THIS PAPER RELATES TO ITEM 5i ON THE AGENDA



Licensing Board

Licensing (Scotland) Act 2005

MEETING 27 June 2023 at 09:30hrs

Item	Туре	Comments
Devonvale Hall	Premises Licence Grant	Application Form, LSO report, Police Scotland Response, Environmental Health response, Neighbouring Property Objection (copies attached). The Licensing Board are therefore asked to consider all the information before it and having done so to determine whether to:- 1. Grant the licence 2. Grant the licence subject to local conditions 3. Refuse the application



Licensing (Scotland) Act 2005
Application for a Premises Licence
or Provisional Premises Licence

APPLICANT INFORMATION

Question 1

Name, Address and Postcode of Premises to be Licensed
DEVONVALE HALL
68 MOSS ROAD
TILLICOULTRY
FKIS LNS
FRIS 6N3

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.



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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.
D	EVONVALE HALL COMPANY LIMITED
	SONIVALE HALL SS ROAD, TILLICOUTRY ACEMANNANSHIEE PKIS WS SC286382
2(d)	Where the Applicant is a Club or Other Body, please provide Full Name, and Postal Address of Club or Other Body.
	Where Applicant is a Partnership, Company, Club or Other Body, please Provide the Names, Dates and Places of Birth and Home Address of Connected Persons*
Se	TE PAPER APART

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

For the Purposes of this Act, a person is, in relation to a partnership, a company, a club or other body (whether incorporated or unincorporated), a connected person if the person-

- (a) in the case of partnership is a partner,
- (b) in the case of a company-
 - (i) is a director, or
 - (ii) has control of the company
- (c) in the case of a club, is an office bearer of the club,
- (d) in any other case, is concerned in the management or control of the body.



For the Purposes of subsection (3)(b)(ii) and this subsection, a person is taken to have control of a company if-

- (a) any of the directors of the company, or of any other company having control of the company, is accustomed to act in accordance with the person's directions or instructions, or
- (b) the person is entitled to exercise, or to control the exercise of, at least one third of the voting power at any general meeting of the company or of any other company having control of the company.

Question 3

Previous Applications

Has the Applicant been refused a Premises Licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same Premises?
If Yes – Provide Full Details

Question 4

Previous Convictions

Has the Applicant or any Connected Person ever I	peen Convicted of a relevant
or Foreign Offence (a)	Yes/No*
If Yes – Provide Full Details	



For the Purpose of this Act, a Conviction for a Relevant Offence of Foreign Offence is to be disregarded if it is Spent of the purpose of the Rehabilitation of Offenders Act 1974

Name & Position (if Applicable)	Date of Convictions or Sentence	Court	Offence	Penalty
(if Applicable)				

(a) In Addition to any convictions held by the applicant at the time of application, applicant should also familiarise themselves with the contents of section24(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.

Applicant's Duty to Notify Licensing Board of Convictions

- (1) This section applies where any of the persons specified in subsection (2) is convicted of a relevant or foreign offence during the period beginning with the making of a premises licence application and ending with determination of the application.
- (2) Those persons are-
 - (a) the applicant, and
 - (b) where-
 - (i) the applicant is neither an individual nor a council, or
 - (ii) the premises in respect of which the licence is sought are used wholly or mainly for the purposes of a club.

any connected person.

- (3) The applicant must, no later than one month after the date of the conviction give notice of the conviction to the Licensing Board to which the application was made.
- (4) A notice under subsection (3) must specify-
 - (a) the nature of the offence, and
 - (b) the date of the conviction.



