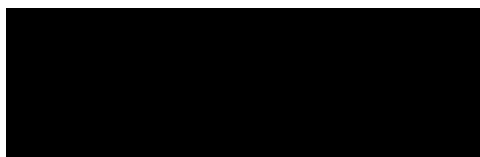




## NOTICE OF MEETING

**10 February 2025**

**A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA on TUESDAY 18 FEBRUARY 2025 AT 9.30 AM.**



**DALE BELL**

**Depute Clerk to the Clackmannanshire Licensing Board**

|  | <b>Page No</b> |
|--|----------------|
| 1. Apologies   | - -            |
| 2. Declarations of Interest  | - -            |
| Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest Form should be completed and passed to the Committee Services Officer. |                |
| 3. Confirm Minute of Meeting of the Clackmannanshire Licensing Board held On 14 January 2025 (Copy herewith)   | 05             |
| 4. <b>Licensing (Scotland) Act 2005 – Applications for Variation of Licence</b>  | - -            |
| (i) Application for Variation of Licence, Operating Plan and Police Scotland Response (Copies herewith)  | 07             |
| Premises: Auld Brigg Filling Station, Auld Brigg Road, Alloa, FK9 5QB<br>Applicant: Penny Petroleum, Old Station House, Powburn, Alnwick, Northumberland, NE66 4HU   |                |
| (ii) Application for Variation of Licence, Operating Plan, Licensing Standards Officer Report and Police Scotland Response (Copies herewith)   | 23             |
| Premises: SASA, Holton Crescent, Sauchie, FK10 3DQ<br>Applicant: Akila Sajeevan, Sauchie   |                |

- (iii) Application for Variation of Licence, Licensing Standards Officer Report and Police Scotland Response (Copies herewith) 43

Premises: Lodge Ladywell (1474) Social Club, 6A Banchory Place,  
Tullibody, FK10 2SL

Applicant: M Empson, Secretary, Lodge Ladywell (1474) Social Club

5. Licensing (Scotland) Act, 2005 Section 84 - Finding of Conduct Inconsistent with the Licensing Objectives – report by the Licensing Standards Officer (Copy herewith) 55

Personal Licence Holder – Marypuspa Dishanth CC994

6. AOCB - -

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

---

### Councillors

### Wards

|            |                            |   |                        |              |
|------------|----------------------------|---|------------------------|--------------|
| Councillor | Kenneth Earle (Chair)      | 4 | Clackmannanshire South | LABOUR       |
| Councillor | Mark McLuckie (Vice Chair) | 1 | Clackmannanshire West  | LABOUR       |
| Councillor | Darren Lee                 | 1 | Clackmannanshire West  | CONSERVATIVE |
| Councillor | Graham Lindsay             | 1 | Clackmannanshire West  | SNP          |
| 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



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on TUESDAY 14 JANUARY 2025 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**

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

**1.0 APOLOGIES**

Apologies were received from Councillor Graham Lindsay.

**2.0 DECLARATIONS OF INTEREST**

None.

**3.0 MINUTES OF MEETINGS OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 5 NOVEMBER 2024**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 5 November 2024 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 5 November 2024 were agreed as a correct record and signed by the Chair.

**4.0 SECTION 36(3)B OF THE LICENSING (SCOTLAND) ACT 2005:**

**Premises Licence Review Application for the Coalsnaughton Burns Club, 2 Main Street, Coalsnaughton, FK13 6JP (Premises Licence Number CC135)**

**Attending**

Mr Paul Fair, Licensing Standards Officer (LSO)

Although notice had been sent to the Coalsnaughton Burns Club, there had been no response and there was no-one in attendance from the Club.

The Board heard an introduction from the Licensing Standards Officer (LSO), who had made application to review Premises Licence Number CC135 granted by Clackmannanshire Licensing

Board in favour of Coalsnaughton Burns Club. The LSO explained that the review application had been made in relation to a breach of mandatory condition Number 10(2) of the Premises Licence. The annual fee of £180 was due on 1 October 2024 and the licence holder had been sent the invoice along with a number of reminders which had been sent to the licenced premises. The LSO confirmed that he had complied with the requirements of Section 36(4)(a) and 36(4)(b) as they relate to the service of a statutory compliance notice. The licence holder had failed to comply with the terms of that notice, in that the annual fee remained unpaid. The LSO confirmed that the premises had remained closed for a significant period and there had been very little communication from the Premises Licence Holder. The report, submitted by the LSO, asked the Board to consider whether grounds for review existed and if the Board agreed, suggested revocation of Premises Licence Number CC135.

