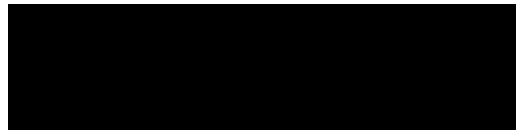




NOTICE OF MEETING

5 July 2021

**A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held
Via MS Teams, on TUESDAY 13 JULY 2021 at 10:00 am.**



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

	Page No
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 13/05/21 (Carried forward from Licensing Board 25/05/21)	05
b. Clackmannanshire Licensing Board 25/05/21	07
c. Clackmannanshire Licensing Board 10/06/21	12
4. Licensing (Scotland) Act 2005 – Variation of Licence (Non Minor)	16
(i) Application for Variation of Licence (Non Minor) and Layout Plan, Licensing Standards Report , Letter of Objection from Ralph Joss, Letter of Objection from Bridging Loans Ltd, and Representation from Maggie McWhinnie , Environmental Officer, Clackmannanshire Council, (copies attached)	17

No objections/representations received from Police Scotland

Premises: Coalsnaughton Burns Club, 2 Main Street,
Coalsnaughton, FK13 6JP

Applicant: Coalsnaughton Burns Club, 2 Main Street,
Coalsnaughton, FK13 6JP

5. Licensing (Scotland) Act 2005 – Application for Extended Hours 43

- (i) Application for Extended Hours and Licensing Standards Officer Report (Copies herewith) 44

No objections/representations received from Police Scotland

Premises: Volunteer Arms, 132 High Street, Tillicoultry,
FK13 6DU

Applicant: John Ford Black, 132 High Street, Tillicoultry,
FK13 6DU

6. Licensing (Scotland) Act 2005 – Occasional Licence 49

- (i) Application for Occasional Licence and Licensing Standards Officer Report (Copies Herewith) 50

No objections/representations received from Police Scotland

Premises: Braehead Golf Club, Alloa, FK10 2NT

Applicant: Braehead Golf Club, Alloa, FK10 2NT

Date: 17 July 2021

Event: Open Competition

- (ii) Application for Occasional Licence and Licensing Standards Officer Report (Copies Herewith) 59

No objections/representations received from Police Scotland

Premises: Braehead Golf Club, Alloa, FK10 2NT

Applicant: Braehead Golf Club, Alloa, FK10 2NT

Date: 22 August 2021

Event: Open Competition

7. 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, QPM	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 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



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via Video Conference (MS Teams), on TUESDAY 25 MAY 2021 at 9.30 am.

PRESENT

Councillor Kenneth Earle (Chair)
Councillor Martha Benny
Councillor Dave Clark
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, Councillor Helen Lewis and Councillor Les Sharp.

2.0 DECLARATIONS OF INTEREST

None.

3.0 MINUTES OF MEETINGS:

**3.1 CLACKMANNANSHIRE LICENSING BOARD SUB COMMITTEE HELD ON
23 APRIL 2021**

The minutes of the meeting of the Clackmannanshire Licensing Board Sub Committee held on Friday 23 April 2021 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board Sub Committee held on Friday 23 April 2021 were agreed as a correct record and signed by the Chair.

3.2 CLACKMANNANSHIRE LICENSING BOARD HELD ON 27 APRIL 2021

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 27 April 2021 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 27 April 2021 were agreed as a correct record and signed by the Chair.

3.3 CLACKMANNANSHIRE LICENSING BOARD SUB COMMITTEE HELD ON 13 MAY 2021

The minutes of the meeting of the Clackmannanshire Licensing Board Sub Committee held on Thursday 13 May 2021 were submitted for approval.

Decision

As Councillor Lewis was not in attendance to confirm the minute, this item of business was postponed until the next scheduled meeting of the Licensing Board.

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 OCCASIONAL LICENCE

- (i) **Premises:** Braehead Golf Club, Alloa, FK10 2NT
Applicant: Braehead Golf Club, Alloa, FK10 2NT
Date: 29 May 2021
Event: Open Competition

Attending

Mr Paul Fair, Licensing Standards Officer

Mr David Dick, Club Secretary, Braehead Golf Club (Representing the Applicant)

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

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

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for the occasional licence on 29 May 2021, subject to the conditions set out in Appendix A (page 30) and Appendix B (page 31) of the Licensing Standards Officer's Report and subject to an additional condition ensuring that alcohol

will only be sold to participants of the open competition. The wording of the additional condition is to be delegated to the Licensing Standards Officer.

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 the occasional licence on 29 May 2021, subject to the conditions set out in Appendix A (page 30) and Appendix B (page 31 of the Licensing Standards Officer's Report and subject to an additional condition ensuring that alcohol will only be sold to participants of the open competition., namely:

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.
11. Alcohol will only be sold to participants in the open golf competition .

