



**Clackmannanshire  
Council**

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## 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.

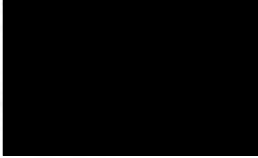
The Red Lion  
148 High Street  
Tillicoultry  
FK13 6DU

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 Issuing	Reference No. Of Personal Licence

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.......... Date 13/5/23  
 \* (See Note Overleaf)

Capacity ..... APPLICANT ..... **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**

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



## Memo

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

**From: Paul Fair  
Licensing Standards Officer**

**Extension: 2091**

**Email: pfair@clacks.gov.uk**

**Our Ref: PF/LSO/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. There 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.