



NOTICE OF MEETING

17 May 2021

A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held Via MS Teams, on TUESDAY 25 MAY 2021 at 9.30 am.

**LINDSAY THOMSON
Clerk to the Clackmannanshire Licensing Board**

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1. Apologies	--
2. Declarations of Interest	--
Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest Form should be completed and passed to the Committee Services Officer.	
3. Confirm minutes (Copies herewith):	
a. Clackmannanshire Licensing Board Sub Committee 23/04/21	05
b. Clackmannanshire Licensing Board 27/04/21	08
c. Clackmannanshire Licensing Board Sub Committee 13/05/21	19
4. Licensing (Scotland) Act 2005:	
(i) Applications for Personal Licences – Granted Under Delegated Powers (For Information only) (Copy herewith)	21
(ii) Applications for Personal Licence Renewal (With Refresher Training) – Granted Under Delegated Powers (For Information only) (Copy herewith)	22

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5. Licensing (Scotland) Act 2005 – Occasional Licences	23
(i) Application for Occasional Licence and Licensing Standards Officer Report (Copies Herewith)	24
No objections/representations received from Police Scotland	
Premises: Braehead Golf Club, Alloa, FK10 2NT	
Applicant: Braehead Golf Club, Alloa, FK10 2NT	
Date: 29 May 2021	
Event: Open Competition	
(ii) Application for Occasional Licence and Licensing Standards Officer Report (Copies Herewith)	32
No objections/representations received from Police Scotland	
Premises: No 5 Inn, Brook Street, Alva, FK12 5JL	
Applicant: David White, No 5 Inn, Brook Street, Alva, FK12 5JL	
Date: : 07 – 20 June 2021, 21 June – 04 July 2021 and 05 – 18 July 2021	
Event: Outdoor Drinking	
6. AOCB	--

Clackmannanshire Licensing Board – Board Members 9 (Quorum 5)

Councillors

Wards

Councillor	Kenneth Earle (Convenor)	4	Clackmannanshire South	LAB
Councillor	Mike Watson (Vice Convenor)	3	Clackmannanshire Central	CONS
Councillor	Martha Benny	2	Clackmannanshire North	CONS
Councillor	Dave Clark	2	Clackmannanshire North	LAB
Councillor	Helen Lewis	2	Clackmannanshire North	SNP
Councillor	George Matchett, OPM	1	Clackmannanshire West	LAB
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Les Sharp	1	Clackmannanshire West	SNP

Vacancy

The quorum for the Board by virtue of Schedule 1 paragraph 12(1) of the Licensing (Scotland) Act 2005 is 5 members



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD SUB
COMMITTEE held via MS TEAMS, on FRIDAY 23 APRIL 2021 at 2.30 pm.**

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Les Sharp
Councillor Helen Lewis

IN ATTENDANCE

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

1.0 APOLOGIES

None.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

(i) Applications for Occasional Licences:

26 April – 9 May 2021, 10 -23 May 2021 and 24 May – 6 June 2021

Applicant: David White,
Premises: No 5 Inn, Brook Street, Alva, FK12 5JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
The Applicant did not attend.

Police Scotland had no objections and did not attend.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 26 April – 9 May 2021, 10 -23 May 2021 and 24 May – 6 June 2021, subject to the conditions set out in Appendix A (page 21) of the Licensing Standards Officer's Report.

Moved by Councillor Kenneth Earle Seconded by Councillor Les Sharp .

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board granted the applications for three occasional licences on 26 April – 9 May 2021, 10 -23 May 2021 and 24 May – 6 June 2021, subject to the conditions set out in Appendix A (page 21) of the Licensing Standards Officer's Report, namely

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. 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.

Action

Clerk to the Board

- (ii) **Applications for Occasional Licences:**
26 April – 9 May 2021, 10 -23 May 2021 and 24 May – 6 June 2021

Applicant: Craig Stewart
Premises: The Royal Oak, 7 Bedford Place, Alloa, FK10 1JL
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
Craig Stewart, The Royal Oak (Applicant)

Police Scotland had no objections and did not attend.

The Board heard representation from the Applicant and the Licensing Standards Officer and had the opportunity to put questions to them.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 26 April – 9 May 2021, 10 -23 May 2021 and 24 May – 6 June 2021, subject to the conditions set out in Appendix A (page 40) of the Licensing Standards Officer's Report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board granted the applications for three occasional licences on 26 April – 9 May 2021, 10 -23 May 2021 and 24 May – 6 June 2021, subject to the conditions set out in Appendix A (page 40) of the Licensing Standards Officer's Report; namely:

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 Licence holder will ensure that no more than 50 patrons occupy the licensed area at any time.

