



NOTICE OF MEETING

8 December 2021

A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held Via MS Teams, on WEDNESDAY 15 DECEMBER 2021 at 9.30 am (Rescheduled from TUESDAY 7 December 2021 at 9.30 am).

RICHARD THOMPSON
Clerk to the Clackmannanshire Licensing Board

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1. Apologies	--
2. Declarations of Interest	--
Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest Form should be completed and passed to the Committee Services Officer.	
3. Confirm minutes of the Clackmannanshire Licensing Board held on 5 October 2021 (Copy herewith)	05
4. Licensing (Scotland) Act 2005:	
(i) Applications for Personal Licences – Granted Under Delegated Powers (For Information only) (Copy herewith)	13
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5. Licensing (Scotland) Act 2005 – Grant Provisional Premises Licence	19
(i) Application for Grant Provisional Premises Licence (Off Sales) (Copies herewith)	
<p>No objections/representations received from Neighbour Notifications, Alva Community Council, Police Scotland and Licensing Standards Officer.</p> <p>Premises: Budgens of Alva, 54 East Stirling Street, Alva Applicant: c/o Harper Macleod LLP, The Ca'd'oro, 45 Gordon Street, G1 3PE</p>	
6. Police Scotland: Chief Constable's Report to the Clackmannanshire Licensing Board 2020 -2021 – report by Mr Iain Livingstone QPM, Chief Constable, Police Service of Scotland (Copy herewith)	33
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 held via Video Conference (MS Teams), on TUESDAY 5 OCTOBER 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
Richard Thompson, Solicitor, (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 MINUTES OF MEETINGS

(i) CLACKMANNANSHIRE LICENSING BOARD HELD ON 13 JULY 2021

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 13 July 2021 were submitted for approval.

Decision

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

**(ii) CLACKMANNANSHIRE LICENSING BOARD SUB COMMITTEE HELD ON
22 JULY 2021**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 22 July 2021 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 22 July 2021 were agreed as a correct record and signed by the Chair.

**(iii) CLACKMANNANSHIRE LICENSING BOARD SUB COMMITTEE HELD ON
25 AUGUST 2021**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Wednesday 25 August 2021 were submitted for approval.

Decision

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

Agenda items 4(i), 4(ii) and 4(iii) were put before the Board for information only as they had been granted under delegated powers. Items 4(i), 4(ii) and 4(iii) 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 Transfer of Premises Licence – Granted Under Delegated Powers

A list showing an application for a transfer of premises licence which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the application for a transfer of premises licence had been granted under delegated powers.

(iii) Applications for Minor Variations – Granted Under Delegated Powers

A list of applications for minor variations to vary Designated Premises Manager 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 minor variations to vary Designated Premises Manager had been granted under delegated powers.

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

(i) Hearing to Consider Application for Variation (Non Minor) at Royal Oak Hotel

Premises: Royal Oak Hotel, 7 Bedford Place, Alloa, FK10 1LJ
Applicant: Mr Alan Bradie

Attending

Mr Alan Bradie, Applicant
Mr Paul Fair, Licensing Standards Officer (LSO)
Mr Andrew Crawford, Team Leader, Environmental Health
Ms Helen Henderson, Environmental Health Officer

The Board heard representation from all parties attending. There were no objections/representations received Police Scotland.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor), subject to the conditions marked with an asterisk as set out in Appendix A (pages 39 and 40) of the Licensing Standards Officer's report with the exception of the condition *"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"* which is to be removed.

Moved by Councillor Les Sharp. Seconded by George Matchett QPM.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board granted the application for Variation (Non Minor), subject to the conditions marked with an asterisk as set out in Appendix A (pages 39 and 40) of the Licensing Standards Officer's report, namely:

- Consumption of alcohol in the outdoor drinking is not permitted after 10.00pm.
- 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.
- 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.
- Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.

- Where smoking is permitted in the outdoor drinking area or in part of the outdoor area children and young persons will not be permitted access to the outdoor area or to any part of the area where smoking is permitted, or to any part of the outdoor area where second hand smoke may be present.
- The Premises Licence Holder must prepare a document for the benefit of the current Premises Manager and any staff working on the premises, explaining how compliance with the conditions of the premises licence, insofar as they relate to the licensed outdoor drinking area, will be achieved and supervised. This document must be available to staff at all times and a record should be kept of all staff trained in relation to it. This Document must also be available on the premises for inspection by the Licensing Standards Officer.
- 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
- 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.

The undernoted condition is to be removed:

- 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.

Action

Clerk to the Board

(ii) Hearing to Consider Application for Variation (Non Minor) at Royal Arms

Premises: Royal Arms, 2 High Street, Tillicoultry, FK13 6AE
Applicant: Premier Management (Alloa) Limited, Victoria House, High Street
 Tillicoultry, FK13 6AA

Attending

Mr Bramley Eccles, Applicant
 Mr Paul Fair, Licensing Standards Officer (LSO)
 Mr Andrew Crawford, Team Leader, Environmental Health
 Ms Dawn Brisbane, Environmental Health Officer

The Board heard representation from all parties attending. There were no objections/representations received Police Scotland.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor), subject to the conditions marked with an asterisk as set out in Appendix A (pages 62 and 63) of the Licensing Standards Officer's report with the exception of the condition *"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” which is to be removed.

