Clackmannanshire Comhairle Siorrachd Council www.clacks.gov.uk

Page No

#### NOTICE OF MEETING

#### 21 August 2023

#### A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held in Council Chambers, Kilncraigs, Alloa, on TUESDAY 29 AUGUST 2023 AT 9.30 AM.



#### LEE ROBERTSON Clerk to the Clackmannanshire Licensing Board

| 1.   | Apologies   |   |    |
|------|---|---|----|
| 2.   | Declarations of I   | Interest  |    |
|      | or non-financial inte<br>accordance with the              | are reminded of their obligation to declare any financial<br>erest which they may have in any item on this agenda in<br>a Councillors' Code of Conduct. A Declaration of Interest<br>mpleted and passed to the Committee Services Officer.                                    |    |
| 3.   |   | of Meeting of the Clackmannanshire Licensing Board 2023 (Copy herewith)   | 05 |
| 4.   | Licensing (Sco  | tland) Act 2005: 2005: List of Applications   | 07 |
| (i)  | Application; Rep<br>Scotland respon<br>Premises: Th<br>Sa | <b>Grant of Premises Licence</b><br>presentation from the Licensing Standards Officer; Police<br>se; and Environmental Health response (copies attached)<br>e Ochil Suite, Sauchie Juniors Football Club, Beechwood Park,<br>auchie, FK10 3AX<br>auchie Juniors Football Club | 11 |
| (ii) | Application; and<br>(copies attached<br>Premises: Th      | <b>Non-Minor Variation – The Red Lion</b><br>d Representation from the Licensing Standards Officer<br>d)<br>e Red Lion, 148 High Street, Tillicoultry, FK13 6DU<br>ck and Lesley Blair  | 37 |

- -

| (iii) | Application for Non-Minor Variation – The Old BreweryApplication; and Representation from the Licensing Standards Officer(copies attached)Premises:The Old Brewery, East Vennel, Alloa, FK10 1EDApplicant:Greene King Retailing Ltd                                    | 45  |
|-------|--|-----|
| (iv)  | Application for Non-Minor Variation – Braehead Golf ClubApplication; and Representation from the Licensing Standards Officer(copies attached)Premises:Braehead Golf Club, Alloa Road, Alloa, FK10 2NTApplicant:Braehead Golf Club                                      | 51  |
| (v)   | Application for Non-Minor Variation – The Bobbing JohnApplication; and Representation from the Licensing Standards Officer(copies attached)Premises:The Bobbing John, 46 Drysdale Street, Alloa, FK10 1JLApplicant:JD Wetherspoon (Scot) Limited                       | 59  |
| (vi)  | Application for Transfer of Application of Licence Holder and Non-MinorVariation – Eddy's Food StationApplication and supporting documents (copies attached)Premises:Eddy's Food Station, 1 Woodburn Drive, Alloa, FK10 2GLApplicant:Eddy's Food Station               | 73  |
| (vii) | Application for Occasional Licence – Beer FestivalApplication and supporting documents; and Representation from the LicensingStandards Officer (copies attached)Premises:Marquee at The Hive, Park Place, Dollar, FK14 7AAApplicant:Dollar Community Development Trust | 93  |
| 5.    | General Permitted Extension - Festive Period 2023 -24 – report by Clerk to the Licensing Board (copy attached)   | 105 |

6. AOCB

### Clackmannanshire Licensing Board – Board Members 8 (Quorum 4)

| Council    | lors                  | Wards |                        |              |
|------------|-----------------------|-------|------------------------|--------------|
| Councillor | Kenneth Earle (Chair) | 4     | Clackmannanshire South | LABOUR       |
| Councillor | Darren Lee            | 1     | Clackmannanshire West  | CONSERVATIVE |
| Councillor | Graham Lindsay        | 1     | Clackmannanshire West  | SNP          |
| Councillor | Mark McLuckie         | 1     | Clackmannanshire West  | LABOUR       |
| Councillor | Donald Balsillie      | 2     | Clackmannanshire North | SNP          |
| Councillor | Martha Benny          | 2     | Clackmannanshire North | CONSERVATIVE |
| Councillor | William Keogh         | 2     | Clackmannanshire North | LABOUR       |
| Councillor | Fiona Law             | 2     | Clackmannanshire North | SNP          |

The quorum for the Board by virtue of Schedule 1 paragraph 12(1) of the Licensing (Scotland) Act 2005 is 4 members



Chlach Mhanann

#### MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held in COUNCIL CHAMBERS, KILNCRAIGS, ALLOA, on TUESDAY 27 JUNE 2023 at 9.30 am.

#### PRESENT

Councillor Kenneth Earle (Chair) Councillor Donald Balsillie Councillor Martha Benny Councillor William Keogh **Councillor Fiona Law** Councillor Darren Lee Councillor Mark McLuckie

#### IN ATTENDANCE

Shaun Carroll, Licensing Paralegal Paul Fair, Licensing Standards Officer Lee Robertson, Senior Manager, Legal and Governance (Clerk to the Board) Shaun McPhee, Solicitor, Legal and Governance Melanie Moore, Committee Services

#### 1.0 **APOLOGIES**

Apologies were received from Councillor Graham Lindsay.

#### 2.0 **DECLARATIONS OF INTEREST**

None

#### MINUTE OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD -3.0 **21 FEBRUARY 2023**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 21 February 2023 were submitted for approval.

#### Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 21 February 2023 were agreed as a correct record and signed by the Chair.

Agenda item 4(i) was put before the Board for information only as they had been granted under delegated powers.

#### LICENSING (SCOTLAND) ACT 2005 4.0

#### Applications for Personal Licences – Granted Under Delegated Powers (i)

Applications for personal licences which had been granted under delegated powers were put before the Board for information only.

#### Decision

The Board agreed to note that the Personal Licences applications had been granted under delegated powers.

#### 5.0 LICENSING (SCOTLAND) ACT 2005 – Premises Licence Application

#### (i) Application for Premises Licence – Devonvale Hall, Tillicoultry

#### Attending

Mr Paul Fair, Licensing Standards Officer (LSO) The applicant was not in attendance

The Board heard from the Licensing Standards Officer. There were no objections received from Police Scotland and other services. There was an objection regarding a noise complaint made previously by a local resident.

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for premises licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Donald Balsillie.

#### Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board granted the application for premises licence.

#### Action

Clerk to the Board

#### 6.0 AOCB

#### (i) Update on the Statement of Licensing Policy

Paul Fair, Licensing Standards Officer (LSO) gave a brief update on with the Statement of Licensing Policy to date. He had sent an e-mail to members with the package of documents for members to look at. There are some things that still need to be completed. The draft policy had been sent out with track changes for members to read and respond. Some of the main areas are single use plastics, photograph for the front cover, delivery of alcohol, acknowledged home safe campaign, definitions to voluntary organisations. Paul Fair asked if members could get back to him by midday Wednesday 5 July 2023, so that it can be published by Friday 7 July 2023.

Paul Fair (LSO) advised that the list used was dated 2013 which is an extensive list with at least 200 names of it. He thinks that the list needs reviewed and thinks that there should be a statutory list. Lee Robertson said that there was a list of statutory consultees which she will check back previous e-mail and get back to Paul.

Paul spoke about getting information out on social media which should include Police, Fire Building Standards, Environmental Health, Healthboard, Licensing Forum, Community Councils and possibly schools. Lee Robertson thought that we should streamline the process. Paul Fair advised that there are many religious organisations and community council that follow social media. Information can sent out electronically for most and also paper copies for those who may not have access to electronic information.

The LSO advised members again that could he have any comments by midday on Wednesday 5 July 2023. Councillor Balsillie asked that all members of the Licensing Board be included in the e-mails being sent out.

Ends: 10:16 hrs



## **Licensing Board**

### Licensing (Scotland) Act 2005

### MEETING 27 June 2023 at 09:30hrs

| Item            | Туре                   | Comments   |
|-----------------|------------------------|--|
| The Ochil Suite | Premises Licence Grant | Application Forms, LSO report,<br>Police Scotland Response,<br>Environmental Health response,<br>(copies attached).                        |
|                 |                        | The Licensing Board are<br>therefore asked to consider all<br>the information before it and<br>having done so to determine<br>whether to:- |
|                 |                        | <ol> <li>Grant the licence</li> <li>Grant the licence subject to<br/>local conditions</li> <li>Refuse the application</li> </ol>           |
| The Red Lion    | Non – Minor Variation  | Application Form and LSO report, (copies attached).  |
|                 |                        | The Licensing Board are<br>therefore asked to consider all<br>the information before it and<br>having done so to determine<br>whether to:- |
|                 |                        | <ol> <li>Grant the licence</li> <li>Grant the licence subject to<br/>local conditions</li> <li>Refuse the application</li> </ol>           |

| The Old Brewery    | Non – Minor Variation | Application Form and LSO report (copies attached).   |
|--------------------|-----------------------|--|
|                    |                       | The Licensing Board are<br>therefore asked to consider all<br>the information before it and<br>having done so to determine<br>whether to:- |
|                    |                       | <ol> <li>Grant the licence</li> <li>Grant the licence subject to</li> <li>local conditions</li> <li>Refuse the application</li> </ol>      |
| Braehead Golf Club | Non – Minor Variation | Application Form and LSO report (copies attached).   |
|                    |                       | The Licensing Board are<br>therefore asked to consider all<br>the information before it and<br>having done so to determine<br>whether to:- |
|                    |                       | <ol> <li>Grant the licence</li> <li>Grant the licence subject to<br/>local conditions</li> <li>Refuse the application</li> </ol>           |
| The Bobbing John   | Non - Minor Variation | Application Form and LSO report (copies attached).   |
|                    |                       | The Licensing Board are<br>therefore asked to consider all<br>the information before it and<br>having done so to determine<br>whether to:- |
|                    |                       | <ol> <li>Grant the licence</li> <li>Grant the licence subject to<br/>local conditions</li> <li>Refuse the application</li> </ol>           |
|                    |                       |  |

| Eddy's Food Station                          | Non - Minor Variation             | Application Forms  |
|--|-----------------------------------|--|
|  |                                   | The Licensing Board are<br>therefore asked to consider all<br>the information before it and<br>having done so to determine<br>whether to:- |
|  |                                   | <ol> <li>Grant the licence</li> <li>Grant the licence subject to<br/>local conditions</li> <li>Refuse the application</li> </ol>           |
| The Dollar<br>Community<br>Development Trust | Occasional Licence<br>Application | Application Form, Accompanying documents and LSO report, (copies attached).  |
|  |                                   | The Licensing Board are<br>therefore asked to consider all<br>the information before it and<br>having done so to determine<br>whether to:- |
|  |                                   | <ol> <li>Grant the licence</li> <li>Grant the licence subject to<br/>local conditions</li> <li>Refuse the application</li> </ol>           |
| 2023-2024 Festive<br>Policy                  | Report                            | The Licensing Board are asked to consider the content of the attached report   |

-£220 2023

## **Licensing Board**



Clackmannanshire | Comhairle Siorrachd Council www.clacks.gov.uk

Chlach Mhanann

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 OCHIL SUITE SAUCHIE JUNIORS FOOTBALL CLUB BEECHWOOD PARK S'AUCHIE ALLOA FK103AX

#### **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.

| 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<br>And Company Registration Number.  |
|      |   |
| 2(d) | Where the Applicant is a Club or Other Body, please provide Full Name,<br>and Postal Address of Club or Other Body.<br>SAUCHE JUNIORS FOOTBALL CHUB             |
|      | BEECHWOOD PARK<br>SAUCHIE<br>FK103AX  |
|      | Where Applicant is a Partnership, Company, Club or Other Body, please<br>Provide the Names, Dates and Places of Birth and Home Address of<br>Connected Persons* |
| 5.   | 2 BANCHORY PLACE ROBBIE MCLIENZIE   |

## \*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.or 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 been Convicted of a relevant or Foreign Offence (a)

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 &<br>Position<br>(if Applicable) | Date of<br>Convictions<br>or Sentence | Court | Offence | Penalty |
|---------------------------------------|---------------------------------------|-------|---------|---------|
|                                       |                                       |       |         |         |
|                                       |                                       | NON   | É       |         |
|                                       |                                       |       |         | 7       |
|                                       |                                       | /     |         |         |
|                                       |                                       |       |         |         |

(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.