Action

Clerk to the Board



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via Video Conference (MS Teams), on TUESDAY 27 APRIL 2021 at 9.30 am.

PRESENT

Councillor Kenneth Earle (Chair)
Councillor Martha Benny
Councillor Dave Clark
Councillor Helen Lewis
Councillor George Matchett, QPM
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 Tina Murphy and Councillor Les Sharp.

2.0 DECLARATIONS OF INTEREST

Councillor Helen Lewis declared a non-financial interest in Item 5(iii) Application for Non Minor Variation at Braehead Golf Club, as she is a Life Member of the Club. Councillor Lewis advised that having considered the objective test set out within the Councillors' Code of Conduct, she would remain in the meeting and participate in this item of business.

Councillor Helen Lewis also declared a non-financial interest in Item 8(iii) Occasional Licence Application for Hillfoots Rugby Club, as she is a current, active member. Having considered the objective test set out within the Councillors' Code of Conduct, Councillor Lewis advised that she would not participate in this item of business and would leave the meeting for the duration of that item.

3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 23 MARCH 2021

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 23 March 2021 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 23 March 2021 were agreed as a correct record and signed by the Chair.

Agenda items 4(i) and 4(ii) were put before the Board for information only as they had been granted under delegated powers. Items 4(i) and 4 (ii) 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.

5.0 LICENSING (SCOTLAND) ACT 2005 – APPLICATIONS FOR VARIATIONS (NON MINOR)

(i) Hearing to Consider application for Variation (Non Minor) at Premier 11 Lornshill Crescent, Alloa, FK10 2JL

Premises: Premier, 11 Lornshill Crescent, Alloa, FK10 2JL

Applicant: JSK Retail (GLW) Limited, 3 Medwyn Place,
Alloa, FK10 1NG

Attending

Mr Gordon Emslie, GNE Consultancy Limited, Agent for the Applicant

The Board heard representation from Mr Emslie as Agent for the Applicant. There were no objections/representations received from the Licensing Standards Officer or Police Scotland.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor).

Moved by Councillor Kenneth Earle. Seconded by Councillor George Matchett QPM..

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 Variation (Non Minor).

Action

Clerk to the Board

(ii) **Hearing to Consider application for Variation (Non Minor) at Bobbing John, 46 Drysdale Street, Alloa, FK10 1EB**

Premises: Bobbing John, 46 Drysdale Street, Alloa, FK10 1EB
Applicant: JD Wetherspoon PLC, PO Box 616, Watford, WD24 4QU

Attending

Mr Archie McIver, Solicitor, Brunton Miller Solicitors, Agent for the Applicant
Mr Paul Fair, Licensing Standards Officer

The Board heard representation from Mr McIver as Agent for the Applicant and from the Licensing Standards Officer, Mr Fair. There were no objections/representations received from Police Scotland.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor) subject to the conditions set out in Appendix A (pages 44 and 45) of the Licensing Standards Officer's report with an additional local condition number 20 to read "The Licence holder shall be entitled to operate the outdoor drinking area located at the front of the premises, on the footpath known as Drysdale Street, Alloa area from 1 April until 30 September and on no other dates each year".

Moved by Councillor George Matchett QPM. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor) subject to the conditions set out in Appendix A (pages 44 and 45) of the Licensing Standards Officer's report with an additional local condition number 20 to read "The Licence holder shall be entitled to operate the outdoor drinking area located at the front of the premises, on the footpath known as Drysdale Street, Alloa area from 1 April until 30 September and on no other dates each year". These conditions are set out below:

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. **(For Licensed public spaces only)** An outside can only be occupied by persons seated at a table.
5. **(For Licensed public spaces only)** 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).

20. The Licence holder shall be entitled to operate the outdoor drinking area located at the front of the premises, on the footpath known as Drysdale Street, Alloa area from 1 April until 30 September and on no other dates each year

Action

Clerk to the Board

The Chair advised that as the representatives from Braehead golf Club were not in attendance, he would defer consideration of Item 5iii until the end of the meeting to give them the opportunity to attend.

