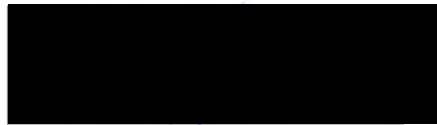




NOTICE OF MEETING

4 November 2020

A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held Via MS Teams, on THURSDAY 12 NOVEMBER 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 Clackmannanshire Licensing Board held on 6 October 2020 (Copy herewith)	05
4. Licensing (Scotland) Act 2005: List of Applications for Variation of Licence (Non Minor)	11
a. Application for Variation of Licence (Non Minor): Application, Licensing Standards Officer Report, Letter of Objection from R Greig and Letter of Objection from D Wilkie attached.	13
Premises:	King's Seat, Bridge Street, dollar, FK10 7DE
Applicant:	Empire Inns Property Company Limited c/o McGregor Thomson Solicitors, Springfield House Stirling, FK7 9JQ

- | | | |
|----|--|----|
| b. | <p>Application for Variation of Licence (Non Minor):
 Application, Licensing Standards Office's Report and
 Environmental Health Officer's Report attached.</p> <p>Premises: Crown Inn, 77 Stirling Street, Alva, FK12 5ED
 Applicant: STP (Scotland) Limited, 77 Stirling Street,
 Alva, FK12 5ED</p> | 33 |
| | | |
| c. | <p>Application for Variation of Licence (Non Minor):
 Application and Licensing Standards Office's Report attached.</p> <p>Premises: Morrisons, Clackmannan Road, Alloa, FK10 1RQ
 Applicant: WM Morrisons Supermarkets PLC, c/o
 Grosschalks Solicitors, Queens Gardens, Hull,
 HU1 3DC</p> | 53 |
| | | |
| d. | <p>Application for Variation of Licence (Non Minor):
 Application and Licensing Standards Office's Report attached.</p> <p>Premises: The Oakwood Lounge, Fairfield, Sauchie, FK10 3DE
 Applicant: Alan Bradie</p> | 67 |
| | | |
| 5. | AOCB | -- |

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 TUESDAY 6 OCTOBER 2020 at 09.30 am.**

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)
Melanie Moore, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor Tina Murphy and Councillor Les Sharp.

2.0 DECLARATIONS OF INTEREST

None

**3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD/SUB
COMMITTEE HELD ON VARIOUS DATES**

The minutes of the meeting of the Clackmannanshire Licensing Board/Sub Committee held on a) 11 June 2020, b) 18 June 2020, c) 03 July 2020, d) 10 July 2020, e) 24 July 2020, f) 14 August 2020, g) 1 September 2020 and h) 21 September 2020 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board/Sub Committee held on a) 11 June 2020, b) 18 June 2020, c) 03 July 2020, d) 10 July 2020, e) 24 July 2020, f) 14 August 2020, g) 1 September 2020 and h) 21 September 2020 were agreed as a correct record (for the meetings which members had attended) and signed by the Convenor.

4.0 LICENSING (SCOTLAND) ACT 2005

**(i) Hearing to Consider application for Variation(s) (Non Minor) at Bar Aldo, 9 –11
Coalgate, Alloa, FK10 1EH**

Applicant: Aldo Pia c/o Macgregor Thomson Solicitors
Premises: Bar Aldo, 9 – 11 Coalgate, Alloa, FK10 1EH
Event: Application for a Non Minor Variation

Attending

Mr Andrew Thomson, Solicitor representing Mr Aldo Pia
Paul Fair, Licensing Standards Officer

The Board heard representation from the Mr Andrew Thomson, Solicitor and from the Licensing Standards Officer

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor), subject to the conditions set out in Appendix A (page 55).

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 Board agreed unanimously to grant the application for Variation (Non Minor), subject to the conditions set out in Appendix A – (page 55 – bold and starred conditions), namely:

- Consumption of alcohol in the outdoor drinking area is not permitted after 10.00 pm (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 the 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.
- 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.
- 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.
- All alcohol to be consumed in the outdoor 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.

Action

Clerk to the Board

5.0 POLICE SCOTLAND: CHIEF CONSTABLE'S REPORT TO THE CLACKMANNANSHIRE LICENSING BOARD FOR THE PERIOD 1 APRIL 2019 TO 31 MARCH 2020

Attending

Inspector Mark Murphy, Police Scotland (Deputising for Area Commander)
PC Kirstin McLean, Police Scotland (Licensing Officer)

The Board heard a presentation from Inspector Mark Murphy on the Chief Constable's report and had the opportunity to put questions to him.

Having commented on and challenged the report as appropriate and having had the opportunity for questions, the Board agreed to note the information provided in the Chief Constable's Report to the Clackmannanshire Licensing Board for the period 1 April 2019 to 31 March 2020.

6.0 GENERAL PERMITTED EXTENSION – FESTIVE PERIOD 2020-21

A report submitted by the Clerk to the Licensing Board the purpose of which was to enable the Licensing Board to consider its approach to the festive period 2020-21.

Motion

That the Board agree the recommendations as set out in the report.

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

Decision

The Board agreed unanimously to:-

1. Note that the Statement of Licensing Policy has incorporated the Festive Policy.
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.

Action

Clerk to the Board

7.0 AOCB – OCCASIONAL LICENCE APPLICATIONS

a. Application for Occasional Licences

23 October – 5 November, 6 – 19 November and 20 November – 3 December 2020

Applicant: JD Wetherspoons (Scots) Ltd
Premises: Bobbing John, 46 Drysdale Street, Alloa, FK10 1JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
The Applicant 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 Board grants the applications for three occasional licences on 23 October – 5 November, 6 – 19 November and 20 November – 3 December 2020, subject to the conditions set out in Appendix A (page 95).

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

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the applications for three occasional licences on 23 October – 5 November, 6 – 19 November and 20 November – 3 December 2020, subject to the conditions set out in Appendix A (page 95), 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 licenced area must be supervised by an SIA licenced Steward between 6pm and closure on each Friday and Saturday (applies only when the area in use).

Action

Clerk to the Board

b. Application for Occasional Licences

28 September – 11 October, 12 – 25 October and 26 October – 8 November 2020

Applicant: Bramley Eccles, Alloa
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

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 Board grants the applications for three occasional licences on 28 September - 11 October, 12 – 25 October and 26 October - 8 November 2020, subject to the conditions set out in Appendix A (page 111).

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

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the applications for three occasional licences on 28 September - 11 October, 12 – 25 October and 26 October - 8 November 2020, subject to the conditions set out in Appendix A (page 111), 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.

Action

Clerk to the Board

c. Application for Occasional Licences

28 September – 11 October, 12 – 25 October and 26 October – 8 November 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

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 Board grants the applications for three occasional licences on 28 September - 11 October, 12 – 25 October and 26 October - 8 November 2020, subject to the conditions set out in Appendix A (page 127).

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

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the applications for three occasional licences on 28 September - 11 October, 12 – 25 October and 26 October - 8 November 2020, subject to the conditions set out in Appendix A (page 127), 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.