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

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board granted the application for Variation (Non Minor), subject to the conditions marked with an asterisk as set out in Appendix A (pages 62 and 63) of the Licensing Standards Officer’s report, namely:

- Consumption of alcohol in the outdoor drinking is not permitted after 10.00pm.
- Only alcohol that has been sold by the premises can be consumed in the outdoor area.
- No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking area. (Except with the written consent of the Licensing Board)
- 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.
- Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.
- Where smoking is permitted in the outdoor drinking area or in part of the outdoor area children and young persons will not be permitted access to the outdoor area or to any part of the area where smoking is permitted, or to any part of the outdoor area where second hand smoke may be present.
- The Premises Licence Holder must prepare a document for the benefit of the current Premises Manager and any staff working on the premises, explaining how compliance with the conditions of the premises licence, insofar as they relate to the licensed outdoor drinking area, will be achieved and supervised. This document must be available to staff at all times and a record should be kept of all staff trained in relation to it. This Document must also be available on the premises for inspection by the Licensing Standards Officer.
- 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 (of at least 1 metre in height) making the extent of the licensed area clear and obvious to any person using the area or using the adjacent public place or footpath.
- Only Plastic Polycarbonate or other unbreakable drinking vessels may be used in the outdoor drinking area. All drinks whether alcoholic or not must be decanted from any glass containers into unbreakable drinking vessels.

The undernoted condition is to be removed:

- 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.

Action

Clerk to the Board

(iii) Hearing to Consider Application for Variation (Non Minor) at The Mansfield Arms

Premises: The Mansfield Arms, 7 Main Street, Sauchie, FK10 3JR
Applicant: John Gibson & Partners t/a The Mansfield Arms, 7 Main Street, Sauchie FK10 3JR

Attending

Ms Lorna Graham, Applicant

Mr Paul Fair, Licensing Standards Officer (LSO)

The Board heard representation from all parties attending. Written representation had also been provided by Environmental Health and there were two written objections from Mrs Margaret Stoddart and from Ms Claire Robinson and Mr Karl Bourdon. There were no objections/representations received Police Scotland.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for Variation (Non Minor), subject to the conditions marked with an asterisk as set out in Appendix A (pages 87 and 88) of the Licensing Standards Officer's report.

Moved by Councillor Kenneth Earle. 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 application for Variation (Non Minor), subject to the conditions marked with an asterisk as set out in Appendix A (pages 87 and 88) of the Licensing Standards Officer's report, namely:

- Only alcohol that has been sold by the premises can be consumed in the outdoor area.
- 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.

- 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.
- 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.
- 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

Action

Clerk to the Board

6.0 General Permitted Extension - Festive Period 2021 -22

A report, submitted by the Clerk to the Board, sought to enable the Licensing Board to consider its approach to the festive period 2021-22.

Motion

To agree the recommendations as set out in the report.

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

Decision

The Board unanimously agreed:

1. To note that the Statement of Licencing Policy has incorporated the Festive Policy; and
2. That any general extension incorporated into the Statement of Licensing Policy 2018 shall apply for the period of 17 December 2021 to 2 January 2022.

Action

Clerk to the Board

7.0 AOCB

(i) Environmental Policy

The Board raised the issue of the volume of single use and recyclable plastic glasses being used in the licensed trade in Clackmannanshire. The LSO advised that a number of premises were not using single use plastic glasses, but there may be an option to consider an environmental policy by way of an amendment to the Statement of Licensing Policy.

Decision

The Board agreed:

1. That a report providing further information on the use of plastic glasses being used in licensed premises in Clackmannanshire is to be provided to the Board; and
2. An amendment to the Statement of Licensing Policy is considered to incorporate an Environmental Policy.

Action

Clerk to the Board/LSO

(ii) Virtual Presentation in Lieu of a Site Visit to Premises

The Board asked the Licensing Standards Officer to provide a virtual photographic or video presentation of premises to be provided to the Board when considering applications in lieu of a site visit.

Decision

The Board agreed:

1. The LSO will provide a virtual photographic or video presentation of premises to the Board when considering applications in lieu of a site visit.

Action

LSO

(iii) Attendance at Board Meetings by Environmental Health

As a representative from Environmental Health had not been available for Item 5(iii), the Board requested that a representative from Environmental Health is present at meetings of the Licensing Board when a representation has been made.