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

Question 5

Description of Premises (where Application is Submitted by a Member's Club please also complete question 6)
The Premises is situated within THE GROWD
FLOOR AND Basement of a Standarlone
building within its own Geards within a mosky
RESIDENTIAL area with some commercial Properties
THE GROWN FLOOR Comprises of a Fager,
FITCHEN, ISOV, MAIN HALL WITH STAGE, METING
ROOM, STORE ROOM, and Nake AND FEMALE TOKES THE BASEMENT FLOOL COMPASES STORAGE
THE BASEMENT FLOOL COMPUSES STORAGE

Question 6

To be completed by Member's Club 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	
A Copy of the Club's Constitution & Rules MUST Be Inclu	uded With

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 5/04/25		
Capacity	A PPLICAN T/AGENT	
	(delete as appropriate)	
Telephone number and email address of signatory		
		



I Have Enclosed the Relevant Documents with this Application – Please Tick the Relevant Boxes		
Operating Plan		
Layout Plan		
Planning Certificate		
Building Standards Certificate		
Food Hygiene Certificate		

*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



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FOR USE BY THE LICENSING BOARD ONLY APPLICATION CHECKLIST		
DATE RECEIVED		
FEE AMOUNT		
RECEIPT NUMBER		
RECEIVED BY (INTIALS)		
CONSIDERATION DATE		
LAST DATE FOR CONSIDERATION		
DATE OF INITIAL		
HEARING		
DATEGRANTED/REFUSED		
(delete as appropriate)		

FOR USE BY THE LICENSING BOARD ONLY IF APPLICATION IS FOR A PREMSIES LICENCE DOCUMENTS REQUIRED		
OPERATING PLAN		
LAYOUT PLAN		
PLANNING CERTIFICATE		
BUILDING STANDARDS CERTIFICATE		
FOOD HYGINE CERTIFICATE		

FOR USE BY THE LICEN IF APPLICATION IS FOR A PROVI DOCUMENTS F	SIONAL PREMISES LICENCE
PROVISONAL PLANNING CERTIFICATE	
OPERATING PLAN	
LAYOUT PLAN	

OPERATING PLAN

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

Question 1

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

I(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?	¥ES/NO*
I(c) Will alcohol be sold for consumption both ON and OFF the premises?	¥ES/NO*
*Delete as appropriate	

Question 2

STATEMENT OF \pmb{CORE} TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION \pmb{ON} PREMISES

Day	ON Consumption		
	Opening time	Terminal hour	
Monday	18:00	1:00AM	
Tuesday	18:00	1:00AM	
Wednesday	18:00	1:00AM	
Thursday	18:00	1:00AM	
Friday	18:00	1:00AM	
Saturday	18:00	1:00AM	
Sunday	18:00	1:00AM	

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	VES/MO*
2005 the applicant intent to operate according to seasonal actuana	1110/110

^{*}If YES – provide details

THE VENUE IS A COMMUNITY HALL WITH KITCHEN AND TOILET FACILITIES AND WILL BE USED FOR PRIVATE FUNCTIONS AND EXCLUSIVE USE EVENTS.

Question 5

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

COL. 1	COL. 2	COL. 3	COL. 4
5(a) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm
		YES/NO	YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	NO	NO	NO
Bar meals	YES	YES	YES
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm
		YES/NO	YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm
Recorded music – see 5(g)	YES	YES/NO YES	YES/NO YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	YES
Theatre	YES	YES	YES
Films	YES	YES	YES

Gaming	NO	NO	NO
Indoor/outdoor sports	YES	YES	YES
Televised sport	YES	YES	YES
5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm	hours please confirm
Outdoor drinking facilities	NO	YES/NO NO	NO NO
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm	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.

RECEPTIONS – RECEPTIONS MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

RECORDED MUSIC MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

LIVE PERFORMANCES MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

DANCE MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

THEATRE MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

FILMS MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

GAMING MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

INDOOR/OUTDOOR SPORT MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

TELEVISED SPORT MAY TAKE PLACE OUTWITH CORE HOURS BUT WILL COMMENCE NO EARLIER THAN 08.00 AND WILL END NO LATER THAN THE TERMINAL HOUR.

NO ALCOHOL WILL BE SOLD OUTWITH CORE HOURS UNLESS DURING SEASONAL VARIATIONS OR WITH THE BENEFIT OF AN EXTENDED HOURS APPLICATION.

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.