### **Motion**

Having considered all of the information presented to it and having had opportunity for questions, that the Board agree that grounds for review exist and agree to revoke Premises Licence Number CC135.

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 agreed that grounds for review did exist and agreed to revoke Premises Licence Number CC135.

### **Action**

Clerk to the Board

Ends: 9.55 am



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

To:

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

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

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.

Auld Brigg Filling Station  
Auld Brigg Road  
Alloa  
FK9 5QB

CC211

#### Question 2

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

# Licensing Board



Clackmannanshire  
Council

[www.clacksweb.org.uk](http://www.clacksweb.org.uk)

Penny Petroleum (Scotland) Limited  
Old Station House  
Powburn  
Alnwick  
Northumberland  
NE66 4HU

## **DETAILS OF VARIATION**

### **Question 3**

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

Q5 - To amend and add wording to read as follows - "The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours."

Q5(f) - To amend and add wording as follows - "The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public. Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/ Food on the Move. Click & collect. Home deliveries. External automated cash machine. Charity collection point and charitable events may take place, alongside sampling & promotional activities.

The licence holder may operate a National Lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points."

## **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.



# Licensing Board



Clackmannanshire  
Council

[www.clacksweb.org.uk](http://www.clacksweb.org.uk)

## 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?

**~~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).

## 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

# Licensing Board



**Clackmannanshire  
Council**

[www.clacksweb.org.uk](http://www.clacksweb.org.uk)

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

# Licensing Board



Clackmannanshire  
Council

www.clacksweb.org.uk

## 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 8 August 2024

\* (See Note Overleaf)

Capacity Agent ..... ~~APPLICANT~~/AGENT  
(Delete as appropriate)

Telephone Number and Email Address of Signatory

|   |
|---|
|  |
|   |
|   |

# Licensing Board



**Clackmannanshire  
Council**

[www.clacksweb.org.uk](http://www.clacksweb.org.uk)

**\* Data Protection Act 1998**

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

**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 Statement of reasons for failing to produce the Licence |  |
| New Operating Plan Enclosed  |  |
| New Layout Plan Enclosed   |  |

## OPERATING PLAN

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

### Question 1

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

|  |     |
|--|-----|
| <i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>       | NO  |
| <i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>      | YES |
| <i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i> | NO  |
| <i>*Delete as appropriate</i>  |     |

### Question 2

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

| <i>Day</i>       | <i>ON Consumption</i> |                      |
|------------------|-----------------------|----------------------|
|                  | <i>Opening time</i>   | <i>Terminal hour</i> |
| <i>Monday</i>    | N/A                   | N/A                  |
| <i>Tuesday</i>   | N/A                   | N/A                  |
| <i>Wednesday</i> | N/A                   | N/A                  |
| <i>Thursday</i>  | N/A                   | N/A                  |
| <i>Friday</i>    | N/A                   | N/A                  |
| <i>Saturday</i>  | N/A                   | N/A                  |
| <i>Sunday</i>    | N/A                   | N/A                  |

### Question 3

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

| <i>Day</i> | <i>OFF Consumption</i> |
|------------|------------------------|
|------------|------------------------|

|                  | <i>Opening time</i> | <i>Terminal hour</i> |
|------------------|---------------------|----------------------|
| <i>Monday</i>    | 10.00               | 22.00                |
| <i>Tuesday</i>   | 10.00               | 22.00                |
| <i>Wednesday</i> | 10.00               | 22.00                |
| <i>Thursday</i>  | 10.00               | 22.00                |
| <i>Friday</i>    | 10.00               | 22.00                |
| <i>Saturday</i>  | 10.00               | 22.00                |
| <i>Sunday</i>    | 10.00               | 22.00                |

#### **Question 4**

##### *SEASONAL VARIATIONS*

|  |     |
|--|-----|
| <i>Does the applicant intend to operate according to seasonal demand</i> | N/A |
|--|-----|

*\*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

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

|  |  |  |   |
|--|--|--|---|
| <i>Dance facilities</i>                      | NO                                     | NO   | NO  |
| <i>Theatre</i>                               | NO                                     | NO   | NO  |
| <i>Films</i>                                 | NO                                     | NO   | NO  |
| <i>Gaming</i>                                | NO                                     | NO   | NO  |
| <i>Indoor/outdoor sports</i>                 | NO                                     | NO   | NO  |
| <i>Televised sport</i>                       | NO                                     | NO   | NO  |
| <b>5(d)</b><br><b>Activity</b>               | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
| <i>Outdoor drinking</i><br><i>facilities</i> | NO                                     | NO   | NO  |
|  |  |  |   |
| <b>5(e)</b><br><b>Activity</b>               | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
| <i>Adult entertainment</i>                   | NO                                     | NO   | NO  |

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

To amend and add wording to read as follows - "The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.

