



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held in COUNCIL CHAMBERS, KILNCRAIGS, ALLOA, on TUESDAY 7 NOVEMBER 2023 at 9.30 am.

PRESENT

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

IN ATTENDANCE

Shaun Carroll, Licensing Paralegal
Lezli-Anne Sharp, Licensing Administrator
Paul Fair, Licensing Standards Officer
Lee Robertson, Senior Manager, Legal and Governance (Clerk to the Board)
Melanie Moore, Committee Services
Gillian White, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor Graham Lindsay and Councillor Martha Benny.

2.0 DECLARATIONS OF INTEREST

Councillor Keogh declared a non-financial interest in Item 4(iii) relating to an Application for Grant of a Personal Licence as the applicant is a friend. Councillor Keogh advised he would withdraw from the Chamber for the duration of that item of business.

3.0 MINUTE OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD – 29 AUGUST 2023

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 29 August 2023 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 29 August 2023 were agreed as a correct record and signed by the Chair.

4.0 LICENSING (SCOTLAND) ACT 2005

- (i) **Application for Occasional Licence – Christmas Family Fun Day**
Premises: Tillicoultry Golf Club, Alva Road, Tillicoultry, FK13 6BL
Applicant: Ann Douglas, Administrator, Tillicoultry Golf Club

Attending

Mr Paul Fair, Licensing Standards Officer

The Licensing Standards Officer advised he had formally withdrawn his objection as an amended occasional licence application had been received which met the criteria to allow the application to be considered under delegated powers.

Decision

The Licensing Board noted that the objection to the original occasional licence application had been withdrawn and an amended application for an occasional licence for a Christmas Family Fun Day at Tillicoultry Golf Club had been granted under delegated powers.

(ii) Hearing to consider a Premises Licence Review Proposal

Premises: The Woolpack Inn, 1 Glassford Square, Tillicoultry, FK13 6AU

Attending

Mr Paul Fair, Licensing Standards Officer
Ms Janet Hood, Solicitor (Consultant) representing the Woolpack Inn

The Licensing Standards Officer advised that he had formally withdrawn his objection as the matters raised in his report have been addressed by way of an application for transfer of a licence. This had eased his concerns regarding the remote nature of the previous premises licence holder which had now been transferred to a local individual. He advised that an agreement had been reached in terms of a management plan going forward and that while he was confident that matters would now be resolved, he reserved the right to bring forward another review proposal should matters not be amended or improvements not made.

Ms Hood advised that she had been concerned by the matters raised in the review and advised that while there had been communications difficulties with her predecessor; she now represents the company as a consultant. She is happy that a working conclusion has been established working with both her client and the LSO to ensure that matters go forward properly. She acknowledged that there had been breaches of licensing legislation in the past, and that is why when the LSO suggested a transfer to an appropriate local person, who lives directly across from the premises, that this would help solve almost every problem. The owners of the premises have been advised that they need to keep in touch with the premises and they do have to understand that they have duties as well. She will be supplying all the information that the LSO needs with regards to interested and connected persons.

The Board then had the opportunity to for questions to both the LSO and Mrs Hood.

Decision

The Licensing Board noted that the Premises Licence Review application had been withdrawn and that an application for transfer of licence had been granted under delegated powers.

Councillor Keogh withdrew from the meeting for the duration of this item of business having previously declared an interest.

(iii) Application for Grant of Personal Licence

Applicant: Llinos Williams

Attending

Mr Paul Fair, Licensing Standards Officer

Ms Williams had previously advised that she was unable to attend this meeting of the Licensing Board due to work commitments and therefore submitted her apologies.

The Board heard representation from the Licensing Standards Officer. The Board then had the opportunity to for questions to the LSO.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board refuses the personal licence application as the applicant is not a fit and proper person to hold such a licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Darren Lee.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to refuse the personal licence application as the applicant is not a fit and proper person to hold such a licence.

Action

Clerk to the Board

Councillor Keogh returned to join the meeting.

5.0 CHIEF CONSTABLE'S REPORT TO THE CLACKMANNANSHIRE LICENSING BOARD FOR THE PERIOD 2022-2023

Attending

Inspector Alex Hatrick, Police Scotland

Sgt Malcolm O'May, Police Scotland (Licensing Officer)

The Chief Constable, Police Scotland, submitted the Annual Licencing Report for 2022/23, in accordance with Section 12(A) of the Licensing (Scotland) Act 2005.

The Board heard a presentation from Inspector Alex Hatrick on the Chief Constable's report and had the opportunity to put questions to him.

Decision

Having commented on and challenged the report as appropriate and having had the opportunity for questions, the Board agreed to note the information provided in the Chief Constable's Report to the Clackmannanshire Licensing Board 2022-2023.

6.0 PROGRESS UPDATE ON THE STATEMENT OF LICENCING POLICY 2023

The Licensing Standards Officer gave a verbal update on the progress made on the Statement of Licensing Policy for 2023. He anticipated that the publication date will be missed by a few days, but he will send out a summary of all responses received by week ending 10th November 2023 for Board Members to consider. He advised that there had been no major criticisms of the draft policy. Once the final draft has been approved, the document's cover is to be produced before being proof read and published.

Decision

The Licensing Board noted the progress made on the Statement of Licensing Policy 2023

7.0 AOCB

There was no other business.

Ends: 11.11 am