Action

Clerk to the Board

Ends: 10:49 hrs

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

CLACKMANNANSHIRE LICENSING BOARD

MEETING 07 December 2021 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Personal Licence(s) Grant

No.	Applicant	Date Received	Comments
1	Annastasia Smith	28 June 2021	Personal Licence granted under delegated powers
2.	Robyn Morton c/o CPL Learning Bridge Court Unit 3 110 Canning Street Birkenhead Wirral CH41 1EW	12 August 2021	Personal Licence granted under delegated powers
3.	Jason Clark	12 August 2021	Personal Licence granted under delegated powers
4.	Alan Fry c/o Macgregor Thomson Solicitors Springfield House Laurelhill Business Park Stirling FK7 9JQ	16 August 2021	Personal Licence granted under delegated powers
5.	Jason Frew	19 September 2021	Personal Licence granted under delegated powers
6.	Kirsteen Kerr	07 October 2021	Personal Licence granted under delegated powers
7.	Racheal McGaffney c/o CPL Learning Bridge Court Unit 3 110 Canning Street	07 October 2021	Personal Licence granted under delegated powers

	Birkenhead Wirral CH41 1EW		
8.	Elizabeth McIntosh c/o WM Morrison Supermarkets PLC Licensing Department Hilmore House Gain Lane Bradford West Yorkshire BD3 7DL	07 October 2021	Personal Licence granted under delegated powers
9.	Danielle Amanda Murphy c/o JD Wetherspoon Plc Legal Department Wetherspoon House PO Box 616 Watford Hertfordshire WD24 4QU	24 September 2021	Personal Licence granted under delegated powers
10.	Attila Szabo c/o Brodies LLP 15 Atholl Crescent Edinburgh EH3 8HA	27 October 2021	Personal Licence granted under delegated powers
11.	Leona Chloe Black	01 November 2021	Personal Licence granted under delegated powers

<p>THIS PAPER RELATES TO ITEM 4(ii) ON THE AGENDA</p>
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CLACKMANNANSHIRE LICENSING BOARD

MEETING Tuesday 07 December 2021 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Personal Licence(s) Renewals with Refresher Training

No.	Applicant	Date Received	Comments
1.	Lawrence Hunter	13 October 2021	Personal Licence granted under delegated powers
2.	Scott Daniel McGrouther c/o WM Morrisons Supermarket PLC Hilmore House 71 Gain Lane Bradford West Yorkshire BD3 7DL	14 October 2021	Personal Licence granted under delegated powers
3.	Jane Young c/o Tesco Stores Ltd 5 Falcon Way Shire Park Welwyn Garden City Hertfordshire AL7 1TW	14 October 2021	Personal Licence granted under delegated powers
4.	Dennise Scotland c/o WM Morrisons Supermarket PLC Hilmore House 71 Gain Lane Bradford West Yorkshire BD3 7DL	28 October 2021	Personal Licence granted under delegated powers

<p>THIS PAPER RELATES TO ITEM 4 (iii) ON THE AGENDA</p>
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CLACKMANNANSHIRE LICENSING BOARD

MEETING 07 December 2021 at 09.30am

Via MS Teams

Licensing (Scotland) Act 2005

Variation(s) (Minor)

Premises	Applicant	Date Received	Comments
Scotmid Main Street Menstrie FK11 7BL	Scottish Midland Co-operative Society Limited c/o Anderson Strathern LLP 1 Rutland Court Edinburgh EH3 8EY	25 October 2021	Minor Variation to vary change layout but no change in alcohol capacity granted under delegated powers
Drysdale & Son 25 Drysdale Street Alloa FK10 1JL	Xayam 8 Ltd Lime Tree House Castle Street Alloa FK10 1EX	25 October 2021	Minor Variation to vary Designated Premises Manager granted under delegated powers

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

CLACKMANNANSHIRE LICENSING BOARD

MEETING 07 December 2021 at 09:30am in

Via MS Teams

Licensing (Scotland) Act 2005

Transfer(s)

No.	Premises	Transferee	Date Received	Comments
1.	Premier Bingo 52 Mill Street Alloa FK10 1DY	Premier Bingo Limited 37 Springhill Brae Crossgates Cowdenbeath KY4 8BQ		Transfer of Premises Licence granted under delegated powers.

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

CLACKMANNANSHIRE LICENSING BOARD

MEETING 07 December 2021 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Personal Licence(s) Refresher Training

No.	Applicant	Date Received	Comments
1.	Kirsty Elizabeth Brown	10 November 2021	Personal Licence Refresher Training granted under delegated powers
2.	Michelle McPherson c/o Aldi Stores Ltd (Bathgate) Pottishaw Road Junction 4/M8 Bathgate West Lothian EH48 2FB	15 November 2021	Personal Licence Refresher Training granted under delegated powers

**THIS PAPER RELATES TO
ITEM 5(i)
ON THE AGENDA**

CLACKMANNANSHIRE LICENSING BOARD

MEETING 07 December 2021 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Grant Provisional Premises Licence

Premises	Applicant	Date Received	Comments
Budgens of Alva 54 East Stirling Street Alva FK12	Budgens of Alva c/o Harper Macleod LLP The Ca'd'oro 45 Gordon Street Glasgow G13PE	20 October 2021	Application for Grant Provisional Premises Licence (Off Sales) copy application attached No objections/representations received from Neighbour Notifications, Alva Community Council, Police Scotland and Licensing Standards Officer

APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Budgens of Alva
54 East Stirling Street
Alva FK12 5HA

Question 2

Particulars of applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Aadya Retail Limited, 201 Kingsknowe Road North, Edinburgh, EH14 2ED
SC629415

- 2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

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- 2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.*

Kalyan Akisetty

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3

Previous applications

- 3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? ~~YES/NO~~*

If YES – provide full details

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Question 4

Previous convictions

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO *
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(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

*If YES – provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5

5 Description of premises (where application is submitted by a members' club, please also complete question 6)

The premises are located on East Stirling Street, Alva

The premises are a convert former car showroom and will trade as a large general convenience store. The site has car parking.

