking area.

*** Where the outdoor drinking facility is to be used during the hours of darkness, the licence holder shall ensure that suitable lighting is provided for the convenience and safety of all persons on the premises.**

*** The outdoor drinking facility must not be used for any purpose which is likely to cause annoyance to neighbours through smell, for example, the use of barbecues.**

*** Any facility provided for the comfort of patrons such as outdoor heaters must be used and maintained in a safe manner and in accordance with manufacturers' instructions and any other statutory requirements.**

The licence holder should insofar as practical provide plastic or other suitable non-glass drinking containers for use in the outdoor drinking area(s). The licence holder should seek to take all necessary steps to prevent customers taking glasses and in particular glass bottles into the outdoor drinking area.

*** Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.**

*** Where smoking is permitted in the outdoor drinking area or in part of the outdoor area children and young persons will not be permitted access to the outdoor area or to any part of the area where smoking is permitted, or to any part of the outdoor area where second hand smoke may be present.**

The Premises Licence Holder must prepare a document for the benefit of the current Premises Manager and any staff working on the premises, explaining how compliance with the conditions of the premises licence, insofar as they relate to the licensed outdoor drinking area, will be achieved and supervised. This document must be available to staff at all times and a record

should be kept of all staff trained in relation to it. This Document must also be available on the premises for inspection by the Licensing Standards Officer

In any outdoor drinking area attached to the premises the licence holder will be required to display such notices as prescribed by the Licensing Board. Notices prescribed in relation to this conditions may relate to such matters as

Noise

Conduct of Customers

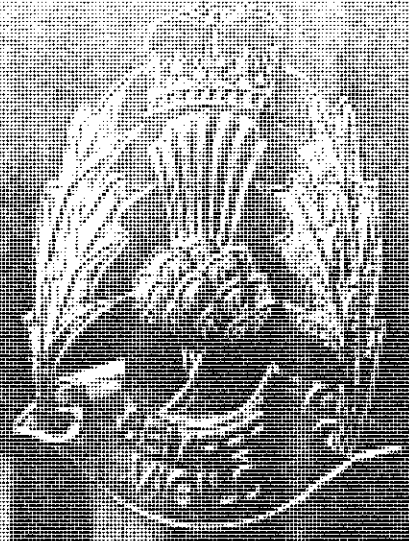
Children's and Young Person's Access to the Area

Permitted hours of use

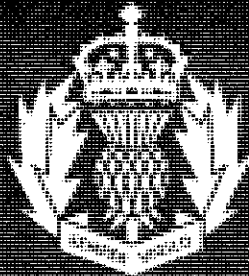
Outdoor drinking areas which are adjacent to a public place or public footpath, must at all times when the area is in use be clearly delineated by a physical barrier making the extent of the licensed area clear and obvious to any person using the area or using the adjacent public place or footpath.

*** All alcohol to be consumed in the Outside Drinking Area must be taken to and from the Area by the designated premises manager or another member of staff authorised to serve or sell alcohol on their behalf. Patrons of the Premises are specifically prohibited from taking alcohol to or from the Premises to the Outside Drinking Area.**

Only Plastic Polycarbonate or other unbreakable drinking vessels may be used in the outdoor drinking area. All drinks whether alcoholic or not must be decanted from any glass containers into unbreakable drinking vessels.



**THIS PAPER RELATES TO
ITEM 5
ON THE AGENDA**



**POLICE
SCOTLAND**

Keeping people safe

**CHIEF CONSTABLE'S REPORT TO THE
CLACKMANNANSHIRE LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2019 to 31ST MARCH 2020**

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2019/20, in accordance with Section 12(A) Licensing (Scotland) Act 2005. During this year Police Scotland has continued to work tirelessly towards supporting and enforcing the licensing objectives.

Police Scotland continues to work closely with local authorities and partnership agencies to deliver effective regulation in liquor licensing. Preventing alcohol fuelled violence, disorder and antisocial behaviour is a priority and I believe that working together to achieve effective early intervention and enforcement is vital to this.

I would like to take this time to thank our many local partnerships and acknowledge the good work that they do, as without their support we would not be able to maintain the high standard in licensing we have become accustomed to in the Clackmannanshire Board area.

Going forward I will continue to emphasise the importance of partnership working to our dedicated officers and staff. I am confident that through strong partnerships and collaborative working, we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Mr Iain Livingstone QPM

Chief Constable

Police Service of Scotland

Police Scotland Licensing Overview

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2020/2021, from a licensing perspective, our particular focus will be on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country
- Working closely with statutory partners within a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes
- Governance and ongoing development of the National ICT Licensing System, known as "Inn Keeper", to increase the efficiency and effectiveness of liquor and civic licensing administration and management
- The implementation and ongoing development of the Licensing Admin tool provides divisional licensing officers with a single ICT product negating the need to research police systems independently. Through accurate recording, the licensing admin tool assists Police Scotland in deploying our resources to the right places and the right time to keep people safe

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

Licensing Board Area

The Clackmannanshire local authority area is policed by Forth Valley Division.

Chief Superintendent Alan Gibson is the Local Police Commander who has the responsibility for all day-to-day policing functions. Chief Superintendent Gibson took over this role from Chief Superintendent Thom McLoughlin in December 2019.

The senior officers who hold responsibility for licensing within the area of Clackmannanshire are as follows;

Local Area Commander; Chief Inspector Audrey Marsh

Superintendent (Partnerships); Superintendent Mandy Paterson

Inspector, Preventions and Interventions; Inspector Vincent Hughes

Licensing Sergeant; Sergeant Liam Livingston

The Clackmannanshire Area Command serves over 51000 local residents over an area covering 61 square miles incorporating both urban and village communities. The Sub- Divisional Headquarters are based in Alloa.

There are a total of 135 licensed premises located throughout the Clackmannanshire Area Command. The highest concentration of premises are within Alloa Town Centre which has two nightclubs and numerous bars.

Local Policing Priorities

Following our public consultation process, the policing priorities for Forth Valley Division, as set out in our Local Policing Plan are as follows

- Responsive to the concerns of our communities
- Enhancing our collective resilience to emerging threats
- Protecting people most at risk from harm
- Promoting confidence through our actions

Police Officers who work locally within Clackmannanshire Area Command and officers from the Police Licensing Department always have these priorities in mind during engagement with licensed premises staff and members of the community who are potentially affected by the operation of licensed premises within their community.

Operation of the Licensing (Scotland) Act 2005

It is a fact that the misuse of alcohol can be harmful and damaging to our communities. In terms of policing, alcohol is very often a contributory factor in the calls that police officers attend from low level anti-social behaviour to domestic abuse and incidents of serious violence and injury.

To put this in perspective, in the year under report there were 757 cases of violent crime recorded within the Clackmannanshire Area, 224 (36.2%) of the offenders were drunk or under the influence of alcohol.

There were 578 cases of disorder reported and in 246 (47.3%) of these cases the accused were described as drunk or under the influence of alcohol.

In terms of offences linked directly with licensed premises there were a total of 23 cases of violent crime with the accused in 14 (66.7%) of these having been observed as drunk or had been drinking.

There were 13 disorder charges linked with licensed premises with the accused in 11 (73.3%) of those being either drunk or had been drinking.

Please note there may be more than one accused per charge which results in above percentages.

When considering these statistics it is important to bear in mind that within the total number of offences involving violent crime and disorder recorded during the year there were 338 charges recorded where the sobriety of the accused was not known. This would be the case when perhaps the accused was not immediately traced by police. Therefore it is a possibility that percentages of those drunk when committing offences could be higher.

The specific crime types are detailed in the statistics attached in Appendix A which show common assault and threatening abusive behaviour as by far the most common charges. Although not recorded as officially linked to licensed premises those involved in other crimes will have purchased their alcohol from a licensed premises somewhere along the line, whether this has been sold responsibly or otherwise.

It is the responsibility of Police Scotland to ensure that staff in licensed premises are complying with the Licensing Objectives as detailed in the Licensing (Scotland) Act 2005 and to take the necessary action when it is established that this is not the case. It is also the Police responsibility to ensure that those conducting themselves improperly on licensed premises are reported to the Procurator Fiscal and brought to justice.

In the Clackmannanshire Area Command this is achieved by the following means;

1. Weekend Policing Plan

Throughout the year the policing of licensed premises in Clackmannanshire is managed by the Weekend Policing Plan which is adapted weekly to take into account intelligence and recent incidents within licensed premises. The Divisional Alcohol and Violence Reduction Unit and Community Policing Teams staff this plan and conduct default patrols in Alloa town centre and around known hotspots as part of the plan. The focus of this is prevention and positive engagement rather than purely enforcement.

The Licensing Department review data from police systems on a daily basis and prepare a weekly report detailing all incidents within or connected to licensed premises throughout Clackmannanshire Area Command. This includes police reports, all telephone calls made or emails sent to police in relation to licensed premises and any intelligence received. The report also includes any significant events which are taking place and details of occasional licences and extended hours granted to licensed premises. This information is shared weekly when the Licensing Department meet with the Area Commander.

If patterns are identified within a licensed premises which give cause for concern then the premises become a monitored premises and will be inspected on a more frequent basis by local officers. All information in relation to these visits is fed back to the licensing department which considers any further action required.

If a premises is monitored the additional visits also provide support for the premises staff and any anti-social behaviour on the premises is dealt with robustly by the police officers in attendance. As can be seen from the attached statistics there have been very few offences relating to the Licensing (Scotland) Act 2005 within licensed premises although as previously stated there have been 23 charges involving violence and 13 disorder charges linked with licensed premises during the period under report.

It is worth noting that there were also 7 charges in relation to persons consuming alcohol in a public place. These charges are generally as a result of proactive work on the part of the police to prevent this type of anti-social behaviour on the streets. Of note, the number of such offences in Clackmannanshire has been in single figures for at least four years now.

There are also a significant amount of proactive inspections of Licensed Premises conducted to ensure compliance with the legislation and the Licensing Objectives.

During the period under report there were 536 proactive visits to licensed premises throughout Clackmannanshire Area Command which is a 28.5% rise on the 2018-2019 financial year. This includes inspections of town centre premises but also a significant amount of visits to premises based in less urban areas. Many of these visits have taken place at peak times both in the late evenings and during high profile football matches or other significant occasions.