PROVISION OF A FOOD SERVICE FROM OUTSIDE CATERERS WITHIN CORE HOURS SUCH AS SIT DOWN MEALS, BUFFET, FOOD VANS, AND A VARIETY OF OTHER OFFERINGS DEPENDING ON THE EVENT TAKING PLACE.

A VARIETY OF PRIVATE EVENTS AND FUNCTIONS MAY TAKE PLACE IN ADDITION TO THE EXAMPLES OFFERED IN 5(b) SUCH AS SCHOOL FAIRS, CHARITY FUNDRAISERS, ETC.

5(g) Late night premises opening after 1.00am

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

CHILDREN AND YOUNG PERSONS TO BE ALCOHOL IS FOR SALE OR CONSUMPTION	BY AN	ADULT	WHEN

0 TO	18 YEARS OLD
	Provide statement regarding the TIMES during which children and young persons will be allowed entry
FAM	OWED ENTRY FOR A BONA FIDE PRIVATE FUNCTION (eg A WEDDING ILY ANNIVERSARY PARTY, ETC) OR TICKETED EVENT (eg. CEILIDE RITY FUNDRAISER) UNTIL THE TERMINAL HOUR.
	Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry
ACCI BAR.	ESS TO ALL PUBLIC AREAS PERMITTED WITH THE EXCEPTION OF THE
	•

6(c) Provide statement regarding the AGES of children or young persons to be allowed entry

Question 7

CAPACITY OF PREMISES

тот	TAL CAPACITY - 330
Ques	stion 8
PREI licent	MISES MANAGER (NOTE: not required where application is for grant of provisional premice)
Perso	onal details
8(a)	Name
LEE (GRANT MARSHALL DOYLE
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		
00/02/2022	Stirling licensing Board	SC1193		
08/03/2023				

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

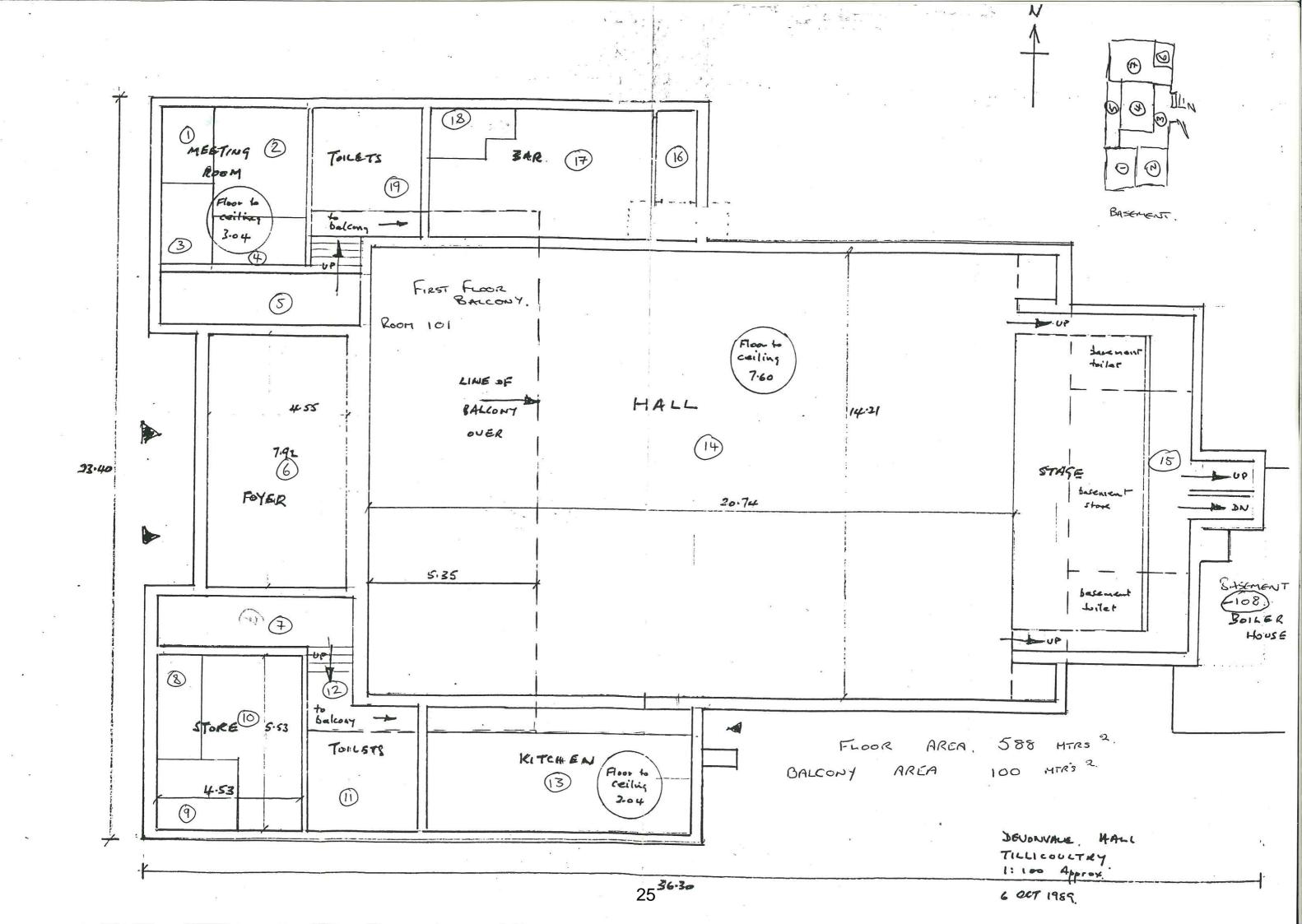
If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature	
Date	74/15
Capacity	APPLICANT/AGENT (delete as appropriate).