Alcohol will be sold as part of general convenience / grocery retail premises.

Question 6

6 To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

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 30/06/2021

Capacity Solicitor ~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory

Agent: Harper Macleod LLP, 45 Gordon Street, Glasgow, G1 3PE
Tel: 0141 227 9388 Email; andrew.hunter@harpermacleod.co.uk

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/NO *
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/ NO *
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	YES/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		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10:00 hrs	22:00 hours
Tuesday	10:00 hrs	22:00 hours
Wednesday	10:00 hrs	22:00 hours
Thursday	10:00 hrs	22:00 hours
Friday	10:00 hrs	22:00 hours
Saturday	10:00 hrs	22:00 hours
Sunday	10:00 hrs	22:00 hours

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
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*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
<i>Accommodation</i>	No	N/A	N/A
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	No	No	No
<i>Bar meals</i>	No	No	No
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
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays,</i> <i>retirements etc.</i>	No	No	No
<i>Club or other group</i> <i>meetings etc.</i>	No	No	No
5(c) 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
<i>Recorded music –</i> <i>see 5(g)</i>	Yes	Yes	Yes
<i>Live performances –</i> <i>see 5(g)</i>	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	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	No	No	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

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

The premises may play background music in the retail areas of the store. The premises will be open from 0600 hours to 2200 hours each day.

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.

The premises comprise of general convenience store and therefore will stock goods for sale consistent with that operation.

5(g) Late night premises opening after 1.00am – N/A

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS - N/A

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
	*Delete as appropriate	

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?

Inaccessible – 6.5m²

Accessible to public – 37.34m²

Total Off sales display: 43.84 m²

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 and telephone number

--

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

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 * (see note below)

Date 30/06/2021

Capacity Solicitor ~~APPLICANT/AGENT~~ (delete as appropriate).

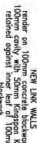
Telephone number and email address of signatory

Agent: Harper Macleod LLP, 45 Gordon Street, Glasgow, G1 3PE
Tel: 0141 227 9388 Email: andrew.hunter@harpermacleod.co.uk

*** Data Protection Act 1998**

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

Children and Young Persons are permitted access to the public parts of the premises



ALVA

ADDRESS 53

TELEPHONE NUMBER	TRAC

STORE NUMBER	TBC
--------------	-----

GROUND FLOOR AREA	SQ/FT
1	100
2	100
3	100
4	100
5	100
6	100
7	100
8	100
9	100
10	100
11	100
12	100
13	100
14	100
15	100
16	100
17	100
18	100
19	100
20	100
21	100
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88	100
89	100
90	100
91	100
92	100
93	100
94	100
95	100
96	100
97	100
98	100
99	100
100	100

DRAWN BY DOUTRA

100	100
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Space Analysis

NOTES

Space Analysis		
	Matrix (3000 SORF)	Actual
Chilled	24	18 (2x33)
Ambient	87	78 (Enc S/R)
Frozen	6	7
Chilled Alcohol	7	6 (2 x 937)

- [illegible]

[illegible]

BOOKER RETAIL PARTNERS
BUDGENS LONDIS HOUSE, MIDWATER PLACE
MOORHALL ROAD, HAREFIELD MIDDLESEX
UB8 3PH

BOOKER
RETAIL PARTNERS

CLACKMANNANSHIRE

Licensing Report

2020-2021



THIS PAPER RELATES TO ITEM 6
ON THE AGENDA



POLICE
SCOTLAND
Keeping people safe

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Foreword

In accordance with Section 12(A) Licensing (Scotland) Act 2005 I provide the Annual Licensing Report for 2020/21.

I would like to thank you for working with policing to keep the people of Scotland safe in what has been an extremely demanding year. During these challenging times Police Scotland has continued to work closely with Local Authorities and key stakeholders and, collectively, we have played a crucial role in supporting the national response to the COVID-19 pandemic, explaining the rules and encouraging our fellow citizens to do the right thing.

We have embraced new, flexible ways of working that have involved remote or home working where possible and the incorporation of new IT solutions. We have quickly adapted to these changes while continuing to provide a high standard of service to our communities.

We have also continued to deliver effective regulation of Liquor Licensing whilst taking full cognisance of the restrictions and requirements conferred by the Coronavirus Regulations. Our focus has been on preventing alcohol fuelled violence, disorder and antisocial behaviour along with supporting the national response to suppress the virus.

I would like to thank our many local partnerships and acknowledge the good work that they do; without their support we would not be able to maintain the high standard in licensing in the Clackmannanshire area.

Police Scotland remains committed to working with others to achieve the licensing objectives. I am confident that through effective, collaborative working we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Iain Livingstone QPM

Chief Constable

Police Service of Scotland

Police Scotland Licensing Overview

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2020/2021, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Working closely with Licensed Premises and Scottish Government to navigate the challenges of the COVID 19 pandemic through the 4Es approach by engaging, explaining, educating and enforcing.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

Licensing Board Area

The Clackmannanshire local authority area is policed by Forth Valley Division.