Of note, towards the end of the financial year the Coronavirus pandemic resulted in the closure of all on-sales premises. The "lockdown" took effect on 23rd March 2020, therefore only nine days of the "lockdown" fell into the period under report and as such this is not assessed to have had a significant impact on the statistics which have been presented.

2. Monitored / Intervention

Generally if an incident occurs at a licensed premises contact is made with those in a position of responsibility, the incident discussed and any necessary actions taken. In the majority of cases this prevents any repeat of the type of incident.

As mentioned in the previous section, if a premises gives cause for concern then it becomes a 'monitored' premises. This involves local officers and officers from the licensing department engaging with staff in an attempt to identify why there may have been repeated incidents occurring on the premises and offering the necessary advice and support.

If there is no change, then officers from the licensing department meet with the Designated Premises Manager and in some cases the Premises Licence Holder and prepare an Intervention plan which the police and the DPM/Licence holder sign. This involves agreed measures which will be taken to improve the operation of the premises; for example more staff undergoing the training to become a personal licence holder, a change in the hours stewards are employed or more frequent toilet checks. The plans which are put in place are dependent on the problems being encountered.

Should the staff on the premises prove uncooperative and the problems continue then consideration would be given to submitting an application for review of the premises licence under Section 36 of the Licensing (Scotland) Act 2005 or a review of the personal licence of staff involved under Section 84A of the Licensing (Scotland) Act 2005.

I am pleased to report that during the period under report there was no requirement to class any premises in Clackmannanshire as monitored premises. One premises was being considered at the time of the Coronavirus outbreak and will form part of our next annual report. Consequently, no premises were subject to an intervention agreement and there were no premises licence review applications to the licensing board during the period under report.

Police Scotland did submit one report to the Licensing Board regarding an applicant for a personal licence. The Board subsequently refused the application.

The lack of enforcement action which has been necessary would indicate that the proactive work undertaken has been effective as a preventative measure.

3. Partnership Working

During 2019/2020 there has been a range of initiatives between Police and partner organisations aimed at ensuring safety in and around licensed premises. Generally, these partnership approaches focus on preventing issues from arising and identifying emerging issues early so that these can be resolved prior to enforcement action being necessary.

Having identified increases in calls to police on dates of Old Firm football fixtures proactive initiatives were carried out on the dates of all Old Firm games during the

period under report. Amongst other activities, this involved advance correspondence with licensed premises, preventative visits and high visibility patrols in and around licensed premises, reminding staff of their responsibilities and encouraging early engagement with police in the event of any incidents.

The licensing department were also in regular contact with SIA officers in relation to the conduct of stewards on the doors of premises ensuring a collaborative approach to any improper conduct by licensed stewards. During 2019 / 2020 no enforcement action by police was necessary in relation to stewards in the Clackmannanshire area.

Similarly, the Licensing Department maintained close links with Immigration Enforcement to ensure persons were not being employed on premises who had no permission to work in the United Kingdom. No-one was found to be involved in the sale of alcohol who did not have permission to work in the UK.

Police Officers from the Licensing Department as well as local officers worked well in partnership with the Licensing Standards Officer to identify and address any emerging issues before they became problematic. Of note, the Licensing Standards Officer reported an alleged fraud to police further to uncovering anomalies in the nomination of a Designated Premises Manager for one premises in Clackmannanshire and this incident is subject to an on-going investigation as are enquiries into further potential offences resulting from these anomalies. Due to the subject of the investigation no longer holding any licences in Clackmannanshire this matter will not result in a report to the Licensing Board.

Additional initiatives have taken place throughout the year to support licensed premises. This has included Operation Christmas where advance contact was made by community officers with the management of licensed premises to ascertain what party night / functions were being planned to ensure appropriate policing could be put in place. Resource levels were planned accordingly and at key times over the festive period more frequent visits to on-sales premises were made to provide reassurance to staff and customers.

In addition, in support of the 16 Days of Action on Domestic Abuse campaign, police, Alloa First and Licensed Premises worked together to promote awareness of the "Ask for Angela" sexual violence initiative which is aimed at keeping women safe whilst on dates. The initiative provides women with a means of alerting bar staff if they are concerned for their safety without putting themselves at risk.

Similarly, officers worked with partners in both on and off-sales outlets as part of a national initiative to promote awareness of the crime of robbery and how they can assist police in preventing such crimes and contribute to efforts to tackle offenders. This involved a leaflet campaign as well as advice being provided by police officers.

It would appear that there is general compliance with the law among licensed premises in the Clackmannanshire Area. These initiatives with partner agencies will continue as they have proved to be an effective deterrent. Furthermore, regular contact between the police and these partners assists with the flow of information and ensures that any emerging issues can be dealt with effectively.

It should be noted that the management and staff of licensed premises are also assessed to be partners in our efforts to combat alcohol related crime and disorder. By developing good working relations with those in the trade, local officers have been able to develop community intelligence assisting in detecting outstanding offences and disrupting those who involve themselves in serious criminality.

4. Licensing Policy Statement

Having been involved in 2018 in the development of the Clackmannanshire Licensing Board Statement of Licensing Policy 2018 – 2023, Police Scotland continued to take the Board's policy statement into account when assessing applications for licences and during discussions within the Licensing Forum. The Statement of Policy assists officers in understanding the expectations of the Board and ensuring that their actions are consistent with the aims and objectives of the Board.

5. Exclusion Orders / Closure Orders

Where a person is being reported to the Procurator Fiscal for an offence involving violence on a Licensed Premises the Police can request that consideration is given to imposing an exclusion order if a person is convicted. Section 94 of the Licensing (Scotland) Act 2005 gives the court the power to impose an exclusion order preventing the convicted person from entering certain licensed premises for a specified period of time. Police Scotland made 15 requests for Exclusion Orders over the relevant 12 month period. Police Scotland do not however hold information as to how many of these were imposed by the courts and it should be noted that there is often a delay of several months between the time of the police report being submitted and a person being convicted of the alleged offence.

Under section 97 of the Licensing (Scotland) Act police can apply to the Licensing Board for a closure order in relation to any premises as a result of a risk of disorder and risk to public safety. Provision also exists for a Constable of or above the rank of Inspector to make an emergency closure order in certain circumstances. During 2019/2020 there has been no necessity to apply for a closure order nor implement an emergency closure order in the Clackmannanshire area.

6. Licensing Forum

A representative from the Police Licensing Department regularly attends the local licensing forum in order to hear from licence holders and members of the public and address any concerns they may have. This also contributes to an effective working relationship with licensed premises staff and ultimately a safer environment for the people of Clackmannanshire.

7. Applications For Licences

Section 22 of the Licensing (Scotland) Act 2005 covers applications for a premises licence. All applications for premises licences are considered by police. This is achieved by scrutinising police databases to ensure that the granting of a licence will not present issues for the community. Police Officers from the Licensing Department will also make contact with local police officers to ascertain if they predict any problems with the granting of the licence and on most occasions will make contact with the prospective licence holder and visit the proposed premises in order to gain an understanding of what the licence holder is looking to achieve.

There have been no objections to premises licence applications during 2019 / 2020.

Section 72 of the Licensing (Scotland) Act 2005 covers applications for a personal licence. All applications for personal licences are considered by police by carrying out checks on police databases. In the year 2019 / 2020 there was one objection to the grant of a personal licence.

8. Other Licensing Offences

It is worth noting that there are has been no-one reported to the Procurator Fiscal for offences under Section 1 of the Licensing (Scotland) Act 2005 (selling alcohol without a licence) or Section 63 of the Licensing (Scotland) Act 2005 (selling alcohol out with licensed hours) in the Clackmannanshire area during the 2019 / 2020 period although there is an on-going investigation arising from the report referred to earlier from the Licensing Standards Officer. Likewise there have been no charges for offences such as selling alcohol to a drunk person or staff being drunk on licensed premises.

It can be concluded that through effective analysis of information and strong partnership working underpinned by our local policing priorities Licensed Premises in Clackmannanshire operate for the most part effectively and safely and in support of the Licensing Objectives laid out in the Licensing (Scotland) Act 2005.

Preventing the sale or supply of alcohol to children or young persons

It is recognised that alcohol misuse among children and young persons can be extremely damaging and may result in antisocial behaviour and a negative impact on the community as well as the children involved.

As can be seen from the attached statistics there is one charge relating to buying or attempting to buy alcohol for a child which relates to a person purchasing alcohol from an off-sales premises and giving it to a child. There have been no charges in relation to selling alcohol to a child or young person or any charges in relation to young person's buying or attempting to buy alcohol.

Community Police Officers in Clackmannanshire engage directly with children, educating them as to the potential dangers involved in consuming alcohol. They have the trust of children and young persons in the local community and can gather

intelligence in relation to their alcohol consumption and take any appropriate action. The Preventions and Interventions Department at Forth Valley also engage with young people throughout the community and deliver presentations aimed to raise awareness of potential risks.

Police officers on day to day duties who come across children and young persons under the influence of alcohol share this information with partner organisations such as healthcare, social work and education and steps can be taken to attempt to establish the root cause for these behaviours rather than criminalising these children.

As can be seen from the attached statistics the percentage of criminal activity in and around licensed premises involving children is negligible.

Tackling Serious and Organised Crime

Licensed Premises are one type of business known to be used by Serious and Organised Crime Groups for the purposes of laundering money and the commission of drugs offences. Clackmannanshire Area Command fully engages with Scotland's Serious and Organised Crime Strategy aiming to Divert, Deter, Detect and Disrupt serious and organised crime and the harm it causes. Serious and Organised Crime is not just about drugs but is linked to Human Trafficking, Cyber Crime and Sexual Exploitation.

On a local basis in relation to licensed premises the Community Policing Teams and Licensing Department regularly engage with the local community and staff within licensed premises ensuring that there is a comprehensive intelligence picture in relation to potential Serious and Organised Criminal Activity within licensed premises in the area. The Licensing Department is regularly in contact with the Force Disruptions Unit, sharing information and working to deny persons involved in this type of activity access to licensed premises.

Statistical Analysis

Statistical data regarding crime levels has been included in Appendix A to this report in order to assist Board members' understanding of the levels of crime relating to licensed premises over the period of the report. This also provides a comparison with previous years in order to provide a better understanding of any trends or changes in levels in relation to a particular crime type.