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.

Action

Clerk to the Board

- (i) **Premises:** No 5 Inn, Brook Street, Alva, FK12 5JL
 Applicant: David White, No 5 Inn, Brook Street, Alva, FK12 5JL
 Dates: 07 – 20 June 2021
 21 June – 04 July 2021
 05 – 18 July 2021
 Event: Outdoor Drinking

Attending

Mr Paul Fair, Licensing Standards Officer

An application for three occasional licences which had no objections/representations received from Police Scotland was put before the Board for determination

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 Board grants the application for three occasional licences on 7 – 20 June; 21 June – 4 July; and 5 – 18 July 2021, subject to the conditions set out in Appendix A (page 46) of the Licensing Standards Officer's Report.

Moved by Councillor Dave Clark. 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 7 – 20 June; 21 June – 4 July; and 5 – 18 July 2021, subject to the conditions set out in Appendix A (page 46) 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

Ends: 09:52 hrs



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via Video Conference (MS Teams), on THURSDAY 10 JUNE 2021 at 9.30 am.

PRESENT

Councillor Kenneth Earle (Chair)
Councillor Martha Benny
Councillor Dave Clark
Councillor Helen Lewis
Councillor George Matchett, QPM
Councillor Les Sharp
Councillor Mike Watson

IN ATTENDANCE

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

1.0 APOLOGIES

Apologies were received from Councillor Tina Murphy.

2.0 DECLARATIONS OF INTEREST

None.

3.0 LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCE

As Mr Craig Stewart, representing the Royal Oak was not in attendance, the Chair advised that he would take the occasional licence applications for Tillicoultry Golf Club as the first item of business to give Mr Stewart the opportunity to join the meeting.

- (i) **Premises:** Tillicoultry Golf Club, Alva Road, Tillicoultry, FK13 6BL
Applicant: Tillicoultry Golf Club, Alva Road, Tillicoultry, FK13 6BL
Dates: 05 – 18 June 2021, 19 June – 02 July 2021 and 03 – 16 July 2021
Event: Outdoor Drinking

Attending

Mr Paul Fair, Licensing Standards Officer
Ms Ann Douglas, Administrator, Tillicoultry Golf Club (Representing the Applicant)

Three applications for occasional licences which had no objections/representations received from Police Scotland were 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 the occasional licences on 05 – 18 June 2021, 19 June – 02 July 2021 and 03 – 16 July 2021, subject to the conditions set out in Appendix A (page 68) 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 the occasional licences on 05 – 18 June 2021, 19 June – 02 July 2021 and 03 – 16 July 2021, subject to the conditions set out in Appendix A (page 68) 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 or at Tillicoultry Golf Club.
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. Only alcohol sold by or on behalf of the licence holder can be consumed in the licenced area.
8. 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

As Mr Stewart was still unable to attend the meeting, the Chair adjourned the meeting at 09:47 hrs and instructed the Licensing Administrator to contact Mr Stewart to ascertain whether he would be attending the meeting. The meeting re-convened at 09:53 hrs with seven members in attendance.

As Mr Stewart had been unable to join the meeting, the Board agreed that the applications could be considered in Mr Stewart's absence. However, Mr Stewart subsequently joined the meeting via telephone with the Clerk.

- (i) **Premises:** The Royal Oak, 7 Bedford Place, Alloa, FK10 1LJ
 Applicant: Craig Stewart, The Royal Oak, 7 Bedford Place, Alloa, FK10 1LJ
 Dates: 07- 20 June 2021, 21 June – 04 July 2021, 05 – 18 July 2021,
 19 July – 01 August 2021, 02 – 15 August 2021, 16 – 29 August 2021,
 30 August – 12 September 2021, and 13- 26 September 2021
 Event: Outdoor Drinking with occasional entertainment in the outdoor area

Attending

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

Eight applications for occasional licences which had no objections/representations received from Police Scotland were put before the Board for determination

The Board heard representation from the Licensing Standards Officer and from the applicant and 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 eight occasional licences on 07- 20 June 2021, 21 June – 04 July 2021, 05 – 18 July 2021, 19 July – 01 August 2021, 02 – 15 August 2021, 16 – 29 August 2021, 30 August – 12 September 2021, and 13- 26 September 2021, subject to the conditions set out in Appendix B (pages 50 and 51) of the Licensing Standards Officer's Report, subject to the addition of two further conditions:

15. The applicant will employ a suitable number of SIA Licensed stewards (minimum of two), who would be properly briefed to assist in managing the event.
16. That in the event that the Scotland Football Team qualify for the knock out stages of the 2021 Euro Championship, the terminal hour is extended until the final whistle of the game.