Chief Superintendent Alan Gibson is the Local Police Commander who has the responsibility for all day-to-day policing functions. Chief Superintendent Gibson took over this role from Chief Superintendent Thom McLoughlin in December 2019.

The senior officers who hold responsibility for licensing within the area of Clackmannanshire are as follows;

Local Area Commander; Chief Inspector Audrey Marsh

Superintendent (Partnerships); Superintendent Mandy Paterson

Inspector, Preventions and Interventions; Inspector Vincent Hughes

Licensing Sergeant; Sergeant Liam Livingston

The Clackmannanshire Area Command serves over 51000 local residents over an area covering 61 square miles incorporating both urban and village communities. The Sub-Divisional Headquarters are based in Alloa.

There are a total of 133 licensed premises located throughout the Clackmannanshire Area Command. The highest concentration of premises are within Alloa Town Centre which has two nightclubs and numerous bars.

Local Policing Priorities

Following our public consultation process, the policing priorities for Forth Valley Division, as set out in our Local Policing Plan are as follows

- Responsive to the concerns of our communities
- Enhancing our collective resilience to emerging threats
- Protecting people most at risk from harm
- Promoting confidence through our actions

Police Officers who work locally within Clackmannanshire Area Command and officers from the Police Licensing Department always have these priorities in mind during engagement with licensed premises staff and members of the community who are potentially affected by the operation of licensed premises within their community.

Operation of the Licensing (Scotland) Act 2005

Introduction

In December 2019 a new coronavirus, COVID 19, was first identified. It was subsequently designated a worldwide pandemic by the World Health Organization.

This coronavirus pandemic, has had an unprecedented impact on all areas of policing and the licensed trade. As a result of the outbreak, legislation and guidance was introduced to respond to the unfolding emergency. This legislation included measures to be taken by the licensed trade in order to assist in stopping the spread of the virus.

Whilst off licenses have continued to trade throughout the pandemic, albeit with restrictions, many on sales premises have had to close for extended periods for much of the last year. During this time many have sought to diversify by such measures as addition of meal provision to their licence or adding outdoor licensed areas or extending those already in place, in order to maximise their effectiveness within the Coronavirus regulations.

The Police, Licensing Standards Officers and Environmental Health Officers have also had to adapt to the new environment. They have worked closely in order to provide advice and guidance to the licensed trade through engagement and pro-active visits. Whilst the vast majority of licence holders have acted responsibly and worked within the new regulations, enforcement action was necessary on a few occasions.

Notwithstanding the significant impact of COVID 19, it is recognised that the misuse of alcohol can be harmful and damaging to our communities. Alcohol is very often a contributory factor in the calls that police officers attend from low level anti-social behaviour to domestic abuse and incidents of serious violence and injury.

To put this in perspective, in the year under report there were 637 cases of violent crime recorded within the Clackmannanshire Area and in 170 (34%) of the crimes detected, the offenders were described as drunk or had been drinking.

There were 504 cases of disorder reported and in 177 (41%) of the crimes detected, the offenders were described as drunk or had been drinking.

In terms of offences within licensed premises there were a total of 3 cases of violent crimes and none (0%) of the crimes detected the offenders were described as being drunk or had been drinking.

There was 1 disorder charge within licensed premises and none (0%) of the crimes detected the offenders were described as being drunk or had been drinking.

When considering these statistics it is important to bear in mind that within the total number of offences involving violent crime and disorder recorded during the year there were charges recorded where the sobriety of the accused was not known. This would be the case when perhaps the accused was not immediately traced by police.

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Therefore it is a possibility that percentages of those drunk when committing offences could be higher. It is also worth bearing in mind that these figures have been significantly impacted by the limited hours that on sales premises were open in the reporting period.

The specific crime types are detailed in the statistics below at **Appendix A** which show common assault and threatening abusive behaviour as by far the most common charges.

It is the responsibility of Police Scotland to ensure that staff in licensed premises are complying with the Licensing Objectives as detailed in the Licensing (Scotland) Act 2005 and to take the necessary action when it is established that this is not the case. It is also the Police responsibility to ensure that those conducting themselves improperly on licensed premises are reported to the Procurator Fiscal and brought to justice.

In the Clackmannanshire Area Command this is achieved by the following means;

1. Weekend Policing Plan

Whilst COVID 19 has had a significant impact on licensed premises the policing of licensed premises in Clackmannanshire continues to be managed by the Weekend Policing Plan which is adapted weekly to take into account intelligence and recent incidents within licensed premises as well as the current situation dictated by Coronavirus regulations. The Divisional Alcohol and Violence Reduction Unit and Community Policing Teams staff this plan and conduct default patrols in Alloa town centre and around known hotspots as part of the plan. The focus of this is prevention and positive engagement rather than purely enforcement.