Proposed activity

The early part of the forthcoming year will no doubt see considerable disruption to licensed premises due to the Coronavirus pandemic and the associated lockdown. It is acknowledged that this will present challenging times for many licence holders and staff of licensed premises. Whilst recognising this, Police Scotland will take measures to ensure that licensed premises are not used in a manner that may facilitate the spread of coronavirus nor contribute to alcohol related harm. In doing so the Force

policy of Engagement, Encouragement, Explanation and Enforcement, with the last being as a last resort will be followed.

Police will continue to work alongside partners locally including the Licensing Standards Officer, HMRC and Trading Standards to ensure that off-sales, and when they re-open to the public, on-sales premises, are safe places to frequent and to socialise.

It is likely that the effects of the pandemic will have a longer term impact on the licensed trade as economic pressures lead to closures, changes of ownership and new business ventures. As new challenges are presented, Police Scotland will seek to adapt and respond in a reasonable and proportionate manner to ensure that the licensing objectives are at the heart of our joint efforts in relation to licensed premises.

Intelligence led policing of licensed premises will continue, responding to the concerns of our communities and taking enforcement action when necessary.

To conclude we would like to thank you for your continued support and stress the importance of this collaborative, problem solving approach. It is through this approach that we will achieve our purpose of improving the safety and wellbeing of people, places and communities in Scotland.

APPENDIX A

This appendix provides further statistical information on alcohol related offences for the benefit of the Board. This is intended to provide an appreciation of alcohol related offending within Clackmannanshire Board Area and provide a statistical comparison to previous years.

Sections in the report include:

- Violence and disorder offences for all locus types
- Violence and disorder offences occurring only within licenced premises
- Licensing offences

Violence and Disorder Offences - All Locus Types

Table 1 shows a summary of the total number of Violent Crime and Disorder offences in the Clackmannanshire area over a three year period. The data shows the percentage of accused persons who were recorded as 'being drunk' or 'had been drinking' at the time of the offence.

(note: Along with the number of detected charges, the number of accused persons is provided in brackets. These two figures can differ due to multiple accused per charge on occasions.)

- Violent Crime data for the most recent period 2019/20 showed a similar level of charges to 2017/18 with 2018/19 having experienced a lower level in the total number of charges during the three year period.
- The percentage of violent offenders who were intoxicated was at its highest during the most recent period 2019/20, increasing from 30.3% in 2018/19 to 36.3%.
- Disorder data provided that the number of disorder type charges increased from the period 2018/19 into the most recent period, as did the number of accused persons recorded as 'drunk' or 'had been drinking'
- Looking at the total number of violent crime and disorder charges and accused persons under the influence of alcohol, the increase from the previous period can be attributed mainly to violent crime.

Table 1

All locus types	2017/18			2018/19			2019/20		
	Total Charges	Detected Charges	% accused persons drunk or had been drinking	Total Charges	Detected Charges	% accused drunk or had been drinking	Total Charges	Detected Charges	% accused drunk or had been drinking
Violent Crime	798	587 (635)	35.4%	693	491 (532)	30.3%	757	580 (620)	36.3%
Disorder	574	503 (542)	48.7%	538	473 (508)	46.1%	578	493 (522)	47.1%
Total Charges	1372	1090 (1177)	41.5%	1231	964 (1040)	38.0%	1335	1073 (1142)	41.2%

Table 2 gives a more detailed look at the figures provided above and specifically shows detected and undetected crimes.

- Charges of common assault and threatening or abusive behaviour account for the majority of offences, together making up over 85% of charges in each period.
- 2018/19 saw lower levels of most offences including common assault and threatening or abusive behaviour.
- The detection rate for serious assaults has shown a decreasing trend over the three year period.

Table 2

Violent Crime and Disorder	2017/18			2018/19			2019/20		
	Detected	Undetected	Total Charges	Detected	Undetected	Total Charges	Detected	Undetected	Total Charges
Serious Assault	41	3	44 (93.2)	46	5	51 (90.2%)	40	12	52 (76.9%)
Common Assault	463	208	671 (69%)	390	197	587 (66.4%)	457	164	621 (73.6%)
Assault (Officer/emergency worker)	83	0	83 (100%)	55	0	55 (100%)	83	1	84 (98.8%)
Breach of the Peace	17	1	18 (94.5%)	15	2	17 (88.2%)	20	0	20 (100%)
Urinate/defecate	11	0	11 (100%)	12	0	12 (100%)	9	1	10 (90%)
Threatening or abusive behaviour	475	70	545 (87.2%)	446	63	509 (87.6%)	464	84	548 (84.7)
Total Charges	1090	282	1372 (79.4%)	964	267	1231 (78.3%)	1073	262	1335 (80.4%)

OFFICIAL: POLICE AND PARTNERS

Table 3 provides the sobriety of those who were charged with offences. Table 4 shows the same information for only those who were aged 17 or under.

Table 3

Violent Crime and Disorder (All locus types) Accused Sobriety	2017/18				2018/19				2019/20						
	Had Been Drinking		Not Known		Had Been Drinking		Not Known		Had Been Drinking		Not Known				
	Drugs	Drunk	Drugs	Sober	Drugs	Drunk	Drugs	Sober	Drugs	Drunk	Drugs	Sober			
Serious Assault	0	6	14	22	9	1	2	10	31	9	0	5	15	14	11
Common Assault	13	71	83	185	148	11	47	73	168	125	12	63	91	169	156
Assault (emergency worker)	19	27	24	13	1	9	11	18	14	3	5	35	16	8	20
Breach of the Peace	1	2	9	9	2	0	8	2	6	7	0	4	6	10	8
Urinate/defecate	0	3	6	2	0	0	3	6	3	0	0	2	6	1	0
Threatening or abusive behaviour	24	127	117	145	95	16	93	122	151	91	19	127	101	136	100
Total Charges	57	236	253	376	255	37	164	231	373	235	36	236	235	340	295

Table 4

Violent Crime and Disorder (All locus types) Accused (aged 17 years or less) Sobriety	2016/17				2017/18				2018/19						
	Had Been Drinking		Not Known		Had Been Drinking		Not Known		Had Been Drinking		Not Known				
	Drugs	Drunk	Drugs	Sober	Drugs	Drunk	Drugs	Sober	Drugs	Drunk	Drugs	Sober			
Serious Assault	0	0	3	3	1	0	0	2	4	1	0	0	1	0	0
Common Assault	0	8	6	26	61	0	0	6	19	56	0	0	3	25	54
Assault (emergency worker)	10	1	4	0	0	0	1	2	3	1	1	2	3	2	6
Breach of the Peace	0	0	1	0	0	0	0	0	1	1	0	0	1	0	0
Urinate/defecate	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Threatening or abusive behaviour	3	9	10	23	17	2	4	5	15	16	1	6	7	15	28
Total Charges	13	18	24	52	79	2	5	15	42	75	2	8	15	42	88

OFFICIAL: POLICE AND PARTNERS

Violence and Disorder Offences - Licensed Premises

Table 5 shows the total number of offences and detections for Violent Crime and Disorder in the Clackmannanshire area over a three year period which have occurred specifically where the locus sub type has been recorded as 'licensed premises' or 'licensed club'.

Violent and disorder type offences recorded as occurring in licensed premises accounted for, on average, 2.5% of the offences for all locus types. The data will not include any offences that may be linked to licenced premises which occurred just outside the locus and have been recorded as locus sub type 'street' for example.

- Total charges for the most recent period 2019/20 increased from the lower level seen in 2018/19.
- The detection rate fluctuated over the three year period although did increase from the lower level seen in 2018/19. It should be noted that the detection rate will have had an impact on accused sobriety data for any given period.
- The percentage of accused being under the influence of alcohol is consistently high across the periods.

Table 5

Licensed Premises	2017/18		2018/19		2019/20	
	Total Charges	Accused drunk or had been drinking (%)	Total Charges	Accused drunk or had been drinking (%)	Total Charges	Accused drunk or had been drinking (%)
Violent Crime	28	25 (89.3%)	15	9 (60%)	23	18 (78.3%)
Disorder	12	11 (91.7%)	8	7 (87.5%)	13	11 (73.3%)
Total Charges	40	36 (90%)	23	16 (69.6%)	36	31 (86.1%)

Licensing Offences

Table 6 shows the number of licensing charges by charge description for each period along with the number of accused persons for each where they were aged 17 years or less.

Table 6

Charge Description	2017/18		2017/18		2018/19		2018/19		2019/20		2019/20	
	No. of Charges	Of which, accused aged 17 yrs or less	No. of Charges	Of which, accused aged 17 yrs or less	No. of Charges	Of which, accused aged 17 yrs or less	No. of Charges	Of which, accused aged 17 yrs or less	No. of Charges	Of which, accused aged 17 yrs or less	No. of Charges	Of which, accused aged 17 yrs or less
A person behaves in a disorderly manner and refuses/fails to leave premises on being asked	1	0	0	0	0	0	0	0	0	0	0	0
A person on relevant premises, while drunk, behaving in a disorderly manner	2	0	0	0	0	0	0	0	0	2	0	0
Consume alcohol in a designated public place - Local Order (assumption)	7	0	8	1	8	1	7	0	7	0	0	0
Consume or take away alcohol after being asked not to	0	0	2	0	2	0	2	0	2	0	0	0
Drunk & incapable	6	0	2	0	2	0	2	0	2	0	1	0
Person buys or attempts to buy alcohol for a child	1	0	1	0	1	0	1	0	1	0	1	0
Person buys or attempts to buy alcohol for a young person	1	0	0	0	0	0	0	0	0	0	0	0
Person giving alcohol to a child	0	0	1	0	1	0	1	0	1	0	0	0
Person under 18 buy or attempt to buy alcohol	1	0	0	0	0	0	0	0	0	0	0	0
Sale of alcohol without a premises licence or an occasional licence	2	0	0	0	0	0	0	0	0	0	0	0
Total Charges	21	0	14	1	14	1	13	1	13	0	0	0

Additional Information

Whilst the overall number of charges in each of these sections may seem low we now have other methods of disposal that would not be counted as a charge in this section such as fixed penalty notices, police warnings etc.