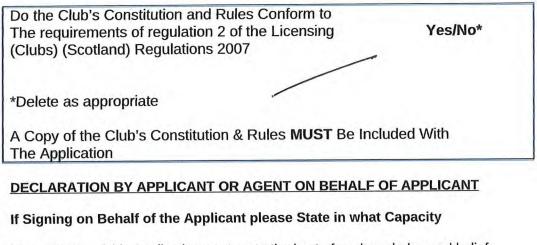
DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)

#### Question 5

Description of Premises (where Application is Submitted by a Member's Club SINGLE STOREY STANDALONE BUINDING WITHIN GROUNDS OF SAUCHIE SUNIORS FOUTBALL please also complete question 6) SHORT LIFE BUILDING, CONSISTING CLUB. OF DREN FUNCTION SUITE WITH BAR, MITCHEN, MALE, PEMALE AND ACCESSIBLE TOILETS SMALL WITH BABY CHANGING FACILITIES. OUTDOOR AREA CONSISTING OF GRAVEL SLAB ARTEFICIAL GATSS WITHIN FENCLED AREA

#### **Question 6**

#### To be completed by Member's Club Only



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

| Signature                                      | (see note below)        |
|--|-------------------------|
|  | See note belowy         |
| Date   |                         |
| Capacity PRESIDENT                             | APPLICANT/AGENT         |
|  | (delete as appropriate) |
| Telephone number and email address of signator | ſy <u>k</u> an          |
|  |                         |

| I Have Enclosed the Relevant Documents with t the Relevant Boxes | his Application – Please Tick |
|--|-------------------------------|
| 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

#### 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<br>CERTIFICATE |  |
| FOOD HYGINE<br>CERTIFICATE        |  |

#### FOR USE BY THE LICENSING BOARD ONLY IF APPLICATION IS FOR A PROVISIONAL PREMISES LICENCE DOCUMENTS REQUIRED

| PROVISONAL PLANNING<br>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

| 1(a) Will alcohol be sold for consumption solely ON the<br>Premises?         | Y NO*   |
|--|---------|
| 1(b) Will alcohol be sold for consumption solely <b>OFF</b> the<br>Premises? | YES/NO* |
| 1(c) Will alcohol be sold for consumption both ON and OFF the Premises?      | YES/    |

\*Delete as appropriate

#### **Question 2**

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

| DAY       | ON CONSUMPTION |               |  |
|-----------|----------------|---------------|--|
| DAT       | OPENING TIME   | TERMINAL HOUR |  |
| MONDAY    | 11 151         | MY DNA ENT    |  |
| TUESDAY   | 11 Am          | MUDNIGHT      |  |
| WEDNESDAY | 11.00          | MUDNIGHT      |  |
| THURSDAY  | 11.00          | MIDHIGHT      |  |
| FRIDAY    | 11.00          | 1 Am          |  |
| SATURDAY  | 11.00          | 1 Am          |  |
| SUNDAY    | N-00           | MIDNIGHT      |  |

#### **Question 3**

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

| DAY       | OFF CC       | OFF CONSUMPTION |  |  |
|-----------|--------------|-----------------|--|--|
| DAT       | OPENING TIME | TERMINAL HOUR   |  |  |
| MONDAY    | li Am        | 10 pm           |  |  |
| TUESDAY   | 4. Am        | lopin           |  |  |
| WEDNESDAY | U.Am         | loom            |  |  |
| THURSDAY  | U. Aw        | topm            |  |  |
| FRIDAY    | U. AM        | 10 pm           |  |  |
| SATURDAY  | U. ArM       | 10 pm           |  |  |
| SUNDAY    | U.Am         | 10pm.           |  |  |

#### **Question 4**

SEASONAL VARIATIONS

Does the Applicant intend to operate according to YES/HE Seasonal Demand PREMISES WOLLD LARE TO TAKE ADVANTAGE OF ANY ADDITIONAL HOURS OFFENED BY THE LICENSING BOARD AS PART OF A GENERAL EXTENSION \*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

| 1   | 2                     | 3  | 4  |
|---|-----------------------|--|--|
|   | Please Confirm        | To Be Provided<br>During Core<br>Licensed<br>Hours | Be Provided<br>Outwith Core<br>Licensed<br>Hours |
|   | YES/NO                | YES/NO   | YES/NO   |
| 5(a) Activity   | 1                     |  | 1  |
| Accommodation   | No                    | N/A  | N/A  |
| Conference<br>Facilities  | YES                   | YES  | YES  |
| Restaurant<br>Facilities  | TES                   | YES  | 4255   |
| Bar Meals   | YES                   | YES  | YES  |
| 5(b) Activity - Socia   | al Functions Includir | ig:  |  |
| Receptions<br>Including<br>Wedding,<br>Funerals,<br>Birthdays,<br>Retirements<br>Etc. | YES                   | YES  | YES  |
| Club of Other<br>Group<br>Meetings etc.   | TES                   | 1 ES YES   |  |
| 5(b) Activity - Enter   | rtainment Including:  |  |  |
| Recorded Music<br>(see 5g)  | YES                   | YES  | YES  |
| Live Performance<br>(see 5g)  | YES                   | YES  | YES  |
| Dance Facilities  | YES                   | YES  | YES  |
| Theatre   | No                    | No   | No   |
| Films   | YES                   | YES  | YES  |
| Gaming  | 153                   | YES  | No   |
| Indoor/Outdoor<br>SPURTS  | 753                   | YES  | NO   |

| Televised Sport<br>5(d) Activity                | YES | TES | YES |
|---|-----|-----|-----|
| Outdoor Drinking<br>Facilities<br>5(e) Activity | YES | YES | No  |
| Adult<br>Entertainment*                         | No  | No  | NO  |

\* Adult Entertainment means any form of entertainment which-

(a) involves a person performing an act of an erotic or sexually explicit nature; and

(b) is provided wholly or mainly for the sexual gratification or titillation of the audience

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

BUT NEVER AFTER TERMINAL

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

BINGO TEAS, RACE NIGHTS FUNDRAISERS PRIZEGNINGS PREZENTATIONS, MATCH DAY HOSPITALITY

5(g) Late Night Premises Opening after 1.00am

| Where You Have Confirmed That You Are Providing Live or<br>Recorded Music Will The Decibel Level Exceed 85dB | YES/NO*    |
|--|------------|
| When Fully Occupied Are There Likely To Be More<br>Customers Standing Than Seated                            | YES/NO*N/A |

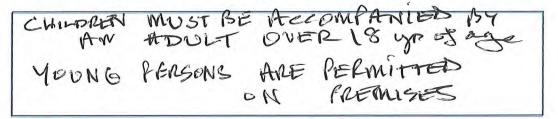
\*Delete As Appropriate

#### Question 6 (On-Sales only)

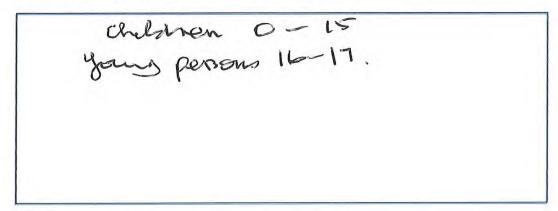
#### CHILDREN AND YOUNG PERSONS

|      | When Alcohol Is Being Sold For Consumption On The  | 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1 |
|------|--|--|
| 6(a) | Premises Will Children Or Young Persons Be Allowed | YES/NOT                                  |
|      | Entry  |  |

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

CHINDREN AND YOUNG PERSONS WILL BE ALLOWED ON PREMISES UNTIL LOPM, EXCEPT WHEN ATTENDING A FAMILY ORIENTATED AND PREPLANNED EVENT - BROKED \_ WHEN THE WILL BE ALLOWED TO REMAIN ON PREMISES UWTIL END OF THE EVENT.

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?



### **Question 8**

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

**Personal Details** 

8(a) Name

8(b) Date of Birth



8(c) Contact Address



8(d) Email Address



8(e) Personal Licence

| Name of Licensing Board<br>Issuing | Reference No. Of<br>Personal Licence |
|------------------------------------|--------------------------------------|
| CLACKS                             | Cc780                                |
|                                    | Issuing                              |

#### 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      | 10/7 | 23   |                         |
| Capacity  | PRES | DENF |                         |
|           |      |      | (Delete as appropriate) |

Telephone Number and Email Address of Signatory

|  | 10 |  |  |
|--|----|--|--|
| the second s |    |  |  |
| ******   |    |  |  |
|  |    |  |  |
|  |    |  |  |
| here and a state of the state state.   |    |  |  |
| *******  |    |  |  |
|  |    |  |  |

#### \* 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

Please return the completed form together with the relevant fee to:

The Licensing Administrator Clackmannanshire Council Kilncraigs Alloa FK10 1EB

If you require further information please contact June Andison on telephone number 01259 452093 or e-mail address <u>licensing@clacks.gov.uk</u>



Clackmannanshire<br/>CouncilComhairle Siorrachd<br/>Chlach Mhanann

#### DISABLED ACCESS AND FACILITIES STATEMENT Licensing (Scotland) Act 2005, Section 20(2)(b)(iia)

#### Question 1

#### Disabled access and facilities

| 1(a) | Is there disabled access to the premises?   | YES/N   |
|------|---|---------|
| 1(b) | Do you have facilities for those with a disability?   | YES/NO* |
| 1(c) | Do you have any other provisions available to aid the use of the premises by disabled people? | YES/    |
|      | *delete as appropriate  |         |

If you have answered YES to any of the questions above please complete, as appropriate, the following sections.

#### Question 2

#### Disabled access to, from and within the premises

Please provide a clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

ON APPROACH TOTHE PREMISES ON WHICHWAY, THERE IS SIGNAGE TO DISABLED REPRE TO A RAMP WHICH ENABLES ACCESS. TO FLOOR LAREL

#### **Question 3**

#### **Facilities available**

Please describe in detail the facilities for disabled people, e.g. disabled toilets, lifts,

ACCESSIBLE TABLES. STANFDALONE ONE LEVEL BUILDING UAS DISABLED TOILET WITH STRING ALARM AND DOOR OPENING DUTONANDS

#### **Question 4**

#### Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people, e.g. assistance dogs welcome, large print menus

FOOD AND BAR PROVIDES TABLE SERVICE

#### DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

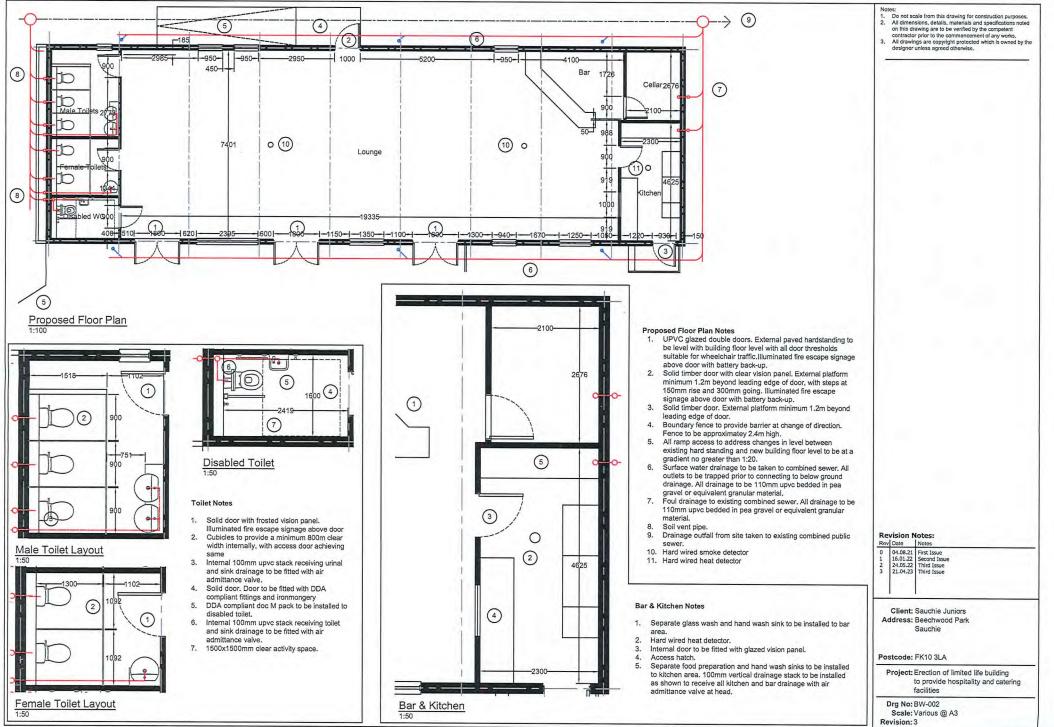
#### If signing on behalf of the applicant state in what capacity