**5(f) any other activities**

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public.  
Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/Food on the Move. Click & collect. Home Deliveries.



External automated cash machine. Charity collection point and charitable events may take place, alongside sampling & promotional activities.

The licence holder may operate a national lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points.

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?

N/A

When fully occupied, are there likely to be more customers standing than seated?

N/A

\*Delete as appropriate

### **Question 6 (On-sales only)**

#### **CHILDREN AND YOUNG PERSONS**

6(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry

N/A

\*Delete as appropriate

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

|  |
|--|
|  |
|--|

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

|  |
|--|
|  |
|--|

6(d) Provide statement regarding the ***TIMES*** during which children and young persons will be allowed entry

6(e) Provide statement regarding the ***PARTS*** of the premises to which children and young persons will be allowed entry

**Question 7**

***CAPACITY OF PREMISES***

*What is the proposed capacity of the premises to which this application relates?*

17.925 m2

### **Question 8**

*PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)*

*Personal details*

*8(a) Name*

Gail Jacqueline Preston

*8(b) Date of birth*

[REDACTED]

*8(c) Contact address*

[REDACTED]

Alloa

Clackmannanshire

[REDACTED]

*8(d) Email address*

*8(e) Personal licence*

| <i>Date of issue</i> | <i>Name of Licensing Board issuing</i> | <i>Reference no. of personal licence</i> |
|----------------------|--|--|
| 12 April 2022        | Clackmannanshire Licensing Board       | CC927                                    |

**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 – Nicola Smith – TLT Solicitors

Date – 8 August 2024

Capacity - AGENT

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.

19/09/2024

Your Ref: CC211

Our Ref: 861484

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



Roddy Irvine  
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 VARIATION OF A PREMISES LICENCE  
Auld Brigg Filling Station, Auld Brigg Road, Alloa, FK9 5QB.**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of amending wording for Q5 and Q5f adding in click and collect and home deliveries.

In terms of Section 29(5) this request can be considered a variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully



Roddy Irvine  
Chief Superintendent  
Divisional Commander

For enquiries please contact the Licensing Department on 01786 456026.





**Clackmannanshire  
Council**

[www.clacksweb.org.uk](http://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

**THIS PAPER RELATES TO  
ITEM 4ii  
ON THE AGENDA**

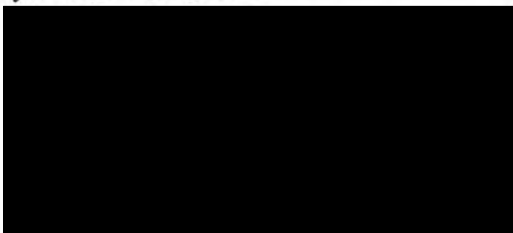
If you are Completing this Form by Hand, Please Write Legibly in Block Capitals using **BLACK INK**. Please Ensure the Completed Application is Signed by the Applicant, Dated and Returned to the Above Address along with the Fee and the Original Licence or a Statement of Reasons as to why the Original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

#### APPLICANT INFORMATION

##### Question 1

Name, Address, Postcode and Licence Number of Premises.

**AKILA SAJEGIAN**



**Question 2**

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

AKILA SAJEGIAN  
[REDACTED] MANSFIELD AVENUE  
SAUCHIE  
[REDACTED]

**DETAILS OF VARIATION**

**Question 3**

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

1) Add Home delivery to the store  
2) change of personal address of the premises manager to:  
[REDACTED] MANSFIELD AVENUE  
SAUCHIE  
[REDACTED]



## **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 **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/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

|   |                                 |
|---|---------------------------------|
| AKILA SAJEEVAN<br>[REDACTED]<br>HILL OF BEATH<br>[REDACTED] | FI 6618<br>FIFE LICENSING BOARD |
|---|---------------------------------|

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

|  |
|--|
| AKILA SAJEEVAN<br>[REDACTED] MANSFIELD AVENUE<br>SAUCHIE<br>[REDACTED] |
|--|

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

Name and Address of the Proposed Premises Manager

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

Date and Place of Birth of the Proposed Premises Manager

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

Email Address and Telephone Number of the Proposed Premises Manager

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

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

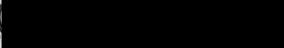
If the Answer to the Above Question is NO Please Provide Below the Date the Variation is to Take Effect.