In addition to the crime data provided above, we also thought it would be useful to provide some information particularly related to the work completed over the last three years in licensed premises in the Clackmannan Area. This demonstrates that local officers are significantly more proactive in visiting licensed premises and it is assessed that this is now reaping benefits in terms of compliance levels. It also assists in keeping information up-to-date and providing an improved understanding of the management of individual premises.

Table 7

	2017/18	2018/19	2019/20
Number of Formal and Informal Interventions	0	0	0
Number of visits to licensed premises	274	417	536

Report to the Licensing Board

Date of Meeting: 6 October 2020

Subject: General Permitted Extension - Festive Period 2020 -21

Report by: Clerk to the Licensing Board

1.0 Purpose

1.1 The purpose of this report is to enable the Licensing Board to consider its approach to the festive period 2020-21.

2.0 Background

2.1 For a number of years the Board has agreed a general permitted extension to licensing hours over the festive period. This approach has been well received by the licensed trade.

3.0 Recommendation

3.1 It is recommended that the Board:

3.1.1 Note that the Statement of Licencing Policy has incorporated the Festive Policy

3.1.2 Agree that any general extension incorporated into the Statement of Licensing Policy 2018 shall apply for the period of 11 December 2020 to 2 January 2021 subject to any national restrictions imposed as a result of Covid-19.

4.0 Consideration

4.1 For 6 years the Board has granted a General Extension of licensed hours for the Festive Period. This approach has now been incorporated into the current consultation on the Statement of Licensing Policy.

The Statement of Licensing Policy "Festive Policy" considers it appropriate to grant a general extension of one additional hour to the terminal hour on all On Sales premises, unless that would extend trading beyond 2 am. An additional special provision to allow a 2am terminal hour where Christmas Eve and New Years Eve fall on a day other than a Friday and Saturday. This has been the same approach taken by the Board in previous years. As indicated above, to date this policy has been well supported, by the Police and the trade in

particular. The Statement does indicate that the dates that the festive policy will apply will continue to be set at this meeting in the cycle by the Board. Therefore it has been considered appropriate at this point to make a recommendation on when any agreed festive policy would apply.

This year there is a high degree of uncertainty in relation to the On Sales trade as a result of the impact of Covid-19. Any decision of the Board in relation to festive opening hours will be subject to any national restrictions on opening.

- 4.2 The administration of extended hours applications can be time consuming for the licensing team, as the Licensing Standards Officer is required to submit a report on each application, even if there are no concerns regarding the extension in question. As a result of this requirement, applications for extended hours cannot be determined under delegated powers, and require Board Members to approve each application. The fee payable for this is £10 and does not cover the cost of processing the application. Separately, this imposes a regulatory burden on licensed premises.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

5.1. Financial Details

- 5.2. As reported previously to the Board the potential reduction in the number of extended hours applications will result in continued reduced income. However the cost of processing an application far exceeds the statutory fee and the loss of income is offset by the overall benefits gained by the Board, Council and applicants as detailed in this report.

5.3. Staffing

The grant of a general extension would remove the requirement for licence holders to submit an extended hours application. This would reduce the administrative burden on the licensing service, and would not require the Board to determine applications subject to a LSO report at short notice and prior to the Festive Break.

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 None.


9.0 Background Papers

9.1 Consultation on the Statement of Licensing Policy .

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lindsay Thomson	Clerk to the Licensing Board	2084

Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Thomson	Clerk to the Licensing Board	

CLACKMANNANSHIRE LICENSING BOARD

MEETING 06 October 2020 at 09:30am in

**The Council Offices,
Greenside Street, Alloa, FK10 1EB**

Licensing (Scotland) Act 2005

Occasional Licence Applications

Premises	Applicant	Date of Events	Comments
Bobbing John 24 Drysdale Street Alloa FK10 1JL	JD Wetherspoons (Scots) Ltd c/o Brunton Miller Solicitors Glasgow G20 6NB	23 October – 05 November 2020 06 – 19 November 2020 20 November – 03 December 2020	Applications, LSO Report, (copies attached) Layout Plan supplied Applicant agrees to previous conditions imposed by Board Members Police Scotland responses no objections 22/09/2020
Royal Arms 2 High Street Tillicoultry FK13 6AE	Bramley Eccles Alloa	28 September – 11 October 2020 12 – 25 October 2020 26 October – 08 November 2020	Applications, LSO Report, (copies attached) Layout Plan supplied Applicant agrees to previous conditions imposed by Board Members Police Scotland responses no objections 19& 21/09 2020
No 5 Inn Brook Street Alva FK12 5JL	David White No 5 Inn Brook Street Alva FK12 5JL	28 September – 11 October 2020 12 – 25 October 2020 26 October – 08 November 2020	Applications, LSO Report, (copies attached) Layout Plan supplied Applicant agrees to previous conditions imposed by Board Members Police Scotland responses no objections 21/09/2020

Licensing Board

Bobbing John

DATE OF EVENT	23/10 - 31/10/2020
LICENCE NO	20100543/occLic
TO POLICE & WEB	22 September 2020

Application for an Occasional Licence

To:

Clerk to the Licensing Board
 Clackmannanshire Council
 Kilncraigs
 Alloa
 FK10 1EB


Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand, Please Write Legibly in **Block Capitals**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. Licence Details (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/> JD WETHERSPOON (SCOT) LTD C/O BRUNTON MILLER, 22 HERBERT ST, GLASGOW G20 6NB
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises	BOBBING JOHN, 46 DRYSDALE STREET, ALLOA FK10 1JL
Licence number and Issuing Licensing Board (if applicable)	CC181
Personal licence number (if applicable) Issuing Licensing Board	

Name of voluntary organization or Members Club (if applicable)			
Name of Personal Licence Holder And Licence No. of person Responsible for authorized sales of Alcohol at event (see guidance notes)			
2. Personal Details			
Full Name	Surname	First Name	
If you are applying on behalf Of a Club or voluntary Organization please state your position in that club/organization or provide other evidence that you are authorized or entitled to apply on their behalf.			
Address where ordinarily resident to be used for correspondence purposes.			
Telephone Number			
Email Address (if you would prefer us to correspond with you by email)			
Age, Date & Place of Birth	Years	Date of Birth	Place of Birth
3. The Premises (See note and answer fully)			
Description of Premises - Town Centre Public House.			
Full Postal Address of Premises which this Application Refers to 46 Drysdale Street, Alloa FK10 1JL.			

Description of Activities to be Carried on in the Premises (see note and answer fully)	
Service of food, soft drinks and alcohol.	
Approximately how many persons will attend event?	16
Will Stewards to be provided?	YES / NO (if external area open between 6-10pm on Fridays and Saturdays)
Is food to be provided at the event if YES - please provide details	YES / NO
Usual Public House Menu will apply.	
4. Duration of Licence	
Start Time and Date	End Time and Date
23 rd October 2020	5 th November 2020
5. Alcohol Consumption	
Is Alcohol to be sold for consumption On the premises?	YES / NO
Is Alcohol to be sold for consumption Off the premises?	YES / NO
Provide details as to hours required when alcohol will be sold On / Off* the premises *delete as appropriate	
Times for sale of alcohol for Consumption - On premises	Times for sale of alcohol for Consumption - Off premises
11am to 10pm	N/A
Statement of the times at which any activities other than the sale of alcohol Will be carried on in the premises	
8am to 10pm.	

6. Children (This section must be completed where alcohol is for sale for consumption on the premises)	
Are children or young persons permitted entry? YES /NO	
If Yes - the remainder of this section must be completed	
Will Children (0 -15yrs) and Young Persons (16 & 17 yrs) require To be accompanied by a parent or person over the age of 18 yrs?	
Children – yes Young persons – no	
Ages of Children or Young Persons Permitted Entry	Times at which Children or Young Persons Permitted Entry
0-17 years	Until 8pm.
Parts of Premises to which Children or Young Persons Permitted Entry	
All public parts.	
7. Signature and Declaration by Applicant	
DECLARATION	
IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION	
(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))	
The Contents of This Application Are True to the Best of my Knowledge and Belief.	
Signature	
Dated	11/9/20

Archie Maciver Esq., Messrs Brunton Miller, Solicitors, 22 Herbert Street, Glasgow G20 6NB
 Telephone: 0141-337-1199
 Email: archie.maciver@bruntonmiller.com

N/EB/OCCASIONALS & EXTENDED/ Bobbing John, 46 Drysdale St, Alloa FK10 1JL.9.9.2020(1)
 ADM/CA

* Date Protection Act 1998

The information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

Checklist	
I have made or enclosed payment of The fee for the application	

17/09/2020 *Handwritten*

DATE OF EVENT	6-19/11/2020
LICENCE NO	22/00305/0001
TO POLICE & WEB	22 September 2020

Licensing Board

www.clacksweb.org.uk

Application for an Occasional Licence

To:

Clerk to the Licensing Board
 Clackmannanshire Council
 Kilncraigs
 Alloa
 FK10 1EB

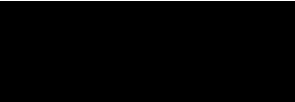
Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand, Please Write Legibly in **Block Capitals**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. Licence Details (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/> JD WETHERSPOON (SCOT) LTD C/O BRUNTON MILLER, 22 HERBERT ST, GLASGOW G20 6NB
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises	BOBBING JOHN, 46 DRYSDALE STREET, ALLOA FK10 1JL
Licence number and Issuing Licensing Board (if applicable)	CC181
Personal licence number (if applicable) Issuing Licensing Board	

Name of voluntary organization or Members Club (if applicable)			
Name of Personal Licence Holder And Licence No. of person Responsible for authorized sales of Alcohol at event (see guidance notes)			
2. Personal Details			
Full Name	Surname	First Name	
If you are applying on behalf Of a Club or voluntary Organization please state your position in that club/organization or provide other evidence that you are authorized or entitled to apply on their behalf.			
Address where ordinarily resident to be used for correspondence purposes.			
Telephone Number			
Email Address (if you would prefer us to correspond with you by email)			
Age, Date & Place of Birth	Years	Date of Birth	Place of Birth
3. The Premises (See note and answer fully)			
Description of Premises -			
Town Centre Public House.			
Full Postal Address of Premises which this Application Refers to			
46 Drysdale Street, Alloa FK10 1JL.			