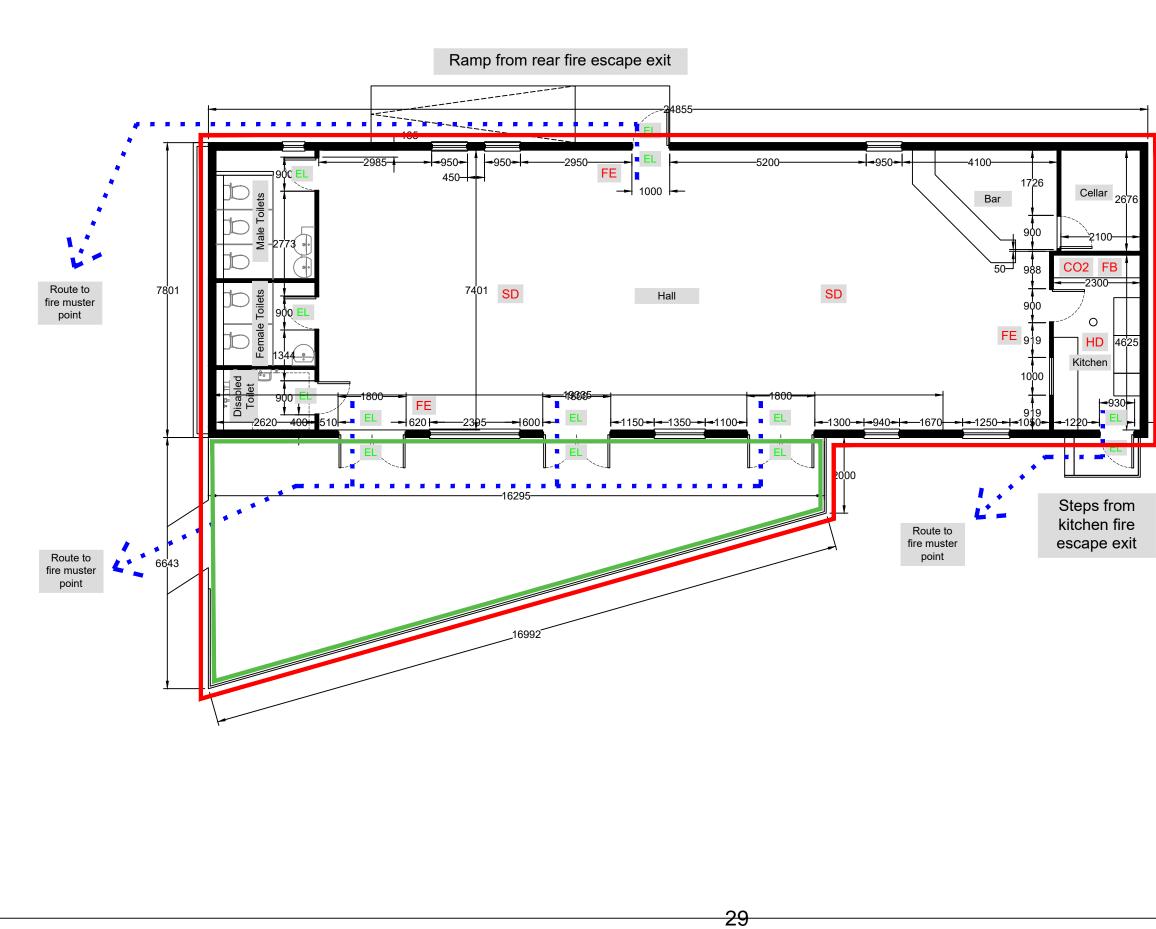
The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

| Signature     |                                    |  |
|---------------|------------------------------------|--|
| Date          | 10/7/23                            |  |
| Capacity      | PRESIDERT. Applicant/Agent         |  |
| Telephone num | ber and email address of signatory |  |
|               |                                    |  |

\*Data Protection Act 1998

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





| <u>к</u> | ey       |   |
|----------|----------|---|
| E        | EL       | Emergency Lighting<br>Hard wired, with battery backup |
| S        | SD       | Smoke Detector<br>Hard wired, with battery backup     |
| ŀ        | HD       | Heat Detector<br>Hard wired, with battery backup      |
| F        | E        | FE<br>Foam extinguisher                               |
| С        | 02       | CO2<br>Carbon dioxide extinguisher                    |
| F        | B        | FB<br>Fire blanket                                    |
| •        | • • •    | Escape route to external fire muster points           |
| -        |          | Extent of overall licensed area                       |
| -        |          | Extent of licensed area which is external             |
|          |          |   |
|          |          |   |
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|          |          |   |
|          | vision N |   |
| -        |          | Notes<br>First Issue                                  |
|          |          |   |
|          | Client   | l<br>Sauchie Juniors                                  |
| A        | ddress:  | Beechwood Park<br>Sauchie                             |
| Po       | stcode:  | FK10 3LA  |
|          |          |   |
|          |          | Licensing (Scotland) Act 2005<br>Layout Plan          |
|          | Drg No:  | Layout Plan<br>001<br>1:100 @ A3                      |

150

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<br>Licensing Standards Officer |
|------------|--|
| Extension: | 2091                                     |
| Email:     | pfair@clacks.gov.uk                      |
| Our Ref:   | PF/LSO/PL/CC                             |
| Your Ref:  |  |
| Date:      | 18 August 2023                           |
|            |  |

#### Subject: Licensing (Scotland) Act, 2005, New Premises Licence – The Ochil Suite, Sauchie Juniors Football Club, Sauchie

- 1. This representation relates to an application for a new premises licence for a limited life stand alone building within the ground of Sauchie Juniors Football Club
- 2. The application form, operating plan and layout plan details the specification of the building and the associated outdoor drinking area to be licensed
- 3. I have no concerns with the terms of the application or the proposed operating plan.
- 4. I must however highlight that as the application is located entirely within a football ground to which the Sporting Events (Control of Alcohol etc.) Act, 1985 and the Criminal Justice (Scotland) Act, 1980, may apply.
- 5. The applicants are well aware of the restrictions connected with the sale and consumption of alcohol in the ground on match days as they are responsible for the management of another licensed premises which operates as a members club and is located under the main stand within the ground.
- 6. The presence of the outdoor drinking area in the licensed area is the only matter that would cause me to seek additional local conditions on the licence.
- 7. The draft local conditions within the Clackmannanshire Licensing Board Statement of Licensing Policy should be referred to by the Board in considering what conditions may be appropriate for these particular premises.
- 8. I have included and extract at Appendix A of those draft conditions and highlighted in **bold** those conditions that in my view are necessary and expedient for the purposes of the licensing objectives.

- 9. The Board should note that I have suggested that plastic drinkware should be utilised for use in the outdoor area only on any day where a sporting event is to take place.
- 10. The Board may also wish to consider an additional condition in the following terms
  - "The licence holder will ensure that all legislation (current and future) and all published guidance from an official body such as Police Scotland, the Scottish Football Association, Scottish Government or Clackmannanshire Council (current and future) in relation to the control of alcohol at designated sporting events is complied with on and in connection with the licensed premises"

Paul Fair Licensing Standards Officer.

#### Appendix A – Extract from 2018 Statement of Licensing Policy

#### Premises with Outdoor Drinking Areas

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

\* Consumption of alcohol in the outdoor drinking areas is not permitted after 10.00pm.

\* No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking areas.

\* Customers using the outdoor drinking areas shall at all times be supervised and/or monitored to ensure that nuisance or annoyance to neighbouring residents is not caused. In particular staff must take all reasonable steps to prevent shouting, singing and disorderly conduct within the outdoor area.

Customers consuming alcohol must not be permitted to not encroach on to the footpath or any adjoining public area outwith the boundaries of the licensed outdoor drinking area.

# \* Where the outdoor drinking facility is to be used during the hours of darkness, the licence holder shall ensure that suitable lighting is provided for the convenience and safety of all persons on the premises.

The outdoor drinking facility must not be used for any purpose which is likely to cause annoyance to neighbours through smell, for example, the use of barbecues.

#### \* Any facility provided for the comfort of patrons such as outdoor heaters must be used and maintained in a safe manner and in accordance with manufacturers' instructions and any other statutory requirements.

\* The licence holder should insofar as practical provide plastic or other suitable non-glass drinking containers for use in the outdoor drinking area(s). The licence holder should seek to take all necessary steps to prevent customers taking glasses and glass bottles into the outdoor drinking area.

\* Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.

\* Where smoking is permitted in the outdoor drinking area or in part of the outdoor area children and young persons will not be permitted access to the outdoor area or to any part of the area where smoking is permitted, or to any part of the outdoor area where second hand smoke may be present.

\* The Premises Licence Holder must prepare a document for the benefit of the current Office Bearers, committee and members and for 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, car park or public footpath, must at all times when the area is in use be clearly delineated by a physical barrier making the extent of the licensed area clear and obvious to any person using the area or using the adjacent public place or footpath.

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.

\* (on days where a sporting event is to take place during licensed hours) 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 on the premises can be consumed in the outdoor areas.

17/08/2023

Your Ref: Sauchie Juniors FC

Our Ref: 749132



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 PREMISES LICENCE Ochil Suite Sauchie Juniors FC, Beechwood Park, Sauchie, FK10 3AX. PREMISE LICENCE HOLDER: Sauchie Juniors Football Club

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: JUNE ANDISON LICENSING ADMINISTRATOR

### Clackmannanshire Council www.clacksweb.org.uk

| From:      | ENVIRONMENTAL HEALTH       |
|------------|----------------------------|
| Extension: | 2541                       |
| E-Mail:    | ehealth@clacks.gov.uk      |
| Our Ref:   |                            |
| Your Ref:  | 1/7/10 JA                  |
| Date:      | 28 <sup>th</sup> July 2023 |
|            |                            |

#### Subject: <u>CIVIC GOVERNMENT (SCOTLAND) ACT 1982</u> <u>PROVISIONAL PREMISES LICENCE</u> <u>OCHIL SUITE, SAUCHIE JUNIORS FOOTBALL CLUB, BEECHWOOD</u> <u>PARK,SAUCHIE</u>

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

#### ENVIRONMENTAL HEALTH RESPONDING OFFICER: Margaret McWhinnie

No Objection with this license. This premises has been routinely inspected and a Section 50 has been supplied 10th July 2023.

I trust this information is of use to you.

ENVIRONMENTAL HEALTH





Clackmannanshire Council

www.clacksweb.org.uk

# **Licensing Board**

# Licensing (Scotland) Act 2005, Section 29 Application for Variation of Premises Licence

To:

1

Clerk to the Licensing Board Clackmannanshire Council Kilncraigs Alloa FK10 1EB PAID 23 MAY 2023

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

# APPLICANT INFORMATION

## Question 1

Name, Address, Postcode and Licence Number of Premises.

The Red Lion 148 High Street Tillicoultry FK13 6DU

CC050

# Question 2

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

Jack and Lesley Blair



# DETAILS OF VARIATION

# Question 3

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

1 Change of layout to premises after full refurbishment (see layout plan)

2 Change of trading name of business to Smugglers Bar & Bistro

3 Changes to Children and Young Persons access.

4 Change to licensed hours

5 Change to list of part 5 activities

3-5 (see Operating Plan.

# **OPERATING PLAN**

#### **Question 4**

Do you propose to vary any of the Information Within the Operating Plan Contained in the Licence?

#### YES/NO

If Yes please complete and submit New Operating Plan to include the Proposed Variations.

## LAYOUT PLAN

#### Question 5

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

#### YES/NO

If Yes Please Supply **4 Copies** of the New Layout Plan Conforming to Paragraph 5 of The Premises Licence (Scotland) Regulations 2007.

### CONDITIONS

## **Question 6**

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

#### YES/NO

If Yes please give details of the proposed variation below

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

I understand that the LSO may propose changes to the local conditions to bring the operation of the premises into line with the current Statement of Licensing Policy

# PREMISES MANAGER

#### **Question 7**

If you propose to vary the information contained in the Licence relating to the Premises Manager. Please Provide the following information.

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

N/A

If only the existing Premises Manager's Personal Details have changed please provide details

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

Name and Address of the Proposed Premises Manager

Date and Place of Birth of the Proposed Premises Manager

Email Address and Telephone Number of the Proposed Premises Manager

**Personal Licence** 

| Date of Issue | Name of Licensing Board<br>Issuing | Reference No. Of<br>Personal Licence |
|---------------|------------------------------------|--------------------------------------|
|               |                                    |                                      |
|               |                                    |                                      |
|               |                                    |                                      |
|               |                                    |                                      |

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

#### YES/NO

1

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

# DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If Signing on Behalf of the Applicant Please State in What Capacity. The contents of this application are true to the best of my knowledge and belief

| bellet.               |                |                  |        | 12                 | 12  | 122 |
|-----------------------|----------------|------------------|--------|--------------------|-----|-----|
| Signature             |                |                  | Date . | 12                 | 2   | 143 |
| * (See Note Overleaf) | . 00           | 1                |        |                    | 1 1 |     |
| Capacity              | APLICA         | ~1~              |        | ICANT<br>e as appr |     |     |
| Telephone Number a    | nd Email Addre | ess of Signatory |        |                    |     |     |
|                       |                |                  |        |                    |     |     |
|                       |                |                  |        |                    |     |     |
|                       | $\bigcirc$     | $\cup$           |        |                    |     |     |
|                       |                |                  |        |                    |     |     |

#### \* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

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

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

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<br>Licensing Standards Officer |
|------------|--|
| Extension: | 2091                                     |
| Email:     | pfair@clacks.gov.uk                      |
| Our Ref:   | PF/LSO/NMV/CC050                         |
| Your Ref:  |  |
| Date:      | 12 June 2023                             |
|            |  |

Subject: Licensing (Scotland) Act, 2005, Non Minor Variation CC050–Various – See application Form, layout Plan and Operating Plan submitted. Jack and Lesley Blair The Red Lion, 148 High Street, Tillicoultry.