6.0 LICENSING (SCOTLAND) ACT 2005 – APPLICATION FOR PROVISIONAL PREMISES LICENCE

(i) Hearing to Consider application for provisional premises licence at Heart Of Scotland Distillery Limited, 10 Main Street, Clackmannan, FK10 4JA

Premises: Heart Of Scotland Distillery Limited, 10 Main Street, Clackmannan, FK10 4JA

Applicant: Heart Of Scotland Distillery Limited, 10 Main Street, Clackmannan, FK10 4JA

Attending

Mr Paul Fair, Licensing Standards Officer

The Board heard representation from the Licensing Standards Officer, Mr Fair. There were no objections/representations received from Police Scotland. The applicant had been unable to attend due to work commitments.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for a provisional premises licence subject to the conditions set out in Appendix A (page 80) of the Licensing Standards Officer's report with an amended condition 3 to read "No sales promotional material can be displayed at or near the premises".

Moved by Councillor Kenneth Earle. Seconded by Councillor George Matchett QPM.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board granted the application for a provisional premises licence subject to the conditions set out in Appendix A (page 80) of the Licensing Standards Officer's report with an amended condition 3 to read "No sales promotional material can be displayed at or near the premises". These conditions are set out below:

1. No retail customers will be permitted into any part of the licensed premises;
2. Alcohol can not be sold and supplied directly to retail customers at the premises;
3. No sales promotional material can be displayed at or near the premises;
4. Deliveries of alcohol made by any person connected to Heart of Scotland Distillery Limited will only be made by persons who are either a personal licence holder or have trained to at least the minimum standards contained within the Licensing (Training of Staff) (Scotland) Regulations 2007. A formal record of this training should be kept on the premises and a copy of the record of training should be carried by the individual making the deliveries;
5. The delivery book and other documentation required by section 119(1)(a) of the Licensing (Scotland) Act 2005 will be retained and kept on the licensed premises for a period of at

least 1 year from the date of the most recent delivery recorded in said book

6. The documents referred to in Condition No 5 above will be made available for examination to a constable or Licensing Standards Officer for the area on demand; and
7. The disposal, handling or processing of glass containers, or of any other articles likely to cause noise nuisance is not permitted between 6pm and 8am (Monday to Friday) and between 4pm and 9am (Saturday and Sunday).

Action

Clerk to the Board

7.0 LICENSING (SCOTLAND) ACT 2005 – APPLICATION FOR PREMISES LICENCE

(i) Hearing to consider grant of application for premises licence at Auld Brigg Filling Station

Premises: Auld Brigg Filling Station

Applicant: Penny Petroleum, c/o TLT Solicitors, Hobart House, 80 Hanover Street, Edinburgh, EH2 1EL

Attending

Mr Paul Fair, Licensing Standards Officer

Ms Caroline Loudon, Agent, TLT Solicitors

Mr David Miller, Area Manager, Penny Petroleum

The Board heard representation from Ms Caroline Loudon, TLT Solicitors as agent for Penny Petroleum and from the Licensing Standards Officer, Mr Fair. There were no objections/representations received from Police Scotland.

Motion

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

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

Voting

For the motion	4 votes
Against the motion	1 vote
Abstain from voting	1 abstention

Decision

On a division of 4 votes to 1 with 1 abstention, having considered all of the information presented to it and having had opportunity for questions, the Board granted the application for a premises licence for the Auld Brigg Filling Station.

Action

Clerk to the Board

8.0 LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR OCCASIONAL LICENCES

The Clerk advised that Items 8i and 8iii on the Licensing Agenda had previously been considered at a Licensing Board Sub Committee held on 23 April 2021, therefore were not being considered today.

Councillor Helen Lewis, having previously declared an interest in this item of business, withdrew from the meeting for the duration of this item.

- (ii) **Premises:** Hillfoots Rugby Football Club, Lower Mill Street, Tillicoultry, FK13 6BP
- Applicant:** Hillfoots Rugby Football Club, Lower Mill Street, Tillicoultry, FK13 6BP
- Dates:** 20 April – 13 May 2021
14 - 30 May 2021
31 May – 13 June 2021

Attending

Mr Paul Fair, Licensing Standards Officer

Mr Eddie Inglis, Hillfoots Rugby Football Club (Applicant's 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 20 April – 13 May 2021, 14 – 30 May 2021 and 31 May – 13 June 2021, subject to the conditions set out in Appendix A (page 155) of the Licensing Standards Officer's Report.

