

**THIS PAPER RELATES TO  
ITEM 5  
ON THE AGENDA**

**CLACKMANNANSHIRE LICENSING BOARD**

**MEETING 03 December 2020 at 02:00pm**

**Via MS Teams**

**Licensing (Scotland) Act 2005**

**Occasional Licence Applications**

| <b>Premises</b>   | <b>Applicant</b>   | <b>Date of Events</b>   | <b>Comments</b>  |
|---|--|---|--|
| <b>Bobbing John<br/>24 Drysdale Street<br/>Alloa<br/>FK10 1JL</b> | <b>JD Wetherspoons<br/>(Scots) Ltd<br/>c/o Brunton Miller<br/>Solicitors<br/>Glasgow<br/>G20 6NB</b> | <b>04 – 17 December 2020<br/>18 - 31 December 2020<br/>01 – 14 January 2021</b> | <b>Applications, LSO Report,<br/>(copies attached)<br/><br/>Layout Plan supplied<br/>Applicant agrees to<br/>previous conditions<br/>imposed by Board<br/>Members<br/><br/>Police Scotland responses<br/>no objections</b> |



*Bobbing John*

|                 |                      |
|-----------------|----------------------|
| DATE OF EVENT   | 4 - 17 December 2020 |
| LICENCE NO      | 20/00418/occlic      |
| TO POLICE & WEB | 6/11/2020            |

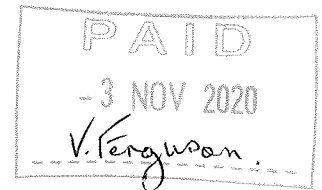
## Licensing Board

www.clackswed.org.uk

### Application for an Occasional Licence

To:

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



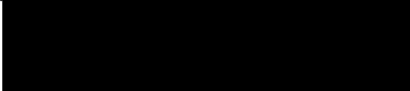
Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand, Please Write Legibly in **Block Capitals**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.


| 1. Licence Details (see note 1)                                 |   |
|---|---|
| I am a :-<br>(please tick one only)                             |   |
| Premises Licence Holder   | <input checked="" type="checkbox"/> JD WETHERSPOON (SCOT) LTD<br>C/O BRUNTON MILLER,<br>22 HERBERT ST, GLASGOW<br>G20 6NB |
| Personal Licence Holder   | <input type="checkbox"/>  |
| Representative of a Voluntary Organisation                      | <input type="checkbox"/>  |
| Representative of a Members Club                                | <input type="checkbox"/>  |
| Name and Address of Premises                                    | BOBBING JOHN, 46 DRYSDALE STREET,<br>ALLOA FK10 1JL   |
| Licence number and Issuing Licensing Board (if applicable)      | CC181   |
| Personal licence number (if applicable) Issuing Licensing Board |   |

|  |         |               |                |
|--|---------|---------------|----------------|
| Name of voluntary organization or Members Club (if applicable)   |         |               |                |
| Name of Personal Licence Holder And Licence No. of person Responsible for authorized sales of Alcohol at event (see guidance notes)  |         |               |                |
| <b>2. Personal Details</b>   |         |               |                |
| Full Name  | Surname | First Name    |                |
|  |         |               |                |
| If you are applying on behalf Of a Club or voluntary Organization please state your position in that club/organization or provide other evidence that you are authorized or entitled to apply on their behalf. |         |               |                |
| Address where ordinarily resident to be used for correspondence purposes.  |         |               |                |
| Telephone Number   |         |               |                |
| Email Address (if you would prefer us to correspond with you by email)   |         |               |                |
| Age, Date & Place of Birth   | Years   | Date of Birth | Place of Birth |
|  |         |               |                |
| <b>3. The Premises (See note and answer fully)</b>   |         |               |                |
| Description of Premises -<br><br>Town Centre Public House.   |         |               |                |
| Full Postal Address of Premises which this Application Refers to<br><br>46 Drysdale Street, Alloa FK10 1JL.  |         |               |                |