Action

Clerk to the Board

Ends: 10.53 am

CLACKMANNANSHIRE LICENSING BOARD

MEETING 12 November at 09.30am

VIA MS Teams

Licensing (Scotland) Act 2005

Variation(s) (Non Minor)

Premises	Applicant	Comments
<p>King's Seat Bridge Street Dollar FK14 7DE</p>	<p>Empire Inns Property Company Limited c/o McGregor Thomson Solicitors Springfield House Stirling FK7 9JQ</p>	<p>Variation to Operating Plan to include:-</p> <p>Incorporate the new layout</p> <p>Amend commencement hour on Sundays for on sales and off sales to 11:00am</p> <p>Conference facilities change from no to yes</p> <p>Receptions etc and club meetings from no to yes</p> <p>Recorded Music and live performances from no to yes</p> <p>Outdoor drinking facilities change from no to yes</p> <p>Update Activities in Column 4 statement in connection with updates</p> <p>Statement of terms under which children and young persons will be allowed access</p> <p>Update the description of the premises as per variation application</p> <p>Name change of the premises from Kings Seat to The Inn</p> <p>Application and Licensing Standards Officer Report (copies attached)</p> <p>Letter of Objection from Ruth Greig and Deborah Wilkie (copies attached)</p> <p>No objections/representations received from Police Scotland 25 August 2020</p>

Crown Inn 77 Stirling Street Alva FK12 5ED	STP (Scotland) Limited 77 Stirling Street Alva FK12 5ED	<p>Variation to Operating Plan to include:-</p> <p>Addition of extra outdoor dinking area to the rear of the premises</p> <p>Amendment to DPM personal details.</p> <p>Application, Licensing Standards Officer Report and Environmental Health Officers report (copies attached)</p> <p>No objections/representations received from Police Scotland 07 October 2020</p>
Morrisons Clackmannan Road Alloa FK10 1RQ	WM Morrisons Supermarkets PLC c/o Gosschalks Solicitors Queens Gardens Hull HU1 3DC	<p>Variation to Operating Plan to include:-</p> <p>Home delivery shopping and click and collect services</p> <p>Application and Licensing Standards Officer Report (copies attached)</p> <p>No objections/representations received from Police Scotland 07 October 2020</p>
The Oakwood Lounge Fairfield Sauchie FK10 3DE	Alan Bradie	<p>Variation to Operating Plan to include:-</p> <p>An outdoor drinking area to the rear of the premises.</p> <p>Application and Licensing Standards Officer Report (copies attached)</p> <p>No objections/representations received from Police Scotland 28 August 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

**THIS PAPER RELATES TO
ITEM 4a
ON THE AGENDA**

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.

KINGS SEAT
19 BRIDGE STREET
DOLLAR
FK14 7DE

PREMISES LICENCE NUMBER: CC0059

Question 2

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

EMPIRE INNS PROPERTYCOMPANY LIMITED
Springfield House
Laurelhill Business Park
Stirling
FK7 9JQ

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.
2. VARIATION TO QUESTION 2 ONSALES TO CHANGE THE ONSALE OPENING TIME FROM 12AM/12.30PM TO 11.00 AM DAILY.
3. VARIATION TO QUESTION 3 OFFSALES TO CHANGE THE OFFSALE OPENING TIME FROM 12AM/12.30PM TO 11.00 AM DAILY.
4. VARIATION TO QUESTION 5(a) CONFERENCE FACILITIES to CHANGE NO TO YES IN COLUMN 2,3 AND 4.
5. VARIATION TO QUESTION 5(b) RECEPTIONS ETC AND CLUB MEETINGS ETC FROM NO TO YES IN COLUMN 4.
6. VARIATION TO QUESTION 5(c) RECORDED MUSIC AND LIVE PERFORMANCES FROM NO TO YES IN COLUMN 4.
7. VARIATION TO QUESTION 5(a) OUTDOOR DRINKING FACILITIES TO CHANGE NO TO YES IN COLUMN 2,3 AND 4.
8. UPDATING THE ACTIVITIES IN COLUMN 4 STATEMENT IN CONNECTION WITH UPDATES.
9. UPDATE QUESTION 6(b) STATEMENT OF TERMS UNDER WHICH CHILDREN AND YOUNG PERSONS WILL BE ALLOWED ACCESS.
10. TO UPDATE THE DECRPTION OF THE PREMISES TO
"THE PREMISES IS A TWO STOREY ATTACHED BUILDING IN DOLLAR. THE GROUND FLOOR COMPRISES; BAR AREA, BAR, GROUND FLOOR RESTAURANT AREA, KITCHEN STOREAGE, MALE/FEMALE AND ACCESSABLE WC'S TOGEATHER WITH OUTDOOR AREAS TO THR FRONT AND REAR OF THE PREMISES.
THE FIRST FLOOR COMPRISES OF; FIRST FLOOR RESTAURANT AREA AND PRIVATE DINING. THE PREMISES IS LOCATED WITHIN AN AREA WITH A MIXTURE OF RESIDENTIAL AND COMMERCIAL PROPERTIES"
11. TO CHANGE THE NAME OF THE PREMISES FROM "KING SEAT" TO "THE INN"

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.

CONDITIONS

Question 6

Do you propose a variation to any of the conditions to which the licence is subject?

YES/NO

If Yes please give details of the proposed variation below

Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions).

PREMISES MANAGER

Question 7

If you Propose to Vary the Information Contained in the Licence Relating to the Premises Manager . Please Provide the following information.

Name, Address and Personal Licence Details (Number and Issuing Board) of the Existing Premises Manager

If only the existing Premises Manager's Personal Details have Changed Please Provide details

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 22/9/20

Capacity APPLICANT/AGENT
(Delete as appropriate)

Telephone Number and Email Address of Signatory



*** 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

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

Question 2

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

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

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	11.00 AM	10.00 PM
Tuesday	11.00 AM	10.00 PM
Wednesday	11.00 AM	10.00 PM
Thursday	11.00 AM	10.00 PM
Friday	11.00 AM	10.00 PM
Saturday	11.00 AM	10.00 PM
Sunday	11.00 AM	10.00 PM

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

**If YES – provide details*

THE PREMISES WILL OPERATE ADDITIONAL HOURS FOR SALE OF ALCOHOL IN CONFORMITY WITH CLACKMANNANSHIRE LICENSING BOARD'S DECLARED POLICY ON FESTIVE EXTENSIONS

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
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES
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
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES
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
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	NO
Theatre	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	YES	YES	NO
5(d) <i>Activity</i>	<i>Please confirm</i> 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>	<i>Please confirm</i> 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.

Conference facilities and Receptions – Conferences and Seminars and such Receptions as described above shall occasionally commence from 9.00.a.m with the provision of morning facilities such as teas, coffees and breakfasts.

Restaurant facilities/Bar Meals – teas, coffees and breakfasts commence from 9.00 a.m for patrons.

Club or other group meetings etc. – as for Receptions

Recorded music- background music shall occasionally be provided to enhance the provision of morning Receptions, Club meetings, Conferences and Seminars

Live performances– dramatic, artistic and musical performances by artistes shall occasionally be performed in the morning before licensing opening times but not after the terminal drinking hours to enhance Conferences, Seminars, Receptions and Club Meetings

Televised sport – sporting events from across the world, such as tennis, football, athletics events (Olympic Games, Commonwealth Games, World Championships), boxing matches shall on occasion be screened but not after the terminal hour.

