



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via Video Conference (MS Teams), on TUESDAY 13 JULY 2021 at 10:00 am.

PRESENT

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

2.0 DECLARATIONS OF INTEREST

None.

3.0 MINUTES OF MEETINGS

(a) Clackmannanshire Licensing Board Sub Committee - 13 MAY 2021

The minutes of the meeting of the Clackmannanshire Licensing Board Sub Committee held on Thursday 13 May 2021 (carried forward from Clackmannanshire Licensing Board 25/05/21) were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 13 May 2021 were agreed as a correct record and signed by the Chair.

(b) Clackmannanshire Licensing Board - 25 MAY 2021

The minutes of the meeting of the Clackmannanshire Licensing Board Sub Committee held on Tuesday 25 May 2021 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 25 May 2021 were agreed as a correct record and signed by the Chair.

(c) Clackmannanshire Licensing Board - 10 JUNE 2021

The minutes of the meeting of the Clackmannanshire Licensing Board Sub Committee held on Thursday 10 June 2021 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 10 June 2021 were agreed as a correct record and signed by the Chair.

4.0 LICENSING (SCOTLAND) ACT 2005 – VARIATION OF LICENCE (NON-MINOR)

(i) Application for Variation of Licence (Non Minor) – Coalsnaughton Burns Club

As representatives from Environmental Health had difficulty joining the meeting, the Chair advised he would move this item to the last item of business to allow the issue to be resolved.

5.0 LICENSING (SCOTLAND) ACT 2005 – EXTENDED HOURS

(ii) Application for Extended Hours – Volunteer Arms

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

Attending

Mr John Ford Black, Applicant
Mr Paul Fair, Licensing Standards Officer

The Board heard representation from Mr Black, 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 extended hours

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

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 extended hours.

Action

Clerk to the Board

6.0 LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES

(i) Premises: Braehead Golf Club, Alloa, FK10 2NT
Applicant: Braehead Golf Club, Alloa, FK10 2NT
Date: 17 July 2021
Event: Open Competition

Attending

Mr Paul Fair, Licensing Standards Officer

The Board heard representation from the Licensing Standards Officer, Mr Fair. The Board had the opportunity to put questions to 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 an occasional licence on 17 July, subject to the conditions set out in Appendix A (page 57) 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 Board granted the application for an occasional licence on 17 July 2021, subject to the conditions set out in Appendix A (page 57) of the Licensing Standards Officer's Report, 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 competition.

Action

Clerk to the Board

- (ii) Premises: Braehead Golf Club, Alloa, FK10 2NT
Applicant: Braehead Golf Club, Alloa, FK10 2NT
Date: 22 August 2021
Event: Open Competition

Attending

Mr Paul Fair, Licensing Standards Officer

The Board heard representation from the Licensing Standards Officer, Mr Fair. The Board had the opportunity to put questions to 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 an occasional licence on 17 July, subject to the conditions set out in Appendix A (page 66) 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 Board granted the application for an occasional licence on 17 July 2021, subject to the conditions set out in Appendix A (page 66) of the Licensing Standards Officer's Report, 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 competition.

Action

Clerk to the Board

The Chair returned to Item 4(i) on the Agenda. As all parties were now in attendance, the Chair agreed to proceed with the item of business.

4.0 LICENSING (SCOTLAND) ACT 2005 – VARIATION OF LICENCE (NON-MINOR)

(i) Hearing to consider Application for Variation of Licence (Non Minor) – Coalsnaughton Burns Club

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

Attending

Mr Scott Doyle, Coalsnaughton Burns Club, Applicant

Mr Ralph Joss, Objector

Mr David Levitus, Bridging Loans Limited, Objector

Ms Maggie McWhinnie and Mr Andrew Crawford, Environmental Health, Clackmannanshire Council, consultee making representation

Mr Paul Fair, Licensing Standards Officer

The Board heard representations from all parties attending. There were no representations received from Police Scotland. The Board had the opportunity to put questions to all parties.

The Chair adjourned the Board to at 11.10 am. When the meeting resumed at 11.30 am, 6 members were in attendance.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board refuse the application for Variation of Licence (Non Minor) on the grounds that it is contrary to the licensing objective of “preventing public nuisance”.

Moved by Councillor Les Sharp. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board **REFUSED** the application for Variation of Licence (Non Minor) on the grounds that it is contrary to the licensing objective of “preventing public nuisance”.

Action

Clerk to the Board

Ends: 11.40 am