Moved by Councillor Kenneth Earle. Seconded by Councillor George Matchett QPM.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board granted the applications for three occasional licences on 20 April – 13 May 2021, 14 – 30 May 2021 and 31 May – 13 June 2021, subject to the conditions set out in Appendix A (page 155) of the Licensing Standards Officer's Report, namely:

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 and obviously 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; and

7. All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

Due to technical difficulties, Councillor Helen Lewis did not re-join the meeting at the conclusion of the above item of business.

9.0 AOCB - LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR OCCASIONAL LICENCES

- (i) **Premises:** Holly Tree Inn, Main Street East, Menstrie, FK11 7BJ
- Applicant:** Caledonian Heritable Limited c/o Inn business (Scotland), forsyth House, Lomond Court, Castle business Park, Stirling, FK9 4TU
- Dates:** 26 April – 9 May 2021
10 - 23 May 2021
24 May – 6 June 2021
7 – 20 June 2021

Attending

Mr Paul Fair, Licensing Standards Officer

Mr Andrew Thomson, Solicitor representing Caledonian Heritable Limited, The Holly Tree

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 four occasional licences on 26 April – 9 May 2021, 10 – 23 May 2021, 24 May – 6 June 2021 and 7 – 20 Jun 2021, subject to the conditions set out in Appendix A (page 196) of the Licensing Standards Officer's Report.

Moved by Councillor Kenneth Earle. Seconded by Councillor George Matchett QPM.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board granted the applications for four occasional licences on 26 April – 9 May 2021, 10 – 23 May 2021, 24 May – 6 June 2021 and 7 – 20 Jun 2021, subject to the conditions set out in Appendix A (page 196) of the Licensing Standards Officer's Report, namely:

1. Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the Holly Tree Inn;
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. Only alcohol sold by the Hollytree Inn will be permitted by the licence holder to be consumed in the outdoor area;
6. 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;
7. No entertainment, live or recorded music or performances will be permitted in any outdoor area; and
8. Whilst under any level of Scottish COVID 19 restrictions, 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.

Action

Clerk to the Board

The Chair returned to Item 5(iii) on the Agenda. As there remained no-one in attendance from Braehead Golf Club, the Chair agreed to proceed with the item in their absence.

5 (iii) Hearing to Consider application for Variation (Non Minor) at Braehead Golf Club, Alloa, FK10 2NT

Premises: Braehead Golf Club, Alloa, FK10 2NT
Applicant: Braehead Golf Club, Alloa, FK10 2NT

Attending

Mr Paul Fair, Licensing Standards Officer

The Board heard representation from the Licensing Standards Officer, Mr Fair. There were no objections/representations received from Police Scotland.

Motion 1

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor) subject to the conditions set out **in bold** in Appendix A (pages 63 and 64) of the Licensing Standards Officer's report.

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

Motion 2

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor) subject to the conditions set out **in their entirety** in Appendix A (pages 63 and 64) of the Licensing Standards Officer's report.

Moved by Councillor Mike Watson. Seconded by Councillor Martha Benny.

Voting

For Motion 1 3 votes
 For Motion 2 2 votes

Motion 1 was carried by 3 votes to 2.

Decision

On a division of 3 votes to 2, having considered all of the information presented to it and having had opportunity for questions, the Board granted the application for Variation (Non Minor) subject to the conditions set out **in bold** in Appendix A (pages 63 and 64) of the Licensing Standards Officer's report, namely:

Premises with Outdoor Drinking Areas

- **Consumption of alcohol in the outdoor drinking areas is not permitted after 10.00pm.**
- **No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking areas.**
- **Customers using the outdoor drinking areas 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.**
- **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.**
- **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 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 Office Bearers, committee and members and for 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, car park 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.**

- **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 on the licensed premises can be consumed in the outdoor areas.**

Action

Clerk to the Board

Ends: 11:32 hrs



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD SUB
COMMITTEE held via MS TEAMS, on THURSDAY 13 MAY 2021 2021 at 11.00 AM.**

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Les Sharp
Councillor Helen Lewis

IN ATTENDANCE

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

1.0 APOLOGIES

None.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

- (i) **Applications for Occasional Licences:**
15 – 28 May 2021, 29 May – 11 June 2021 and 12 – 25 June 2021

Applicant: Bramley Eccles,
Premises: Royal Arms, 2 High Street, Tillicoultry, FK13 6AE
Event: Provision of Outdoor Drinking Area

Attending

Paul Fair, Licensing Standards Officer
Bramley Eccles, Royal Arms (Applicant)

Police Scotland had no objections and did not attend.