* 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 Comhairle Siorrachd Chlach Mhanann www.clacks.gov.uk

Partnership and Performance

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

Memo

To: The Clerk to the Licensing Board

Clackmannanshire Council

Alloa

FK10 2AD

From: **Paul Fair**

Licensing Standards Officer

Extension: 2091

Email: pfair@clacks.gov.uk

Our Ref: **PF/LSO/PL/CC**

Your Ref:

Date: **12 June 2023**

Subject: Licensing (Scotland) Act, 2005,

New Premises Licence -

Devonvale Hall, Moss Road, Tillicoultry

- 1. This representation relates to an application for a new premises licence for Devonvale Hall, Moss Road Tillicoultry.
- Devonvale Hall is a community Hall run by volunteers, with a capacity of around 420 seated individuals. It is often used as an event venue with a capacity of around 250 seated around tables.
- 3. I have no concerns with the terms of the application or the proposed operating plan.
- 4. I must however highlight that the operating plan seeks hours that are quite unusual for a venue of this nature.
- 5. The commencement hour of 1800hrs daily, seems to be unduly restrictive to any daytime use that the premises may seek in the future.
- 6. The terminal hour of 0100hrs 7 nights per week, is also slightly later (Sunday to Thursday) than the hours normally permitted for this type of venue.
- 7. In relation to the hours sought I have no concerns, due to the nature and location of the venue; I do not expect that a permanent licence will have a major impact on the licensing objectives.
- 8. The premises have successfully operated for many years without complaint using regular occasional licences to authorise the sale of alcohol at many events.
- 9. There is nothing contained within the application or operating plan that would cause me to seek additional local conditions on the licence.

Paul Fair Licensing Standards Officer.

04/05/2023

Your Ref: DEVONVALE

Our Ref: 720646

Clerk to the Licensing Board Clackmannanshire Council Kilncraigs Alloa FK10 1EB



Barry Blair Chief Superintendent Divisional Commander

Forth Valley Division Headquarters Randolphfield St Ninian's Road Stirling FK8 2HD

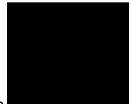
Dear Sir/Madam,

LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A PROVISIONAL PREMISES LICENCE: DEVONVALE HALL, 68 MOSS ROAD, TILLICOULTRY, CLACKMANNANSHIRE, FK13 6NS.