The Licensing Department review data from police systems on a daily basis and prepare a weekly report detailing all incidents within or connected to licensed premises throughout Clackmannanshire Area Command. This includes police reports, reported incidents in relation to licensed premises and any intelligence that is received. The report also includes any significant events which are taking place and details of occasional licences and extended hours granted to licensed premises. This information is shared weekly when the Licensing Department meet with the Area Commander.

If patterns are identified within a licensed premises which give cause for concern then the premises become a monitored premises and will be inspected on a more frequent basis by local officers. All information in relation to these visits is fed back to the licensing department which considers any further action required.

If a premises is monitored the additional visits also provide support for the premises staff members and any anti-social behaviour on the premises is dealt with robustly by the police officers in attendance. As can be seen from the attached statistics there have been very few offences within licensed premises during the period under report.

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It is worth noting that there were 8 charges in relation to persons consuming alcohol in a designated public place. These charges are generally as a result of proactive work on the part of the police to prevent this type of anti-social behaviour on the streets. Of note, the number of these offences in Clackmannanshire has been in single figures for many years now.

There are also a significant amount of proactive inspections of Licensed Premises conducted to ensure compliance with the legislation and the Licensing Objectives.

During the period under report there were 217 proactive visits to licensed premises throughout Clackmannanshire Area Command which is down from 536 in the previous year. The number of visits has undoubtedly been negatively impacted by the limited opening hours of on sales premises due to Covid 19. These visits include inspections of town centre premises but also a significant amount of visits to premises based in less urban areas. Many of these visits are carried out at peak times, within the confines of the Coronavirus regulations.

2. Monitored / Intervention

Generally if an incident occurs at a licensed premises contact is made with those in a position of responsibility, the incident discussed and any necessary actions taken. In the majority of cases this prevents any repeat of the type of incident.

As mentioned in the previous section, if a premises gives cause for concern then it becomes a 'monitored' premises. This involves local officers and officers from the licensing department engaging with staff in an attempt to identify why there may have been repeated incidents occurring on the premises and offering the necessary advice and support.

If there is no change then officers from the licensing department meet with the Designated Premises Manager and in some cases the Premises Licence Holder and prepare an Intervention plan which the police and the DPM/Licence holder sign. This involves agreed measures which will be taken to improve the operation of the premises; for example better staff training, a change in the hour's stewards are employed or more frequent toilet checks. The plans which are put in place are dependent on the problems being encountered.

Should the staff on the premises prove uncooperative and the problems continue then consideration would be given to submitting an application for review of the premises licence under Section 36 of the Licensing (Scotland) Act 2005 or a review of the personal licence of staff involved under Section 84A of the Licensing (Scotland) Act 2005.

I am pleased to report that during the period under report there was no requirement to class any premises in Clackmannanshire as monitored premises and no premises were subject to an intervention plan.

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Three premises were subject of a review application to the licencing board, all in respect of failure to comply with COVID regulations and guidance. None of the review applications were upheld.

Four personal licence holders were the subject of a review application. Three of the four were linked to the premises review applications detailed above. All four were regarding a failure to comply with COVID regulations and guidance. Again, none of the review applications were upheld.

The lack of enforcement action which has been necessary would indicate that the proactive work undertaken has been effective as a preventative measure.

3. Partnership Working

Whilst COVID 19 has had a significant effect on the licensed trade and police activity there continues to be a range of initiatives between Police and partner organisations aimed at ensuring safety in and around licensed premises.

This year in particular has seen very close liaison between Police, Licencing Standards Officers and Environmental Health officers in order to guide and assist licensed premises to trade safely and within the Coronavirus regulations.

Generally, these partnership approaches focus on preventing issues from arising and identifying emerging issues early so that these can be resolved prior to enforcement action being necessary.

The licensing department monitor the conduct of door stewards with a collaborative approach with SIA Officers in response to any improper conduct by licensed stewards. During 2020/2021 no enforcement action by police was necessary in relation to stewards in the Clackmannanshire area.

Similarly, the Licensing Department maintain close links with Immigration Enforcement to ensure persons were not being employed on premises without permission to work in the United Kingdom. No-one was found to be involved in the sale of alcohol who did not have permission to work in the UK.

Police Officers from the Licensing Department as well as local officers worked closely in partnership with the Licensing Standards Officer to identify and address any emerging issues before they became problematic.

It would appear that there is general compliance with the law among licensed premises in the Clackmannanshire Area. Regular contact between the police and these partners assists with the flow of information and ensures that any emerging issues can be dealt with effectively.

It should be noted that the management and staff of licensed premises are also considered to be partners in our efforts to combat alcohol related crime and disorder. By developing good working relations with those in the trade, local officers have been

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able to develop community intelligence assisting in detecting outstanding offences and disrupting those who involve themselves in serious criminality.

4. Licensing Policy Statement

Having been involved in 2018 in the development of the Clackmannanshire Licensing Board Statement of Licensing Policy 2018 – 2023, Police Scotland continued to take the Board's policy statement into account when assessing applications for licences and during discussions within the Licensing Forum. The Statement of Policy assists officers in understanding the expectations of the Board and ensuring that their actions are consistent with the aims and objectives of the Board.

