



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