Moved by Councillor George Matchett QPM. Seconded by Councillor Dave Clark.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board granted the applications for eight occasional licences on 07- 20 June 2021, 21 June – 04 July 2021, 05 – 18 July 2021, 19 July – 01 August 2021, 02 – 15 August 2021, 16 – 29 August 2021, 30 August – 12 September 2021, and 13- 26 September 2021, subject to the conditions set out in Appendix B (pages 50 and 51) of the Licensing Standards Officer's Report, and subject to the addition of two further conditions. The list of conditions are as set out below:

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. 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.
7. The Licence holder will ensure that no more than 50 patrons occupy the licensed area at any time except during approved televised football matches when that limit increases to 60 patrons.
8. No entertainment, live or recorded music or performances will be permitted in any outdoor area, except that the licence holder will be permitted to televise in that area any football match involving the Scottish National Team, to be played during the 2021 Euro Championship. For the benefit of the doubt this specifically means the football match scheduled to take place between The Czech republic and Scotland on 14th June, 2021, the match between Scotland and England on 18th June 2021 And the match between Croatia and Scotland on 22nd June 2021. AND NO OTHER MATCHES including any highlights or previews.

9. The Licence holder will prepare an event and alcohol management plan (“the Plan”) which must be made available for scrutiny by Police Scotland or the Licensing Standards Officer at least 7 days prior to the first match. This plan will detail matters concerning the sale of alcohol, event safety and security procedures and arrangements, dispersal plans and essential contact details of “responsible persons”.
10. “The plan” may be amended between matches to reflect changing requirements, however any amendments to the initial plan must be notified to the Licensing Standards Officer in writing at least 72 hours before the scheduled kick off of any match to be televised.
11. The licence holder will make any reasonable adjustments to the “the Plan” as requested by Police Scotland or the LSO.
12. The licence holder will comply with the detail of “the plan” at all times during the event.
13. In addition to the matches detailed in Condition No 9 the Licence holder will be permitted to televise any later stage match forming part of the Euro 2021 championship that involves the Scottish national football team.
14. The Licence holder must notify Police Scotland and the LSO of the intention to televise such matches at least 72 hours in advance.
15. The applicant will employ a suitable number of SIA Licensed stewards (minimum of two), who would be properly briefed to assist in managing the event.
16. That in the event that the Scotland Football Team qualify for the knock out stages of the 2021 Euro Championship, the terminal hour is extended until the final whistle of the game.

Action

Clerk to the Board

Ends: 10:50 hrs

**THIS PAPER RELATES TO
ITEM 4
ON THE AGENDA**

CLACKMANNANSHIRE LICENSING BOARD

MEETING 13 July 2021 at 10:00am

Via MS Teams

Licensing (Scotland) Act 2005

Variation(s) (Non Minor)

Premises	Applicant	Date Received	Comments
<p>Coalsnaughton Burns Club 2 Main Street Coalsnaughton FK13 6JP</p>	<p>Coalsnaughton Burns Club 2 Main Street Coalsnaughton FK13 6JP</p>	<p>05 May 2021</p>	<p>Variation to Operating Plan to include:-</p> <p>Outdoor drinking area to the east of the premises</p> <p>Application and Layout Plan (copies attached)</p> <p>Licensing Standards Report (copy attached)</p> <p>Letter of Objection from Ralph Joss, (copy attached)</p> <p>Letter of Objection from Bridging Loans Ltd, (copy attached)</p> <p>Representation from Maggie McWhinnie , Environmental Officer, Clackmannanshire Council, (copy attached)</p> <p>No objections received Police Scotland 19 May 2021</p>



APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, Section 29

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB

If you are Completing this Form by Hand, Please Write Legibly in Block Capitals using **BLACK INK**. Please Ensure the Completed Application is Signed by the Applicant, Dated and Returned to the Above Address along with the Fee and the Original Licence or a Statement of Reasons as to why the Original Licence Cannot be Produced.

APPLICANT INFORMATION

Question 1

Name, Address, Postcode and Licence Number of Premises.

COALSNAUGHTON BURNS CLUB
2 MAIN STREET
COALSNAUGHTON
FK13 6JP
CC135

Question 2

Full Name, Address, Postcode, Telephone Number and Email Address of the Current Licensee or the Applicant if Different.

COALSNAUGHTON BURNS CLUB
2 MAIN STREET
COALSNAUGHTON
FK13 6JP

DETAILS OF VARIATION

Question 3

Brief Details of Variation (Continue on Separate Sheet if Necessary)

We would like to extend our licenced area to incorporate the fenced garden to the east of the premises.

