



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

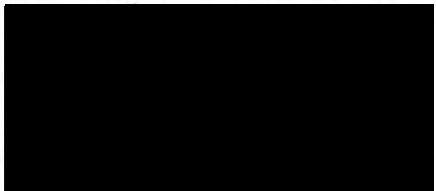
Name, Address, Postcode and Licence Number of Premises.

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)

Date 16/06/2020

Capacity CURRENT PREMISES LICENSE HOLDER - ~~APPLICANT/AGENT~~
(Delete as appropriate)

Telephone Number and Email Address of Signatory

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.....

*** 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
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*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

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

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 9.00AM EG. GOLF DAY

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

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

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

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

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* OR OCCASION -
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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

CHILDREN WILL BE PERMITTED ONLY WHEN ACCOMPANIED BY AN ADULT.
YOUNG PERSONS WILL BE ADMITTED UNACCOMPANED

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 14-15 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

[Redacted]

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 10/06/2020

Capacity ~~CURRENT PREMISES LICENSE HOLDER~~ APPLICANT/AGENT (Delete as appropriate)
(SUBJECT TO CHANGE).

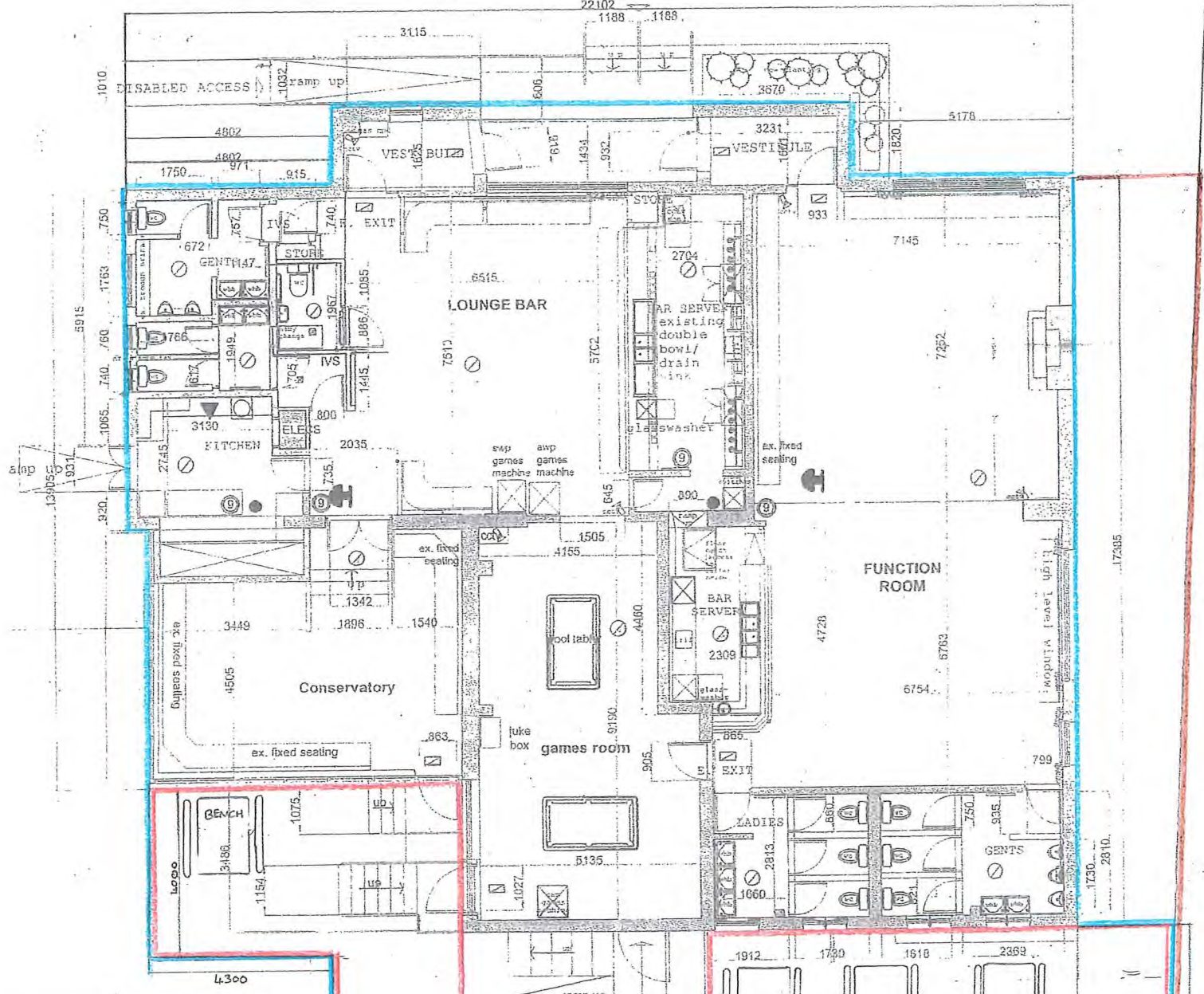
Telephone Number and Email Address of Signatory


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*** Data Protection Act 1998**

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Fairfield
MAIN ENTRANCE
 22.102
 1188 1188



- ☒ Maintained Emergency Exit Sign
- ⊙ Maintained emergency light fitting
- Ⓛ Break Glass Call Points
- 🔔 Alarm Bell
- 🧯 Fire blanket
- 🔥 CO2 extinguisher
- 🔧 9 litre foam extinguisher
- 🔧 9 litre water extinguisher
- 🕸 Smoke detector
- 🔥 Heat detector

The Oakwood 3807 : Occupant capacity = 418 persons
 Facilities summary
 Conference facilities
 Restaurant facilities
 Bar Meals
 Receptions
 Club Meetings
 Recorded Music
 Live Performances
 Dance Facilities
 Theatre/Films
 Gaming
 Indoor/outdoor sports
 Televised Sport
 Outdoor Drinking facilities
 Adult Entertainment
 Any area set aside specifically for the use of children & young persons
 Any area on the premises in which children & young persons will have access

MANAGERS ACC

Area of premises

- Conservatory & Function Room
- Function Room
- Lounge bar & Conservatory
- games room & lounge bar
- Lounge bar & Function Room
- Function Room
- games room
- games room, lounge bar, conservatory, function room
- games room & lounge bar

AREA OUTLINED IN BLUE
 DENOTES FULL LICENSED AREA

AREA OUTLINED IN RED
 DENOTES OUTSIDE DRINKING
 AREA

BROWNS LIVE - 6FT SCREEN FENCE

Site : The Oakwood, Fairfield Road,
 Fairfield, Sauchie, Alloa,
 Clackmannanshire, FK10 3DE

Drawing: Ground Floor Plan as existing
 Scale: 1:100 Dated: 13th June
 Drawn by: A BRADIE



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 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.**