Outdoor drinking facilities – non alcoholic refreshment will be available for consumption in the outdoor drinking areas in the morning before licensing opening times but not after 10 p.m.

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.

--

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?	NO
---	----

When fully occupied, are there likely to be more customers standing than seated?	NO
*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

Children will be permitted access to all public areas on the premises only when they are accompanied by an adult over the age of 18 years. Young Persons will be permitted access to all public areas on the premises
--

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

BIRTH -17 YEARS

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

Children and Young Persons will be allowed to remain in the Bar area until no later than 8pm and in the Restaurant and Private Dining areas until the terminal hour each day

Children and Young Persons will be allowed to remain in the outdoor seating areas until the terminal hour each day.

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

CHILDREN AND YOUNG PERSONS WILL HAVE ACCESS TO ALL AREAS OF THE PREMISES.

Question 7

CAPACITY OF PREMISES

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

ON SALES – 106

OFF SALES 363SQM M2

Question 8

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

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

--

8(d) Email address

--

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

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.....

Date22/9/20.....

Capacity AGENT (delete as appropriate).

Telephone number and email address of signatory

JACQUELINE IRELAND, INN BUSINESS SCOTLAND LIMITED

Springfield House

Laurelhill Business Park

Stirling

FK7 9JQ

01786 406423

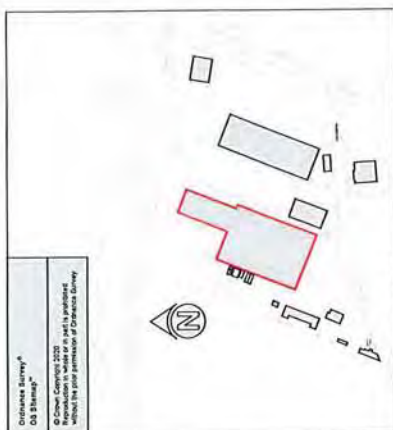
*** Data Protection Act 1998**

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

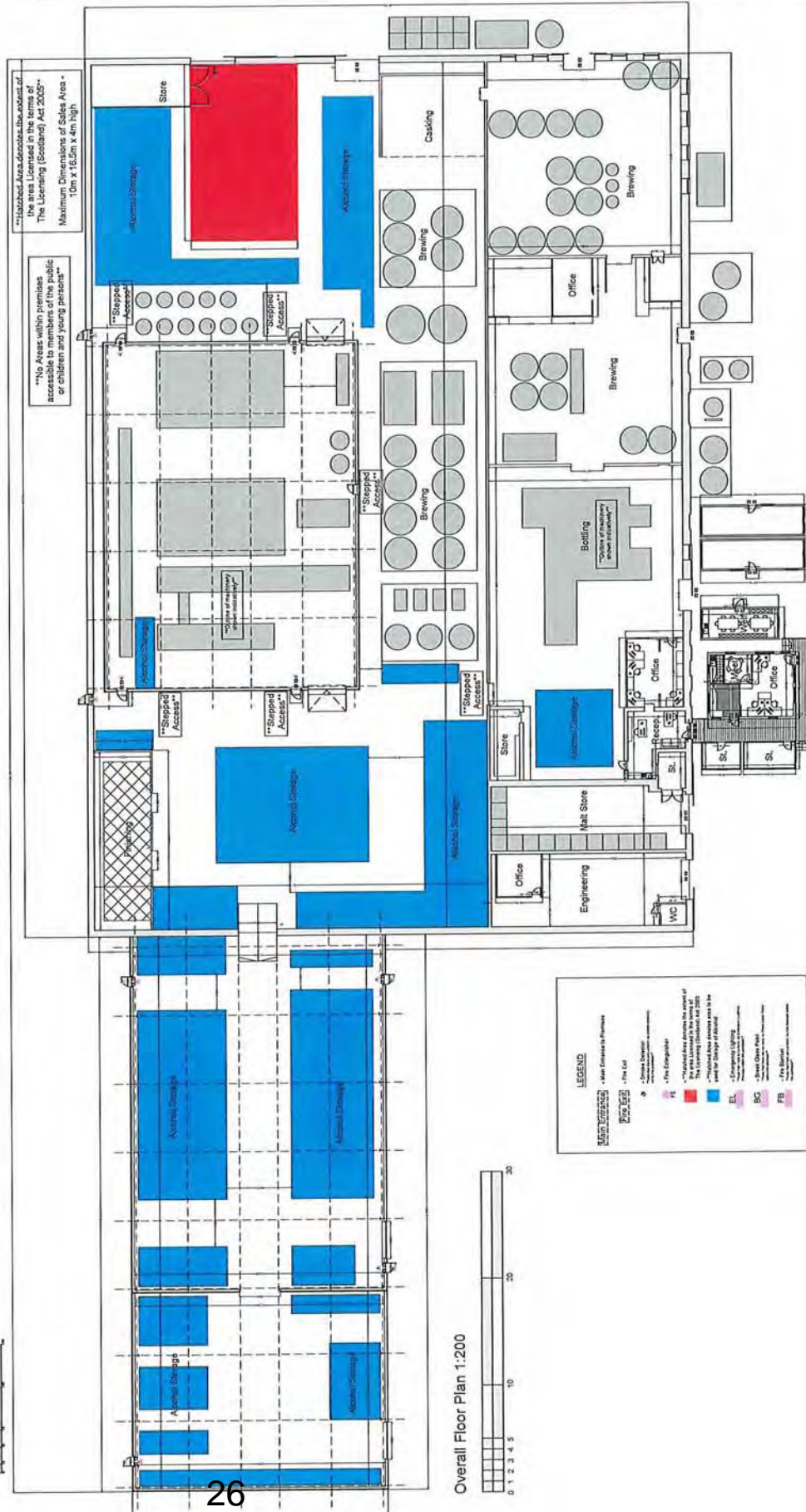
© Crown Copyright 2020
Reproduction in whole or in part is prohibited
without the prior permission of Ordnance Survey

1. The copyright of this drawing and its content is retained by machine data • multibase and is protected by the Copyrights Act (Section 47, 1903). This material can be used for consultation purposes only and it is issued with the caveat that it is not copied or disclosed to any third party, either orally or in writing, without the written permission of machine data • multibase.
2. All dimensions to be checked on site prior to ordering materials
3. Drawings should be read in conjunction with all structural and services engineer drawings and specifications.

Revisions	Date
Revision A - Drawing updated in respect of Licensing Application	20/09/16
Revision B - Detail of way to be Licensed submitted as per Infrastructure Licensing Applicant and Licensing Board	13/01/17
Revision C - Working allowed as per L20 requirements	19/01/17
Revision D - Plans received to reflect updated layout proposals as of July 2020	13/07/2020
Revision E - Proposals approved to select 2 clients requirements	06/06/2020



Location Plan 1:2500



Overall Floor Plan 1:200

[illegible]

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

Licensing Application

machin dunn • macfarlane

```

11  : 04 (0) 259 212612
12  : enquiries@archie.dcu.ie
13  :

```

111

PROJECT
Proposed Licensing Application at
Williams Brothers Brewing Co.,
John Sinclairs Yard, Kelleysbank, Alliance

DRAWING TITLE

CLIENT

Williams Brothers Brewing Co.

