



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)

<p>Addition of extra outdoor drinking area to licensed premises</p> <p>Amendment to DPM Personal Details - Address</p>
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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.

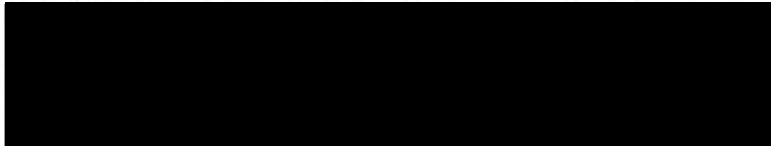
The Contents of This Application Are True to the Best of my Knowledge and Belief.

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
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**If YES – provide details*

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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
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	NO	NO	NO
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including (Weddings funerals,, birthdays, retirements etc)</i>	YES	YES	NO
<i>Club or other group meetings etc</i>	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
<i>Recorded Music – see 5(g)</i>	YES	YES	NO
<i>Live performances see 5(g)</i>	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)	<i>Provide statement regarding the AGES of children or young persons to be allowed entry</i>
0-17	

6(d)	<i>Provide statement regarding the TIMES during which children and young persons will be allowed entry</i>
<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)	<i>Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry</i>
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]

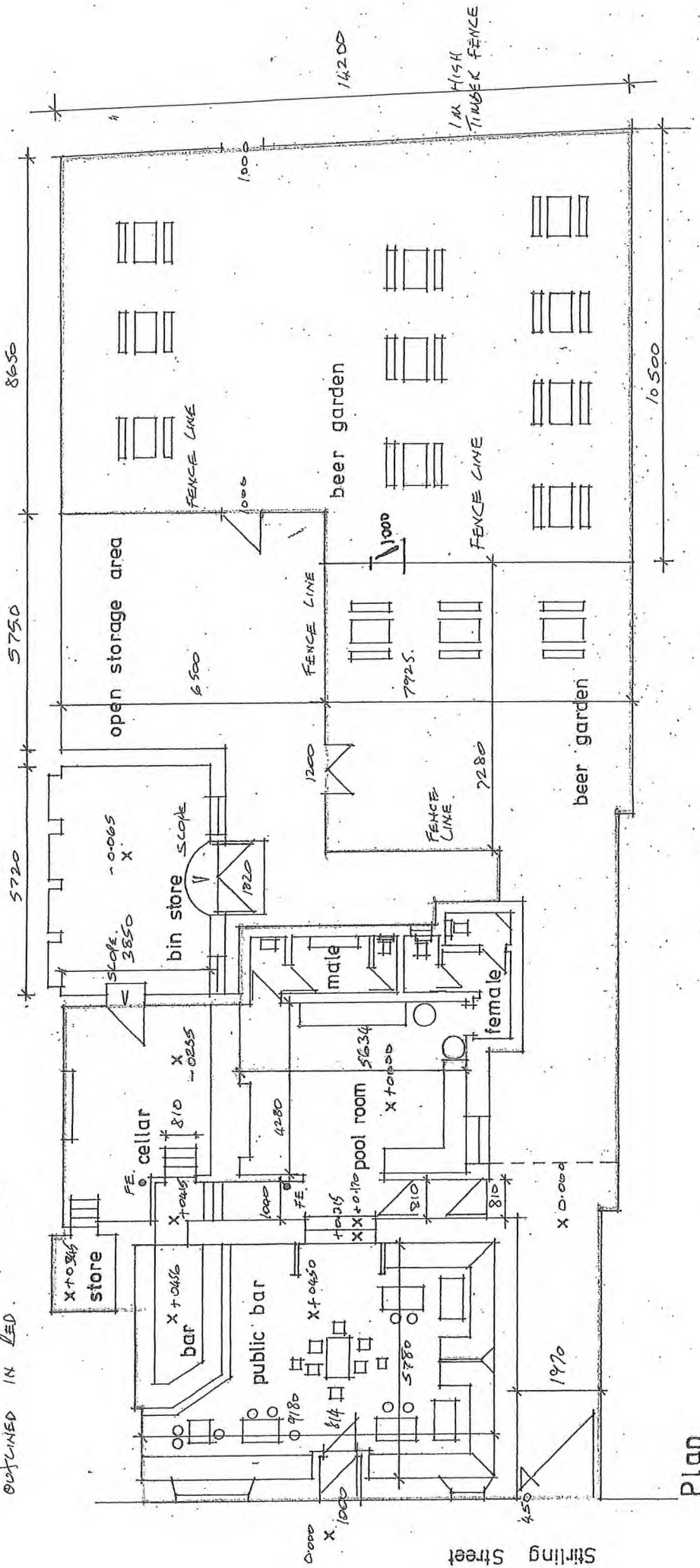
8(e) *Personal licence*

<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 RED.



Plan



Partnership and Performance

Kilncraigs, Greenside Street, Alloa, FK10 1EB
Telephone: 01259 450000

Memo

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

From: **Paul Fair
Licensing Standards Officer**

Extension: **2091**

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

Our Ref: **PF/LSO/NMV/REP/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 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 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: ehealth@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