|  |
|--|
|  |
|--|

**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 24-06-2024  
\* (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

| Checklist  |   |
|--|---|
| 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   |   |

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

**Question 1**

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

|  |            |
|--|------------|
| 1(a) Will alcohol be sold for consumption solely ON the premises       |            |
| 1(b) Will alcohol be sold for consumption solely OFF the premises      | <b>YES</b> |
| 1(c) Will alcohol be sold for consumption both ON and OFF the premises |            |
| *Delete as appropriate   |            |

**Question 2**

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

| <b>Day</b>       | <b>ON Consumption</b> |                      |
|------------------|-----------------------|----------------------|
|                  | <b>Opening time</b>   | <b>Terminal hour</b> |
| <i>Monday</i>    | <b>N/A</b>            | <b>N/A</b>           |
| <i>Tuesday</i>   | <b>N/A</b>            | <b>N/A</b>           |
| <i>Wednesday</i> | <b>N/A</b>            | <b>N/A</b>           |
| <i>Thursday</i>  | <b>N/A</b>            | <b>N/A</b>           |
| <i>Friday</i>    | <b>N/A</b>            | <b>N/A</b>           |
| <i>Saturday</i>  | <b>N/A</b>            | <b>N/A</b>           |
| <i>Sunday</i>    | <b>N/A</b>            | <b>N/A</b>           |

### Question 3

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

| Day       | OFF Consumption |               |
|-----------|-----------------|---------------|
|           | Opening time    | Terminal hour |
| Monday    | 10.00am         | 10.00pm       |
| Tuesday   | 10.00am         | 10.00pm       |
| Wednesday | 10.00am         | 10.00pm       |
| Thursday  | 10.00am         | 10.00pm       |
| Friday    | 10.00am         | 10.00pm       |
| Saturday  | 10.00am         | 10.00pm       |
| Sunday    | 10.00am         | 10.00pm       |

NOTES: Transfer of Premises Licence and substitution of Premises Manager granted under delegated powers on 6th March 2013. Minor Variation to change Premises Name, Premises Licence Holder's address and Premises Manager address granted under delegated powers 22 May 2019. Minor Variation change of premises layout granted under delegated powers 27 August 2019. Transfer of Premises Licence, Change of Name and DPM substitution to A Sajeevan granted under delegated powers 13.03.2024

### Question 4

## SEASONAL VARIATIONS

|   |    |
|---|----|
| Does the applicant intend to operate according to seasonal demand | NO |
|---|----|

*\*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

| <b>5(a)<br/>Activity</b>   | <b>Please confirm<br/>YES/NO</b> | <b>To be provided<br/>during core<br/>licensed hours –<br/>please confirm<br/>YES/NO</b> | <b>Where activities<br/>are also to be<br/>provided <u>outwith</u><br/>core licensed<br/>hours please<br/>confirm<br/>YES/NO</b> |
|--|----------------------------------|--|--|
| <i>Accommodation</i>   | NO                               | N/A  | N/A  |
| <i>Conference facilities</i>   | NO                               | NO   | NO   |
| <i>Restaurant facilities</i>   | NO                               | NO   | NO   |
| <i>Bar meals</i>   | NO                               | NO   | NO   |
|  |                                  |  |  |
| <b>5(b) Activity<br/>Social functions<br/>including:</b>                                     | <b>Please confirm<br/>YES/NO</b> | <b>To be provided<br/>during core<br/>licensed hours –<br/>please confirm<br/>YES/NO</b> | <b>Where activities<br/>are also to be<br/>provided <u>outwith</u><br/>core licensed<br/>hours please<br/>confirm<br/>YES/NO</b> |
| <i>Receptions<br/>including<br/>(Weddings<br/>funerals,, birthdays,<br/>retirements etc)</i> | NO                               | NO   | NO   |
| <i>Club or other group<br/>meetings etc</i>  | NO                               | NO   | NO   |
|  |                                  |  |  |
| <b>5(c)<br/>Activity<br/>Entertainment<br/>including:</b>                                    | <b>Please confirm<br/>YES/NO</b> | <b>To be provided<br/>during core<br/>licensed hours –<br/>please confirm<br/>YES/NO</b> | <b>Where activities<br/>are also to be<br/>provided <u>outwith</u><br/>core licensed<br/>hours please<br/>confirm<br/>YES/NO</b> |

