



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via
Video Conference (MS Teams), on TUESDAY 23 MARCH 2021 at 9.30 am.**

PRESENT

Councillor Kenneth Earle (Chair)
Councillor Martha Benny
Councillor Dave Clark
Councillor Helen Lewis
Councillor Tina Murphy
Councillor Les Sharp
Councillor Mike Watson

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Lindsay Thomson, Senior Service Manager, Partnership & Performance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor George Matchett, QPM and Councillor Tina Murphy.

2.0 DECLARATIONS OF INTEREST

None

**3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD
ON 3 DECEMBER 2020**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 3 December 2020 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 3 December 2020 were agreed as a correct record and signed by the Chair.

Agenda items 4(i) to 4(iv) were put before the Board for information only as they had been granted under delegated powers. Items 4(i) to 4(iv) were considered together as one item.

4.0 LICENSING (SCOTLAND) ACT 2005

(i) Applications for Personal Licences – Granted Under Delegated Powers

A list of applications for personal licences which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the Personal Licence applications had been granted under delegated powers.

(ii) Applications for Personal Licence (Renewals with Refresher Training) – Granted Under Delegated Powers

A list of applications for personal licence renewals with refresher training which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the applications for personal licence renewals with refresher training had been granted under delegated powers.

(iii) Applications for Personal Licence Refresher Training – Granted Under Delegated Powers

A list of applications for personal licence refresher training which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the applications for personal licence refresher training had been granted under delegated powers.

(iv) Applications for Minor Variations – Granted Under Delegated Powers

A list of applications for minor variations which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the applications for minor variations had been granted under delegated powers.

5.0 LICENSING (SCOTLAND) ACT 2005 – REVOCATION OF PERSONAL LICENCES

(i) Revocation Of Personal Licences

The Licensing (Scotland) Act 2005 prescribes that all personal licence holders must undergo mandatory training in a form prescribed by the Scottish Ministers no later than 3 months following the period beginning 5 years from the date that the personal licence was issued. The Board must revoke the Personal Licences for those Personal Licence Holders who have failed to complete the mandatory refresher training.

Motion

To agree to revoke the personal licences from those Personal Licence Holders set out in the table appended to the report as they had failed to notify Clackmannanshire Licensing Board of the completion of their mandatory 5 year refresher training.

Moved by Councillor Kenneth Earle. Seconded by Councillor Mike Watson.

Decision

The Board agreed to make a formal decision to revoke the personal licences set out in the table appended to the report in terms of section 87(3) of the Licensing (Scotland) Act 2005 as they had failed to notify Clackmannanshire Licensing Board of the completion of their mandatory 5 year refresher training.

Action

Clerk to the Board

6.0 LICENSING (SCOTLAND) ACT 2005 – PROVISIONAL PREMISES LICENCE

(i) Premises Ceasing to be Used for the Sale of Alcohol

Premises: Little Greens Alloa, 1 Mill Road, Alloa

Attending

Paul Fair, Licensing Standards Officer

The Licensing (Scotland) Act 2005, section 28(1)(b) & 28(5)(b) provides that if licensed premises in respect of which a premises licence has been issued ceases to be used for the sale of alcohol, then the premises licence ceases to have effect. Once this stage has been reached the licence cannot be reinstated without a new application being lodged.

The Licensing Standards Officer sent a report to the Clerk to the Board advising that it is quite clear that in all circumstances that the premises have ceased to be used for the sale of alcohol.

Motion

That having had the opportunity to ask questions of the Licensing Standards Officer and having noted the content of the report, that the Licensing Board confirm that premises licence No. CC0196 now ceases to have effect, and that the premises licence holder is duly notified.

Moved by Councillor Kenneth Earle. Seconded by Councillor Martha Benny.

Decision

The Licensing Board, having had the opportunity to ask questions of the Licensing Standards Officer and having noted the content of the report, agreed to confirm that premises licence No. CC0196 now ceases to have effect, and that the premises licence holder is duly notified.

Action

Clerk to the Board

7.0 AOCB

None

Ends: 09.35 hrs