OPERATING PLAN

Question 4

Do you Propose to Vary any of the Information Within the Operating Plan Contained in the Licence?

YES

If Yes Please Complete and submit New Operating Plan to include the Proposed Variations.

LAYOUT PLAN

Question 5

Do you Propose a Variation to the Layout Plan Contained in the Licence?

YES

If Yes Please Supply **6 Copies** of the New Layout Plan Conforming to Paragraph 5 of The Premises Licence (Scotland) Regulations 2007.

CONDITIONS

Question 6

Do you propose a variation to any of the conditions to which the licence is subject?

NO

If Yes please give details of the proposed variation below

Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions).

PREMISES MANAGER

Question 7

If you Propose to Vary the Information Contained in the Licence Relating to the Premises Manager . Please Provide the following information.

Name, Address and Personal Licence Details (Number and Issuing Board) of the Existing Premises Manager

If only the existing Premises Manager's Personal Details have Changed Please Provide details

If there is a Change of Premises Manager Please Provide the following:-.

Name and Address of the Proposed Premises Manager

--

Date and Place of Birth of the Proposed Premises Manager

--

Email Address and Telephone Number of the Proposed Premises Manager

--

Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence

Is the Variation Relating to the change of Premises Manager to Take Effect During the Application Period

YES/NO

If the Answer to the Above Question is NO Please Provide Below the Date the Variation is to Take Effect.

--

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 Application Are True to the Best of my Knowledge and Belief.

Signature: Scott James Doyle

Date: 31/03/2021

Capacity: Club Secretary APPLICANT

Telephone Number and Email Address of Signatory

[Empty box for Telephone Number and Email Address of Signatory]

*** 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

Clackmannanshire Licensing Board has a duty to protect public funds that it administers and may use this information for the prevention and detection of fraud. For more details, please contact The Councils, Senior Auditor, on telephone number 01259 452047

Checklist	
Fee enclosed	
Application signed/dated	
Original Licence enclosed or a Statement of reasons for failing to produce the Licence	
New Operating Plan Enclosed	
New Layout Plan Enclosed	



OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the Premises?	YES
1(b) Will alcohol be sold for consumption solely OFF the Premises?	NO
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	NO
*Delete as appropriate	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

DAY	ON CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY	1100 HRS	MIDNIGHT
TUESDAY	1100 HRS	MIDNIGHT
WEDNESDAY	1100 HRS	MIDNIGHT
THURSDAY	1100 HRS	MIDNIGHT
FRIDAY	1100 HRS	0100 HRS
SATURDAY	1100 HRS	0100 HRS
SUNDAY	1230 HRS	MIDNIGHT

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

DAY	OFF CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY	N/A	N/A
TUESDAY	N/A	N/A
WEDNESDAY	N/A	N/A
THURSDAY	N/A	N/A
FRIDAY	N/A	N/A
SATURDAY	N/A	N/A
SUNDAY	N/A	N/A

Question 4

SEASONAL VARIATIONS

Does the Applicant intend to operate according to Seasonal Demand	NO
---	----

*If YES – provide details

Question 5

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

COL. 1 5(a) Activity	COL. 2 Please Confirm YES/NO	COL. 3 To Be Provided During Core Licensed Hours Please Confirm YES/NO	COL. 4 Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Accommodation	NO	N/A	N/A
Conference Facilities	NO	N/A	N/A
Restaurant Facilities	NO	N/A	N/A
Bar Meals	NO	N/A	N/A
5(b) Activity Social Functions Including:	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Receptions Including Wedding, Funerals, Birthdays, Retirements Etc.	YES	YES	NO
Club of Other Group Meetings etc.	YES	YES	YES
5(b) Activity Entertainment Including:	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Recorded Music – see 5(g)	YES	YES	NO
Live Performance – See 5(g)	YES	YES	NO
Dance Facilities	NO	NO	NO
Theatre	NO	NO	NO

Films	NO	NO	NO
Gaming	YES	YES	NO
Indoor/Outdoor Sports	YES	YES	NO
Televised Sport	YES	YES	NO
5(d) Activity	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Outdoor Drinking Facilities	YES	YES	NO
5(e) Activity	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
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

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

--

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	NO
---	----

When Fully Occupied Are There Likely To Be More Customers Standing Than Seated	NO
*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	NO

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

--

6(c) Provide Statement Regarding the **AGES** of children or Young Persons

to be Allowed Entry

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

6(e) Provide Statement Regarding the **PARTS** of the Premises to Which Children and Young Persons Will Be Allowed Entry

Question 7

CAPACITY OF PREMISES

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

85 people inside club bar and lounge
18 seated spaces outdoor

Question 8

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

Personal Details

8(a) Name

8(b) Date of Birth

8(c) Contact Address

8(d) Email Address

8(e) Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence

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 Knowledge and Belief.