SCALE	As Noted @ A?	DATE	1st October 2015
-------	---------------	------	------------------

[illegible]



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/CC059
		Your Ref:	
		Date:	23 September, 2020
Subject:	Licensing (Scotland) Act, 2005. Section 29 Application for a Non Minor Variation The Kings Seat, 19 Bridge Street, Dollar, FK14 7DE CC059		

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 to be determined seeks to vary the premises licence No CC030 in the following ways:
 - a) Seeks Licensing Board approval for a new extended layout, including the conversion of former living accommodation above the premises into a restaurant area and the addition of 2 outdoor drinking areas, one on the front footpath and one to the rear of the premises.
 - b) Change to the terms of the operating plan to include outdoor drinking.
 - c) Change to the terms of children and young persons access
 - d) Several consequential changes to the operating plan as a result of the changes (a) & (b) above including a change to the terms of the description of the premises.
 - e) Variation to the commencement hour for both on sales and off sales of alcohol.
 - f) Change to the trading name of the premises.
3. The application has been lodged by new owners and operators of the premises and represents a significant alteration to the Kings Seat.
4. The Premises have been subject of a major refurbishment and renovation including the creation of a restaurant area in what was previously residential staff accommodation.
5. The new owners are well known, and experienced operators of licensed premises in a neighbouring Board area.

6. The variation as can be seen on the application form is major, however in general I have no concerns about the proposed changes with the exception of the outdoor areas.
7. There are two separate outdoor areas identified on the proposed layout plan, one to the front of the premises and one to the rear. The area to the front has been licensed during the recent COVID special circumstances period without complaint.
8. The area to the rear of the premises has historically attracted a number of neighbour complaints relating to customer noise, abusive language, and contamination of neighbouring gardens caused by second hand cigarette smoke.
9. The complaints were difficult to address as the area was not previously part of the licensed premises and therefore not controlled by the terms of the licensing (Scotland) Act 2005.
10. In determining this variation application the Board will have to consider whether or not the outdoor area to the rear is suitable for licensing and may wish consider a site visit in relation to this. In the current climate it may be determined that a group site visit is not appropriate and that a series of photographs or video may assist.
11. The applicant is aware that the relevantly recent amendments to the Clackmannanshire Licensing Board Statement of Licensing Policy, include a number licensing conditions that effect outdoor drinking areas. I have had the opportunity to discuss the possibility of these conditions being applied as local conditions with the applicant's agent. I am sure having had the opportunity to read this report that they will make comment if any of the proposed conditions would cause an operating difficulty.
12. Having considered the layout plan, 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 conditions as are necessary.
13. In relation to the concern raised about the possible drift of second hand cigarette smoke into neighbouring gardens I can report that the applicant has agreed to designate this area as a no smoking zone. To correctly regulate this matter I would suggest that a local condition in terms similar to the draft condition at the end of Appendix A may be necessary and expedient for the purposes of the licensing objectives.

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.**
- * 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.

***Only alcohol that has been sold by the premises can be consumed in the outdoor area.**

Draft condition for No Smoking outdoor area at rear.

(proposed for rear area only) This area must be designated as a "NO SMOKING" area and the licence holder must take steps to ensure that customers do not smoke lit tobacco, or any other product when using this area. Notices reminding customers that the area is a "NO SMOKING " area must be conspicuously displayed, in such a position that they are easily read by anyone in the area.

CLACKMANNANSHIRE

- 3 SEP 2020

COUNCIL


DOLLAR


28 September 2020

Clerk to the Licensing Board

Kilncraigs

Greenside Street

ALLOA

FK10 1EB

KINGS SEAT APPLICATION, LICENCE NUMBER CC0059

Dear Sir/Madam

I would like to lodge an objection to the application for outdoor drinking by the new owners of The Kings Seat, Dollar.

My garden backs directly on to the area at the rear of the Kings Seat and I have had problems in the past with the noise generated by people drinking outside. This is predominantly a residential area and should be kept as a peaceful environment for the people close to the area.

Yours sincerely


Ruth E Greig



Your Reference Cc0059. Kings seat Dollar
deborah wilkie to: jandison@clacks.gov.uk

15/09/2020 10:33

Good evening

With regards to the above we would just like to raise our concerns regarding the above property.

I would like to raise an objection regarding the outside spaces.

We can unfortunately already hear a considerable increase in noise but our main concern is breathing in smoke all day every day that it is open. Our back garden which is really small backs onto their main smoking area and as our garden is small we cannot avoid it. It surely cannot be good for us due to the amount of smoke that comes in and this is at this time of year when I'm sure its not as busy as it shall be in the spring and summer months ahead.

We also would like to check that the outside area is open to 10pm at the latest.

We have absolutely no objection to people enjoying themselves (and we also hope to join them sometimes) but are really concerned as our only outside space is our back garden and we feel that we won't be able to enjoy sitting out there in the future when it is finished as we are trying to redo it. We just moved in last year and hope to make it a nice outside living area.

I trust that you find this in order and look forward to hearing from you in due course.

Kindest regards

Deborah Wilkie

[Redacted signature]

Dollar



APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, Section 29

To:

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

**THIS PAPER RELATES TO
ITEM 4b**

ON THE AGENDA

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.

Crown Inn
77 Stirling Street
Alva
FK12 5ED

CC037

Question 2

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

STP (Scotland) Limited
77 Stirling Street
Alva
FK12 5ED

DETAILS OF VARIATION

Question 3

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

Addition of extra outdoor drinking area to licensed premises

Amendment to DPM Personal Details - Address

OPERATING PLAN

Question 4

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

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

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

CONDITIONS

Question 6

Do you propose a variation to any of the conditions to which the licence is subject?

NO

If Yes please give details of the proposed variation below

Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions).

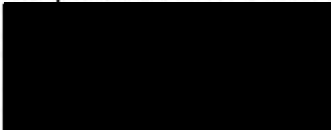
PREMISES MANAGER

Question 7

If you Propose to Vary the Information Contained in the Licence Relating to the Premises Manager . Please Provide the following information.

Name, Address and Personal Licence Details (Number and Issuing Board) of the Existing Premises Manager

If only the existing Premises Manager's Personal Details have Changed Please Provide details

Stephen Alexander Polley


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

Name and Address of the Proposed Premises Manager

NO

--

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.

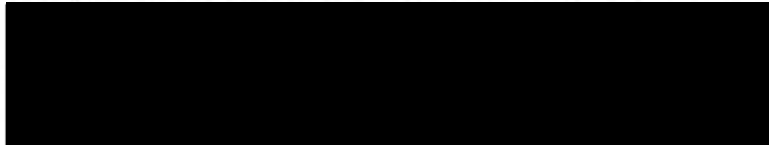
The Contents of This Application Are True to the Best of my Knowledge and Belief.

