

**Clackmannanshire**  
**Application for a variation and/or transfer of**  
**premises licence**  
**Licensing (Scotland) Act 2005**

For help contact  
[licensing@clacks.gov.uk](mailto:licensing@clacks.gov.uk)  
Telephone: +44 (0)1259 452093

\* required information

**Section 1 of 15**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is your business registered in the UK with Companies House? ☒ Yes ☐ No

\* Registration number

\* Business name  If your business is registered, use its registered name.

\* VAT number   Put "none" if you are not registered for VAT.

\* Legal status

*Continued from previous page...*

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 15**

**DETAILS OF LICENSED PREMISES**

\* Name of premises/  
trading name

**Premises Address**

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

**Premises Licence**

\* Date granted

/  /   
dd mm yyyy

\* Reference number

**Section 3 of 15**

**APPLICATION DETAILS**



*Continued from previous page...*

\* Type of application:

- ☐ Transfer
- ☒ Variation
- ☐ Both transfer and variation

This application can only be made by the current holder of the premises licence or their agent.  
You do not need to complete sections 4 to 9, continue with section 10

#### Section 4 of 15

##### CURRENT LICENCE HOLDER

You do not need to complete sections 4 to 9, continue with section 10

#### Section 5 of 15

##### REASON FOR TRANSFER APPLICATION

You do not need to complete sections 4 to 9, continue with section 10

#### Section 6 of 15

##### PROSPECTIVE LICENCE HOLDER

You do not need to complete sections 4 to 9, continue with section 10

#### Section 7 of 15

##### PROSPECTIVE LICENCE HOLDER - CONNECTED PEOPLE

You do not need to complete sections 4 to 9, continue with section 10

#### Section 8 of 15

##### PREVIOUS APPLICATIONS

You do not need to complete sections 4 to 9, continue with section 10

#### Section 9 of 15

##### CONVICTIONS

You do not need to complete sections 4 to 9, continue with section 10

#### Section 10 of 15

##### APPLICATION FOR VARIATION

\* Has an application for the same variation been refused within the last year?

- ☐ Yes ☒ No

#### Section 11 of 15

##### TYPE OF VARIATION

\* Indicate which aspect of the existing Premises Licence you wish to vary (select all that apply):

- ☐ Conditions to which the licence is subject
- ☒ Layout Plan
- ☐ Operating Plan (excluding premises manager information)
- ☐ Premises manager information
- ☐ Any other information contained in or referred to in the licence

Continued from previous page...

### Variations To The Layout Plan

\* Provide an outline of the proposed changes to the Layout Plan

Minor layout change to include an external customer area on the ground floor to the front of the premises as detailed on the attached drawing number 7238-00/01 consisting of a total of 8 tables with 2 chairs each.

The area is currently being used under the provision of an Occasional Licence, granted on 14th August 2020, and to assist with current social distancing requirements.

No change to occupant capacity is sought.

\* Do your proposed changes to the Layout Plan result in any inconsistency with the Operating Plan?

☒ Yes ☐ No

You must submit the proposed Layout Plan (in the required format) with this application.

### Section 12 of 15

#### VARIATIONS TO PREMISES MANAGER INFORMATION

You do not need to complete section 12, continue with section 13

### Section 13 of 15

#### RETURN OF PREMISES LICENCE

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the transfer and/or variation. If you are in possession of the appropriate Premises Licence you must ensure it is returned to the Licensing Authority within 14 days in order to complete the process of transfer and/or variation.

\* Will you return the Premises Licence to the Licensing Authority within 14 days?

☒ Yes ☐ No

### Section 14 of 15

#### ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

### Section 15 of 15

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

The following fees apply :

Transfer	- £120
Transfer/Variation	- £150
Major Variation	- £150
Major Variation/Substitution of Premises Manager	- £170
Minor Variation	- £20
Substitution of Premises Manager /Other Minor Variation	- £31

\* Fee amount (£)



Continued from previous page...

## ATTACHMENTS

## AUTHORITY POSTAL ADDRESS

### Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

## DECLARATION

\* The contents of this application are true to the best of my knowledge and belief.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence-2/clackmannanshire/change-2> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

# Licensing Board



**Clackmannanshire  
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[www.clackswweb.org.uk](http://www.clackswweb.org.uk)

## 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
<p>*If YES – provide details</p> <p>During the festive period, as defined by Clackmannanshire Licensing Board, the premises will operate additional hours for the sale of alcohol in accordance with the said Board's policy in that regard.</p>	



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## Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