The Board heard representation from the Applicant and the Licensing Standards Officer and had the opportunity to put questions to them.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Sub Committee of the Board grants the applications for three occasional licences on 15 – 28 May 2021, 29 May – 11 June 2021 and 12 – 25 June 2021, subject to the conditions set out in Appendix A of the Licensing Standards Officer's Report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Helen Lewis.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Sub Committee of the Board granted the applications for three occasional licences on 15 – 28 May 2021, 29 May – 11 June 2021 and 12 – 25 June 2021, subject to the conditions set out in Appendix A of the Licensing Standards Officer's Report, namely

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. 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 Covid Secure guidance for the hospitality sector, including any amendments to that guidance which occurs in the duration of the licence.

Action

Clerk to the Board

**THIS PAPER RELATES TO
ITEM 4 (i)
ON THE AGENDA**

CLACKMANNANSHIRE LICENSING BOARD

MEETING 25 May 2021 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Personal Licence(s) Grant

No.	Applicant	Date Received	Comments
1.	Leanne McCulloch	15 March 2021	Personal Licence granted under delegated powers
2.	Samantha Whyte	25 March 2021	Personal Licence granted under delegated powers

**THIS PAPER RELATES TO
ITEM 4 (ii)
ON THE AGENDA**

CLACKMANNANSHIRE LICENSING BOARD

MEETING 25 May 2021 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Personal Licence(s) Renewals with Refresher Training

No.	Applicant	Date Received	Comments
1.	Zoe Bradie	27 April 2021	Personal Licence granted under delegated powers

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

CLACKMANNANSHIRE LICENSING BOARD

MEETING 25 May 2021 at 09:30

Via MS Teams

Licensing (Scotland) Act 2005

Occasional Licence Applications

Premises	Applicant	Date of Events	Comments
Braehead Golf Club Alloa FK10 2NT	Braehead Golf Club Alloa FK10 2NT	29 May 2021	Application & LSO Report, (copies attached) Police Scotland response no objection received 25 March 2021
No 5 Inn Brook Street Alva FK12 5JL	David White No 5 Inn Brook Street Alva FK12 5JL	07 – 20 June 2021 21 June – 04 July 2021 05 – 18 July 2021	Applications, layout plan & LSO Report, (copies attached) Police Scotland responses no objections 14 May 2021

PS 25/3/21

BRAEHEAD GOLF CLUB

DATE OF EVENT	29 MAY 2021
LICENCE NO	21/00084/OCC-12
TO POLICE & WEB	24 March 2021

APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
 Kilncraigs
 Greenside Street
 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 :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
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, licence number, Issuing Licensing Board (if applicable)	Braehead Golf Club Alloa Road By Cambus Alloa FK10 2NT
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
Joyce Milne CC783	

2. PERSONAL DETAILS	
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state) Mrs	
FORENAMES	Jean
SURNAME	Reid
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.	Club Manager
DATE OF BIRTH	
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	
Post Town	Postcode
TELEPHONE NUMBERS	
DAYTIME EVENING MOBILE	
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail) enquiries@braeheadgolfclub.co.uk	

3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises. Alcohol to be served on entire course. The club is owned by Braehead Golf Club, but the public do have access.		
Full Postal Address of Premises which this Application Refers to Alloa Road By Cambus Alloa FK10 2NT		
IMPORTANT From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL .		
Please confirm the following :	1 The premises have a current PEL or	/ No
	2 Date Temporary PEL was been applied for -	N/A

6. CHILDREN (see note 2)**This section must be completed where alcohol is for sale for consumption on the premises**Are children or young persons permitted entry? **/NO** (if answered yes the remainder of this section must be completed) **Please see below**

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?

/NO

Ages of Children of Young Persons Permitted Entry

Times at which Children or Young Persons Permitted Entry

See Comments Below

See Comment Below

Parts of Premises to which Children or Young Persons Permitted Entry

Children will not be allowed entry. This competition is for over 18 only. But Braehead golf course has a number of public entry accesses where children could enter, so this would be impossible to control, although all necessary measures will be taken by all participants to ensure that the sale of alcohol will not be sold to anyone not booked into the competition and who are under the age of 18 .