Description of Activities to be Carried on in the Premises (see note and answer fully)	
Service of food, soft drinks and alcohol.	
Approximately how many persons will attend event?	16
Will Stewards to be provided?	YES / NO (if external area open between 6-10pm on Fridays and Saturdays)
Is food to be provided at the event If YES - please provide details	YES / NO
Usual Public House Menu will apply.	
4. Duration of Licence	
Start Time and Date	End Time and Date
6 th November 2020	19 th November 2020
5. Alcohol Consumption	
Is Alcohol to be sold for consumption On the premises?	YES / NO
Is Alcohol to be sold for consumption Off the premises?	YES / NO
Provide details as to hours required when alcohol will be sold On / Off * the premises *delete as appropriate	
Times for sale of alcohol for Consumption - On premises	Times for sale of alcohol for Consumption - Off premises
11am to 10pm	N/A
Statement of the times at which any activities other than the sale of alcohol Will be carried on in the premises	
8am to 10pm.	

6. Children	
(This section must be completed where alcohol is for sale for consumption on the premises)	
Are children or young persons permitted entry?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
If Yes - the remainder of this section must be completed	
Will Children (0 -15yrs) and Young Persons (16 & 17 yrs) require To be accompanied by a parent or person over the age of 18 yrs?	Children - yes Young persons - no
Ages of Children or Young Persons Permitted Entry 0-17 years	Times at which Children or Young Persons Permitted Entry Until 8pm.
Parts of Premises to which Children or Young Persons Permitted Entry All public parts.	
7. Signature and Declaration by Applicant	
DECLARATION	
IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION	
(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))	
The Contents of This Application Are True to the Best of my Knowledge and Belief.	
Signature	
Dated	11/9/20

Archie Maciver Esq., Messrs Brunton Miller, Solicitors, 27 Herbert Street, Glasgow G20 6NB
 Telephone: 0141-337-1199
 Email: archie.maciver@bruntonmiller.com

N/EB/OCCASIONALS & EXTENDED/ Bobbing John, 46 Drysdale St, Alloa FK10 1JL.9.9.2020(2)
 ADM/CA

* Date Protection Act 1998

The information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

Checklist	
I have made or enclosed payment of The fee for the application	

Bobbing John

DATE OF EVENT	20/11 - 3/12/2020
LICENCE NO	20/00544/occ10
TO POLICE & WEB	22 September 2020

Licensing Board

Application for an Occasional Licence

To:

Clerk to the Licensing Board
 Clackmannanshire Council
 Kilncraigs
 Alloa
 FK10 1EB


Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand, Please Write Legibly in **Block Capitals**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. Licence Details (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/> JD WETHERSPOON (SCOT) LTD C/O BRUNTON MILLER, 22 HERBERT ST, GLASGOW G20 6NB
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises	BOBBING JOHN, 46 DRYSDALE STREET, ALLOA FK10 1JL
Licence number and Issuing Licensing Board (if applicable)	CC181
Personal licence number (if applicable) Issuing Licensing Board	

Name of voluntary organization or Members Club (if applicable)			
Name of Personal Licence Holder And Licence No. of person Responsible for authorized sales of Alcohol at event (see guidance notes)			
2. Personal Details			
Full Name	Surname	First Name	
If you are applying on behalf Of a Club or voluntary Organization please state your position in that club/organization or provide other evidence that you are authorized or entitled to apply on their behalf.			
Address where ordinarily resident to be used for correspondence purposes.			
Telephone Number			
Email Address (if you would prefer us to correspond with you by email)			
Age, Date & Place of Birth	Years	Date of Birth	Place of Birth
3. The Premises (See note and answer fully)			
Description of Premises -			
Town Centre Public House.			
Full Postal Address of Premises which this Application Refers to			
46 Drysdale Street, Alloa FK10 1JL.			

Description of Activities to be Carried on in the Premises (see note and answer fully)	
Service of food, soft drinks and alcohol.	
Approximately how many persons will attend event?	16
Will Stewards to be provided?	YES / NO (if external area open between 6-10pm on Fridays and Saturdays)
Is food to be provided at the event if YES - please provide details	YES / NO
Usual Public House Menu will apply.	
4. Duration of Licence	
Start Time and Date	End Time and Date
20 th November 2020	3 rd December 2020
5. Alcohol Consumption	
Is Alcohol to be sold for consumption On the premises?	YES / NO
Is Alcohol to be sold for consumption Off the premises?	YES / NO
Provide details as to hours required when alcohol will be sold On / Off.* the premises *delete as appropriate	
Times for sale of alcohol for Consumption - On premises	Times for sale of alcohol for Consumption - Off premises
11am to 10pm	N/A
Statement of the times at which any activities other than the sale of alcohol Will be carried on in the premises	
8am to 10pm.	

6. Children (This section must be completed where alcohol is for sale for consumption on the premises)			
Are children or young persons permitted entry? YES /NO			
If Yes - the remainder of this section must be completed			
Will Children (0 -15yrs) and Young Persons (16 & 17 yrs) require To be accompanied by a parent or person over the age of 18 yrs? Children – yes Young persons – no			
Ages of Children or Young Persons Permitted Entry 0-17 years	Times at which Children or Young Persons Permitted Entry Until 8pm.		
Parts of Premises to which Children or Young Persons Permitted Entry All public parts.			
7. Signature and Declaration by Applicant			
DECLARATION			
IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION (Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))			
The Contents of This Application Are True to the Best of my Knowledge and Belief.			
Signature		Dated	11/9/20

Archie Maciver Esq., Messrs Brunton Miller, Solicitors, 22 Herbert Street, Glasgow G20 6NB
 Telephone: 0141-337-1199
 Email: archie.maciver@bruntonmiller.com

N/EB/OCCASIONALS & EXTENDED/ Bobbing John, 46 Drysdale St, Alloa FK10 1JL 9.9.2020(3)
 ADM/CA

* Date Protection Act 1998

The information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

Checklist	
I have made or enclosed payment of The fee for the application	

Memo

**To: The Clerk to the Licensing Board
Greenfield
Alloa
FK10 2AD**

**From: Paul Fair
Licensing Standards Officer**

Extension: 2091

Email: pfair@clacks.gov.uk

Our Ref: PF/LSO/OL/CV19 REP

Your Ref: 2020-OCCLIC (set3-3 apps)

Date: 29 September 2020

**Subject: Licensing (Scotland) Act, 2005, Section 57 (3)
3 x Occasional Licence Applications - Outdoor Area
Applicant- JD Wetherspoon (Scotland) Limited CC181- Premises Licence Holder
Footpath area in front of The Bobbing John, 46 Drysdale Street, Alloa.**

Section 57(1)(b) of The Licensing (Scotland) Act, 2005 (the Act) requires that the Licensing Board notifies the Licensing Standards Officer for the area in relation to any application for an occasional licence. This section further provides that the Licensing Standards Officer is provided with a copy of the application.

Having considered the content of the applications to which this representation relates, I have the following comments to make:

1. This representation relates to 3 occasional licences each lasting for a period of 14 days, and seeking authority to make sales of alcohol for on sales consumption in an outdoors space which is not currently part of the licensed footprint of the premises at the above address.
2. The 3 applications seek to licence the premises from 23 October 2020 for a continuous period of 6 weeks until 3 December 2020.
3. The purpose of an occasional licence is to allow premises that are not normally licensed to be licensed "occasionally". Not necessarily for a special event or special occasion.
4. If these applications are granted it will result in continuous licensed period of 18 weeks in relation to this area. The applicant is aware that they should be looking to a more permanent licensing solution if they wish to continue the use of this area in the longer term.
5. I should point out to the Licensing Board that from 1st October (selected only as an indicative date) the sunset time is 18:48hrs reducing by 2-3 minutes each day

thereafter. Ultimately darkness will fall at around 16:20hrs on 8th November, 2020.

6. There is however adequate street lighting in the area.
7. On Friday 3 July 2020, the Licensing Board approved the use of a pre-application guidance document for those wishing to licence a new outdoor area. The applicant in this case has had the opportunity to view the document, has completed the supplementary information form and has acknowledged the understanding statement. The applicant has accepted the suggested conditions in that document and fully understands that additional conditions, from the pool list contained in the statement of licensing policy, may also be applied as local conditions.
8. Although the applicant has failed to adequately identify and describe the area to be licensed on the application form, I have proceeded on the assumption that their intention is to licence the area that is part of the footpath (as shown on the attached drawing) in Drysdale Street, Alloa. This area is owned by Clackmannanshire Council.
9. The area is suitable for licensing in the current circumstances.
10. The applicant is aware that they should only use personal licence holders or other staff trained to the standards required by the Licensing (Training of Staff)(Scotland) Regulations 2007 to sell alcohol at the premises.
11. The applicant has also been advised that any staff left in charge at the premises should be the holder of a personal licence or should be able to make immediate contact with a personal licence holder responsible for the management of the premises, during all licensed hours.
12. This application covers a area of footpath along the majority of the frontage of one of Alloa's largest licensed venues. There are a number of other licensed premises in the immediate vicinity, and it is fair to say that there have been incidents of anti social behaviour in the immediate vicinity of these premises.
13. The Board may want to consider whether or not it is necessary and expedient for the purposes of the licensing objectives to have this particular licensed premises supervised by a suitably licensed SIA Steward or Stewards working in conjunction with the staff appointed to the area. This may only be necessary at key busy periods and I would suggest from 6pm to Closure at 10pm on a Friday and Saturday when the outdoor area is in use maybe the key period when public nuisance, crime and disorder is most likely. If the Board is minded to apply such a local condition I have drafted a suggested local condition at the end of Appendix A (No. 8).
14. Appendix A contains a list of suggested conditions that the Licensing Board may wish to impose on granting this application. These conditions are necessary to ensure compliance with the licensing objectives contained within The Licensing (Scotland) Act, 2005.

Paul Fair Licensing Standards Officer.

Appendix A

- 1 Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
- 2 The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
- 3 The outside area can only be occupied by persons seated at a table.
- 4 The licence holder must ensure that alcohol is only consumed by persons seated at a table.
- 5 (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
- 6 No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- 7 All outdoor areas will be operated in compliance with the current Scottish Government guidance for the Hospitality Sector, including any amendments to that guidance which occurs in the duration of the licence.
- 8 The licensed area must be supervised by an SIA licensed Steward between 6pm and closure on each Friday and Saturday (applies only when the area is in use).