Signature: Scott James Doyle.* (See Note Below)

Date: 31/03/2021

Capacity: Club Secretary APPLICANT

Telephone Number and Email Address of Signatory

[Empty box for telephone number and email address]

*** 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



Partnership and Performance

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

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/NMV/REP/CC135**

Your Ref:

Date: **10 June, 2021**

Subject: **Licensing (Scotland) Act, 2005. Section 29
Application for a Non Minor Variation
The Coalsnaughton Burns Club, 2 Main Street, Coalsnaughton FK13**

1. Having considered the content of the application I have the following comments to make, these comments should be treated as a representation in the terms of section 22 of the Licensing (Scotland) Act, 2005.
2. The application to be determined seeks to vary the premises licence No CC0135 in the following ways:
 - a) Approval to extend the existing licensed area, to incorporate a fenced garden to the east of the premises to create a outdoor drinking area within that garden.
3. This area is in quite close proximity to nearby residential property and is affected by a number of overlooking windows in habitable rooms of homes.
4. The proposed outdoor area may contribute to a conflict with the licensing objectives without close supervision and additional local conditions.
5. The area has never been previously licensed.
6. The applicant is aware that the current Clackmannanshire Licensing Board Statement of Licensing Policy, includes a number of optional local licensing conditions that effect outdoor drinking areas. I have had the opportunity to discuss the possibility of these conditions being applied to the licence with the applicant's. I am sure having had the

opportunity to read this report that they will make comment if any of the proposed conditions would cause an operating difficulty.

7. Having considered the layout plan, and likely levels of use of this particular outdoor area I would suggest that the conditions marked in bold and with an asterisk (*) in the list contained at appendix A to this report may be necessary and expedient for the purposes of securing compliance with the licensing objectives. However I have reproduced the full list of pool conditions from the 2018 Statement of Licensing Policy document and the Licensing Board may consider that additional conditions as are necessary.
8. I have taken the opportunity to adapt the terminology in some of the proposed conditions to meet the specific needs of a members clubs and this specific application.
9. The Board is asked to consider whether they need to specify the terms of any notices that may be required by the local conditions.
10. The board may also wish to consider whether conditions relating to maximum capacity and hours of use are appropriate.
11. The proposed condition relating to hours of use is in line with the current statement of licensing policy, however in light of the concerns raised in the objections lodged in relation to this variation; the board may wish to consider whether or not an earlier terminal hour for this area should be adopted.
12. In line with previous decisions, and the statement of Licensing Policy I have suggested the standard table service condition, the primary purpose of this conditions is to create regular supervision of the area by staff appointed to serve and sell alcohol, regular supervision of outdoor drinking areas that are no visible from the bar, is necessary to ensure compliance with the licensing objectives.
13. Although not specifically mentioned in the statement of licensing policy, restricting the use of outdoors area to seated patrons has proven in the previous year to be a useful restriction to secure compliance with the licensing objectives. I have suggested additional conditions of this nature in relation to this outdoor area.
14. I would further suggest that the local conditions relating to members clubs are retained on the licence.
15. I am aware of the representation made by Building Standards which suggests that a suitable emergency escape from the outdoor area is required before this area is suitable for use as a licensed area.
16. The assessment of the suitability of the escape route is a matter for Building Standards, and the lack of such a means escape may create a conflict with the protecting public

safety licensing objective, where those using the area for the consumption of alcohol, and/or those staff serving alcohol in the area are put at risk in the event of the requirement for an emergency evacuation.

17. Considering the content of paragraphs 14 and 15 above, It may be that rather than consider refusing the application, the Licensing Board would want to defer making a decision on the application until such an escape route was properly installed and approved.
18. I would expect that this matter could be addressed by the applicant in advance of the scheduled licensing Board hearing as I understand that the existing gate could be easily modified to meet the required standard.
19. The inclusion of escape routes on the Layout Plan is a matter of statutory requirement, and again a matter that could easily be addressed prior to the scheduled Licensing Board hearing.

Paul Fair

Licensing Standards Officer.