Signature  * (See Note Below)

Date 18/9/20

Capacity PREMISES MANAGER / LICENCE HOLDER APPLICANT/AGENT
(Delete as appropriate)

Telephone Number and Email Address of Signatory



*** 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

1(a) Will alcohol be sold for consumption solely ON the premises	
1(b) Will alcohol be sold for consumption solely OFF the premises	
1(c) Will alcohol be sold for consumption both ON and OFF the premises	YES
*Delete as appropriate	

Question 2

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

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11:00am	12:00pm
Tuesday	11:00am	12:00pm
Wednesday	11:00am	12:00pm
Thursday	11:00am	12:00pm
Friday	11:00am	01:00am
Saturday	11:00am	01:00am
Sunday	11:00am	12:00pm

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>	11:00am	10:00pm
<i>Tuesday</i>	11:00am	10:00pm
<i>Wednesday</i>	11:00am	10:00pm
<i>Thursday</i>	11:00am	10:00pm
<i>Friday</i>	11:00am	10:00pm
<i>Saturday</i>	11:00am	10:00pm
<i>Sunday</i>	11:00am	10:00pm

NOTES:

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	NO
--	-----------

**If YES – provide details*

--

Question 5

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

5(a) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided <u>outwith</u> core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	NO	NO
Restaurant facilities	NO	NO	NO
Bar meals	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
Receptions including (Weddings funerals,, birthdays, retirements etc)	YES	YES	NO
Club or other group meetings etc	YES	YES	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
Recorded Music – see 5(g)	YES	YES	NO
Live performances see 5(g)	YES	YES	NO

<i>Dance facilities – see 5(g)</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	NO
<i>Televised sport</i>	YES	YES	NO
5(d) Activity	<i>Please confirm</i> 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 (UNTIL 10PM)	NO
5(e) Activity	<i>Please confirm</i> 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 – see 5(g)</i>	NO	NO	NO

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

Certain events may start prior to the commencement hour

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.

Quiz Nights, Charity Events, Social Club Functions

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing either live or recorded music, dancing or adult entertainment, any combination of these or all please provide the following details

Will the music 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	

CHILDREN AND YOUNG PERSONS (16 & 17 YEARS) ACCOMPANIED BY AN ADULT OVER THE AGE OF 18 YEARS, WILL BE PERMITTED ENTRY TO THE PREMISES FOR THE PURPOSES OF ATTENDING A PRE-BOOKED FAMILY ORIENTATED FUNCTION, SUCH AS A WEDDING PARTY, FUNERAL, BIRTHDAY PARTY OR OTHER SIMILAR EVENT, BUT ONLY WHEN FOOD AND APPROPRIATE FAMILY ENTERTAINMENT IS PROVIDED.

YOUNG PERSONS WILL BE PERMITTED ACCESS TO THE PREMISES TO TAKE PART IN PRE PLANNED POOL/DARTS LEAGUE MATCHES ORGANISED BY THE CLACKMANNANSHIRE LEAGUES.

CHILDREN OVER THE AGE OF 12 YEARS AND YOUNG PERSONS, WILL BE PERMITTED ONTO THE PREMISES WHEN ACCOMPANIED BY AN ADULT OVER 18 YEARS OF AGE FOR THE PURPOSE OF TAKING PART IN SOCIAL POOL, POOL PRACTICE AND ORGANISED POOL COACHING SESSIONS, CHILDREN ON THE PREMISES FOR THIS PURPOSE WILL NOT BE ALLOWED TO REMAIN ON THE PREMISES AFTER 8.00PM.

6(c)	Provide statement regarding the AGES of children or young persons to be allowed entry
0-17	

6(d)	Provide statement regarding the TIMES during which children and young persons will be allowed entry
<p>For Pre-booked Special Events - All Licensed Hours</p> <p>For Pool/Darts Competitions - until no later that 30 minutes after the end of the event</p> <p>Other Circumstances - until no later than 8.00pm</p>	

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

Question 7

CAPACITY OF PREMISES

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

ON SALES 80

Question 8

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

Personal details

8(a) *Name*

STEPHEN ALEXANDER POLLEY

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[REDACTED]

8(e) *Personal licence*

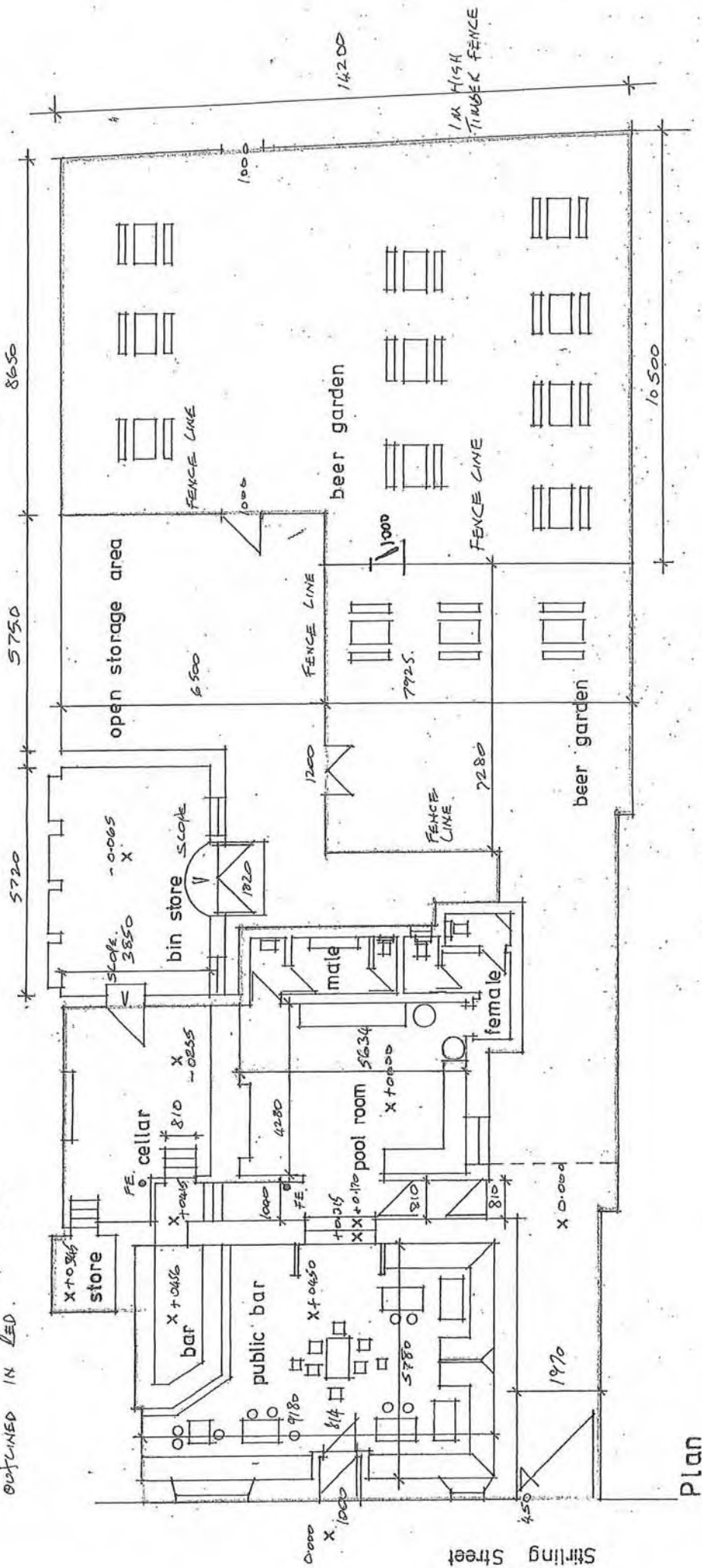
<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
23 MAY 2020	CLACKMANNANSHIRE LICENSING BOARD	CC133

The Crown Inn Activities

The activities of Club/Group Meetings, Recorded Music, Gaming, Indoor Sports and Televised Sport all take place in both the Public Bar and Pool Room areas

Outdoor drinking facilities take place in the Beer Garden.