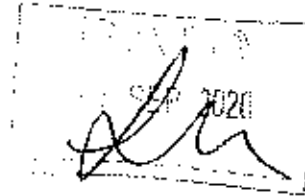
19/9/2020

Royal Arms
DATE OF EVENT 28/9 - 11/10 2020
LICENCE NO 122/00327/occasional
TO POLICE & WEB 16 September 2020

APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB



Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. LICENCE DETAILS (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	Royal Arms 2 High Street TILLYCOUNTRY FK18 6AE Licence No CC0057
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	Branley Eccles Licence No CC740 Clackmannanshire Council
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
Branley Eccles Licence No CC740	

2. PERSONAL DETAILS			
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)			
FORENAMES	BRANLEY		
SURNAME	ECLES		
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.			
DATE OF BIRTH	Day	Month	Year
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post Town	Postcode		
ALLOA	[REDACTED]		
TELEPHONE NUMBERS			
DAY TIME			
EVENING			
MOBILE	[REDACTED]		
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
[REDACTED]			


3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises. Royal Arms Outdoor Space Area, At Rear of THE BUILDING		
Full Postal Address of Premises which this Application Refers to Royal Arms 2 High Street, TILLYCOUNTRY		
IMPORTANT From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL.		
Please confirm the following :	1 The premises have a current PEL	Yes / No
	or 2 Date Temporary PEL was been applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully)	
SALE OF ALCOHOL	
Approximately How many persons will attend event ?	20+
Will SIA Licensed Stewards to be provided ?	YES <input checked="" type="radio"/> NO
Is food to be provided at the Event - If yes please provide details	

4. DURATION OF LICENCE	
Start Time and Date	End Time and Date
MONDAY 23 rd Sept 11am	Sun 11 th Oct 10pm

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO*	
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*	
PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate	
Times for sale of alcohol for consumption On premises	Times for sale of alcohol for consumption Off premises
11am - 10pm	11am - 10pm
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises	

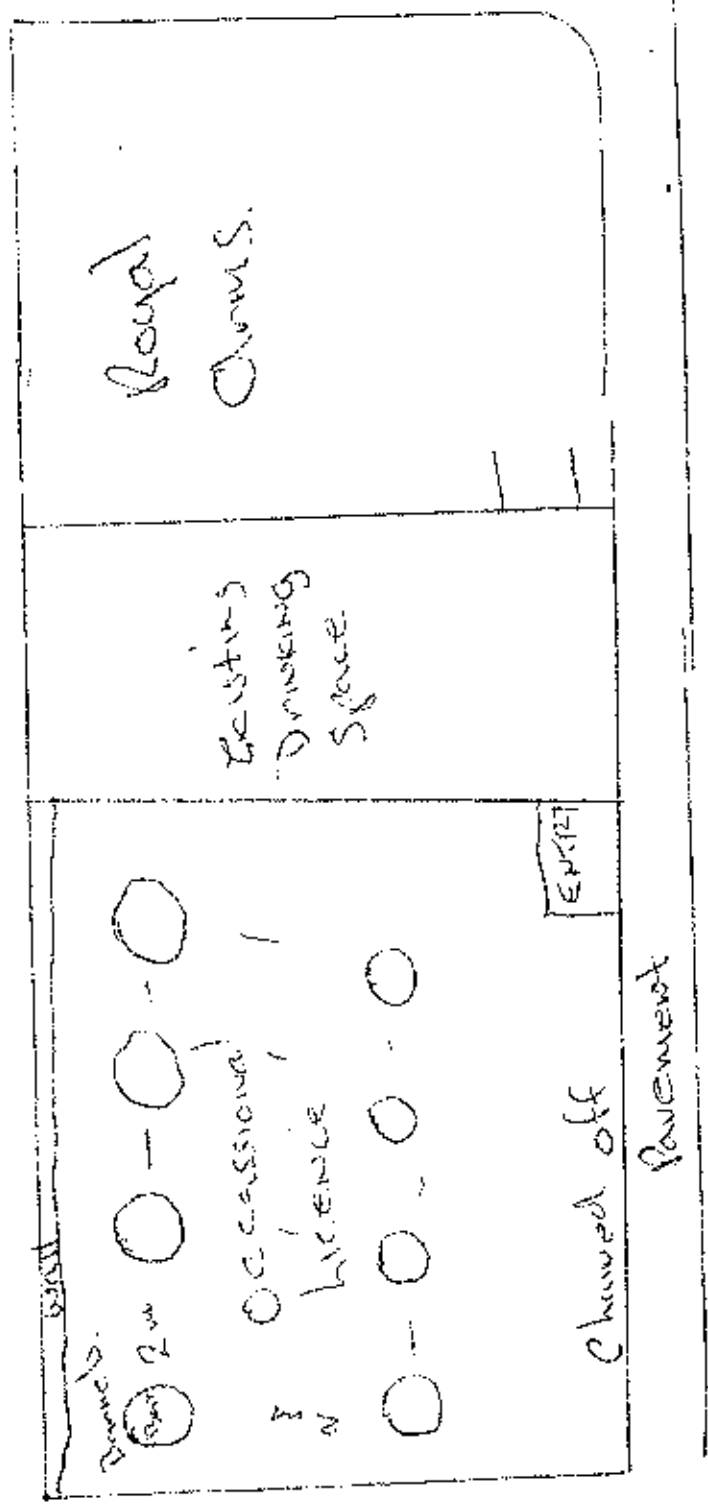
6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? <input checked="" type="radio"/> YES <input type="radio"/> NO (if answered yes the remainder of this section must be completed)	
Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?	<input checked="" type="radio"/> YES <input type="radio"/> NO
Ages of Children of Young Persons Permitted Entry 11.00hrs - 22.00hrs	Times at which Children or Young Persons Permitted Entry Children 0-15 years old Young persons 16-17 years old
Parts of Premises to which Children or Young Persons Permitted Entry They will be permitted to the outdoor drinking area.	

7. Signature and declaration by applicant (see note 3)			
DECLARATION			
IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION			
<small>(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))</small>			
The contents of this Application are true to the best of my knowledge and belief.			
SIGNATURE		DATE	11-9-20

*** Data Protection Act 1998**

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

8. CHECKLIST - Please tick	
I have Made or enclosed payment of the fee for the application	



P/S
21/9/2020

Occasional Arms

DATE OF EVENT	12-25 Oct 2020
LICENCE NO	20/00325/KALM
TO POLICE & WEB	1 September 2020

APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB



Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. LICENCE DETAILS (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	Royal Arms 2 High Street TULLICHAULTRY FK15 6AE Licence No CC0057
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	Branley Eccles Licence No CC740 Clackmannanshire Council
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
Branley Eccles Licence No CC740	

2. PERSONAL DETAILS			
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)			
FORENAMES	BRAMLEY		
SURNAME	ECCLES		
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.			
DATE OF BIRTH	Day	Month	Year
[REDACTED]			
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post Town	ALLOA		Postcode
			[REDACTED]
TELEPHONE NUMBERS			
DAYTIME			
EVENING			
MOBILE	[REDACTED]		
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
[REDACTED]			

3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises. Royal Arms Outdoor Space Area, At Rear of THE BUILDING		
Full Postal Address of Premises which this Application Refers to Royal Arms 2 High Street, TULLICOULTRY		
IMPORTANT From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL.		
Please confirm the following :	1 The premises have a current PEL or	Yes / No
	2 Date Temporary PEL was been applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully)	
SIALE OF ALCOHOL	
Approximately How many persons will attend event ?	20+
Will SIA Licensed Stewards to be provided ?	YES/NO
Is food to be provided at the Event - If yes please provide details	

4. DURATION OF LICENCE	
Start Time and Date	End Time and Date
MONDAY 12 th Oct 11am	Sunday 25 th Oct 10pm

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO*	
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*	
PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate	
Times for sale of alcohol for consumption On premises	Times for sale of alcohol for consumption Off premises
11am - 10pm	11am - 10pm
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises	

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? **YES/NO** (if answered yes the remainder of this section must be completed)

Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?

YES/NO

Ages of Children of Young Persons Permitted Entry

11:00hrs - 22:00hrs

Times at which Children or Young Persons Permitted Entry

Children 0-15 years old
Young persons 16-17 years old

Parts of Premises to which Children or Young Persons Permitted Entry

They will be permitted to the outdoor drinking area.

7. Signature and declaration by applicant (see note 3)

DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

SIGNATURE



DATE

11-9-20

*** Data Protection Act 1998**

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members Public on Request

8. CHECKLIST - Please tick

I have Made or enclosed payment of the fee for the application

2. PERSONAL DETAILS			
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)			
FORENAMES	BRAMLEY		
SURNAME	ECCLES		
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.			
DATE OF BIRTH	Day	Month	Year
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post Town	Postcode		
ALLOS	[REDACTED]		
TELEPHONE NUMBERS			
DAYTIME			
EVENING			
MOBILE	[REDACTED]		
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
[REDACTED]			

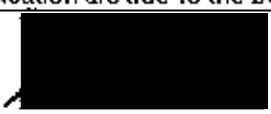
3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises. Royal Arms outdoor Space Area, At Rear of THE BUILDING		
Full Postal Address of Premises which this Application Refers to Royal Arms 2 High Street, TILLYCOLTRY		
IMPORTANT From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL.		
Please confirm the following :	1 The premises have a current PEL	Yes / No
	or 2 Date Temporary PEL was been applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully)	
SALE OF ALCOHOL	
Approximately How many persons will attend event ?	20+
Will SIA Licensed Stewards to be provided ?	YES/NO
Is food to be provided at the Event - If yes please provide details	

4. DURATION OF LICENCE	
Start Time and Date	End Time and Date
Mon 26 th Oct 11am	Sun 8 th Nov 10pm

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO*	
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*	
PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate	
Times for sale of alcohol for consumption On premises	Times for sale of alcohol for consumption Off premises
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises	

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?	YES/NO
Ages of Children or Young Persons Permitted Entry 11.00 hrs - 22.00 hrs	Times at which Children or Young Persons Permitted Entry Children 0-15 years old Young persons 16-17 years old
Parts of Premises to which Children or Young Persons Permitted Entry They will be permitted to the outdoor drinking area.	