7. Signature and declaration by applicant (see note 3)**DECLARATION****IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

(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

Jean P Reid

DATE

24/03/2021

*** 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

Description of Activities to be Carried on in the Premises (**see note and answer fully**)

The event is an Open Competition all members and guest must book into this event prior to the day. We would like to serve alcohol from a golf buggy that will drive around the entire course, we would also like to set up a fixed bar round about the 9th tee.

Approximately How many persons will attend event ?

80 Approx

Will SIA Licensed Stewards to be provided ?

/ NO

Is food to be provided at the Event - If yes please provide details

The option to purchase food from our caterer will be provided on the day.

4. DURATION OF LICENCE

Start Time and Date

9.00AM 29/05/2021

End Time and Date

6.00PM 29/05/2021

**5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/*
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES /NO***

**PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD
ON/OFF THE PREMISES-* delete as appropriate**

Times for sale of alcohol for consumption
On premises

9.00AM 29/05/2021

Times for sale of alcohol for consumption
Off premises

6.00PM 29/05/2021

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

7.45am (approx.) first tee off time for the open. Service of food thought out the day starting with breakfast rolls and continuing into early evening until approx. 6.30pm.



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/EV**

Your Ref: **2021 OL**

Date: **26 April 2021**

Subject: **Licensing (Scotland) Act, 2005, Section 57 (3)
Occasional Licence Applications - Outdoor Event
Applicant- Braehead Golf Club, Alloa.
Full Course Licensing for Open Competition**

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 an occasional licence lasting for 1 day, and seeks 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 application seeks to licence the playing area of the entire course on 29 May 2021 between 0900hrs and 1800hrs
3. The specifics of the applications, relating to the event, children's access and activities are contained within the application form.
4. Part of the purpose of the application is to remove the entire playing area of Braehead Golf Course from the area controlled by the Clackmannanshire Council public drinking byelaws. I understand however that no golfer has ever been prosecuted for consuming alcohol on the course and it may be that there is a legal debate as to whether or not golfers on the course are in a "Public Place", as defined in the byelaws. However if the area becomes "Licensed Premises" there is no doubt that the exemption applies. As well as providing a service to golfers the applicant is seeking to guarantee legal protection for the golfers participating the open on that date.

5. As can be seen in the application the intention is to serve alcohol both from a mobile service touring the entire course and from a static bar around the midway point.
6. The nature of golf means it is unlikely that any player would be able to access excess quantities of alcohol from the bar services offered in the course of a round.
7. In discussions with the applicant they have acknowledged the need to protect children from harm, and the competition is closed to persons under the age of 18.
8. The club have an adequate age verification policy in place and both staff and committee members/Officer bearers have had some recent refresher guidance delivered to clarify their obligations in relation to this matter, and the other licensing objectives.
9. Other than the 09:00 commencement of licensing hours, which sits outside the general terms of the Clackmannanshire Council Statement of Licensing Policy (See page 14 of the Policy Document- section reproduced at Appendix B) I have no concerns about this application.
10. The Licensing Board Statement of Licensing Policy does set out a presumption against a commencement hour prior to 11am, and it is for them to determine whether or not this application meets the criteria for events that could be permitted an earlier commencement hour.
11. This event combines all the risks associated with a mobile bar, relatively unsupervised customers and a vast licensed outdoor area, albeit for a relatively short period. In the event that the licence is granted the Board may determine that the risks can be mitigated by the application of Local Licensing Conditions.
12. Appendix A contains a list of suggested conditions that the Licensing Board may wish to utilise and if they consider that 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 All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in non glass and unbreakable drinking vessels.
- 2 No glass containers will be used for any purpose at either the mobile or static bar.
- 3 All sales and delivery of alcohol will be made by staff trained to the minimum standard described in the Licensing (Training of Staff)(Scotland) Regulations 2007.
- 4 The Licence holder must ensure that all staff carry with them at all times during the event their training records relating to condition No 3.
- 5 A copy of the occasional licence will be displayed at any static bar and carried on any vehicle used as a mobile bar.
- 6 A copy of the conditions of the licence will be clearly displayed at the point where players enter the course, at each static bar and on each vehicle used as a mobile bar.
- 7 The licence holder must prepare a management plan detailing the manner in which alcohol sales will be managed at the event. This plan should be prepared to the satisfaction of the Licensing Standards Officer (LSO), and the content of this plan should also include contact details of the Licence holder, Personal Licence holder responsible for authorising sales of alcohol, and the names of all staff authorised to make sales.
- 8 Any management plan required by Condition No 7 above should be submitted to the LSO for scrutiny at least 72 hours prior to the event.
- 9 All staff used for the sale and service of alcohol at the event should be briefed in relation to the conditions of the licence and the content of the management plan, and be required to sign a statement of understanding contained within the plan. This should be countersigned by a representative of the licence holder
- 10 The Licence holder must ensure that the signed copy of the management plan (referred to in Condition No 9) is available for inspection by a constable of Police Scotland or by the LSO for Clackmannanshire at all times during the event, and is thereafter retained and available for inspection at Braehead Golf Club for a period of at least 6 months.