- 1. This representation relates to an application for a non minor variation seeking to vary the licence in accordance with the application form and proposed operating and layout plans.
- 2. The application seeks to vary the terms within the Operating Plan and layout plan associated with 5 key areas, including a Change of trading name, a layout change (after refurbishment), Children's and Young Persons access, licensed hours and activities.
- 3. I have no concerns with the terms of the application or the proposed operating plan, however I will address each aspect of the variation in turn
- 4. The premises have undergone a full refurbishment which has converted the nature of the premises from a public house style operation to a food led restaurant type business. The proposed layout reflects the changes that have been made.
- 5. The variation of layout includes the complete removal of the outdoor area. In respect of this part of the variation I would recommend that all of the local conditions connected to the use of the outdoor are removed from the licence on grant of the variation.
- 6. The are no issues connected to the proposed trading name "Smugglers Bar and Bistro."
- 7. The changes to the children and young person's access to the premises that are proposed are in keeping with the current Clackmannanshire Licensing Board, Statement of Licensing Policy. However, in order to evidence the "pre-planned" nature of events at which children may be allowed to remain to a later time than

10pm it is suggested that a local Licensing Condition in the following terms is added to the licence:-

- Pre-planned events where children or young persons are being allowed to remain on the premises after 10pm must be recorded in an events diary kept on the premises. This diary entry should include the name and contact number of the event organiser, the date of the event and the date of the booking. Any such diary should be kept on the premises at all times and be available for inspection by the Police and Licensing Standards Officer at any time when the premises are open.
- 8. The changes to licensed hour create no concerns.
- 9. The changes to the list of activities create no concerns.

Paul Fair

Licensing Standards Officer.



# **APPLICATION FOR VARIATION OF PREMISES LICENCE (MINOR)**

# Licensing (Scotland) Act 2005, Section 29

To:

Clerk to the Licensing Board Greenfield Alloa FK10 2AD

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

#### **APPLICANT INFORMATION**

#### Question 1

Name, Address, Postcode and Licence Number of Premises.

Old Brewery East Vennel ALLOA FK10 1ED

Licence no. CC/0150

#### Question 2

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

| Greene King Retailing Ltd  |
|--|
| Westgate Brewery   |
| Bury St Edmunds  |
| Suffolk IP33 1QT   |
| Correspondence Address:<br>c/o Belhaven Pubs, Atrium House, 6 Back Walk, STIRLING, FK8 2QA<br>NOTE : We are now Hybrid working, so I work from home but attend our S<br>office on a regular basis, so please feel free to post hard copy licences an |
| issue via Email: Licensing.Act@belhaven.co.uk Telephone:   |
| Adrian Howlett 45  |

# **DETAILS OF VARIATION**

# Question 3

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

Add Activity Indoor/Outdoor Sports on the Operating Plan so it is allowed on the premises during core hours.

Amend Children and Young Persons **Terms** on the Operating Plan so Children are required to be accompanied by an adult whilst on the premises and when consuming a meal or attending a family event/function. Young Persons, 16 & 17 years old, are required to be accompanied by an adult whilst on the premises, unless their purpose is to consume a meal when they can be un-accompanied but seated in the ground floor area only.

Amend Children and Young Persons **Times** on the Operating Plan so Children and Young Persons will be admitted until 10pm. For a pre-booked family event/function in a restricted area Children will be admitted until midnight and Young Persons until end of event/function.

Amend Children and Young Persons **Parts** on the Operating Plan so Children and Young Persons will be admitted to all public areas, but Children will not be allowed in the area where a pool table may be sited.

Amend the layout plan to show the amended matrix showing where Indoor/Outdoor Sports are permitted

# OPERATING PLAN

## Question 4

Do you Propose to Vary any of the Information Within the Operating Plan that Would restrict the terms on which Children and Young Persons are Allowed Entry to the Premises?

#### YES/NO

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

# LAYOUT PLAN

## Question 5

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

## YES/<del>NO</del>

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

2

# PREMISES MANAGER

# Question 6

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

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

| Name:<br>Address:<br>Postcode:   |                                    |                                      |  |  |  |
|--|------------------------------------|--------------------------------------|--|--|--|
| Date of Issue  | Name of Licensing Board<br>Issuing | Reference No. Of<br>Personal Licence |  |  |  |
|  |                                    |                                      |  |  |  |
| If only the existing Premises Manager's Personal Details have Changed Please |                                    |                                      |  |  |  |

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

If there is to be a change of Premises Manager please provide the following:-

Name and Address of the Proposed Premises Manager

Date and Place of Birth of the Proposed Premises Manager

E-mail Address and Telephone Number of the Proposed Premises Manager

Personal Licence details of Proposed Premises Manager

| Date of Issue | Name of Licensing Board<br>Issuing | Reference No. Of<br>Personal Licence |
|---------------|------------------------------------|--------------------------------------|
|               |                                    |                                      |

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

## YES/NO

If the Answer to the Above Question is NO Please State the Date that the Variation is to Take Effect

# **DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

### If Signing on Behalf of the Applicant Please State in What Capacity.

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

Signature ......\* (See Note Below)

Date ......1 June 2023.....

Capacity ..Special Projects, BelhavenPubs..... APPLICANT/AGENT Delete as appropriate)

Telephone Number and Email Address of Signatory

#### \* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

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

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

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<br>Licensing Standards Officer |
|------------|--|
| Extension: | 2091                                     |
| Email:     | pfair@clacks.gov.uk                      |
| Our Ref:   | PF/LSO/NMV/CC150                         |
| Your Ref:  |  |
| Date:      | 12 June 2023                             |
|            |  |

# Subject: Licensing (Scotland) Act, 2005, Non Minor Variation CC150–Indoor/Outdoor Sports and Children's Access Greene King Retailing Limited. The Old Brewery, East Vennel, Alloa.

- 1. This representation relates to an application for a non minor variation seeking to vary the licence in accordance with the application form and proposed operating plan.
- 2. The application seeks to vary the terms within the Operating Plan associated with Children's and Young Persons access to the premises and add the activity described as "indoor Outdoor sports" to the core hours activities.
- 3. I have no concerns with the terms of the application or the proposed operating plan.
- 4. The variation appears to remain within the acceptable terms of Children and Young Persons access contained within the current statement of Licensing Policy, and is broadly similar to terms granted to other premises in the area.
- 5. The application to include indoor/outdoor sports on the premises is to facilitate a pool table in the raised area at the front of the premises. The licence holders have indicated that when the pool table is available for use they will not allow children into that area.

Paul Fair

Licensing Standards Officer.



Clackmannanshire Council

www.clacksweb.org.uk

# **Licensing Board**

# Licensing (Scotland) Act 2005, Section 29 Application for Variation of Premises Licence

To:

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

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

## **APPLICANT INFORMATION**

## Question 1

Name, Address, Postcode and Licence Number of Premises.

CC/118

Braehead Golf Club Alloa Road Alloa FK10 2NT

## Question 2

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

#### **DETAILS OF VARIATION**

#### Question 3

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

We wish to request an amendment to Section 5 and Section11 of our License agreement.

We have a commitment within our constitution to move towards a more sustainable golf club, and part of this change involves the removal of single use plastic.

As part of our current license condition we are required to use plastic glasses for our outdoor refreshment area. We have tried using polycarbonate glasses, but they are not lasting due to cleaning at high temperatures are having to be renewed every 4 or 5 washes. This does not only have a financial impact but also an environmental impact.

We have emailed all our adult members asking for their feedback and to date we have had 100% response in favour of this change. We have also made our member aware that they would need to take responsibility in returning empty glasses back to our bar, again our members have acknowledged that and are in complete agreement with this. We would be more than happy to implement any further conditions that the Licensing Board might have to allow this change to go forward.

This change would not only have a cost benefit for the club, but more importantly an environmental benefit.

We would be happy to forward our email responses from our members in favour of this change. If you would like any further information, we would also be happy to supply this.

#### **OPERATING PLAN**

#### **Question 4**

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

#### NO

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

#### LAYOUT PLAN

#### **Question 5**

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

NO

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

#### CONDITIONS

#### **Question 6**

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

YES

If Yes please give details of the proposed variation below

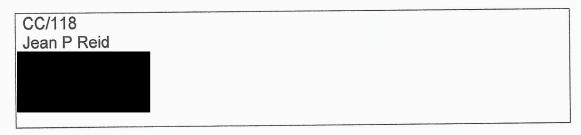
Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions). We would like to request a change in our current license. Namely Section 5 and Section 11 of the 'Premises with Outdoor Drinking Areas Local Conditions'

# PREMISES MANAGER

#### Question 7

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

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



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

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

Name and Address of the Proposed Premises Manager

Date and Place of Birth of the Proposed Premises Manager

Email Address and Telephone Number of the Proposed Premises Manager

#### Personal Licence

| Date of Issue | Name of Licensing Board<br>Issuing | Reference No. Of<br>Personal Licence |
|---------------|------------------------------------|--------------------------------------|
| 01/09/2009    | Clackmannanshire Council           | CC118                                |
|               |                                    |                                      |
|               |                                    |                                      |

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

#### NO

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

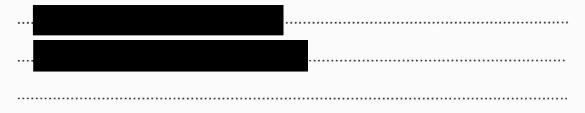
As soon as the Licencing Board can look at this application.

# DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

# If Signing on Behalf of the Applicant Please State in What Capacity.

55

#### Telephone Number and Email Address of Signatory



#### \* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

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

| Checklist  |                             |                                      |
|--|-----------------------------|--------------------------------------|
| Fee enclosed   | Paid<br>By Bank<br>Transfer | 7 fayment No 226<br>\$120.00-12/6/23 |
| Application signed/dated   | $\sim$                      |                                      |
| Original Licence enclosed or a<br>Statement of reasons for failing to<br>produce the Licence | V                           |                                      |
| New Operating Plan Enclosed  | NA.                         |                                      |
| New Layout Plan Enclosed   | NA.                         |                                      |

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



www.clacks.gov.uk

# Memo

| To: | The Clerk to the Licensing Board<br>Greenfield | From:                | Paul Fair<br>Licensing Standards Officer |
|-----|--|----------------------|--|
|     | Alloa<br>FK10 2AD                              | Extension:<br>Email: | 2091<br>pfair@clacks.gov.uk              |
|     |  | Our Ref:             | PF/LSO/NMV/REP/CC0118                    |
|     |  | Your Ref:            |  |

Date: 10 August, 2023

#### Subject: Licensing (Scotland) Act, 2005. Section 29 **Application for a Non Minor Variation** Braehead Golf Club, Alloa Road, Cambus FK10 2NT CC0118

- 1. Having considered the content of the application I have the following comments to make, these comments should be treated as a representation in the terms of section 22 of the Licensing (Scotland) Act, 2005.
- 2. The application to be determined seeks to vary the premises licence No CC0118 in the following ways:
  - a) Requests an unspecified amendment to Section 5 and Section 11 of the License agreement.
- Although it is not clear in the application precisely what amendment is sought to section 3. 5 and section 11, I am proceeding with this representation on the following assumptions
  - a. The reference to Section 5 and 11, relates to Local Licensing Conditions No 5 and 11, that were imposed by the licensing Board in 2021, at a hearing in relation to a previous variation application to add a significant outdoor area to the footprint of the licensed area, and
  - b. The amendment sought is the complete removal of both of these local conditions from the premises licence.
- 4. The licence conditions referred to read as follows :
  - a. The licence holder should insofar as practical provide plastic or other suitable non-glass drinking containers for use in the outdoor drinking area(s). The licence holder should seek to take all necessary steps to

prevent customers taking glasses and glass bottles into the outdoor drinking area, and

- b. 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.
- 5. The outdoor drinking area has been licensed without issue since 2021.
- 6. The applicant was originally happy to accept the imposed conditions that relate to the use of unbreakable drinkware, however having complied with that licencing condition for 2 years they have discovered that it is creating a significant operating difficulty (as explained in the application).
- 7. I agree with the environmental concerns raised by the applicant in relation to single use plastic and Board Members will be aware that this is an area that generated significant discussion and indeed a proposed policy change in relation to the statement of Licensing Policy.
- 8. The conditions were originally imposed as it was felt necessary and expedient to do so for the purposes of the protecting public safety and the protecting children and young persons from harm licensing objective.
- 9. The applicant has operated the business in accordance with a well written management plan.
- 10. With a few alterations to the management plan (which I have discussed with the applicant prior to this application being lodged), some additional and renewed staff training and the delivery of a clear message to members and guests using the outdoor area. I believe that the area could be safely managed, allowing for the use of glass drinking vessels.
- 11. The applicant has indicated a willingness to make the required changes to the management plan and staff/member training, and I am willing to offer support to make these changes if required.
- 12. In general terms I have no concerns with the application; however it is a matter for the Board to consider the balance between compliance with the licensing objectives and the needs of a licence holder in determination of this application.
- 13. I would remind the Board that in order to refuse this application that they must be satisfied that at least one of the statutory grounds for refusal contained within the Licensing (Scotland) Act, 2005 exist.