Appendix A – (Amended) Extract from 2018 Statement of Licensing Policy

(The terminology contained in some conditions have been amended to reflect the individual nature of this application as it pertains to a members club)

Premises with Outdoor Drinking Areas

The Board will require that in order to meet the licensing objectives under the Act that the applicant manages the outdoor drinking area in a responsible manner. Where the Board is minded to grant the application, some or all of the following conditions may apply to the licence:

- * Consumption of alcohol in the outdoor drinking is not permitted after 10.00pm and the area must be empty and cleared of patrons/drinks and drinkware by this time.**
 - * No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking area.**
 - * 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.**
- Customers consuming alcohol must not be permitted to not encroach on to the footpath or any adjoining public area outwith the boundaries of the licensed outdoor drinking 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.**
 - * The outdoor drinking facility must not be used for any purpose which is likely to cause annoyance to neighbours through smell, for example, the use of barbecues.**
 - * 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 in particular 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 (Club Committee) must prepare a document for the benefit of the club membership and staff authorised to make sales of and serve alcohol, 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 and members 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. The terms of the document must be complied with at all times.**

***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 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. (The existence fence must be maintained and retained at the premises)**

*** All alcohol to be consumed in the Outside 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 Outside Drinking Area.**

*** 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 by the premises can be consumed in the outdoor area.**

**** Additional Proposed conditions ****

The outside area can only be occupied by persons seated at a table.

The licence holder must ensure that alcohol is only consumed by persons seated at a table.



Licensing variation for Coalsnaughton Burns Club Ref: CC135

to: jandison@clacks.gov.uk

13/05/2021 11:27

History:

This message has been replied to and forwarded.

Dear June

I have been trying to log an objection to the variation of this clubs license however the page on the clacksweb site seems to continually error as I am unable to log an answer to the verification question.

I am adding details of my objection to my email and hope this is satisfactory.

Name and address of person objecting:

Ralph Joss

Name and address of premises:

Coalsnaughton Burns Club

2 Main Street

Coalsnaughton

FK13 6JP

Objection:

I object to the request to License an outdoor drinking area to this club. In the 12 years I have lived next door to this area it has always been used for outdoor drinking, presumably without a license. In addition to the regular noise, drunken swearing and shouting there is often rubbish thrown into my property. The fence between our properties has previously been broken by club patrons, the patrons entered my property and damaged my property. I also note there is a limit to the numbers of patrons to be outside at any given time I have no expectation this would be adhered to or ever checked or enforced by the licensing authority or any other party. I also object to the proposed hours 7 days per week until midnight or after is excessive particularly when the neighbouring properties are residential.

I hope this is ok but if not please let me know when the clacksweb page is working correctly.

Thank you.

Ralph Joss



**Fw: BRIDGING LOANS LTD / 2-4 MAINS STREET, COALSNAUGHTON
BURNS CLUB - Our Ref: 67568**

Licensing to: June Andison
Sent by: June Andison

26/05/2021 15:09

Licensing
Clackmannanshire Council
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Tel 01259 450000

----- Forwarded by June Andison/CLACKS on 26/05/2021 15:09 -----

From: "Dorothy Fleming" <_____
To: <licensing@clacks.gov.uk>
Cc: "DAVID" <_____
Date: 26/05/2021 14:37
Subject: BRIDGING LOANS LTD / 2-4 MAINS STREET, COALSNAUGHTON BURNS CLUB - Our Ref:
67568

Dear Clerk of the Licensing Board

LICENSING (SCOTLAND) ACT 2005

**NOTICE OF APPLICATION FOR NOTICE OF APPLICATION FOR NON MINOR VARIATION
AT COALSNAUGHTON BURNS CLUB, 2-4 MAIN STREET, COALSNAUGHTON FK13 6JP**

TO INCLUDE AN OUTDOOR DRINKING AREA AS PART OF THE LICENSED PREMISES

We, Bridging Loans Ltd are objecting to the outdoor drinking license on the basis of (a) the roof and gable ends of the building are in a dangerous condition and need urgent repairs to protect the customers and the public;

(b) the fire escape from the Burns Club, exiting at Ramsay Street has been boarded up and this is vital for the safety of the customers of the Burns Club and

(c) we have a legal charge over the first floor of the building and the Burns Club's handling of the aforementioned issues have a direct effect on the first floor property.

Please acknowledge receipt of our objection to the above.

Yours faithfully
For BRIDGING LOANS LTD

Dorothy Fleming
OFFICE MANAGER



Development and Environmental Services
Kilncraigs, Greenside Street, Alloa, FK10 1EB

MEMO

To:	The Clerk of the Licensing Board Kilncraigs Greenside Street Alloa FK10 1EB	From:	Maggie McWhinnie Senior Environmental Health Officer
		Direct Tel:	01259 450000
		Our Ref:	
		Your Ref:	
		Date:	28th May 2021

**Subject: Licensing (Scotland) Act 2005
Application for Variation of Premises Licence
Coalsnaughton Burns Club, 2 Main Street, Coalsnaughton**

Having considered the content of the application, I have the following comments to make; these comments should be treated as a representation in the terms of Section 22 of the Licensing (Scotland) Act 2005.