5. Exclusion Orders / Closure Orders

Where a person is being reported to the Procurator Fiscal for an offence involving violence on a licensed premises the Police can request that consideration is given to imposing an exclusion order if a person is convicted. Section 94 of the Licensing (Scotland) Act 2005 gives the court the power to impose an exclusion order preventing the convicted person from entering certain licensed premises for a specified period of time. Police Scotland made only one request for an Exclusion Orders in the relevant 12 month period, down from 15 the year before, clearly as a result of limited opening hours of licensed premises during the review period. Police Scotland do not hold information as to how many of these Exclusion Orders are imposed by the courts.

Under section 97 of the Licensing (Scotland) Act police can apply to the Licensing Board for a closure order in relation to any premises as a result of a risk of disorder and risk to public safety. Provision also exists for a Constable of or above the rank of Inspector to make an emergency closure order in certain circumstances. During 2020/2021 there has been no necessity to apply for a closure order nor implement an emergency closure order in the Clackmannanshire area.

6. Licensing Forum

A representative from the Police Licensing Department attends the local licensing forum in order to hear from licence holders and members of the public and address any concerns they may have. This also contributes to an effective working relationship with licensed premises staff and ultimately a safer environment for the people of Clackmannanshire.

7. Applications For Licences

Section 22 of the Licensing (Scotland) Act 2005 covers applications for a premises licence. All applications for premises licences are considered by police. This is achieved by scrutinising police databases to ensure that the granting of a licence will not present issues for the community. Police Officers from the Licensing Department will also make contact with local police officers to ascertain if they predict any problems with the granting of the licence and on most occasions will make contact with the prospective licence holder in order to gain an understanding of what the licence holder is looking to achieve.

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There have been no objections to premises licence applications during 2020/2021.

Section 72 of the Licensing (Scotland) Act 2005 covers applications for a personal licence. All applications for personal licences are considered by police by carrying out checks on police databases. In the year 2020/2021 there was no objections to the grant of a personal licence.

8. Other Licensing Offences

It is worth noting that there are has been no-one reported to the Procurator Fiscal for offences under Section 1 of the Licensing (Scotland) Act 2005 (selling alcohol without a licence) or Section 63 of the Licensing (Scotland) Act 2005 (selling alcohol out with licensed hours) in the Clackmannanshire area during the 2020/2021.

There was one charge whereby a person buys or attempts to buy alcohol for a child. This relates to a person purchasing alcohol from an off sales and supplying it to a group of children. The person responsible was arrested and reported to the Procurator Fiscal.

There was one charge whereby a person buys or attempts to buy alcohol for a young person. This relates to a person purchasing alcohol from an off sales and supplying it to a young person. Again, the person responsible was arrested and reported to the Procurator Fiscal.

There is an on-going investigation arising from a report by the Licensing Standards Officer about the actions of a local licensed premises in designating their DPM. The enquiry has been hampered significantly by COVID restrictions, but remains ongoing.

It can be concluded that through effective analysis of information and strong partnership working underpinned by our local policing priorities, Licensed Premises in Clackmannanshire operate for the most part effectively and safely and in support of the Licensing Objectives laid out in the Licensing (Scotland) Act 2005.

Preventing the sale or supply of alcohol to children or young persons

It is recognised that alcohol misuse among children and young persons can be extremely damaging and may result in antisocial behaviour and a negative impact on the community as well as the children involved. As can be seen from the attached statistics there is one charge relating to buying or attempting to buy alcohol for a child and one charge in relation to buying or attempting to buy alcohol for a young person.

Community Police Officers in Clackmannanshire engage directly with children, educating them as to the potential dangers involved in consuming alcohol. They have the trust of children and young persons in the local community and can gather intelligence in relation to their alcohol consumption and take any appropriate action. The Preventions and Interventions Department at Forth Valley also engage with young people throughout the community and deliver presentations aimed to raise awareness of potential risks.

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Police officers on day to day duties who come across children and young persons under the influence of alcohol share this information with partner organisations such as healthcare, social work and education and steps can be taken to attempt to establish the root cause for these behaviours rather than criminalising these children.

As can be seen from the attached statistics the amount of criminal activity in and around licensed premises involving children is very small.

Tackling Serious and Organised Crime

Licensed Premises are one type of business known to be used by Serious and Organised Crime Groups for the purposes of laundering money and the commission of drugs offences. Clackmannanshire Area Command fully engages with Scotland's Serious and Organised Crime Strategy aiming to Divert, Deter, Detect and Disrupt serious and organised crime and the harm it causes. Serious and Organised Crime is not just about drugs but is linked to Human Trafficking, Cyber Crime and Sexual Exploitation.

On a local basis in relation to licensed premises the Community Policing Teams and Licensing Department regularly engage with the local community and staff within licensed premises ensuring that there is a comprehensive intelligence picture in relation to potential Serious and Organised Criminal Activity within licensed premises in the area. The Licensing Department share information with the Force Disruptions Unit, working to deny persons involved in this type of activity access to licensed premises.