7. Signature and declaration by applicant (see note 3)	
DECLARATION	
IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION	
(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE	
DATE	11-9-20

*** Data Protection Act 1998**

The information on this Form may be held on an Electronic Public Register which may be available to members public on request

8. CHECKLIST - Please tick	
I have Made or enclosed payment of the fee for the application	

Memo

To: **The Clerk to the Licensing Board
Greenfield
Alloa
FK10 2AD**

From: **Paul Fair
Licensing Standards Officer**

Extension: **2091**

Email: **pfair@clacks.gov.uk**

Our Ref: **PF/LSO/OL/CV19 REP**

Your Ref: **2020-OCCLIC (set3-3 apps)**

Date: **29 September 2020**

Subject: **Licensing (Scotland) Act, 2005, Section 57 (3)
3 x Occasional Licence Applications - Outdoor Area
Applicant - Bramley Eccles
Land to the Rear of the Royal Arms, 2 High Street, Tillicoultry. (CC057).**

Section 57(1)(b) of The Licensing (Scotland) Act, 2005 (the Act) requires that the Licensing Board notifies the Licensing Standards Officer for the area in relation to any application for an occasional licence. This section further provides that the Licensing Standards Officer is provided with a copy of the application.

Having considered the content of the applications to which this representation relates, I have the following comments to make:

1. This representation relates to 3 occasional licences each lasting for a period of 14 days, and seeking authority to make sales of alcohol for on sales consumption in an outdoors space which is not currently part of the licensed footprint of the premises at the above address.
2. The 3 applications seek to licence the premises from 28 September 2020 for a continuous period of 6 weeks until 8 November 2020.
3. The purpose of an occasional licence is to allow premises that are not normally licensed to be licensed "occasionally". Not necessarily for a special event or special occasion.
4. If these applications are granted it will result in continuous licensed period of 18 weeks in relation to this area. The applicant is aware that he should be looking to a more permanent licensing solution if he wishes to continue the use of this area in the longer term.
5. I should point out to the Licensing Board that from 1st October (selected only as an indicative date) the sunset time is 18:48hrs reducing by 2-3 minutes each day

thereafter. Ultimately darkness will fall at around 16:20hrs on 8th November, 2020.

6. In light of the information contained in paragraph 5 the Board may want to consider whether or not the continued use of this large outdoor area is appropriate as a licensed area, and they may wish to seek additional information from the applicant in relation to how he will address matters of adequate supervision and customer safety during colder, dark periods with an increased chance of adverse weather.
7. On Friday 3 July 2020, the Licensing Board approved the use of a pre-application guidance document for those wishing to licence a new outdoor area. The applicant in this case has had the opportunity to view the document, has completed the supplementary information form and has acknowledged the understanding statement. The applicant has accepted the suggested conditions in that document and fully understands that additional conditions, from the pool list contained in the statement of licensing policy, may also be applied as local conditions.
8. The land in this case is an area used for car parking at the rear of the premises and is owned by the premises.
9. In the 12 week period of licensing of this area that has already passed, the use of the area has attracted no adverse comments or complaints, despite being fairly close to a residential area.
10. The applicant has been advised that he should only use personal licence holders or other staff trained to the standards required by the Licensing (Training of Staff)(Scotland) Regulations 2007 to sell alcohol at the premises.
11. The applicant has also been advised that any staff left in charge at the premises should be the holder of a personal licence or should be able to make immediate contact with a personal licence holder responsible for the management of the premises, during all licensed hours.
12. Appendix A contains a list of suggested conditions that the Licensing Board may wish to impose on granting this application. These conditions are necessary to ensure compliance with the licensing objectives contained within The Licensing (Scotland) Act, 2005.

Paul Fair

Licensing Standards Officer.

Appendix A

- 1 Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
- 2 The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
- 3 The outside area can only be occupied by persons seated at a table.
- 4 The licence holder must ensure that alcohol is only consumed by persons seated at a table.
- 5 (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
- 6 No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- 7 All outdoor areas will be operated in compliance with the current Scottish Government guidance for the hospitality sector, including any amendments to that guidance which occurs in the duration of the licence.

N. 5 Inn
20/9/2020

DATE OF EVENT 20/9-11/10 2020
LICENCE NO 20/CC/350/occ/pe
TO POLICE & WEB 18 September 2020

APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. LICENCE DETAILS (see note 1)	
I am a - (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	NOS INN BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL CC 152
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC 158
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
ALISON LILY ALLAN WHITE CC 158	

2. PERSONAL DETAILS

TITLE (delete as appropriate) ~~MR~~ ~~MRS~~ ~~MISS~~ ~~MS~~ ~~OTHER~~ (please state)

FORENAMES DAVID HAMILTON

SURNAME WHITE

If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.

DATE OF BIRTH Day Month Year

ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES

BROOK STREET

Post Town ALVA Postcode FK12 5JL

TELEPHONE NUMBERS

DAYTIME [REDACTED]

EVENING [REDACTED]

MOBILE [REDACTED]

FAX NUMBER

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

[REDACTED]

3. THE PREMISES (where the event is to be held -See note and answer fully)

Description of Premises.

WITH PRIVATE CAR PARK AT THE NOS INN
BROOK STREET ALVA

Full Postal Address of Premises which this Application Refers to

BROOK STREET ALVA
CLACKMANNANSHIRE FK12 5JL

IMPORTANT

From the 1st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL.

Please confirm the following :

1 The premises have a current PEL

or

2 Date Temporary PEL was been applied for -

Yes No

Description of Activities to be Carried on in the Premises (see note and answer fully)

OUTSIDE DRINKING AREA TO FRONT OF BUILDING
(PRIVATE CARPARK)

CHILDREN AND YOUNG PERSONS WILL BE PRESENT

SALE OF ALCOHOL AND FOOD.

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ?

YES NO

Is food to be provided at the Event - if yes please provide details

BAR MEAL
AVAILABLE TO PURCHASE.

4. DURATION OF LICENCE

Start Time and Date

11 AM

MONDAY 28th Sep 2020

End Time and Date

10 PM

SUNDAY 11th Oct 2020

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/ NO*
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/ NO*

PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-^{*} delete as appropriate

Times for sale of alcohol for consumption
On premises

11am - 10pm

Times for sale of alcohol for consumption
Off premises

11am - 10pm

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

NA

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? YES NO (if answered yes the remainder of this section must be completed)

Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?

YES NO

Ages of Children of Young Persons Permitted Entry

ANY AGE

Times at which Children or Young Persons Permitted Entry

OPENING TIME
UP TILL 8pm

Parts of Premises to which Children or Young Persons Permitted Entry

ALL AREAS - EXCEPT BAR SERVED WHERE ALCOHOL IS BEING SERVED.

7. Signature and declaration by applicant (see note 3)

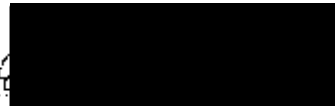
DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

SIGNATURE



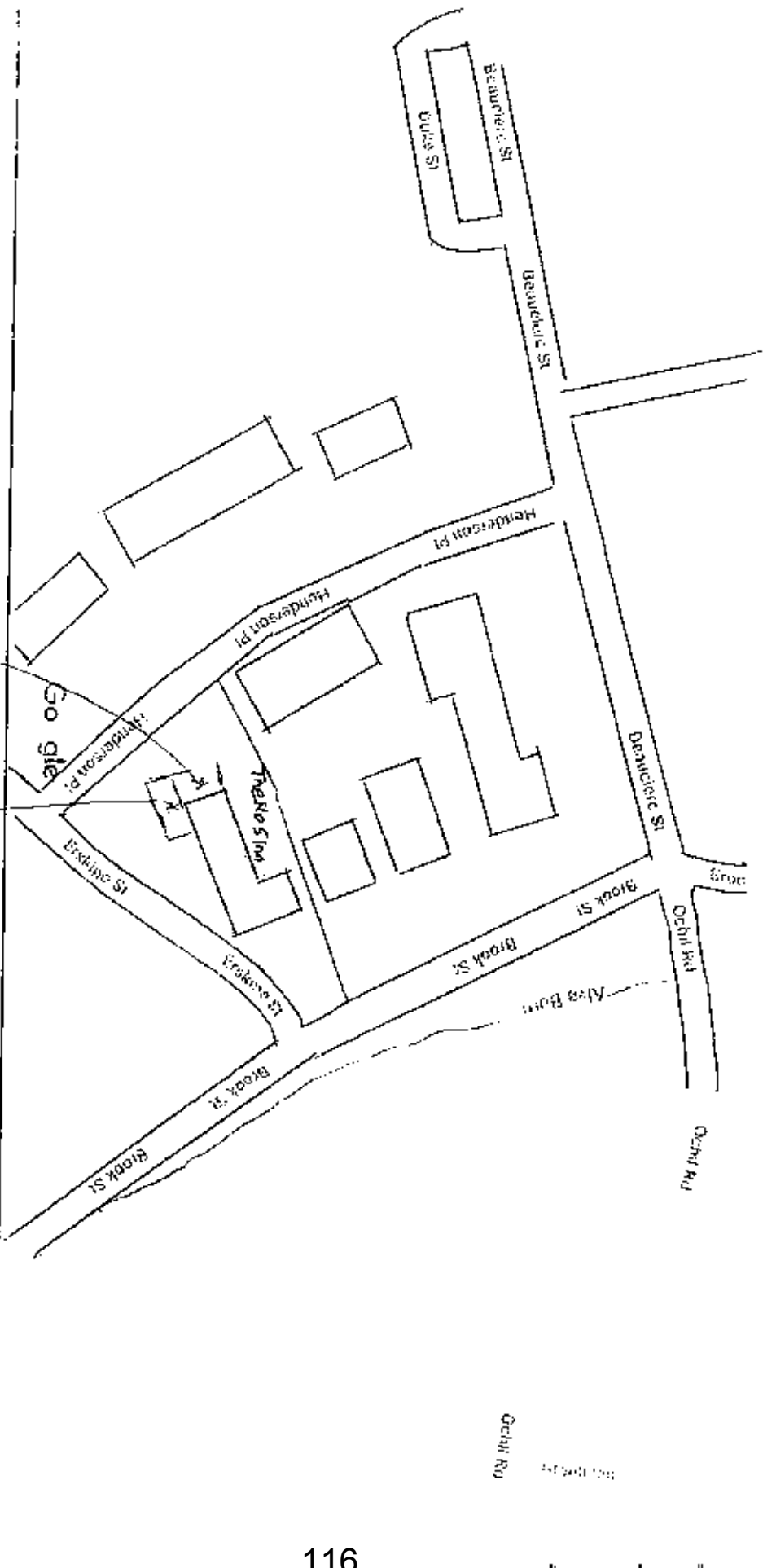
DATE

15 SEP 2020

*** Data Protection Act 1998**

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

Go gite Maps



PERMANENT
BEER
GARDEN

ROOSE TEMPERALIST
SMALLER
EXTENSION

6X4 METRES
CAPACITY
SETTING
24 PEOPLE

Map data ©2020

10m

21/9/2020

NOS INN

DATE OF EVENT	12-25/10/2020
LICENCE NO	20105351/CC152
TO POLICE & WEB	18 September 2020

APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. LICENCE DETAILS (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	NOS INN BROOK STREET ALLOA CLACKMANNANSHIRE FK12 5JL CC152
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC158
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
ALISON LILY ALLAN WHITE CC158	

2. PERSONAL DETAILS

TITLE (delete as appropriate) **MR** ~~MRS~~ ~~MISS~~ ~~MS~~ ~~OTHER~~ (please state)

FORENAMES **DAVID HAMILTON**

SURNAME **WHITE**

If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.

