



**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



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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



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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..... [REDACTED] 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.clacksweb.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

[Redacted]

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.