Extent of LICENCED PREMISES
OBTAINED IN LED.





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/CC037
		Your Ref:	
		Date:	22 October, 2020
Subject:	Licensing (Scotland) Act, 2005. Section 29 Application for a Non Minor Variation The Crown Inn, 77 Stirling Street, Alva, FK12 5ED. CC037.		

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 to be determined seeks to vary the premises licence No CC037 in the following ways:
 - a) Approval to significantly extend the existing outdoor drinking area to the rear of the premises.
 - b) Change to the personal details for the premises manager.
3. I have no concerns about the proposed changes however the extended outdoor area may contribute to a conflict with the licensing objectives without close supervision and additional local conditions.
4. This area is in quite close proximity to nearby residential property.
5. The area has been licensed for a continuous period of around 18 weeks during the COVID special circumstances period, and this application seeks to permanently licence the area.
6. There have been no identified issues or concerns as a result of the extended area being licensed during July-October by occasional licences.
7. The applicant is aware that the current Clackmannanshire Licensing Board Statement of Licensing Policy, includes a number of optional local licensing conditions that effect outdoor drinking areas. I have had the opportunity to discuss the possibility of these conditions being applied to the licence with the applicant's. I am sure having had the opportunity to read this report that they will make comment if any of the proposed conditions would cause an operating difficulty.

8. Having considered the layout plan, 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 conditions as are necessary.
9. I would further suggest that all of the existing local conditions on the licence that relate to the outdoor area are removed.

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.**
- * 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 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 condition 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.

***Only alcohol that has been sold by the premises can be consumed in the outdoor area.**

Memo

To: JUNE ANDISON
LICENSING ADMINISTRATOR

From: ENVIRONMENTAL HEALTH
Extension: 2541
E-Mail: ehhealth@clacks.gov.uk
Our Ref:
Your Ref: 1/7/10 JA
Date: 9th October 2020

Subject: **CIVIC GOVERNMENT (SCOTLAND) ACT 1982**
NON MINOR VARIATION OF PREMISES LICENCE
CROWN INN, 77 STIRLING STREET, ALVA

I refer to the abovementioned application and would respond as follows.

ENVIRONMENTAL HEALTH
RESPONDING OFFICER: Kay Bryson

On behalf of Environmental Health for Clackmannanshire Council, I wish to make the following representation in the terms of Section 58 of the licensing (Scotland) Act, 2005: -

In principle, the Service has no objections to the application.

However, we are aware that the proposed application, if granted, has the potential to cause conflict with the preventing public nuisance licensing objective which could affect the nearest residential properties.

To this end, we would recommend that the applicant provides details of the procedures which would be in place to mitigate this.

It is understood that this could be achieved by application of a local condition in the following terms

"The applicant will supply to the licensing Board, for the information of the Environmental Health Department, a management plan relating to the use of the outdoor area. This plan will include details of the maximum capacity, hours of operation, staffing, service and supervision arrangements, and any other measures in place to mitigate any potential conflict with the licensing objectives."

I trust this information is of use to you.

ENVIRONMENTAL HEALTH



Licensing Board



Clackmannanshire
Council

www.clacksweb.org.uk

Licensing (Scotland) Act 2005, Section 29 Application for Variation of Premises Licence

To:

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

**THIS PAPER RELATES TO
ITEM 4c
ON THE AGENDA**

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.

MORRISONS
CLACKMANNAN ROAD
ALLOA
CLACKMANNANSHIRE
FK10 1RQ

LICENCE NO. CC078

Question 2

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

Licensing Board



Clackmannanshire
Council

www.clacksweb.org.uk

WM MORRISON SUPERMARKETS PLC
HILMORE HOUSE
GAIN LANE
BRADFORD
BD3 7DL



DETAILS OF VARIATION

Question 3

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

A HOME DELIVERY SHOPPING SERVICE AND A CLICK & COLLECT SERVICE MAY BE OPERATED FROM THE STORE."

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.

Licensing Board



**Clackmannanshire
Council**

www.clackswweb.org.uk

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.

CONDITIONS

Question 6

Do you propose a variation to any of the conditions to which the licence is subject?

YES/NO

If Yes please give details of the proposed variation below

Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions).

PREMISES MANAGER

Question 7

If you Propose to Vary the Information Contained in the Licence Relating to the Premises Manager . Please Provide the following information.

Name, Address and Personal Licence Details (Number and Issuing Board) of the Existing Premises Manager

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

If only the existing Premises Manager's Personal Details have Changed
Please Provide details

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

Licensing Board



Clackmannanshire
Council

www.clacksweb.org.uk

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.....  Date 1 MAY 2020
* (See Note Overleaf)

Capacity SOLICITORS ON BEHALF OF THE APPLICANT APPLICANT/AGENT
(Delete as appropriate)

Telephone Number and Email Address of Signatory

GOSSCHALKS SOLICITORS, QUEENS GARDENS, HULL, HU1 3DZ

.....
.....

Licensing Board



**Clackmannanshire
Council**

www.clackswweb.org.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

1(a) Will alcohol be sold for consumption solely ON the premises? Yes ☐ No ☒

1(b) Will alcohol be sold for consumption solely OFF the premises? Yes ☒ No ☐

1(c) Will alcohol be sold for consumption both ON and OFF the premises? Yes ☐ No ☒

Question 2

Statement of core times when alcohol will be sold for consumption on premises

Day	On Consumption	
	Opening time	Terminal hour
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

Question 3

Statement of core times when alcohol will be sold for consumption off premises

Day	Off Consumption	
	Opening time	Terminal hour
Monday	10.00	22.00
Tuesday	10.00	22.00
Wednesday	10.00	22.00
Thursday	10.00	22.00
Friday	10.00	22.00
Saturday	10.00	22.00
Sunday	10.00	22.00

Question 4

Seasonal variations
Does the applicant intend to operate according to seasonal demand? Yes ☐ No ☒

*If yes – provide details

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
Accommodation	N	N/A	N/A
Conference facilities	N	N	N
Restaurant facilities	Y	Y	Y
Bar meals	N	N	N
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
Receptions including weddings, funerals, birthdays, retirements etc.	N	N	N
Club or other group meetings etc.	N	N	N
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
Recorded music – see 5(g)	Y	Y	Y
Live performances – see 5(g)	N	N	N
Dance facilities	N	N	N
Theatre	N	N	N
Films	N	N	N
Gaming	N	N	N
Indoor/outdoor sports	N	N	N
Televised sport	N	N	N
5(d) Activity	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
Outdoor drinking facilities	N	N	N

5(e) Activity	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
Adult entertainment	N	N	N

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

Recorded background music may be played within and outwith licensed 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.