1	2	3	4
	Please confirm  YES/NO	To Be Provided During Core Licensed Hours  YES/NO	Be Provided Outwith Core Licensed Hours  YES/NO
5(a) Activity			
Accommodation	NO	N/A	N/A
Conference Facilities	NO	NO	NO
Restaurant Facilities	YES	YES	YES
Bar Meals	YES	YES	YES
5(b) Activity- Social Functions Including:			
Receptions Including Weddings, Funerals, Birthdays, Retirements Etc.	YES	YES	YES
Club or Other Group Meetings etc.	YES	YES	YES
5(c) Activity - Entertainment including:			
Recorded Music (see 5g)	NO	NO	NO
Live Performance (see 5g)	NO	NO	NO
Dance Facilities	NO	NO	NO
Theatre	NO	NO	NO

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Films	NO	NO	NO
Gaming	YES	YES	NO
Indoor/Outdoor sports	NO	NO	NO
Televised Sport	YES	YES	YES
5(d) Activity			
Outdoor drinking Facilities	YES	YES	YES
5(e) Activity			
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

The premises will open from 7.00am for the provision of breakfasts, teas, coffees etc. The activities referred to in Column 4 above will be available when the premises open. The activities will cease when the core hours cease. No alcohol will be sold outwith the core 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

Not applicable





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	N/A
--	-----

When Fully Occupied, Are There Likely To Be More Customers Standing Than Seated	N/A
---	-----

\*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
------	--	-----

6(b) Where The Answer To 6(a) Is YES Provide Statement Of The **TERMS** Under Which They Will Be Allowed Entry

Children will only be allowed entry to the premises if they are accompanied by an adult (i.e. a person of 18 years or older) and only then for the purpose of the consumption of a meal.

Young Persons will be allowed entry to the premises unaccompanied, at the management's discretion, for the purpose of the consumption of a meal.



- 6(c) Provide Statement Regarding The **AGES** of Children or Young Persons  
To Be Allowed Entry

0 - 17 years of age.

- 6(d) Provide Statement Regarding The **TIMES** During Which Children and  
Young Persons will be Allowed Entry

Children and Young Persons will be permitted entry until 10.00pm.

- 6(e) Provide Statement Regarding The **PARTS** Of The Premises To Which  
Children and Young Persons Will Be Allowed Entry

Children and Young Persons are permitted in all public areas, including the external areas.





**Question 7**

**CAPACITY OF PREMISES**

What is the Proposed Capacity of the Premises to Which This Application  
Relates?

On Sales - 408  
Plus 173 external

**Question 8**

**PREMISES MANAGER (NOTE: Not Required Where Application is For  
Grant of Provisional Premises Licence)**

Personal details

8(a) Name

Sarah Hill

8(b) Date of birth

[REDACTED]

8(c) Contact Address

[REDACTED]

8(d) Email address

[REDACTED]

## Licensing Board



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### 8(e) Personal licence

Date of issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence
27 November 2014	Stirling Licensing Board	SC1420

### **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 our knowledge and belief.

Signature

\* (See Note Below)

Date ..... 16<sup>th</sup> December 2020.....

Capacity ..... APPLICANT / AGENT

(delete as appropriate).

Telephone number and email address of signatory.. 01923 477 744 / [bmorrice@jdwetherspoon.co.uk](mailto:bmorrice@jdwetherspoon.co.uk)

### **\* Data Protection Act 1998**

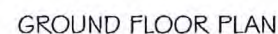
The information on this form may be held on an electronic public register which may be available to members of the public on request.



METRES

0 1 2 3 4

SCALE 1:100



DRYSDALE STREET

[illegible][illegible]

**kdp** | Karpman  
Karpman  
Karpman

4000 Business Centre  
Gills High Street  
Sturminster Newton  
West Dorset, Dorset, DT9 8JG

01727 467518  
[www.kdp.co.uk](http://www.kdp.co.uk)

JD WETHERSPOON PLC		
PUB NO: 6390		
THE BOBBING JOHN		
ALLOA		
PROPOSED LICENSING PLAN		
DATE	DATE	COUNTY
A1/I:100	DEC 2015	NG
7236	0000	0000

## Partnership and Performance

Kilncraigs, Greenside Street, Alloa, FK10 1EB  
Telephone: 01259 450000



**Clackmannanshire  
Council**

[www.clacks.gov.uk](http://www.clacks.gov.uk)