The application seeks to extend the licenced area of the property to incorporate the fenced garden to the east of the premises to accommodate tables and seating for up to 18 customers. The area proposed as the beer garden is directly overlooked by habitable rooms in close proximity to the outdoor drinking area.

With the concentration of 18 customers in this small area the likelihood of an increase in noise from raised voices, laughing, etc. is of concern due to the close proximity of residential properties. The noise will be more apparent to neighbours given the low level background noise in the surrounding area, which is of a semi-rural nature. The increased noise from patrons could have a direct affect on public health and public nuisance, particularly in the summer months when neighbouring properties are likely to have their windows open and be using the gardens for family recreation.

In order to limit the potential impact on the neighbouring residential properties, I would recommend that this application is not granted. Photographs showing the close proximity of residential properties to the proposed beer garden are attached to Annex 1.

If the application is granted I would recommend that the applicant provides details of the procedures which would be in place to mitigate potential issues of noise from patrons. This could be achieved by application of local conditions, in addition to Clackmannanshire Council's standard conditions for outdoor drinking areas. This could be in the form of:

- i. The applicant will supply to the Licensing Board a management plan relating to the use of the outdoor area. This plan will include details of the maximum capacity, hours of operation, staffing, service and supervision arrangements, and any other measures in place to mitigate any potential conflict with the licensing objectives.*

**MARGARET MCWHINNIE
SENIOR ENVIRONMENTAL HEALTH OFFICER**

Annex 1





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

CLACKMANNANSHIRE LICENSING BOARD

MEETING 13 July 2021 at 10:00

Via MS Teams

Licensing (Scotland) Act 2005

Extended Hours Application

Premises	Applicant	Date of Events	Comments
Volunteer Arms 132 High Street Tillicoultry FK13 6DU	John Ford Black 132 High Street Tillicoultry FK13 6DU	14 August 2021	Application and LSO Report (copies of attached) No Objection received from Police Scotland 10 June 2021



APPLICATION FOR EXTENDED HOURS
Licensing (Scotland) Act 2005, Section 68

To:

Clerk to the Licensing Board
Greenfield
Alloa
FK10 2AD

If you are Completing this Form by Hand, Please Write Legibly in Block Capitals using **BLACK INK**. Please Ensure the Completed Application is Signed by the Applicant, Dated and Returned to the Above Address along with the Fee.

APPLICANT INFORMATION

(An Application for Extended Hours can only be made by the Premises Licence Holder for a Special Event or Occasion to be Catered for on the Premises or for a Special Event of Local or National Significance)

Question 1

Name, Address, Postcode and Licence Number of **Premises**.

THE VOLUNTEER ARMS (TILLICOUNTRY) LIMITED 132 HIGH ST. TILLICOUNTRY FK13 6DU	
Premises Licence No.	CC 0051

Question 2

Full Name, Address, Postcode, Telephone Number and Email Address of the **Current Licensee**.

JOHN FORD BLACK VOLUNTEER ARMS 132 HIGH ST TILLICOUNTRY CLACKS FK13 6DU	
Personal Licence No. (if held)	CC 124

DETAILS OF SPECIAL EVENT OR OCCASION TO BE CATERED FOR ON THE PREMISES or OF SPECIAL EVENT OF LOCAL OR NATIONAL SIGNIFICANCE

Question 3

Brief Details of Special Event (Continue on Separate Sheet if Necessary)

I WOULD LIKE AN EXTENSION FROM 9am - 11am ON SATURDAY 14TH AUGUST 2021
THIS IS TO ACCOMMODATE A BUS LEAVING TO ATTEND A STAG PARTY AT PERTH RACES THAT DAY.
THIS EVENT WILL BE FOR MEMBERS OF THE STAG PARTY ONLY. BREAKFAST ROLLS WILL BE AVAILABLE AS WELL AS TEA, COFFEE ETC.
IF THE BOARD FIND IT APPROPRIATE I WILL MAKE IT A TICKETED EVENT.
THIS IS A STAG PARTY OF A REGULAR CUSTOMER AND A PERSONAL FRIEND.

Hours

Question 4

Please detail the current licensed hours of the premises.
(Detail hours for all days in which you are applying to extend)

Commencement Hour	Terminal Hour
11.00	01.00

Question 5

Please detail the proposed extended hours.