The sale of food, non-food items and other household goods and the provision of ancillary consumer services within and outwith licensed hours.

The premises licence holder may offer occasional free samples/tastings of alcohol products to its customers over 18 within the alcohol display area during core licensed hours.

A home delivery shopping service and a click & collect service may be operated from the store.

5(g) Late night premises opening after 1.00am

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

Yes ☐ No ☐

When fully occupied, are there likely to be more customers standing than seated?

Yes ☐ No ☐

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 ☐ No ☐

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

N/A

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

N/A

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

N/A

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

N/A

Question 7

Capacity of premises

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

Off-Sales 178.84 square metres

Question 8

Premises manager (note: not required where application is for grant of provisional premises licence) Personal details

8(a) Name

Alan Garai

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

[REDACTED]

8(d) Email address

--

8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
30 August 2009	Angus Council	AN/146

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 note)	* (see	[REDACTED]
Date	1 MAY 2020	
Capacity (delete as appropriate)	Applicant	Agent
Telephone number and email address of signatory	[REDACTED]	

Name, address and telephone number of agent (if applicable)

Gosschalks Solicitors Queens Gardens Hull HU1 3DZ
--

* 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.



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/CC078
		Your Ref:	
		Date:	5 October, 2020
Subject:	Licensing (Scotland) Act, 2005. Section 29 Application for a Non Minor Variation Morrisons, Clackmannan Road, Alloa, FK10 1RQ CC078		

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 to be determined seeks to vary the premises licence No CC078 in the following ways:
 - a) A home delivery shopping service is to be added to part of the operating plan.
 - b) A click and collect shopping service is to be added to the operating plan.
3. The application has been lodged to regularise matters that already take place at the store.
4. There are no concerns about this variation application and both aspects of the amendments are matters which take place on a daily basis throughout Scotland without issues.
5. Home delivery of alcohol from licensed premises in Scotland is regulated by the Licensing (Scotland) act, 2005, and requires a degree of record keeping. Unhelpfully the law does not specifically require these records to be kept for any particular time period, and this could potentially cause a problem in the event of alleged breach of the Licensing (Scotland), 2005 connected to a delivery of alcohol.
6. I would suggest to the licensing Board that it may be necessary and expedient for the purposes of the licensing objectives for the Board to impose a local licensing condition require these delivery records to be kept for a period of time such as 6 months or a year.
7. The Licensing (Scotland) Act, 2005 places a great emphasis on the training of staff involved in the alcohol supply chain. There is a requirement that all staff involved in the sale or service of alcohol must received mandatory training and be able to produce

evidence of that training to the Licensing Standards Officer on demand. Unfortunately that training requirement does not extend to those involved in the direct delivery of alcohol from licensed premises to the final consumer. This could result in the accidental delivery of alcohol to persons under the age of 18, drunk persons or to those at serious risk of harm from alcohol related illnesses.

8. I would suggest that it is necessary and expedient for the purposes of the licensing objectives for the Licensing Board to impose a local condition requiring all staff involved in delivery of alcohol from the licensed premises to be trained to at least the same standard as required by the Licensing (Training of staff) (Scotland) Regulations, 2007.
9. In **appendix A** I have drafted suggested conditions relating to matters raised in paragraphs 5-8.
10. I have no further comments in relation to this application.

Paul Fair

Licensing Standards Officer.

Appendix A

Suggested wording of conditions in relation to comments in paragraphs 5- 8

- 1 Records which are required to be made by virtue of section 119 of the Licensing (Scotland) Act 2005, must be retained on the premises for a period of at least 1 year and shall be made available to the Licensing Standards Officer or a Police Constable on request.
- 2 All staff involved in the delivery of alcohol from the premises must be trained to at least the standard contained within the Licensing (Training of Staff)(Scotland) Regulations 2007, that is a minimum of 2 hours training delivered by an appropriately qualified person.



APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, Section 29

THIS PAPER RELATES TO
ITEM 4d
ON THE AGENDA

To:

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

PAID 30 JUN 2020
JG

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.

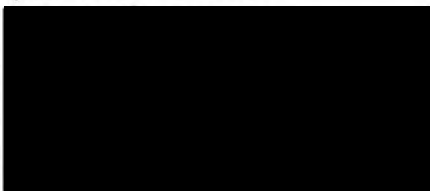
THE OAKWOOD
FAIRFIELD
SAUCHIE
FK10 3DE

Lic No. CC030

Question 2

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

ALAN BLADIE



DETAILS OF VARIATION

Question 3

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

ADDING AREAS TO THE REAR OF THE LICENSED PREMISE AS AN OUTSIDE DRINKING 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.

CONDITIONS

Question 6

Do you propose a variation to any of the conditions to which the licence is subject?

YES/NO

If Yes please give details of the proposed variation below

Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions).

PREMISES MANAGER

Question 7

If you Propose to Vary the Information Contained in the Licence Relating to the Premises Manager . Please Provide the following information.

Name, Address and Personal Licence Details (Number and Issuing Board) of the Existing Premises Manager

N/A

If only the existing Premises Manager's Personal Details have Changed Please Provide details

N/A

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

Name and Address of the Proposed Premises Manager

N/A.

Date and Place of Birth of the Proposed Premises Manager

N/A.

Email Address and Telephone Number of the Proposed Premises Manager

N/A

Personal Licence

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

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.

N/A.

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)

Date16/06/2020.....

CapacityCurrent Premises License Holder- ~~APPLICANT/AGENT~~
(Delete as appropriate)

Telephone Number and Email Address of Signatory

.....
.....

*** 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

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

Question 2

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

DAY	ON CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY	11.00 AM	MIDNIGHT
TUESDAY	11.00 AM	MIDNIGHT
WEDNESDAY	11.00 AM	MIDNIGHT
THURSDAY	11.00 AM	MIDNIGHT.
FRIDAY	11.00 AM	1.00 AM
SATURDAY	11.00 AM	1.00 AM
SUNDAY	11.00 AM	MIDNIGHT.

Question 3

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

DAY	OFF CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY	11-00 AM	10-00 PM
TUESDAY	11-00 AM	10-00 PM
WEDNESDAY	11-00 AM	10-00 PM
THURSDAY	11-00 AM	10-00 PM
FRIDAY	11-00 AM	10-00 PM
SATURDAY	11-00 AM	10-00 PM
SUNDAY	11-00 AM	10-00 PM

Question 4

SEASONAL VARIATIONS

Does the Applicant intend to operate according to Seasonal Demand	YES/NO*
---	---------

*If YES – provide details

WOULD SEEK TO TAKE ADVANTAGE OF ANY EXTENDED PERIOD OF TRADING GRANTED BY THE BOARD FOR SIGNIFICANT LOCAL/NATIONAL EVENTS E.G. FESTIVE PERIOD + BANK HOLIDAYS ETC.