Comhairle Siorrachd  
Chlach Mhanann

## Memo

<b>To:</b>	<b>The Clerk to the Licensing Board Greenfield Alloa FK10 2AD</b>	<b>From:</b>	<b>Paul Fair Licensing Standards Officer</b>
		<b>Extension:</b>	<b>2091</b>
		<b>Email:</b>	<b><a href="mailto:pfair@clacks.gov.uk">pfair@clacks.gov.uk</a></b>
		<b>Our Ref:</b>	<b>PF/LSO/NMV/CC181</b>
		<b>Your Ref:</b>	
		<b>Date:</b>	<b>25 March 2021</b>
<b>Subject:</b>	<b>Licensing (Scotland) Act, 2005, Non Minor Variation CC181–Beer Garden – to front of premises JD Wetherspoon (Scotland) Limited The Bobbing John, 46 Drysdale Street, Alloa.</b>		

1. This representation relates to an application for a non minor variation seeking to extend the licensed area of the premises and seeking authority to make sales of alcohol consumption in an outdoors space which is not currently part of the licensed footprint.
2. The area in question is a public footpath owned by Clackmannanshire Council to the front of the premises on Drysdale Street,
3. A series of occasional licence applications relating to this area were granted on 2020, during the peak of the "Covid 19" pandemic period however the applicant is now looking to a more permanent licensing solution so that they can continue to use of this area in the longer term.
4. If granted the area would be licensed and available for use all year round including in periods of darkness. There is however adequate street lighting in the area.
5. With paragraph 4 in mind, I will remind the Board that other licensed areas located on public footpaths in Clackmannanshire are restricted in use only in the late spring-Early Autumn period, with winter use being excluded. This is achieved by way of a local licensing condition. The board may consider such a restriction in this case to be appropriate and both necessary and expedient for the purposes of the licensing objectives
6. Throughout 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 had the opportunity to view that document, and in relation to the numerous occasional licensees granted to them completed the

supplementary information form. They acknowledged the understanding statement.

7. Although that form related to individual occasional licence applications, the information will have no doubt given the applicant advanced warning relating to the nature and type of local conditions that are likely to be applied to any outdoor area in Clackmannanshire. The applicant has previously 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. The applicant will be aware that this principal of applying local conditions in the same manner will apply to this application.
8. A layout plan supplied with the application and the narrative in the application form indicates the creation of a street café seating up to 16 people at 8 tables.
9. The area is suitable for licensing subject of course to any comment that the roads authority may wish to make.
10. 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.
11. The Board may want to consider whether 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. 19).
12. From a licensing perspective I have no concerns in relation to this application,. However outdoor drinking areas do create an increased risk of non compliance in relation to the licensing objectives. This risk is recognised within the Clackmannanshire Council Statement of Licensing Policy. This policy contains a sample of conditions that may be necessary and expedient for the purposes of the licensing objectives to mitigate the known risks.
13. Appendix A contains a list of suggested conditions that the Licensing Board may wish to impose on granting this application if they feel that such conditions are necessary to ensure compliance with the licensing objectives contained within The Licensing (Scotland) Act, 2005.
14. If applied to the licence I would suggest that these proposed local conditions apply to all outdoor drinking areas at the premises, and that any current local conditions relating to existing outdoor areas area removed from the licence.

*Paul Fair* Licensing Standards Officer.



## Appendix A

- 1 Consumption of alcohol in an outdoor drinking is not permitted after 10.00pm.
- 2 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.
- 3 **(For Licensed public spaces only)** All equipment such as tables, chairs and barriers must be removed from any outdoor drinking area located in a public space or public footpath, by no later than 10:00pm each night.
- 4 An outside area can only be occupied by persons seated at a table.
- 5 The licence holder must ensure that alcohol consumed by persons in an outside area are seated at a table.
- 6 No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- 7 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.
- 8 Customers consuming alcohol must not be permitted to encroach on to the footpath or any adjoining public area outwith the boundaries of the licensed outdoor drinking area.
- 9 Where the outdoor drinking area 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.
- 10 The outdoor drinking area must not be used for any purpose which is likely to cause annoyance to neighbours through smell, for example, the use of barbecues.
- 11 Any facility or equipment 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.
- 12 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. (In

accordance with condition No 18 this is a requirement for public space outdoor areas)

- 13 Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.
- 14 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.
- 15 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
- 16 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 conditions may relate to such matters as, Noise, Conduct of Customers, Children's and Young Person's Access to the Area, Permitted hours of use
- 17 **(For Licensed public spaces only)** All alcohol to be consumed in the Outdoor 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 Outdoor Drinking Area.
- 18 **(For Licensed public spaces only)** 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.
- 19 **(For Licensed public spaces only)** 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). <sup>\*\* if specified required by Licensing Board</sup>



**The Bobbing John Alloa**  
Archie MacIver to: 'June Andison'

12/04/2021 10:22

History:

This message has been replied to.

Hi, June.

The clients have confirmed that the conditions proposed in the LSO report are acceptable and were adhered to in terms of the previously granted Occ Licences.

Regards,  
Archie