# Paul Fair

Licensing Standards Officer.

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



Clackmannanshire Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For neip contact

licensing@clacks.gov.uk

Telephone: +44 (0)1259 452093

| Section 1 of 15  | 1. 1  |  |
|--|---|--|
| You can save the form at   | any time and resume it later. You do not need to b          |  |
| System reference   | Not Currently In Use  | This is the unique reference for this applicatio generated by the system.  |
| Your reference   | Pub 6390 - The Bobbing John, Alloa                          | You can put what you want here to help you<br>track applications if you make lots of them. It i<br>passed to the authority.  |
| Are you an agent acting o  | on behalf of the applicant?                                 | Put "no" if you are applying on your own   |
| ⊖ Yes  | No  | behalf or on behalf of a business you own or<br>work for.  |
| Applicant Details  |   |  |
| First name   | D   |  |
| Family name  | Wetherspoon (Scot) Limited                                  |  |
| E-mail address   |   |  |
| Main telephone number  |   | Include country code.  |
| Other telephone number   | ·   |  |
| Indicate here if you   | u would prefer not to be contacted by telephone             |  |
| Are you:   |   |  |
| <ul> <li>Applying as a busir</li> <li>Applying as an indi</li> </ul> | ness or organisation, including as a sole trader<br>ividual | A sole trader is a business owned by one<br>person without any special legal structure.<br>Applying as an individual means you are<br>applying so you can be employed, or for some<br>other personal reason, such as following a<br>hobby. |
| Applicant Business   |   |  |
|  | Yes O No  |  |
| Registration number  | SC397519  |  |
| Business name  | JD Wetherspoon (Scot) Limited                               | If your business is registered, use its registered name.   |
| -  | ✓ None  | Put "none" if you are not registered for VAT.  |
| Legal status   | Private Limited Company                                     | ~  |
| Your position in the busir   | ness Licensing Administrator                                |  |

| Continued from previous page  |  |
|-------------------------------|--|
| Home country                  | United Kingdom The country where the headquarters of your business is located. |
| Continued from previous page  |  |
| Registered Address            | Address registered with Companies House.                                       |
| Building number or name       | c/o Brunton Miller Solicitors  |
| Street                        | 22 Herbert Street  |
| District                      |  |
| City or town                  | Glasgow  |
| County or administrative area |  |
| Postcode                      | G20 6NB  |
| Country                       | United Kingdom 🗸   |
|                               |  |
| 1 <u>2</u> <u>3</u> <u>4</u>  | <u>5 6 7 8 9 10 11 12 13 14 15</u> Next >                                      |
|                               |  |



Clackmannanshire Application for a variation and/or transfer of premises licence www.clacksiveb.org.uk Licensing (Scotland) Act 2005

For help contact licensing@clacks.gov.uk Telephone: +44 (0)1259 452093

| Section 2 of 15                   |   |  |  |  |  |  |
|-----------------------------------|---|--|--|--|--|--|
| DETAILS OF LICENSED PREMI         | SES   |  |  |  |  |  |
| Name of premises/<br>trading name | The Bobbing John                                |  |  |  |  |  |
| Premises Address                  |   |  |  |  |  |  |
| Is the address the same as (o     | r similar to) the address given in section one? | If "Yes" is selected you can re-use the details from section one, or amend them as required. |  |  |  |  |
| ⊖ Yes                             | No  | Select "No" to enter a completely new set of details.  |  |  |  |  |
| Building number or name           | 46  |  |  |  |  |  |
| Street                            | Drysdale Street                                 |  |  |  |  |  |
| District                          |   |  |  |  |  |  |
| City or town                      | Alloa   |  |  |  |  |  |
| County or administrative are      | a   |  |  |  |  |  |
| Postcode                          | FK10 1JL  |  |  |  |  |  |
| Premises Licence                  |   |  |  |  |  |  |
|                                   | 25 / 03 / 2014<br>dd mm yyyy                    |  |  |  |  |  |
|                                   | CC181   |  |  |  |  |  |
| < Previous <u>1</u> 2 <u>3</u> 4  | <u>5 6 7 8 9 10 11 12 13 14 1</u>               | . <u>5</u> Next >  |  |  |  |  |



Clackmannanshire Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For help contact licensing@clacks.gov.uk Telephone: +44 (0)1259 452093

|  | * required information |
|--|------------------------|
| Section 3 of 15  |                        |
| APPLICATION DETAILS  |                        |
|  |                        |
| Transfer   |                        |
| X Variation  |                        |
| Both transfer and variation  |                        |
| This application can only be made by the current holder of the premises licence or their agent.  |                        |
| You do not need to complete sections 4 to 9, continue with section 10  |                        |
| < Previous <u>1</u> <u>2</u> <u>3</u> <u>4</u> <u>5</u> <u>6</u> <u>7</u> <u>8</u> <u>9</u> <u>10</u> <u>11</u> <u>12</u> <u>13</u> <u>14</u> <u>15</u> Next > |                        |



Clackmannanshire Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For help contact licensing@clacks.gov.uk

Telephone: +44 (0)1259 452093

\* required information

| Section 4 of 1 | .5    |      |      |        |       |      |       |     |      |       |      |       |      |    |    |        |
|----------------|-------|------|------|--------|-------|------|-------|-----|------|-------|------|-------|------|----|----|--------|
| CURRENT LIC    | ENCE  | но   | LDEF | 2      |       |      |       |     |      |       |      |       |      |    |    |        |
| You do not n   | eed t | о со | mple | ete so | ectio | ns 4 | to 9, | con | tinu | e wit | h se | ctior | 1 10 |    |    |        |
| < Previous     | 1     | 2    | 3    | 4      | 5     | 6    | 7     | 8   | 9    | 10    | 11   | 12    | 13   | 14 | 15 | Next > |

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Clackmannanshire Clackmannanshire Council Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005

For help contact licensing@clacks.gov.uk Telephone: +44 (0)1259 452093

| APPLICATION | FOF | VA | RIAT | ION |   |    |  |   |  |  |   |   |   |   |  |  |  |
|-------------|-----|----|------|-----|---|----|--|---|--|--|---|---|---|---|--|--|--|
| ⊖ Yes       |     |    |      |     | ۲ | No |  | _ |  | -  | - | _ | - |   |  |  |  |
|             |     |    |      |     |   |    |  |   |  | and the second s | _ |   |   | 1 |  |  |  |



Clackmannanshire Council www.clacksweb.org.uk Licence

Clackmannanshire Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For help contact

licensing@clacks.gov.uk

Telephone: +44 (0)1259 452093

| Section 11 of                 | 15                |                |                  |                 |                         |                 |                |        |       |       |       |      |     |  |   |
|-------------------------------|-------------------|----------------|------------------|-----------------|-------------------------|-----------------|----------------|--------|-------|-------|-------|------|-----|--|---|
| TYPE OF VAR                   | IATIO             | 1              |                  |                 |                         |                 |                |        |       |       |       |      | _   |  |   |
| 🗙 Conditi                     | ions to           | whic           | h the            | licenc          | e is sub                | ect             |                |        |       |       |       |      |     |  |   |
| Layout                        | Plan              |                |                  |                 |                         |                 |                |        |       |       |       |      |     |  |   |
| Operat                        | ing Pla           | n (ex          | cludin           | g pre           | mises m                 | anage           | r infori       | matio  | n)    |       |       |      |     |  |   |
| Premis                        | es mar            | ager           | inforr           | natio           | n                       |                 |                |        |       |       |       |      |     |  |   |
| Any ot                        | ner inf           | orma           | tion co          | ontair          | ned in o                | refer           | ed to i        | n the  | licen | ce    |       |      |     |  |   |
| Variations To                 | o The (           | ondi           | tions            | Of Th           | e Premi                 | ses Lic         | ence           |        |       |       |       |      |     |  |   |
| Note that it i                | s not p           | ossib          | le to v          | ary n           | nandato                 | ry con          | ditions        |        |       |       |       |      |     |  |   |
|                               |                   |                |                  |                 |                         |                 |                |        |       |       |       |      |     |  |   |
| The applicat                  | ion see           | ks to          | remo             | ve th           | e follow                | ing co          | ndition        | from   | the ' | Loca  | al Co | ondi | tic | ons":  |   |
| 19. (For Lice<br>closure on e | nsed p<br>ach Fri | ublic<br>day a | space<br>and Sat | s only<br>turda | /) The lic<br>y (applie | ensec<br>s only | area n<br>when | nust b | e sup | oervi | sed   | by a | an  | SIA licensed Steward between 6pr<br>pecified required by Licensing Boa |   |
| There are no                  | other             | cnan           | iges to          | the             | oremise                 | sincen          | .e.            |        |       | -     | 1     |      | -   |  | _ |
|                               |                   |                |                  |                 |                         |                 |                |        |       |       |       |      |     |  |   |



Clackmannanshire Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For help contact licensing@clacks.gov.uk Telephone: +44 (0)1259 452093

| Section 12 of | 15    |      |      |       |       |       |       |      |      |       |       |      |    |    |    |        |  |
|---------------|-------|------|------|-------|-------|-------|-------|------|------|-------|-------|------|----|----|----|--------|--|
| VARIATIONS    | то р  | REM  | ISES | MA    | NAG   | ER IN | FOF   | MA   | TION | V     |       |      |    |    |    |        |  |
| You do not n  | eed t | о со | mple | ete s | ectio | n 12  | , con | tinu | e wi | th se | ction | n 13 |    |    |    |        |  |
| < Previous    | 1     | 2    | 3    | 4     | 5     | 6     | 7     | 8    | 9    | 10    | 11    | 12   | 13 | 14 | 15 | Next > |  |



Clackmannanshire Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For help contact licensing@clacks.gov.uk Telephone: +44 (0)1259 452093

| Section 13 of  | 15    |              |       |      |                |              |              |               |              |             |                |           |       |           |           |   |
|----------------|-------|--------------|-------|------|----------------|--------------|--------------|---------------|--------------|-------------|----------------|-----------|-------|-----------|-----------|---|
| RETURN OF P    | REM   | ISES         | LICE  | NCE  |                |              |              |               |              |             |                |           |       |           |           |   |
| Authority in a | orden | tha<br>he ap | t the | lice | nce o<br>e Pro | docu<br>emis | men<br>es Li | ts ca<br>cenc | n be<br>e yo | upd<br>u mu | ated<br>ist ei | to r      | eflec | t the     | e deta    | d layout plan) must be returned to the Licensing<br>ails of the transfer and/or variation. If you are<br>d to the Licensing Authority within 14 days in |
| Yes            |       |              |       |      | Ō              | No           |              |               |              |             |                |           |       |           |           |   |
| < Previous     | 1     | 2            | 3     | 4    | 5              | <u>6</u>     | <u>7</u>     | 8             | 9            | <u>10</u>   | <u>11</u>      | <u>12</u> | 13    | <u>14</u> | <u>15</u> | Next >  |



Clackmannanshire

Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For help contact licensing@clacks.gov.uk Telephone: +44 (0)1259 452093

\* required information

#### Section 14 of 15

#### **ADDITIONAL DETAILS**

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 Next >



Clackmannanshire Application for a variation and/or transfer of premises licence Licensing (Scotland) Act 2005 For help contact licensing@clacks.gov.uk Telephone: +44 (0)1259 452093

| Section 15 of 15  |  |
|---|--|
| PAYMENT DETAILS   |  |
| This fee must be paid to t  | he authority. If you complete the application online, you must pay it by debit or credit card.   |
| The following fees apply  |  |
| Transfer  | - £120   |
| Transfer/Variation  | - £150   |
| Major Variation   | - £150   |
| Major Variation/Substitu<br>Minor Variation   | tion of Premises Manager - £170<br>- £20   |
| Substitution of Premises  | Manager /Other Minor Variation - £31   |
| Fee amount (£)  | 150.00   |
| DECLARATION   |  |
|   | ndicates you have read and understood the above declaration<br>mpleted by the applicant, unless you answered "Yes" to the question "Are you an agent acting on<br>JD Wetherspoon (Scot) Limited<br>Applicant<br>26 / 04 / 2023<br>dd mm yyyy   |
|   | Add another signatory  |
| 1. Save this form to your<br>2. Go back to <u>https://ww</u><br>continue with your applie | need to do the following:<br>computer by clicking file/save as<br><u>w.gov.uk/apply-for-a-licence/premises-licence-2/clackmannanshire/change-2</u> to upload this file and<br>cation.<br>e you have all your supporting documentation to hand. |
| < Previous <u>1</u> <u>2</u> <u>3</u>   | <u>4 5 6 7 8 9 10 11 12 13 14</u> 15   |

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<br>Licensing Standards Officer |
|------------|--|
| Extension: | 2091                                     |
| Email:     | pfair@clacks.gov.uk                      |
| Our Ref:   | PF/LSO/NMV/CC181                         |
| Your Ref:  |  |
| Date:      | 12 June 2023                             |
|            |  |

# Subject: Licensing (Scotland) Act, 2005, Non Minor Variation CC181–Request to Remove Local Conditions JD Wetherspoon (Scotland) Limited The Bobbing John, 46 Drysdale Street, Alloa.