|  |  |
|--|--|
| Description of Activities to be Carried on in the Premises (see note and answer fully)                           |  |
| Service of food, soft drinks and alcohol.  |  |
| Approximately how many persons will attend event?  | 16   |
| Will Stewards to be provided?  | YES / NO (if external area open between 6-10pm on Fridays and Saturdays) |
| Is food to be provided at the event  | YES / NO   |
| If YES - please provide details  |  |
| Usual Public House Menu will apply.  |  |
| <b>4. Duration of Licence</b>  |  |
| Start Time and Date  | End Time and Date  |
| 4 <sup>th</sup> December 2020  | 17 <sup>th</sup> December 2020   |
| <b>5. Alcohol Consumption</b>  |  |
| Is Alcohol to be sold for consumption On the premises?   | YES / NO   |
| Is Alcohol to be sold for consumption Off the premises?  | YES / NO   |
| Provide details as to hours required when alcohol will be sold On /Off-* the premises<br>*delete as appropriate  |  |
| Times for sale of alcohol for Consumption - On premises  | Times for sale of alcohol for Consumption – Off premises                 |
| 11am to 10pm   | N/A  |
| Statement of the times at which any activities other than the sale of alcohol Will be carried on in the premises |  |
| 8am to 10pm.   |  |

|  |   |
|--|---|
| <b>6. Children</b><br>(This section must be completed where alcohol is for sale for consumption on the premises)                 |   |
| Are children or young persons permitted entry?   | YES /NO   |
| <b>If Yes - the remainder of this section must be completed</b>  |   |
| Will Children (0 -15yrs) and Young Persons (16 & 17 yrs) require To be accompanied by a parent or person over the age of 18 yrs? | Children – yes<br>Young persons – no  |
| Ages of Children or Young Persons Permitted Entry<br><br>0-17 years  | Times at which Children or Young Persons Permitted Entry<br><br>Until 8pm.          |
| Parts of Premises to which Children or Young Persons Permitted Entry<br><br>All public parts.                                    |   |
| <b>7. Signature and Declaration by Applicant</b>   |   |
| <b>DECLARATION</b>   |   |
| <b>IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</b>                                      |   |
| (Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))  |   |
| The Contents of This Application Are True to the Best of my Knowledge and Belief.  |   |
| Signature  |  |
| Dated  | 27/10/20  |

Archie Maciver Esq., Messrs Brunton Miller, Solicitors, 22 Herbert Street, Glasgow G20 6NB  
Telephone: 0141-337-1199

  
N/EB/OCCASIONALS & EXTENDED/S/Bobbing John, 46 Drysdale St, Alloa FK10 1JL.27.10.2020(1)  
ADM/CA

**\* Date 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

|   |  |
|---|--|
| Checklist   |  |
| I have made or enclosed payment of<br>The fee for the application |  |



# BruntonMillerSolicitors

*info@bruntonmiller.com*

○ Glasgow Office 22 Herbert Street Glasgow G20 6NB tel 0141 337 1199 fax 0141 337 3300

*Partners: Edward Doull Thomas Steel Archibald MacIver Frank Collins  
Consultant: John Steele*

DX GW21 - Glasgow

Our Ref: ADM/CA

The Clerk  
Clackmannanshire Council  
Licensing Board  
Kilncraigs  
ALLOA FK10 1EB

Tuesday, 27 October 2020

Dear Sirs,

**THE BOBBING JOHN, 46 DRYSDALE STREET (CC181)**

We enclose a further three Applications for Occasional Licences together with the relevant layout drawing and a cheque for £30 in respect of the application dues.

The conditions previously applied to earlier granted Occasional Licences are of course acceptable.

Yours faithfully  
BRUNTON MILLER



Partner

Enc.

Helensburgh Office - BruntonMiller 20 Colquhoun Street Helensburgh G84 8AJ tel 01436 675 454 fax 01436 678 434  
[www.bruntonmiller.com](http://www.bruntonmiller.com)



Bobbing John

|                 |                     |
|-----------------|---------------------|
| DATE OF EVENT   | 18-31 December 2020 |
| LICENCE NO      | 20/00419/00414      |
| TO POLICE & WEB | 6 November 2020     |

## Licensing Board

### Application for an Occasional Licence

To:

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

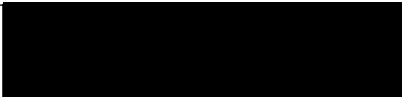
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You May Wish to Keep a Copy of the Completed Form for Your Records.