Appendix B

Commencement Hour

In applications for premises licences, variations and extensions of hours where the proposed operating plan indicates that it is intended to sell alcohol on the premises (on sale hours) the Board considers that the commencement of licensed hours should generally be no earlier than 11 a.m. However, the Board also recognises that earlier opening may be appropriate for certain types of premises or for certain events such as:

- to meet the requirements of certain customer groups;
- to recognise the importance of tourism in certain locations within Clackmannanshire and
- the need to meet the reasonable demands of tourists;
- to allow for the televising of certain international sporting events on licensed premises;
- to allow the sale of alcohol at sporting clubs prior to or during sporting competitions;
- to facilitate the sale of alcohol at special events in cinemas and other places of public entertainment.

The Board has reached the view that it will not generally be appropriate to grant an application seeking a commencement hour of earlier than 11am having regard to the protection and improvement of public health objective, subject to the considerations set out above.

The Board has a presumption against granting any applications that solely seeks an additional period of drinking with no indication of an entertainment purpose.



APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
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 :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
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, licence number, Issuing Licensing Board (if applicable)	NOS INN CC152 BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC158
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
ALISON LILY ALLAN WHITE CC158	

2. PERSONAL DETAILS			
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)			
FORENAMES	DAVID HAMILTON		
SURNAME	WHITE		
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.			
DATE OF BIRTH	Day	Month	Year
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post Town			Postcode
TELEPHONE NUMBERS			
DAYTIME			
EVENING			
MOBILE			
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			

3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises. WITHIN PRIVATE CAR PARK AT THE NOS INN BROOK STREET ALVA .		
Full Postal Address of Premises which this Application Refers to BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL		
IMPORTANT From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL .		
Please confirm the following :	1 The premises have a current PEL	Yes No
	or 2 Date Temporary PEL was been applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully)

OUTSIDE DRINKING AREA TO FRONT OF BUILDING
(PRIVATE CARPARK)

SALE OF ALCHOL AND FOOD

CHILDREN AND YOUNG PERSONS WILL BE PRESENT

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ?

YES / **NO**

Is food to be provided at the Event - If yes please provide details

YES
FULL DINING MENU WILL BE AVAILABLE

4. DURATION OF LICENCE

Start Time and Date	End Time and Date
11 AM	10 PM
Mon 7 th June 2021	SUNDAY 20 th JUNE 2021

5. 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 REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate

Times for sale of alcohol for consumption On premises	Times for sale of alcohol for consumption Off premises
11 AM - 10pm	11am - 10pm

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? **YES/NO** (if answered yes the remainder of this section must be completed)

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?	YES/NO
Ages of Children of Young Persons Permitted Entry Any AGE	Times at which Children or Young Persons Permitted Entry 11 AM - 8 PM.

Parts of Premises to which Children or Young Persons Permitted Entry

ALL AREAS
EXCEPT WHERE ALCOHOL IS BEING SERVED -
(IE BAR SERVE AREA)

7. Signature and declaration by applicant (see note 3)

DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(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		DATE	19 MARCH 2021.
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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

(1)



APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
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 :- (please tick one only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
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, licence number, Issuing Licensing Board (if applicable)	NOS INN CC152 BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC158
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
ALISON LILY ALLAN WHITE CC158	

2. PERSONAL DETAILS	
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)	
FORENAMES	DAVID HAMILTON
SURNAME	WHITE
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.	
DATE OF BIRTH	
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
Post Town	Postcode
TELEPHONE NUMBERS	
DAYTIME	
EVENING	
MOBILE	
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	

3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises.		
WITHIN PRIVATE CAR PARK AT THE NOS INN BROOK STREET ALVA		
Full Postal Address of Premises which this Application Refers to		
BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL		
IMPORTANT		
From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL .		
Please confirm the following :	1 The premises have a current PEL	Yes No
	or 2 Date Temporary PEL was been applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully)