- 1. This representation relates to an application for a non minor variation seeking to remove one of the Local Licence Conditions attached to the premises licence.
- 2. The application seeks to remove the following condition from the "Local Conditions":
  - Condition No.19 (For Licensed public spaces only) The licensed area must be supervised by an SIA licensed Steward between 6pm and closure on each Friday and Saturday (applies only when the area is in use).
- 3. The area affected by this condition is the public footpath owned by Clackmannanshire Council to the front of the premises on Drysdale Street, Alloa.
- 4. The area was licensed in 2021 for summer seasonal use.
- 5. A layout plan supplied with the 2021 application described a street café seating up to 16 people at 8 tables.
- 6. When granted in 2021 it was identified that there were a number of other licensed premises in the immediate vicinity of the Bobbing John, and it was accepted that there had been incidents of anti social behaviour in the immediate vicinity of these premises.
- 7. I have no information about the frequency of incidents of disorder since that time from Police Scotland.

- 8. From a licensing perspective I have no concerns in relation to this application. However, outdoor drinking areas in public spaces do create an increased risk of non compliance in relation to the licensing objectives. This risk is recognised within the Clackmannanshire Council Statement of Licensing Policy.
- 9. There is currently no evidence to support the assumption that this condition remains necessary and expedient for the purposes of the licensing objectives.
- 10. My recent personal experience of the Bobbing John and its current premises manager is that they take compliance matters very seriously and the premises manager fully understands her local responsibilities in elation to the management of the outdoor areas at the premises.
- 11. The removal of the stewarding condition would not release the staff and management from those responsibilities and in the current climate represents very little risk of contributing to any conflict with the licensing objectives in what is a well managed venue.

Paul Fair Licensing Standards Officer.



Clackmannanshire Council

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### Licensing (Scotland) Act 2005, Section 33 Transfer of Application of Licence Holder

To:

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

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

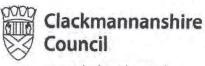
#### **Question 1 - PREMISES**

Name, Address, Postcode and Licence Number of Premises.

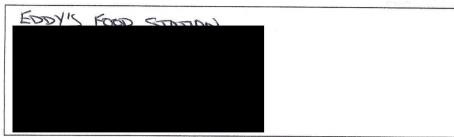
EDDY'S FOOD STATION 1 WOOD BURN DRIVE ALLOPA FKIO ZHL LICENCE NO CCOOO7

#### Question 2(a) - APPLICANT INFORMATION

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



www.clacksweb.org.uk



<u>2(b)</u> Name, Address, Post Code, Date of birth, Place of birth, telephone Number and e-mail address of transferee.

NIP

<u>2(c)</u> Where transferee is a Partnership, please provide Full Name, and Postal Address of Partnership.

**<u>2(d)</u>** Where transferee is a Company, please provide Name, Registered Office And Company Registration Number.

| ALAGIII LIMITED |        |              |  |
|-----------------|--------|--------------|--|
|                 |        |              |  |
|                 |        |              |  |
|                 |        | and the Carl |  |
|                 |        |              |  |
| COMPANY NO SC   | 678790 |              |  |

**<u>2(e)</u>** Where the transferee is a Club or Other Body, please provide Full Name and Postal Address of Club or Other Body.



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| NI | S |
|----|---|
|    | 1 |

**2(f)** Where transferee is a Partnership, Company, Club or Other Body, please Provide the Names, Dates and Places of Birth and Home Address of Connected Persons\*

| ARULSELVAM  | GNANASUNDALAM |  |
|-------------|---------------|--|
|             |               |  |
|             |               |  |
|             |               |  |
|             |               |  |
| SUDH ASHREE | PANNER        |  |
|             |               |  |
|             |               |  |
|             |               |  |
|             |               |  |
|             |               |  |
|             |               |  |

#### \*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.



#### www.clacksweb.org.uk

#### **Question 3** Previous Applications

Has the Transferee 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 Transferee or any Connected Person ever been Convicted of a relevant or Foreign Offence?

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<br>(if Applicable) | Date of Convictions<br>or Sentence | Court | Offence | Penalty |
|------------------------------------|------------------------------------|-------|---------|---------|
| None                               | NA                                 |       |         |         |
|                                    |                                    |       |         |         |
|                                    |                                    |       |         |         |
|                                    |                                    |       |         |         |
|                                    |                                    |       |         |         |
|                                    |                                    |       |         |         |
|                                    |                                    |       |         |         |



#### 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.

| a a a a a a a a a a a a a a a a a a a |       |                  |       |
|---------------------------------------|-------|------------------|-------|
| Signature<br>* (See Note Bel          | ow)   | Date 26 4        | 12023 |
| Capacity                              | AGENT | (Delete as appro |       |
|                                       |       |                  |       |

Telephone Number and Email Address of Signatory

| <br> |  |  |
|------|--|--|

#### \* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request.

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

| Checklist  |  |
|--|--|
| Fee enclosed   |  |
| Application signed/dated   |  |
| Original Licence enclosed or a<br>Statement of reasons for failing to<br>produce the Licence |  |



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### Licensing (Scotland) Act 2005, Section 29 Application for Variation of Premises Licence

To:

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

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

#### **APPLICANT INFORMATION**

#### Question 1

Name, Address, Postcode and Licence Number of Premises.

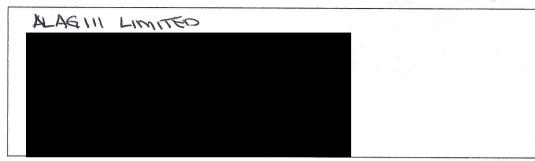
| EDDY'S FOOD STATION |  |
|---------------------|--|
| 1 WOOD BURN DRIVE   |  |
| ALLOA               |  |
| FLID 2GL            |  |
|                     |  |
|                     |  |

#### **Question 2**

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



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#### **DETAILS OF VARIATION**

#### Question 3

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

() CHANGE PREMISES NAME TO = WOODBURNDRIVE STORES (2) CHANCE OF DESIGNATED PREMISES MANAGER 3 CHARGE TO LAYOUT PLAN - NO CHARGE IN ALCOHOL DISPLAY CAPACITY

#### **OPERATING PLAN**

#### **Question 4**

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

#### YES/NO

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



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#### LAYOUT PLAN

#### Question 5

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

#### YES/NO

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

#### CONDITIONS

#### **Question 6**

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

YE8/NO

If Yes please give details of the proposed variation below

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

#### PREMISES MANAGER

#### **Question 7**

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

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



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| SOANNAD | MAGDELENIA PIESIK | <br> |
|---------|-------------------|------|
|         |                   |      |
|         |                   |      |
|         |                   |      |
|         |                   |      |

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

NID

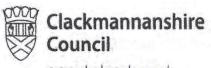
If there is a Change of Premises Manager Please Provide the following:-.

Name and Address of the Proposed Premises Manager

| DAEENA THAYALAN | J PONNEER |
|-----------------|-----------|
|                 |           |
|                 |           |
|                 |           |

Date and Place of Birth of the Proposed Premises Manager

Email Address and Telephone Number of the Proposed Premises Manager



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#### Personal Licence

| Date of Issue | Name of Licensing Board<br>Issuing | Reference No. Of<br>Personal Licence |
|---------------|------------------------------------|--------------------------------------|
| 21/12/2021    | PERTH AND KINROSS<br>HIGHSING BODD | PK3679                               |
|               |                                    |                                      |

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

#### YES/NO

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

#### DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

#### If Signing on Behalf of the Applicant Please State in What Capacity.

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

| Signature<br>* (See Note Overleaf) | Date 28/4/2023                             |
|------------------------------------|--|
| Capacity                           | APPLICANT/AGENT<br>(Delete as appropriate) |
| Telephone Number and Email Addres  | ss of Signatory                            |
|                                    |  |



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### **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 <b>ON</b> the<br>Premises? | YES/NO* |
|---|---------|
| 1(b) Will alcohol be sold for consumption solely <b>OFF</b> 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       |              | NSUMPTION     |
|-----------|--------------|---------------|
|           | OPENING TIME | TERMINAL HOUR |
| MONDAY    | Nip          | ND            |
| TUESDAY   | NA           | NA            |
| WEDNESDAY | NA           | RIA           |
| THURSDAY  | Alu          | NIA           |
| FRIDAY    | Ala          | NA            |
| SATURDAY  | alu          | NIA           |
| SUNDAY    | alla         | NA            |



### **Question 3**

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

| DAY       | ON CONSUMPTION |               |  |
|-----------|----------------|---------------|--|
|           | OPENING TIME   | TERMINAL HOUR |  |
| MONDAY    | 10:00 pm       | 10:00 Pm      |  |
| TUESDAY   | 10:00 pm       | 10:00Pm       |  |
| WEDNESDAY | 10:00 PM       | 10'. 00 Pm    |  |
| THURSDAY  | 10.00 pm       | 10'.00 Pm     |  |
| FRIDAY    | 10:00 AM       | 10:00 Pm      |  |
| SATURDAY  | 10:00 PM       | 10:00 Pm      |  |
| SUNDAY    | 10:00 pm       | 10:00 Pm      |  |

#### **Question 4**

### SEASONAL VARIATIONS

| Does the Applicant intend to operate according to Seasonal Demand | XES/NO* |
|---|---------|
| *If YES – provide details   |         |
|   |         |
|   |         |
|   |         |
|   |         |
|   |         |
|   |         |
|   |         |



**Question 5** 

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

| 1   | 2                         | 3  | 4  |
|---|---------------------------|--|--|
|   | Please Confirm            | To Be Provided<br>During Core<br>Licensed<br>Hours | Be Provided<br>Outwith Core<br>Licensed<br>Hours |
|   | YES/NO                    | YES/NO   | YES/NO   |
| 5(a) Activity   |                           | 1  |  |
| Accommodation   | No                        | N/A  | N/A  |
| Conference<br>Facilities  | No                        |  |  |
| Restaurant<br>Facilities  | No                        | Ио   | No   |
| Bar Meals   | No                        | 04   | No   |
| 5(b) Activity - Socia   | al Functions Includir     | ig:  |  |
| Receptions<br>Including<br>Wedding,<br>Funerals,<br>Birthdays,<br>Retirements<br>Etc. | No                        | NO   | NO   |
| Club of Other<br>Group<br>Meetings etc.   | No<br>tainment Including: | No   | NO   |
|   |                           |  |  |
| Recorded Music<br>(see 5g)  | No                        | Ио   | NO   |
| Live Performance<br>(see 5g)  | No                        | 20   | No   |
| Dance Facilities  | No                        | NO   | No   |
| Theatre   | 100                       | NO   | No   |
| Films   | No                        | 20   | NO   |
| Gaming  | NO                        | NO   | NG   |



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| Indoor/Outdoor<br>Sports         | No                | NO | No |
|----------------------------------|-------------------|----|----|
| Televised Sport<br>5(d) Activity | NO                | Ю  | NO |
|                                  |                   |    | 1  |
| Outdoor Drinking<br>Facilities   | $\mathcal{N}_{O}$ | NO | No |
| 5(e) Activity                    |                   |    |    |
| Adult<br>Entertainment*          | 20                | No | 20 |