| 1. Licence Details (see note 1)                                 |   |
|---|---|
| I am a :-<br>(please tick one only)                             |   |
| Premises Licence Holder   | <input checked="" type="checkbox"/> JD WETHERSPOON (SCOT) LTD<br>C/O BRUNTON MILLER,<br>22 HERBERT ST, GLASGOW<br>G20 6NB |
| Personal Licence Holder   | <input type="checkbox"/>  |
| Representative of a Voluntary Organisation                      | <input type="checkbox"/>  |
| Representative of a Members Club                                | <input type="checkbox"/>  |
| Name and Address of Premises                                    | BOBBING JOHN, 46 DRYSDALE STREET,<br>ALLOA FK10 1JL   |
| Licence number and Issuing Licensing Board (if applicable)      | CC181   |
| Personal licence number (if applicable) Issuing Licensing Board |   |

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| Name of voluntary organization or Members Club (if applicable)   |         |               |                |
| Name of Personal Licence Holder And Licence No. of person Responsible for authorized sales of Alcohol at event (see guidance notes)  |         |               |                |
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| Email Address (if you would prefer us to correspond with you by email)   |         |               |                |
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|  |         |               |                |
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| Description of Activities to be Carried on in the Premises (see note and answer fully)                           |  |
| Service of food, soft drinks and alcohol.  |  |
| Approximately how many persons will attend event?  | 16   |
| Will Stewards to be provided?  | YES / NO (if external area open between 6-10pm on Fridays and Saturdays) |
| Is food to be provided at the event  | YES / NO   |
| If YES - please provide details  |  |
| Usual Public House Menu will apply.  |  |
| <b>4. Duration of Licence</b>  |  |
| Start Time and Date  | End Time and Date  |
| 18 <sup>th</sup> December 2020   | 31 <sup>st</sup> December 2020   |
| <b>5. Alcohol Consumption</b>  |  |
| Is Alcohol to be sold for consumption On the premises?   | YES / NO   |
| Is Alcohol to be sold for consumption Off the premises?  | YES / NO   |
| Provide details as to hours required when alcohol will be sold On /Off* the premises<br>*delete as appropriate   |  |
| Times for sale of alcohol for Consumption - On premises  | Times for sale of alcohol for Consumption – Off premises                 |
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| The Contents of This Application Are True to the Best of my Knowledge and Belief.  |   |
| Signature  |  |
| Dated  | 29/10/20  |

Archie Maciver Esq., Messrs Brunton Miller, Solicitors, 22 Herbert Street, Glasgow G20 6NB  
Telephone: 0141-337-1199

  
N/EB/OCCASIONALS & EXTENDED/ Bobbing John, 46 Drysdale St, Alloa FK10 1JL.27.10.2020(2)  
ADM/CA

**\* Date Protection Act 1998**

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|  |  |
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| Checklist  |  |
| I have made or enclosed payment of The fee for the application |  |

BOBBING JOHN

|                 |                   |
|-----------------|-------------------|
| DATE OF EVENT   | 1-14 JANUARY 2021 |
| LICENCE NO      | 20/CO 420/OCC LIC |
| TO POLICE & WEB | 6 NOVEMBER 2020   |

## Licensing Board

www.clackswed.org.uk

### Application for an Occasional Licence

To:

Clerk to the Licensing Board  
 Clackmannanshire Council  
 Kilncraigs  
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 FK10 1EB

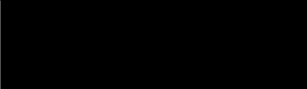
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| Name and Address of Premises                                    | BOBBING JOHN, 46 DRYSDALE STREET,<br>ALLOA FK10 1JL   |
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| Is food to be provided at the event  | YES / NO   |
| If YES - please provide details  |  |
| Usual Public House Menu will apply.  |  |
| <b>4. Duration of Licence</b>  |  |
| Start Time and Date  | End Time and Date  |
| 1st January 2021   | 14th January 2021  |
| <b>5. Alcohol Consumption</b>  |  |
| Is Alcohol to be sold for consumption On the premises?   | YES / NO   |
| Is Alcohol to be sold for consumption Off the premises?  | YES / NO   |
| Provide details as to hours required when alcohol will be sold On /Off* the premises<br>*delete as appropriate   |  |
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| <b>7. Signature and Declaration by Applicant</b>   |   |
| <b>DECLARATION</b>   |   |
| <b>IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</b>                                      |   |
| (Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))  |   |
| The Contents of This Application Are True to the Best of my Knowledge and Belief.  |   |
| Signature  |  |
| Dated  | 20/10/20  |