Commencement Hour	Terminal Hour
9.00	11.00

Question 6

Please detail the proposed period during which the extended hours will apply
(Period must not exceed one month)

First Day/Date	Last Day/Date (if different from first day)
SAT 14TH AUG 2021	

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 Application Are True to the Best of my Knowledge and Belief.

Signature * (See Note Below)

Date ~~1/1/21~~ 1/6/21

Capacity ~~Agent~~ Applicant/Agent

Telephone Number and Email Address of Signatory

.....
.....

*** 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

Clackmannanshire Licensing Board has a duty to protect public funds that it administers and may use this information for the prevention and detection of fraud. For more details, please contact The Councils, Senior Auditor, on telephone number 01259 452047

Checklist	
Fee enclosed	
Application signed/dated	

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



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

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/EHCC051

Your Ref: 18\00231\EXTHRS

Date: 18 June, 2021

**Subject: Licensing (Scotland) Act, 2005, Section 68
Licensing Standards Officer - Report on Application for Extended Hours
Pre Stag Trip Breakfast - The Volunteer Arms: Saturday 14 August, 2021**

1. Section 69(1)(b) of The Licensing (Scotland) Act, 2005 requires that the Licensing Standards Officer for the area be notified of all Extended Hours Applications. Section 69(3) of the Act requires the licensing Standards Officer to submit a report setting out his comments on the application within 10 days of such a notification.

Having read the content of the application and having made such enquiry as necessary I would like to make the following comments.

2. The application seeks to extend the commencement hour (11:00am) at the premises by 2 additional hours to allow the service of alcohol to a group of invited guest from 9:00am.
3. The extension of hours is to facilitate a Stag Party for a friend and regular customer of the premises.
4. The special event to be catered for on the premises will take place on Saturday 14 June, 2021.
5. The event will not be open to the public and the doors of the premises will be closed.
6. Only invited guests will be permitted to enter the premises during the extended period.
7. The proposed extension is reasonable in the circumstances and as can be seen from the application form is to facilitate a meeting point, and in addition to the supply of alcohol, the provisions of breakfasts, tea and coffee prior to a coach trip and day out at Perth races.

8. There are no concerns relating to public order, public safety, public nuisance or the welfare and protection from harm of children and young persons.
9. I have no concerns or adverse comments to make in relation to this application and I am satisfied that the event is a special event or occasion to be catered for on the premises in the terms of section 68(1)(b(i) of the Licensing (Scotland) Act, 2005.

Paul Fair, Licensing Standards Officer

**THIS PAPER RELATES TO
ITEM 6
ON THE AGENDA**

CLACKMANNANSHIRE LICENSING BOARD

MEETING 13 July 2021 at 10:00

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	17 July 2021	Application & LSO Report, (copies attached) Police Scotland response no objection received 03 June 2021
Braehead Golf Club Alloa FK10 2NT	Braehead Golf Club Alloa FK10 2NT	22 August 2021	Application & LSO Report, (copies attached) Police Scotland responses no objections 01 June 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) MRS (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			
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

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 17/07/2021

End Time and Date

6.00PM 17/07/2021

**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 17/07/2021

Times for sale of alcohol for consumption
Off premises

6.00PM 17/07/2021

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. 6.00pm.

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

See Comments Below

Times at which Children or Young Persons Permitted Entry

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

02/06/2021

* 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

8. CHECKLIST - Please tick	
I have Made or enclosed payment of the fee for the application	Bank Transferred 02/06/21

NOTES

1. Section 56 of the Licensing (Scotland) Act 2005 provides that only:-

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are a statement of the terms on which they are allowed entry

3. Data Protection Act 1998

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament
(<http://www.opsi.gov.uk/legislation/scotland/acts2005/20>)

Clackmannanshire Licensing Board has a duty to protect public funds that it administers and may use this information for the prevention and detection of fraud. For more details, please contact The Councils, Senior Auditor, on telephone number 01259 452047



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: **17 June 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 17 July 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.
- 11 Alcohol will only be sold to participants in the competition.

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)	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) MRS (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			
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

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 5th/ 12th 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 22/08/2021

End Time and Date

6.00PM 22/08/2021

**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 22/08/2021

Times for sale of alcohol for consumption
Off premises

6.00PM 22/08/2021

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.

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

See Comments Below

Times at which Children or Young Persons Permitted Entry

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

31/05/2021

* 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

8. CHECKLIST - Please tick	
I have Made or enclosed payment of the fee for the application	Bank Transferred 31/05/21

NOTES

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FK10 2AD**

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Licensing Standards Officer**

Extension: 2091

Email: pfair@clacks.gov.uk

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Your Ref: 2021 OL

Date: 17 June 2021

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