\* Adult Entertainment means any form of entertainment which-

(a) involves a person performing an act of an erotic or sexually explicit nature; and

(b) is provided wholly or mainly for the sexual gratification or titillation of the audience

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

19/01

#### 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

NID

#### 5(g) Late Night Premises Opening after 1.00am

| Where You Have Confirmed That You Are Providing Live or Recorded Music Will The Decibel Level Exceed 85dB | YES/NO* |
|---|---------|
| When Fully Occupied Are There Likely To Be More<br>Customers Standing Than Seated                         | YES/NO* |

\*Delete As Appropriate



#### Question 6 (On-Sales only)

CHILDREN AND YOUNG PERSONS

| 2    | When Alcohol Is Being Sold For Consumption On The  | NID     |
|------|--|---------|
| 6(a) | Premises Will Children Or Young Persons Be Allowed | YES/NO* |
|      | Entry  |         |

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

ND

6(c) Provide Statement Regarding the **AGES** of children or Young Persons to be Allowed Entry

Alu

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

NIA



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

NIA

#### **Question 7**

CAPACITY OF PREMISES

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

| OFFSALES | 14.39 SQ MERES |  |
|----------|----------------|--|
|          |                |  |

#### **Question 8**

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

Personal Details

8(a) Name

DHEENA THAYALAN PANNEER

8(b) Date of Birth



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#### 8(c) Contact Address

|                    |  | <br>a<br>an an a a |
|--------------------|--|--------------------|
| 8(d) Email Address |  |                    |

NIA

8(e) Personal Licence

| Date of Issue | Name of Licensing Board<br>Issuing   | Reference No. Of<br>Personal Licence |
|---------------|--------------------------------------|--------------------------------------|
| 21/12/2021    | PERTH & XINROSS<br>LICENS INTE BODED | PK 3679                              |

### 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.

|          |        | * (See Note Below)      |
|----------|--------|-------------------------|
| Date     | 158023 |                         |
| Capacity | ACENT  |                         |
|          |        | (Delete as appropriate) |

Telephone Number and Email Address of Signatory

#### \* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

#### PERSONAL LICENCE

The holder of this licence is qualified and permitted to sell alcohol under the terms of the Licensing (Scotland) Act 2005

Licence number

PK3679

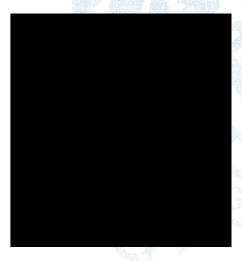
Name and Address of Licence Holder

Dheena Thavalan Panneer

Name of Issuing Licensing Authority
Perth and Kinross Licensing Board

Expiry Date

20 December 2031



### **Training Record**

#### Personal Licence number PK3679

| Dates of Training | Title of Course<br>Completed      | Awarding<br>/Accrediting Body | Level Attained |
|-------------------|-----------------------------------|-------------------------------|----------------|
| 29/06/2021        | Scottish Certificate for Personal |                               |                |
|                   | Licence Holders                   | Highfield                     | SCQF Level 6   |

**ANNEX B** 

**Convictions for Relevant and Foreign Offences** 

Personal Licence number PK3679

Offence

Court

Date

Penalty

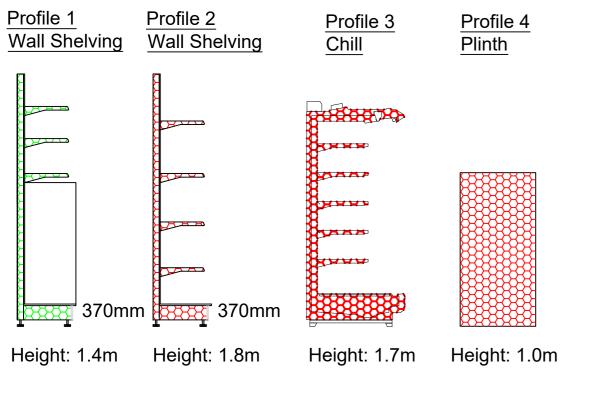
ANNEX C

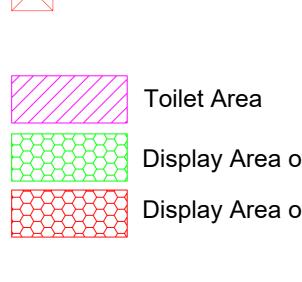
Endorsements

Personal Licence number - PK3679

Reason for Endorsement Name of Licensing Board Date of Commencement

**Expiry Date** 





**Fire Exit** 

Display Area of Alcohol (Inaccessible) Display Area of Alcohol (Accessible)

> (Inaccessible) Wall Shelf Width:-

Total Display Area of Alcohol (Accessible) Wall Shelf Width:- $1.0m(L) \times 1.7m(h) = 1.7m2$ 

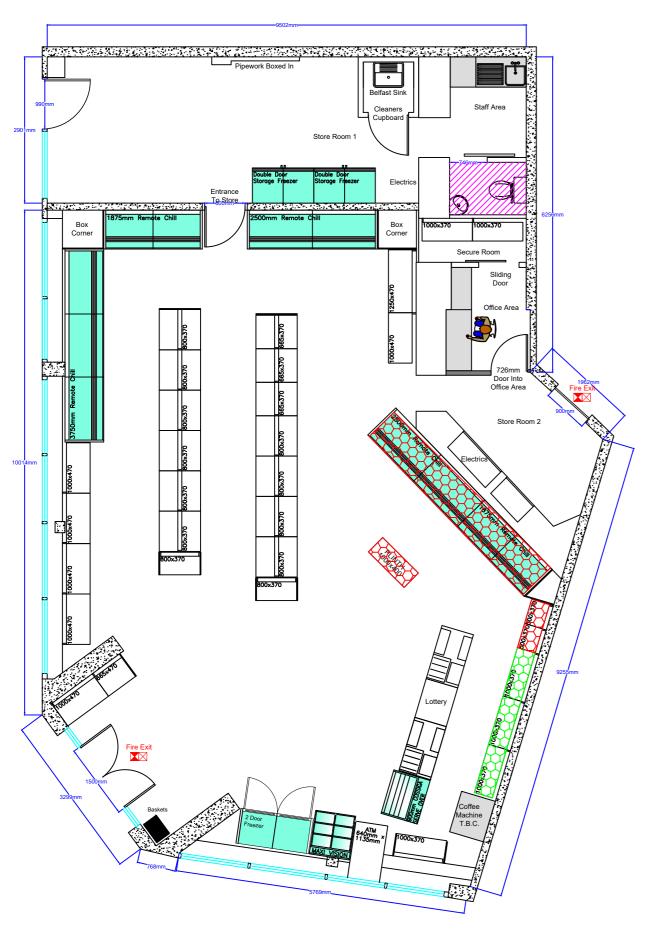
Chill Shelf Width:-

Plinth Width:-

Total Display Shelving -Total = 14.3375m2

All Plans and quotations remain the property of the designer, who retain the copyright. Drawings are based upon site information supplied by third parties and as such their accuracy cannot be guaranteed. All features are approximate and subject to clarification. Therefore, no shop plan or shelving elevation example, may be copied or used as a basis for quotation by other

persons or companies, without written permission from the proprietor of the company DO NOT SCALE



Total Display Area of Alcohol  $3.0m(L) \times 1.4m(h) = 4.2m2$ 

 $4.375m(L) \times 1.7m(h) = 7.4375m2$ 

 $1.0m(L) \times 1.0m(h) = 1.0m2$ 

| Existing Ceiling:       | 2648mm/2364mm |
|-------------------------|---------------|
| Proposed Ceiling:       | -             |
| Depth Of Frieze:        | -             |
| Wall Column Height:     | -             |
| Gondola Column Height:  | -             |
| Suspended Ceiling:      | -             |
|                         | -             |
|                         | -             |
|                         | -             |
|                         | -             |
| Floor Specification:    | -             |
|                         | -             |
|                         | -             |
|                         | -             |
|                         | -             |
| Lighting Specification: | -             |
|                         | -             |
|                         | -             |
|                         | -             |
|                         | -             |
| Woodwork Finish:        | -             |
| Shelving Colour:        | -             |
| Kickplate Colour:       | -             |
| Ticket Rail Colour:     | -             |
| Dairy Trim Colour:      | -             |
| Slatwall Finish:        | -             |
| Frieze Finish:          | -             |



Vertex R.A.S. Ltd Sir William Smith Road Kirkton Industrial Estate Arbroath Angus DD11 3RD

Tele: 01241 876796 F.A.X.: 01241 878010 www.vertexscotland.com

Project Woodburn Drive Stores Details: 1 Woodburn Drive

> Alloa FK10 2HL

| Drawing Title: | Licence Layou | t               |
|----------------|---------------|-----------------|
| Drawing No:    | 21-067        |                 |
| Scale:         | 1:75@A2       | Revision: C     |
| Date:          | 20-04-23      | Project Rep: AD |
| Drawn By:      | AA            | Revision By: -  |



Clackmannanshire Comhairle Siorrachd Chlach Mhanann

### APPLICATION FOR OCCASIONAL LICENCE

To:

Г

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

Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

| 1. LICENCE DETAILS (see note 1)  |  |  |  |
|--|--|--|--|
| I am a :-<br>(please tick <b>one</b> only)   |  |  |  |
| Premises Licence Holder  |  |  |  |
| Personal Licence Holder  |  |  |  |
| Representative of a Voluntary Organisation   | Х□   |  |  |
| Representative of a Members Club   |  |  |  |
| Name and Address of Premises, licence<br>number, Issuing Licensing Board<br>(if applicable)  | The marquee at The Hive, Park<br>Place,Dollar,FK14 7AA.<br>Personal Licence No – CC950 |  |  |
| Personal Licence Holder Name and<br>Number (if applicable )<br>Issuing Licensing Board   | Christopher Hudd – CC950   |  |  |
| Name of voluntary organisation or Members Club (if applicable)<br>Dollar Community Development Trust                                 |  |  |  |
| Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes |  |  |  |

| 2. PERSONAL DETAILS  |  |                        |  |  |
|--|--|------------------------|--|--|
| TITLE (delete as   | appropriate) <b>MR</b> (pleas  | se state)              |  |  |
| FORENAMES  | Christopher Charles  |                        |  |  |
| SURNAME  | Hudd   |                        |  |  |
| voluntary organisa<br>position in that clu                                 | on behalf of a Club or<br>tion please state your<br>b/organisation or provide<br>at you are authorised or<br>n their behalf. | Trustee                |  |  |
| DATE OF BIRT   | гн   |                        |  |  |
|  | ERE ORDINARILY R<br>DENCE PURPOSES   | ESIDENT TO BE USED FOR |  |  |
|  |  |                        |  |  |
| Post Town Postcode   |  |                        |  |  |
| TELEPHONE NUMBERS  |  |                        |  |  |
| DAYTIME<br>EVENING   |  |                        |  |  |
| MOBILE   |  |                        |  |  |
| FAX NUMBER   |  |                        |  |  |
| E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)   |  |                        |  |  |
| 3. THE PREMISES (where the event is to be held -See note and answer fully) |  |                        |  |  |

Description of Premises.

20m \* 12m marquee in the grounds of The Hive (Civic Centre) Park Place Dollar Hive for toilets only – toilets located at front door

Full Postal Address of Premises which this Application Refers to The Hive, Park Place, Dollar, FK14 & AA

### IMPORTANT

From the 1<sup>st</sup> November, 2016, premises which do not have a **Premises Licence** and which are used to provide "public entertainment" require to have in place a **Public Entertainment Licence (PEL)** or a **Temporary PEL**.

| Please confirm the following : | 1 The premises have a current PEL<br>or     | Yes |
|--------------------------------|---|-----|
|                                | 2 Date Temporary PEL was been applied for - |     |

 Description of Activities to be Carried on in the Premises (see note and answer fully)

 Fourth Dollar Beer and Wine Festival, Friday 13<sup>th</sup> Oct 2023, 7.30-11pm, beer lovers night with c.13 cask ales to sample and quiet music. Wines/spirits and soft drinks also available.

 Saturday 14th Oct, 7.30-11pm – beer/wine festival with disco.

 Approximately How many persons will attend event ?
 Max 170

 Will SIA Licensed Stewards to be provided ?
 YES

 Is food to be provided at the Event - If yes please provide details
 No

| 4. DURATION OF LICENCE                                      |                                    |
|---|------------------------------------|
| Start Time and Date   | End Time and Date                  |
| Friday 13th Oct & Saturday 14 <sup>th</sup> Oct –<br>7.00pm | Friday/Saturday 13/14th Oct – 11pm |

### 5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES\* IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES NO\*

PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-\* delete as appropriate

| Times for sale of alcohol for consumption | Times for sale of alcohol for consumption |
|---|---|
| On premises – 7.00-11pm                   | Off premises – N/A – no OFF SALES         |
|   |   |

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises.