Proposed activity for the year ahead

The early part of the forthcoming year will no doubt see considerable disruption to licensed premises due to the Coronavirus pandemic and any associated lockdowns. It is acknowledged that this will present challenging times for many licence holders and staff of licensed premises. Whilst recognising this, Police Scotland will take measures to ensure that licensed premises are not used in a manner that may facilitate the spread of coronavirus nor contribute to alcohol related harm. In doing so the Force policy of Engagement, Encouragement, Explanation and Enforcement, will be followed with enforcement being used only as a last resort.

Police will continue to work alongside partners locally including the Licensing Standards Officer, Environmental Health Officers, HMRC and Trading Standards to ensure that on-sales and off-sales premises are safe places to frequent and to socialise. In doing so it is recognised that those in the licensed trade are valuable partners in working towards these objectives and we will work with them wherever possible.

It is likely that the effects of the pandemic will have a longer term impact on the licensed trade as economic pressures lead to closures, changes of ownership and new business ventures. As new challenges are presented, Police Scotland will seek

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to adapt and respond in a reasonable and proportionate manner to ensure that the licensing objectives are at the heart of our joint efforts in relation to licensed premises.

Intelligence led policing of licensed premises will continue, responding to the concerns of our communities and taking enforcement action when necessary.

To conclude we would like to thank you for your continued support during what has been a challenging year for all. We have all had to adapt to a new way of working and ever changing circumstances which has been embraced by all. This last year underscores the importance of a collaborative, problem solving approach and through this approach we will achieve our purpose of improving the safety and wellbeing of people, places and communities in Scotland.

We look forward to a safe and healthy 2021/2022.

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Clackmannanshire Area Command - 2020/21

Appendix A

Violence and Disorder	All locus types (including licensed premises)				
		Total No. Charges	No. Detected Charges	No. offender drunk or had been drinking	% where offender drunk or had been drinking
	Violent Crime	637	498	170	34%
	Disorder	504	433	177	41%
	Total Charges	1141	931	347	37%
	Licensed Premises Only (club/pub)				
		Total No. Charges	No. Detected Charges	No. offender drunk or had been drinking	% where offender drunk or had been drinking
	Violent Crime	3	2	0	0%
	Disorder	1	0	0	0%
	Total Charges	4	2	0	0%

Licensing Charges	Charge Description	Total No. of Charges	No. of charges - offender aged 17 yrs or less
	Consume alcohol in a designated public place - Local Order (assumption)	8	2
	Person buys or attempts to buy alcohol for a child	1	0
	Person buys or attempts to buy alcohol for a young person	1	0
	Total Charges	10	2

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	Charge Status		
Violent Crime and Disorder (All locus types)	Detected	Undetected	Total Charges
Serious Assault	43	13	56
Serious Assault (Police Officer)	1	0	1
Minor Assault/Assault to Injury	361	126	487
Minor Assault (Police Officer)	91	0	91
Minor Assault (Emergency Worker)	2	0	2
Breach of the Peace	12	0	12
Threatening or abusive behaviour	419	70	489
Urinate/defecate	2	1	3
Total Charges	931	210	1141

	Detected Crimes - Offender Sobriety (All ages)				
Violent Crime and Disorder (All locus types)	Drugs	Drunk	Had Been Drinking	Not Known	Sober
Serious Assault	1	2	14	28	13
Serious Assault (Police Officer)	0	1	0	0	0
Minor Assault/Assault to Injury	14	26	67	184	105
Minor Assault (Police Officer)	10	18	40	14	9
Minor Assault (Emergency Worker)	0	2	0	0	0
Breach of the Peace	1	0	6	5	4
Threatening or abusive behaviour	23	73	96	172	94
Urinate/defecate	0	0	2	0	0
Total Offenders (Detected Charges)	49	122	225	403	225

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	Detected Crimes - Offender Sobriety (age 17 years or less)				
Violent Crime and Disorder (All locus types)	Drugs	Drunk	Had Been Drinking	Not Known	Sob e r
Serious Assault	0	0	3	4	0
Minor Assault/Assault to Injury	1	0	2	33	30
Minor Assault (Police Officer)	4	0	6	5	6
Breach of the Peace	0	0	0	0	1
Threatening or abusive behaviour	3	3	4	15	11
Urinate/defecate	0	0	1	0	0
Total Offenders from Detected Charges	8	3	16	57	48

	Charge Status		
Violent Crime and Disorder (licensed premises)	Detected	Undetected	Total Charges
Minor Assault/Assault to Injury	2	1	3
Threatening or abusive behaviour	0	1	1
Total Charges	2	2	4

	Detected Crimes - Offender Sobriety (All ages)				
Violent Crime and Disorder (licensed premises)	Drugs	Drunk	Had Been Drinking	Not Known	Sober
Minor Assault/Assault to Injury	0	0	0	0	2
Threatening or abusive behaviour	0	0	0	0	0
Total Offenders (Detected Charges)	0	0	0	0	2

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NOT PROTECTIVELY MARKED

	Detected Crimes - Offender Sobriety (age 17 years or less)				
Violent Crime and Disorder (licensed premises)	Drugs	Drunk	Had Been Drinking	Not Known	Sobriety
Minor Assault/Assault to Injury	0	0	0	0	0
Threatening or abusive behaviour	0	0	0	0	0
Total Offenders (Detected Charges)	0	0	0	0	0