DATE OF BIRTH Day Month Year

ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES

BROOK STREET

Post Town **ALVA**

Postcode **FK12 5JL**

TELEPHONE NUMBERS

DAYTIME
EVENING

MOBILE

FAX NUMBER

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

3. THE PREMISES (where the event is to be held -See note and answer fully)

Description of Premises.

**WITH PRIVATE CAR PARK AT THE NOS INN
BROOK STREET ALVA**

Full Postal Address of Premises which this Application Refers to

**BROOK STREET ALVA
CLACKMANNANSHIRE FK12 5JL**

IMPORTANT

From the 1st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL.

Please confirm the following :

1 The premises have a current PEL

or

2 Date Temporary PEL was been applied for -

Yes No

Description of Activities to be Carried on in the Premises (see note and answer fully)

OUTSIDE DRINKING AREA TO FRONT OF BUILDING
(PRIVATE CARPARK)

CHILDREN AND YOUNG PERSONS WILL BE PRESENT
SALE OF ALCOHOL AND FOOD.

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ?

YES NO

Is food to be provided at the Event - If yes please provide details

BAR MEAL
AVAILABLE TO PURCHASE.

4. DURATION OF LICENCE

Start Time and Date

11 AM

MONDAY 12 OCT 2020

End Time and Date

10 PM

SUNDAY 25 OCT 2020

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO*
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*

PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD
ON/OFF THE PREMISES-* delete as appropriate

Times for sale of alcohol for consumption
On premises

11am - 10pm

Times for sale of alcohol for consumption
Off premises

11am - 10pm

Statement of the times at which any activities other than the sale of alcohol will be carried
on in the premises

NA

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? **YES** NO (if answered yes the remainder of this section must be completed)

Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?

YES NO

Ages of Children of Young Persons Permitted Entry

ANY AGE

Times at which Children or Young Persons Permitted Entry

OPENING TIME
UP TILL 8PM

Parts of Premises to which Children or Young Persons Permitted Entry

ALL AREAS = EXCEPT BAR SERVED WHERE ALCOHOL IS BEING SERVED.

7. Signature and declaration by applicant (see note 3)

DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

SIGNATURE



DATE

15 SEP 2020

*** Data Protection Act 1998**

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

PLS
21/9/2020

NO 5 INN
DATE OF EVENT 20/10 - 23/11 2020
LICENCE NO 21/CC132/OC/MC
TO POLICE & WEB 18 SEPTEMBER 2020

APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. LICENCE DETAILS (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	NO 5 INN BROOK STREET ALLOA CLACKMANNANSHIRE FK12 5JL CC 152
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC 158
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
ALISON LILY ALLAN WHITE CC 158	

2. PERSONAL DETAILS

TITLE (delete as appropriate) ~~MR~~ ~~MRS~~ ~~MISS~~ ~~MIS~~ ~~OTHER~~ (please state)

FORENAMES DAVID HAMILTON

SURNAME WHITE

If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.

DATE OF BIRTH Day Month Year

ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES

BROOK STREET

Post Town ALVA Postcode FK12 5JL

TELEPHONE NUMBERS

DAYTIME EVENING MOBILE

FAX NUMBER

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

3. THE PREMISES (where the event is to be held -See note and answer fully)

Description of Premises.

WITH PRIVATE CAR PARK AT THE NO5 INN
BROOK STREET ALVA

Full Postal Address of Premises which this Application Refers to

BROOK STREET ALVA
GLoucestershire FK12 5JL

IMPORTANT

From the 1st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL.

Please confirm the following :

1 The premises have a current PEL

or

2 Date Temporary PEL was been applied for -

Yes No

Description of Activities to be Carried on in the Premises (see note and answer fully)

OUTSIDE DRINKING AREA TO FRONT OF BUILDING
(PRIVATE GARAGE)

CHILDREN AND YOUNG PERSONS WILL BE PRESENT

SALE OF ALCOHOL AND FOOD.

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ?

YES NO

Is food to be provided at the Event - If yes please provide details

BAR MEAL
AVAILABLE TO PURCHASE

4. DURATION OF LICENCE

Start Time and Date

11 AM

Mon 26th OCT 2020

End Time and Date

10 PM

SUNDAY 8th NOV 2020

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO*
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*

PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD
ON/OFF THE PREMISES-* delete as appropriate

Times for sale of alcohol for consumption
On premises

11am - 10pm

Times for sale of alcohol for consumption
Off premises

11am - 10pm

Statement of the times at which any activities other than the sale of alcohol will be carried
on in the premises

NA

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? YES NO (if answered yes the remainder of this section must be completed)

Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?

YES NO

Ages of Children of Young Persons Permitted Entry

ANY AGE

Times at which Children or Young Persons Permitted Entry

OPENING TIME
UP TILL 8PM

Parts of Premises to which Children or Young Persons Permitted Entry

ALL AREAS = EXCEPT BAR SERVES WHERE ALCOHOL IS BEING SERVED.

7. Signature and declaration by applicant (see note 3)

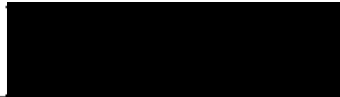
DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

SIGNATURE



DATE

15 SEP 2020

* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

Memo

**To: The Clerk to the Licensing Board
Greenfield
Alloa
FK10 2AD**

**From: Paul Fair
Licensing Standards Officer**

Extension: 2091

Email: pfair@clacks.gov.uk

Our Ref: PF/LSO/OL/CV19 REP

Your Ref: 2020-OCCLIC (set3-3 apps)

Date: 29 September 2020

**Subject: Licensing (Scotland) Act, 2005, Section 57 (3)
3 x Occasional Licence Applications - Outdoor Area
Applicant- No 5 Inn, Alva, CC152
Car Park area adjacent, and to the front of The No 5 Inn, Brook Street, Alva.**

Section 57(1)(b) of The Licensing (Scotland) Act, 2005 (the Act) requires that the Licensing Board notifies the Licensing Standards Officer for the area in relation to any application for an occasional licence. This section further provides that the Licensing Standards Officer is provided with a copy of the application.

Having considered the content of the applications to which this representation relates, I have the following comments to make:

1. This representation relates to 3 occasional licences each lasting for a period of 14 days, and seeking authority to make sales of alcohol for on sales consumption in an outdoors space which is not currently part of the licensed footprint of the premises at the above address.
2. The 3 applications seek to licence the premises from 28 September 2020 for a continuous period of 6 weeks until 8 November 2020.
3. The purpose of an occasional licence is to allow premises that are not normally licensed to be licensed "occasionally". Not necessarily for a special event or special occasion.
4. If these applications are granted it will result in continuous licensed period of 18 weeks in relation to this area. The applicant is aware that he should be looking to a more permanent licensing solution if he wishes to continue the use of this area in the longer term.
5. I should point out to the Licensing Board that from 1st October (selected only as an indicative date) the sunset time is 18:48hrs reducing by 2-3 minutes each day

thereafter. Ultimately darkness will fall at around 16:20hrs on 8th November, 2020.

6. In light of the information contained in paragraph 5 the Board may want to consider whether or not the continued use of this large outdoor area is appropriate as a licensed area, and they may wish to seek additional information from the applicant in relation to how he will address matters of adequate supervision and customer safety during colder, dark periods with an increased chance of adverse weather.
7. On Friday 3 July 2020, the Licensing Board approved the use of a pre-application guidance document for those wishing to licence a new outdoor area. The applicant in this case has had the opportunity to view the document, has completed the supplementary information form and has acknowledged the understanding statement. The applicant has accepted the suggested conditions in that document and fully understands that additional conditions, from the pool list contained in the statement of licensing policy, may also be applied as local conditions.
8. The land in this case is an area used for car parking at the rear of the premises and is owned by the premises.
9. In the 12 week period of licensing of this area that has already passed, the use of the area has attracted no adverse comments or complaints, despite being fairly close to a residential area.
10. The applicant has been advised that he should only use personal licence holders or other staff trained to the standards required by the Licensing (Training of Staff)(Scotland) Regulations 2007 to sell alcohol at the premises.
11. The applicant has also been advised that any staff left in charge at the premises should be the holder of a personal licence or should be able to make immediate contact with a personal licence holder responsible for the management of the premises, during all licensed hours.
12. Appendix A contains a list of suggested conditions that the Licensing Board may wish to impose on granting this application. These conditions are necessary to ensure compliance with the licensing objectives contained within The Licensing (Scotland) Act, 2005.

Paul Fair

Licensing Standards Officer.

Appendix A

- 1 Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
- 2 The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
- 3 The outside area can only be occupied by persons seated at a table.
- 4 The licence holder must ensure that alcohol is only consumed by persons seated at a table.
- 5 (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
- 6 No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- 7 All outdoor areas will be operated in compliance with the current Scottish Government guidance for the hospitality sector, including any amendments to that guidance which occurs in the duration of the licence.