There are no other activities other than background music from 7-11pm on the Friday 13<sup>th</sup> and dancing/disco music from 7-11pm on Saturday 14<sup>th</sup> October

#### 6. CHILDREN (see note 2)

#### This section must be completed where alcohol is for sale for consumption on the premises

| Are children or young persons permitted entry? of this section must be completed) | NO – ov | er 18's only | (if answered yes the remainder |
|---|---------|--------------|--------------------------------|
|   |         |              |                                |

| Will Children (0-15yrs) and Young Persons (16 &17 yrs) require to be accompanied by a parent or person over the age of 18 yrs? | YES/NO  |  |  |
|--|---|--|--|
| Ages of Children of Young Persons<br>Permitted Entry   | Times at which Children or Young Persons<br>Permitted Entry |  |  |
| Parts of Premises to which Children or Young Persons Permitted Entry   |   |  |  |

### 7. Signature and declaration by applicant (see note 3)

### DECLARATION

# IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

| The contents of this Appl | ication are true to the best of my k | nowledge and | belief. |
|---------------------------|--------------------------------------|--------------|---------|
|                           |                                      |              |         |

| SIGNATURE | C C Hudd | DATE | 21/6/23 |  |
|-----------|----------|------|---------|--|
|           |          |      |         |  |

#### \* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

| 8. CHECKLIST - Please tick                                     |     |
|--|-----|
| I have Made or enclosed payment of the fee for the application | Yes |

### NOTES

- 1. Section 56 of the Licensing (Scotland) Act 2005 provides that only:-
  - The holder of a premises licence;
  - The holder of a personal licence; or
  - A representative of any voluntary organisation

is eligible to apply for an occasional licence

- 2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are a statement of the terms on which they are allowed entry
- 3. Data Protection Act 1998

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

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

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

### **Dollar Community Marquee details**

#### Supporting information for Beer Festival October 2021

- Hocker P-series
- A frame
- P-1200-240-458 marquee
- 24m x 12m (size adjustable)
- Cover is detailed as: Roof covering type Premium grade, high gloss white, PVC coated polyester fabric UV resistant and flame retardant according to: DIN 4102 B1, M2; BS 5438/7837; USA NFPA701.

## **Premises Age Verification Policy**

The Licensing (Scotland) Act, 2005 requires by virtue of mandatory condition that every premises operates an Age Verification Policy.

Extract from Mandatory Conditions

Age verification policy

9A(1)There must be an age verification policy in relation to the sale of alcohol on the premises.

(2)An "age verification policy" is a policy that steps are to be taken to establish the age of a person attempting to buy alcohol on the premises ("the customer") if it appears to the person selling the alcohol that the customer may be less than **25 years of age** (or such older age as may be specified in the policy).

The following Age Verification Policy will be applied to all sales of alcohol made on these premises

Name of premises:

The Marquee at The Hive Dollar

Address of premises:

Park Place, Dollar

Name of Occasional licence holder:

Christopher Hudd

Any individual who appears to the person selling or serving alcohol to be under the age of **25 years** will, prior to any sale or service of alcohol taking place be asked to produce identification bearing their photograph, date of birth, and if relevant a holographic mark.

The Following documents are the only acceptable forms of identification at these premises.

- An EU Photo Card Driving Licence
- A Current Passport
- A Proof Of Age Card Bearing the PASS Hologram

## Bar staff must not rely on the entry checks carried out by Stewards as

**proof of age**. It is the responsibility of persons making sales of alcohol to carry out age verification checks where a customer appears to be under the age of 25.

### Further Information For Staff and Training Record

By selling alcohol to a person who is under 18 it is **YOU** that commits the offence as well as the customer. On Conviction **you** could be fined up to  $\pounds5,000$  and or be imprisoned for up to 3 months.

In addition selling Alcohol to someone under 18 could result in the occasional licence holder being prosecuted

1 The licence holder, if prosecuted and if found guilty can be fined up to  $\pounds 5,000$ 

2 On conviction it is possible that the Licensing Board will refuse future applications and may hold Review Hearing which could result in the Personal Licence held by the applicant being revoked or suspended.

The occasional licence holder and Personal Licence Holder must ensure that all staff who are involved in the supply of alcohol are made aware of the existence and content of the age verification policy applied by the premises.

All Staff must consistently apply the same policy when considering whether or not to make a sale of alcohol.

Signed. .....C.C.Hudd.....On Behalf of Occasional Licence Holder

Date......21/06/23.....

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I acknowledge having been made fully aware of the Age Verification Policy in operation at :

Description,, date and time of event

Dollar Charity Beer Festival

Friday/Saturday – 13/14th October, 2023 – 7.30-11pm

and I can confirm that I have received full training in its use at this premises.

| Name of Staff Member | Signature |
|----------------------|-----------|
|                      |           |
|                      |           |
|                      |           |
|                      |           |
|                      |           |
|                      |           |
|                      |           |
|                      |           |

# Additional Measures in used by Event Organiser in relation to Age Verification Process should be detailed here

Text Area.....

Challenge 25 Posters will be in clear view behind the bar areas

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

## Memo

The Clerk to the Licensing Board To: Greenfield Alloa **FK10 2AD** 

| From:      | Paul Fair<br>Licensing Standards Officer |
|------------|--|
| Extension: | 2091                                     |
| Email:     | pfair@clacks.gov.uk                      |
| Our Ref:   | PF/LSO/OL/REP                            |
| Your Ref:  |  |
| Date:      | 18 August 2023                           |

#### Licensing (Scotland) Act, 2005, Section 57 (3) Subject: **Occasional Licence Application – Dollar Community Development Trust – Beer Festival** Friday 13<sup>th</sup> and Saturday 14th October, 2023

Section 57(1)(b) of The Licensing (Scotland) Act, 2005 (the Act) requires that the Licensing Board notifies the Licensing Standards Officer for the area in relation to any application for an occasional licence. This section further provides that the Licensing Standards Officers is provided with a copy of the application.

Having considered the content of the application I have the following comments to make:

- 1. The application relates to an annual Craft Beer Festival, which takes place in a 20m x 12 m marguee sited in the grounds of The Hive, Park Place, Dollar, FK14 7AA
- 2. The application also required a Public Entertainment Licence, which has been granted after the event organisers attended a meeting of the Safety Advisory Group (SAG).
- 3. The SAG meeting was utilised to engage with the applicant in relation to a number of areas of concern connected to the licensing of large scale alcohol orientated events.
- 4. A number of areas of concern were discussed, and although agreement was reached in relation to how these areas of concern will be managed it is felt that, in line with normal practice, that a representation should be submitted to the licensing Board seeking the addition of local licensing conditions.



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- 5. The application seeks to licence the marquee over 2 days Friday 13<sup>th</sup> October, and Saturday 14<sup>th</sup> October, 2023
- 6. The sale of alcohol would be permitted between 7pm and 11pm on both days
- 7. Low level background music will be provided on the Friday and entertainment in the form a disco with permitted dancing will take place on the Saturday night.
- 8. Access to the event will be granted on production of a pre purchased ticket, and no person under the age of 18 will be permitted into the venue during the event.
- 9. SIA Licensed stewards will be provided for the Saturday night event only
- 10. It is expected that around 300-350 visitors will attend the event over the course of the 2 days.
- 11. The venue is suitable for an event of this nature.
- 12. The applicant for the licence, as an organisation, are experienced at running events, and this particular event has taken place for the last 4 years.
- 13. The main areas of concern that were discussed were persons under 18 gaining access to the venue and consuming alcohol, persons leaving the venue in possession of open glass containers of alcohol, persons consuming excesses of alcohol and staff not being adequately trained to recognise this or understand the complex nature of the licensing laws.
- 14. In order to address each of these areas of concern I would suggest that it is necessary and expedient for the purposes of the licensing objectives to apply the local conditions listed in **appendix A** to this report.

Paul Fair

Licensing Standards Officer.

### Appendix A

### Suggested Conditions for Dollar Beer Festival – 13 & 14 October, 2023

1 No alcohol is to be removed from the licensed area and the licence holder must have in place suitable arrangements to ensure that no alcohol is removed from the licensed area.

2 A clear and legible notice of no less than A4 size must be placed in a position where it can be conveniently read by persons seeking to leave the marquee, which states that **"No alcohol can be removed from the licensed area."** 

3 Commemorative glasses being removed from the licensed area must be empty of all contents.

4 All staff making sales of alcohol or responsible for the service of alcohol mist be trained in accordance with the terms of the Licensing (Training of Staff) (Scotland) Regulations 2007. (The Requirements of this training have been full explained to the applicant)

5 Prior to the commencement of licensed hours all staff working at the event in a capacity where they are selling or serving alcohol, must be properly briefed on the mandatory and local conditions of the licence, in particularly the requirements of the age verification policy. It will be the responsibility of the applicant to carry out this briefing.

6 Only alcohol sold by the licence holder can be consumed within the licensed area.

7 A minimum of 2, SIA licensed door supervisors will be on duty for the duration of the licensed hours on Saturday 14 October, 2023. Particulars of these stewards will be provided in writing to the Licensing Standards Officer at least 72 hours in advance of the commencement of the event. (Particulars means, Full Name, and Current SIA Licence number and type).

#### Report to the Licensing Board

#### Date of Meeting: 18 July 2023

#### Subject: General Permitted Extension - Festive Period 2023 -24

#### Report by: Clerk to the Licensing Board

#### 1.0 Purpose

1.1 The purpose of this report is to enable the Licensing Board to consider its approach to the festive period 2023-4.

#### 2.0 Background

2.1 For a number of years the Board has agreed a general permitted extension to licensing hours over the festive period. This approach has been well received by the licensed trade.

#### 3.0 Recommendation

- 3.1 It is recommended that the Board:
  - 3.1.1 Note that the Statement of Licencing Policy has incorporated the Festive Policy
  - 3.1.2 Agree that any general extension incorporated into the Statement of Licensing Policy 2018 shall begin on a chosen date between 15 December 2023 and 22 December 2023.
  - 3.1.3 Agree that any general extension incorporated into the Statement of Licensing Policy shall end 02 January 2024, as this is the last non working day of the festive period.

#### 4.0 Consideration

4.1 For 7 years the Board has granted a General Extension of licensed hours for the Festive Period. This approach has now been incorporated into the current consultation on the Statement of Licensing Policy.

The Statement of Licensing Policy "Festive Policy" considers it appropriate to grant a general extension of one additional hour to the terminal hour on all On Sales premises, unless that would extend trading beyond 2 am. An additional special provision to allow a 2am terminal hour where Christmas Eve and New

Years Eve fall on a day other than a Friday and Saturday. This has been the same approach taken by the Board in previous years. As indicated above, to date this policy has been well supported, by the Police and the trade in particular. The Statement does indicate that the dates that the festive policy will apply will continue to be set at this meeting in the cycle by the Board. Therefore, it has been considered appropriate at this point to make a recommendation on when any agreed festive policy would apply. This will give the trade the opportunity to begin to plan for the festive period.

4.2 The administration of extended hours applications can be time consuming for the licensing team, as the Licensing Standards Officer is required to submit a report on each application, even if there are no concerns regarding the extension in question. As a result of this requirement, applications for extended hours cannot be determined under delegated powers, and require Board Members to approve each application. The fee payable for this is £10 and does not cover the cost of processing the application. Separately, this imposes a regulatory burden on licensed premises.

#### 4.0 Sustainability Implications

4.1. None

#### 5.0 **Resource Implications**

#### 5.1. Financial Details

5.2. As reported previously to the Board the potential reduction in the number of extended hours applications will result in continued reduced income. However the cost of processing an application far exceeds the statutory fee and the loss of income is offset by the overall benefits gained by the Board, Council and applicants as detailed in this report.

5.3. Staffing

The grant of a general extension would remove the requirement for licence holders to submit an extended hours application. This would reduce the administrative burden on the licensing service, and would not require the Board to determine applications subject to a LSO report at short notice and prior to the Festive Break.

#### 6.0 Equalities Impact

6.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

| Yes 🛛 | No 🗹 |
|-------|------|
| Yes 🛯 | No ⊻ |

#### 7.0 Legality

7.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

### 8.0 Appendices

8.1 None.

### 9.0 Background Papers

9.1 Consultation on the Statement of Licensing Policy .

### Author(s)

| NAME          | DESIGNATION                  | TEL NO / EXTENSION |
|---------------|------------------------------|--------------------|
| Lee Robertson | Clerk to the Licensing Board | 2087               |

### Approved by

| NAME          | DESIGNATION                  | SIGNATURE |
|---------------|------------------------------|-----------|
| Lee Robertson | Clerk to the Licensing Board |           |