OUTSIDE DRINKING AREA TO FRONT OF BUILDING
(PRIVATE CARPARK)

SALE OF ALCOHOL AND FOOD

CHILDREN AND YOUNG PERSONS WILL BE PRESENT

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ? YES (NO)

Is food to be provided at the Event - If yes please provide details

YES
FULL DINING MENU WILL BE AVAILABLE

4. DURATION OF LICENCE

Start Time and Date	End Time and Date
11 AM	10 PM
Mon 21 st June 2021	SUNDAY 4 th July 2021

5. 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 REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate

Times for sale of alcohol for consumption On premises	Times for sale of alcohol for consumption Off premises
11 AM - 10pm	11am - 10pm

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? **YES/NO** (if answered yes the remainder of this section must be completed)

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?	YES/NO
Ages of Children of Young Persons Permitted Entry Any AGE	Times at which Children or Young Persons Permitted Entry 11 AM - 8 PM.

Parts of Premises to which Children or Young Persons Permitted Entry

ALL AREAS
EXCEPT WHERE ALCOHOL IS BEING SERVED.
(IE BAR SERVE AREA)

7. Signature and declaration by applicant (see note 3)

DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(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		DATE	19 MARCH 2022
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APPLICATION FOR OCCASIONAL LICENCE

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Clerk to the Licensing Board
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Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	NOS 1NW CC152 BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC158
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
ALISON LILY ALLAN WHITE CC158	

2. PERSONAL DETAILS			
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)			
FORENAMES	DAVID HAMILTON		
SURNAME	WHITE		
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.			
DATE OF BIRTH	Day	Month	Year
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post Town		Postcode	
TELEPHONE NUMBERS			
DAYTIME			
EVENING			
MOBILE			
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			

3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises. WITHIN PRIVATE CAR PARK AT THE NOS INN BROOK STREET ALVA		
Full Postal Address of Premises which this Application Refers to BROOK STREET ALVA CHALMERSHAMSHIRE FK12 5JL		
IMPORTANT From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL .		
Please confirm the following :	1 The premises have a current PEL	Yes No
	or 2 Date Temporary PEL was been applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully)

OUTSIDE DRINKING AREA TO FRONT OF BUILDING
(PRIVATE CARPARK)

SALE OF ALCOHOL AND FOOD

CHILDREN AND YOUNG PERSONS WILL BE PRESENT

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ?

YES (NO)

Is food to be provided at the Event - If yes please provide details

YES
FULL DINING MENU WILL BE AVAILABLE

4. DURATION OF LICENCE

Start Time and Date	End Time and Date
11 AM	10 PM
Mon 5 th July 2021	SUNDAY 18 th July 2021

5. 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 REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES.* delete as appropriate

Times for sale of alcohol for consumption On premises	Times for sale of alcohol for consumption Off premises
11 AM - 10pm	11am - 10pm.

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
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?	YES/NO
Ages of Children of Young Persons Permitted Entry Any AGE	Times at which Children or Young Persons Permitted Entry 11 AM - 8 PM.
Parts of Premises to which Children or Young Persons Permitted Entry ALL AREAS EXCEPT WHERE ALCOHOL IS BEING SERVED. (IE BAR SERVE AREA)	

7. Signature and declaration by applicant (see note 3)			
DECLARATION			
IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION			
(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		DATE	19 MARCH 2021.

* 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



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: 2021-OL (set1-2021-3 apps)

Date: 14 May 2021

**Subject: Licensing (Scotland) Act, 2005, Section 57 (3)
3 x Occasional Licence Applications - Outdoor Area
Applicant- No 5 Inn, Alva, CC152
Car Park area adjacent, and to the front of The No 5 Inn, Brook Street, Alva.**

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 7 June 2021 for a continuous period of 6 weeks until 18 July 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. The applicant has now indicated that he will lodge a permanent variation to licence the outdoor area in the near future.
5. The area has been previously licensed and the applicant is aware of and has previously accepted the conditions listed in appendix A.
6. The land in this case is an area used for car parking adjacent to and to the side/front of the premises and is owned by the premises.

7. In the previous licensed periods area during 2020 and 2021, the use of the area has attracted no adverse comments or complaints, despite being fairly close to a residential area.
8. The applicant has been advised that he 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.
9. 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.
10. 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 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.