



**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