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
Accommodation	NO	N/A	N/A
Conference Facilities	NO	NO	NO
Restaurant Facilities	NO	NO	NO
Bar Meals	YES	YES	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
Receptions Including Wedding, Funerals, Birthdays, Retirements Etc.	YES	YES	YES
Club or Other Group Meetings etc.	YES	YES	YES
5(b) 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
Recorded Music – see 5(g)	YES	YES	YES
Live Performance – See 5(g)	YES	YES	NO
Dance Facilities	YES	YES	NO
Theatre	NO	NO	NO

Films	NO	NO	NO
Gaming	YES	YES	NO
Indoor/Outdoor Sports	YES	YES	NO
Televised Sport	YES	YES	YES
5(d) Activity	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
Outdoor Drinking Facilities	YES	YES	NO
5(e) Activity	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
Adult Entertainment*	NO	NO	NO

* Adult Entertainment means any form of entertainment which-

- (a) involves a person performing an act of an erotic or sexually explicit nature; and
- (b) is provided wholly or mainly for the sexual gratification or titillation of the audience

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

<p>RECEPTIONS, TO HAVE THE FACILITY TO OFFER A RANGE OF RECEPTIONS FACILITIES. THIS MAY INCLUDE FUNERALS ETC THAT REQUIRE ALCOHOL ON THE PREMISES FROM 9.00 AM</p>
<p>CLUB MEETINGS, TO HAVE THE FACILITY TO HOST LOCAL COMMUNITY MEETINGS, THIS MAY INCLUDE EVENTS THAT REQUIRE ALCOHOL TO BE AVAILABLE ON THE PREMISES FROM 9.00 AM EG. GOLF DAY</p>
<p>TELEVISED SPORT, WE ANTICIPATE THAT CERTAIN MAJOR SPORTING EVENTS EG OLYMPIC FOOTBALL WORLD CUP ETC MAY BE TELEVISED OUTWITH CORE HOURS AND WE WOULD WISH TO OFFER THE SALE OF ALCOHOL ON THE PREMISES AT THESE TIMES</p>
<p>SUBJECT TO SECTION 63/2 OF THE LICENSING (SCOTLAND) ACT 2005 (DRINKING UP TIME) THE PREMISES SHALL NOT BE OPEN TO THE PUBLIC OUTWITH THE CORE LICENSED HOURS SPECIFIED IN THE OPERATING PLAN EXCEPT AS MAY BE GRANTED IN TERMS OF AN EXTENDED⁴ HOURS APPLICATION</p>

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

<p>MAY PROVIDE A RANGE OF ACTIVITIES SUCH AS QUIZ NIGHTS, DOMINOES, CHARITY NIGHTS OR SIMILAR SOCIAL ACTIVITIES APPROPRIATE TO THE TARGET MARKET.</p>

5(g) Late Night Premises Opening after 1.00am

Where You Have Confirmed That You Are Providing Live or Recorded Music Will The Decibel Level Exceed 85dB	YES/NO* ON OCCASION -
---	--------------------------

When Fully Occupied Are There Likely To Be More Customers Standing Than Seated	YES/NO*
*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/NO*

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 BE PERMITTED ONLY WHEN ACCOMPANIED BY AN ADULT. YOUNG PERSONS WILL BE ADMITTED UNACCOMPANIED</p>

6(c) Provide Statement Regarding the **AGES** of children or Young Persons to be Allowed Entry

0-17 YEARS.
(Children 0-15 years)
(Young Person 16 or 17)

6(d) Provide Statement Regarding the **TIMES** During Which Children and Young Persons will be Allowed Entry

8.00PM OR UNTIL END OF MEAL OR UNTIL CLOSE OF
PRIVATE / FAMILY EVENT.

6(e) Provide Statement Regarding the **PARTS** of the Premises to Which Children and Young Persons Will Be Allowed Entry

CHILDREN AND YOUNG PERSONS WILL BE ADMITTED TO ALL PUBLIC AREAS WITH THE EXCEPTION OF THE LOUNGE BAR AND GAMES ROOM (EXCEPT FOR ACCESS TO TOILETS AND CONSERVATORY) ACCESS TO GAMES ROOM WILL BE RESTRICTED TO CHILDREN 16-15 AND YOUNG PERSONS BETWEEN THE HOURS OF 11.00 AND 17.00

Question 7

CAPACITY OF PREMISES

What is the Proposed Capacity of the Premises to Which This Application Relates?

ON SALES - 418

Question 8

PREMISES MANAGER (NOTE Not Required Where Application is For Grant of Provisional Premises Licence)

Personal Details

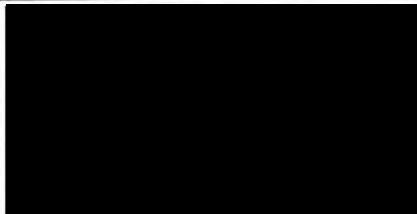
8(a) Name

FIONA STEWART.

8(b) Date of Birth

KNOW TO BOARD.

8(c) Contact Address


--

8(d) Email Address

—

8(e) Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence
18 Feb 2020	CLACKMANNANSHIRE LICENSING BOARD	CC851

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 16/06/2020

Capacity ~~CHARTERED MEMBER~~ PREMIER LICENSE HOLDER APPLICANT/AGENT (Delete as appropriate)
(SUBJECT TO CHANGE).

Telephone Number and Email Address of Signatory

.....
.....
.....

*** 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



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/CC030
		Your Ref:	
		Date:	22 October, 2020
Subject:	Licensing (Scotland) Act, 2005. Section 29 Application for a Non Minor Variation The Oakwood Lounge, Fairfield, Sauchie, FK10 3DE. CC030.		

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 to be determined seeks to vary the premises licence No CC030 and to create an outdoor drinking area to the rear of the premises.
3. I have no concerns about the proposed changes however like all outdoor drinking areas, this particular area may contribute to a conflict with the licensing objectives without close supervision and additional local conditions.
4. This area is in quite close proximity to nearby residential property.
5. The area has been licensed for a continuous period of around 18 weeks during the COVID special circumstances period, and this application seeks to permanently licence the area.
6. There have been no identified issues or concerns as a result of the extended area being licensed during July-October by occasional licences.
7. The applicant is aware that the current Clackmannanshire Licensing Board Statement of Licensing Policy, includes a number of optional local licensing conditions that effect outdoor drinking areas. I have had the opportunity to discuss the possibility of these conditions being applied to the licence with the applicant's. I am sure having had the opportunity to read this report that they will make comment if any of the proposed conditions would cause an operating difficulty.
8. Having considered the layout plan, 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 conditions as are necessary.

9. I would further suggest that all of the existing local conditions on the licence that relate to the outdoor area are removed.

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.**
- * 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 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 condition 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.

***Only alcohol that has been sold by the premises can be consumed in the outdoor area.**