Archie Maciver Esq., Messrs Brunton Miller, Solicitors, 22 Herbert Street, Glasgow G20 6NB  
Telephone: 0141-337-1199

N/EB/OCCASIONALS & EXTENDED/ Bobbing John, 46 Drysdale St, Alloa FK10 1JL.27.10.2020(3)  
ADM/CA

**\* Date Protection Act 1998**

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|  |  |
|--|--|
| Checklist  |  |
| I have made or enclosed payment of The fee for the application |  |





## 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/OL/CV19 REP**

**Your Ref: 2020-OCCLIC (set4-3 apps)**

**Date: 13 November 2020**

**Subject: Licensing (Scotland) Act, 2005, Section 57 (3)  
3 x Occasional Licence Applications - Outdoor Area  
Applicant- JD Wetherspoon (Scotland) Limited CC181- Premises Licence Holder  
Footpath area in front of The Bobbing John, 46 Drysdale Street, Alloa.**

Section 57(1)(b) of The Licensing (Scotland) Act, 2005 (the Act) requires that the Licensing Board notifies the Licensing Standards Officer for the area in relation to any application for an occasional licence. This section further provides that the Licensing Standards Officer is provided with a copy of the application.

Having considered the content of the applications to which this representation relates, I have the following comments to make:

1. This representation relates to 3 occasional licences each lasting for a period of 14 days, and seeking authority to make sales of alcohol for on sales consumption in an outdoors space which is not currently part of the licensed footprint of the premises at the above address.
2. The 3 applications seek to licence the premises from 4 December 2020 for a continuous period of 6 weeks until 14 January 2021.
3. The purpose of an occasional licence is to allow premises that are not normally licensed to be licensed "occasionally". Not necessarily for a special event or special occasion.
4. If these applications are granted it will result in continuous licensed period of 24 weeks in relation to this area. The applicant is aware that they should be looking to a more permanent licensing solution if they wish to continue the use of this area in the longer term.
5. There is however adequate street lighting in the area.
6. On Friday 3 July 2020, the Licensing Board approved the use of a pre-application guidance document for those wishing to licence a new outdoor area. The

applicant in this case has had the opportunity to view the document, has completed the supplementary information form and has acknowledged the understanding statement. The applicant has accepted the suggested conditions in that document and fully understands that additional conditions, from the pool list contained in the statement of licensing policy, may also be applied as local conditions.

7. Although the applicant has failed to adequately identify and describe the area to be licensed on the application form, I have proceeded on the assumption that their intention is to licence the area that is part of the footpath (as shown on the attached drawing) in Drysdale Street, Alloa. This area is owned by Clackmannanshire Council.
8. The area is suitable for licensing in the current circumstances.
9. The applicant is aware that they should only use personal licence holders or other staff trained to the standards required by the Licensing (Training of Staff)(Scotland) Regulations 2007 to sell alcohol at the premises.
10. The applicant has also been advised that any staff left in charge at the premises should be the holder of a personal licence or should be able to make immediate contact with a personal licence holder responsible for the management of the premises, during all licensed hours.
11. This application covers a area of footpath along the majority of the frontage of one of Alloa's largest licensed venues. There are a number of other licensed premises in the immediate vicinity, and it is fair to say that there have been incidents of anti social behaviour in the immediate vicinity of these premises.
12. The Board may want to consider weather or not it is necessary and expedient for the purposes of the licensing objectives to have this particular licensed premises supervised by a suitably licensed SIA Steward or Stewards working in conjunction with the staff appointed to the area. This may only be necessary at key busy periods and I would suggest from 6pm to Closure at 10pm on a Friday and Saturday when the outdoor area is in use maybe the key period when public nuisance, crime and disorder is most likely. If the Board is minded to apply such a local condition I have drafted a suggested local condition at the end of Appendix A (No. 8).
13. Appendix A contains a list of suggested conditions that the Licensing Board may wish to impose on granting this application. These conditions are necessary to ensure compliance with the licensing objectives contained within The Licensing (Scotland) Act, 2005.

*Paul Fair* Licensing Standards Officer.

## Appendix A

- 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 licensed area must be supervised by an SIA licensed Steward between 6pm and closure on each Friday and Saturday (applies only when the area is in use).