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Barry Blair
Chief Superintendent
Divisional Commander

For enquiries please contact the Licensing Department on 01786 456026.

Development & Environment Services



Memo

To: SHAUN CARROLL From: ENVIRONMENTAL HEALTH LICENSING ADMINISTRATOR

Extension: 2541

E-Mail: ehealth@clacks.gov.uk

Our Ref:

Your Ref: 1/7/10 SC

Date: 22nd May 2023

Subject: <u>CIVIC GOVERNMENT (SCOTLAND) ACT 1982</u>

APPLICATION FOR A PUBLIC ENTERTAINMENT LICENCE

DEVONVALE HALL, TILLICOULTRY, FK13 6NS

I refer to the abovementioned application and would respond as follows.

ENVIRONMENTAL HEALTH

RESPONDING OFFICER: Margaret McWhinnie

No objection in the granting of this license.

I trust this information is of use to you.

ENVIRONMENTAL HEALTH





08/06/2023 16:23 Hide Details

30

Liston

Hello Shaun,
We do not have any objection to the hall committee having a drinks licence. The only proviso I would make is the noise level, which I hope would not be offensive. We had to get police involved when previous hall people used to play music loudly, interfering with tv viewing and sleeping time. We are in our mid seventies and understandable enjoy a bit peace and quiet especially in the evenings. Apart from that no objections.

Regards Mr John Graham.

PAPER APART

DEVONVALE HALL COMPANY LIMITED

Company number SC286332

CONNECTED PERSONS

May ATKINSON,



Elaine BOWIE



Anne HERTWIG



Marlene MCMILLAN





LICENSING (SCOTLAND) ACT 2005 SECTION 50

PLANNING CERTIFICATE

Devonvale Hall, 68 Moss Road, Tillicoultry, FK13 6NS

On behalf of the Service Manager - Development

Clackmannanshire Council.

I hereby certify that the above named premises as annotated on the drawing titled Layout Plan (Dwg No 4902-110) and dated August 2022 and submitted with the application dated 18th October 2022, have been granted planning permission under the Town and Country Planning (Scotland) Act 1997, as amended, in respect of any development in connection with their proposed use as licensed premises.

Date: 30th November 2022

Signed: Keith Johnstone

KEITH JOHNSTONE PRINCIPAL PLANNER



LICENSING (SCOTLAND) ACT 2005 SECTION 50

BUILDING CERTIFICATE

Devonvale Hall 68 Moss Road Tillicoultry FK13 6NS

On behalf of the Development Services,

Clackmannanshire Council,

I hereby certify that a completion certificate under section 18 of the Building (Scotland) Act 2003 in respect of any construction or conversion of the above named premises in connection with their proposed use as licensed premises is not required.

Date:

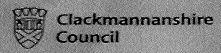
7th December 2022

Signed:

Mr R Clark
Principal Building Standards Surveyor

For the Local Authority

WARNING – This Section 50 Certificate (Building Standards) does not exempt you from obtaining other Section 50 Certificates that may be necessary, such as from the Council's Planning and Environmental Health Teams. Consult the local authority if in doubt.



LICENSING (SCOTLAND) ACT 2005 SECTION 50

ENVIRONMENTAL HEALTH CERTIFICATE

On behalf of the Head of Development and Environment Services,

Clackmannanshire Council,

I hereby certify that the premises subject to an application made by

Devonvale Hall Company Limited

in relation to grant of a Food Hygiene Certificate

at

Devonvale Hall, Moss Road, Tillicoultry, FK13 6NS

Are regularly inspected by this department and found to comply with the requirements of the Food Hygiene (Scotland) Regulations 2006

with respect to construction, layout, drainage, ventilation, lighting, water supply, and the provision of sanitary and washing facilities.

No.							
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CONTRACTOR OF						Same from	

Signed:

MARGARET MCWHINNIE SENIOR ENVIRONMENTAL HEALTH OFFICER ENVIRONMENTAL HEALTH

