



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via MS TEAMS on THURSDAY 3 DECEMBER 2020 at 2.00 pm.**

**PRESENT**

Councillor Kenneth Earle (Convenor)  
Councillor Martha Benny  
Councillor Dave Clark  
Councillor Les Sharp  
Councillor Mike Watson

**IN ATTENDANCE**

Paul Fair, Licensing Standards Officer  
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, Councillor George Matchett, QPM and Councillor Helen Lewis

**2.0 DECLARATIONS OF INTEREST**

None

**3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 12 NOVEMBER 2020**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 12 November 2020 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 12 November 2020 were agreed as a correct record.

**4.0 LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PREMISES LICENCE**

**Premises:** Haider Mini Market  
**Applicant:** Mohammned Amin, c/o Gordon Emslie, GNE Consultancy, 47 Wallace Brae Drive, Reddingmuirhead, Falkirk, FK2 0FB

**Attending**

Mr Paul Fair, Licensing Standards Officer  
Mr Gordon Emslie, GNE Consultancy (Applicant's Representative)

An application for a premises licence which had no objections/representations received from the police was put before the Board for determination

The Board heard representations from the Licensing Standards Officer and from the Applicant's Representative. The Board had the opportunity to put questions to both parties.

## **Motion**

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for the Premises Licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Dave Clark.

## **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 the Premises Licence.

## **Action**

Clerk to the Board

## **5.0 LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR OCCASIONAL LICENCES**

**Premises:** Bobbing John, 24 Drydale Street, Alloa, FK10 1JL  
**Applicant:** JD Wetherspoons, (Scots) Ltd, c/o Brunton Miller Solicitors, Glasgow, G20 6NB  
**Dates:** 04 – 17 December 2020  
18 - 31 December 2020  
01 – 14 January 2021

## **Attending**

Mr Paul Fair, Licensing Standards Officer  
Mr Archie Maclver, Brunton Miller Solicitors (Applicants Representative)

An application for an occasional licence which had no objections/representations received from the police was put before the Board for determination

The Board heard representations from the Licensing Standards Officer and from the Applicant's Representative. The Board had the opportunity to put questions to both parties.

## **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 4-17 December 2020 – 18-31 December 2020 and 1-14 January 2021, subject to the conditions set out in Appendix A (page 53).

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 applications for three occasional licences on 4-17 December 2020 – 18-31 December 2020 and 1-14 January 2021, subject to the conditions set out in Appendix A (page 53), namely:

1. Alcohol sold for consumption in the licenced 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 Licenced 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 performance 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 in use).

**Action**

Clerk to the Board

**6.0 LICENSING (SCOTLAND) ACT 2005: PERSONAL LICENCE**

**Applicant:** David John Marr

**Hearing to Consider a Personal Licence Review in respect of David John Marr. Notice in Terms of Section 83(4)(b) of the Licensing (Scotland) Act 2005 received from Police Scotland.**

**Attending**

Mr Paul Fair, Licensing Standards Officer  
PC Sanda Trenchard, Police Scotland  
David John Marr (Applicant)

The Board heard representations from the Licensing Standards Officer, Police Scotland and the Applicant. The Board had the opportunity to put questions to all parties.

The meeting adjourned at 2.50 pm to consider the personal licence. The meeting reconvened at 3.14 pm.

**Motion**

Having considered all of the information presented to it and having had opportunity for questions, that the Board agreed to take no further action.  
Moved by Councillor Les Sharp. Seconded by Councillor Dave Clark.

**Decision**

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to take no further action.

The Board noted that there may be certain circumstances in which Mr Marr would be referred back for consideration by the Licensing Board.

**Action**

Clerk to the Board

Ends: 3:20 PM