|                                       |  |   |  |
|---------------------------------------|--|---|--|
| <i>Recorded Music – see 5(g)</i>      | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
| <i>Live performances – see 5(g)</i>   | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
| <i>Dance facilities – see 5(g)</i>    | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
| <i>Theatre</i>                        | <b>ON</b>                              | <b>NO</b>   | <b>NO</b>  |
| <i>Films</i>                          | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
| <i>Gaming</i>                         | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
| <i>Indoor/outdoor sports</i>          | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
| <i>Televised sport</i>                | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
|                                       |  |   |  |
| <b>5(d)</b><br><b>Activity</b>        | <b>Please confirm</b><br><b>YES/NO</b> | To be provided during core licensed hours – please confirm<br><b>YES/NO</b> | Where activities are also to be provided outwith core licensed hours please confirm<br><b>YES/NO</b> |
| <i>Outdoor drinking facilities</i>    | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |
|                                       |  |   |  |
| <b>5(e)</b><br><b>Activity</b>        | <b>Please confirm</b><br><b>YES/NO</b> | To be provided during core licensed hours – please confirm<br><b>YES/NO</b> | Where activities are also to be provided outwith core licensed hours please confirm<br><b>YES/NO</b> |
| <i>Adult entertainment – see 5(g)</i> | <b>NO</b>                              | <b>NO</b>   | <b>NO</b>  |

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

|  |
|--|
|  |
|--|



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.

|  |
|--|
|  |
|--|

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing either live or recorded music, dancing or adult entertainment, any combination of these or all please provide the following details

|  |  |
|--|--|
| Will the music level exceed 85dB?  |  |
| When fully occupied, are there likely to be more customers standing than seated? |  |
| *Delete as appropriate   |  |

**Question 6 (On-sales only)**

CHILDREN AND YOUNG PERSONS

|      |  |     |
|------|--|-----|
| 6(a) | When alcohol is being sold for consumption on the premises will children or young persons be allowed entry | N/A |
|      | *Delete as appropriate   |     |

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

|  |
|--|
|  |
|--|

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

|  |
|--|
|  |
|--|

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

|  |
|--|
|  |
|--|

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

|  |
|--|
|  |
|--|

**Question 7**

CAPACITY OF PREMISES

**What is the proposed capacity of the premises to which this application relates?**

|                                |
|--------------------------------|
| OFFSALES - 21.54 METERS SQUARE |
|--------------------------------|

### **Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

*Personal details*

8(a) *Name*

**AKILA SAJEEVAN**

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

**[REDACTED] MANSFIELD AVENUE  
SAUCHIE**

[REDACTED]

8(d) *Email address*

[REDACTED]

8(e) *Personal licence*

| <i>Date of issue</i>    | <i>Name of Licensing Board issuing</i> | <i>Reference no. of personal licence</i> |
|-------------------------|--|--|
| <b>27 NOVEMBER 2023</b> | <b>FIFE LICENSING BOARD</b>            | <b>FI 6618</b>                           |





**Partnership and Performance**

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

## Memo

To: **The Clerk to the Licensing Board  
Kilncraigs  
Greenside Street  
Alloa  
FK10 2AD**

From: **Paul Fair  
Licensing Standards Officer**

Extension: **2091**

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

Our Ref: **PF/LSO/NPL/REP/CC121**

Your Ref:

Date: **27 January 2025**

Subject: **Licensing (Scotland) Act, 2005. Section 29  
Non Minor Variation – Addition of Home Delivery of Alcohol  
Sasa Convenience Store  
Holton Crescent, Sauchie.**

1. Having considered the content of the application to vary the premises licence, 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 is an application for a non minor variation.
3. The variation seeks to change the home address of the Premises Manager and add home delivery of groceries, including alcohol to the operating plan.
4. I have no comment to make in relation to the change of home address.
5. I have no concerns about the home delivery of alcohol, and the Boards views on the matter are recorded in their own Statement of Licensing Policy.
6. The proposed operating plan is amended to show at Question 5(f) indicated that the premises would offer home delivery of food, groceries and alcohol.
7. The Clackmannanshire Licensing Board Statement of Licensing Policy 2023-2028 (the Policy) confirms at page 19 that the Board will require all premises seeking to make home deliveries of alcohol to have this specified on their operating plan.
8. The Policy goes on to indicate that home delivery of alcohol should be robustly managed and is likely to attract additional local conditions where the Licensing Board think it is necessary and expedient for the purposes of the licensing objectives.
9. In this case, I would suggest that to support compliance with the licensing objectives contained within the Licensing (Scotland) Act, 2005, that if the Board decide to grant the licence they should apply additional local conditions of the type suggested in the Policy.
10. At **Appendix A** I have drafted proposed conditions for the benefit of the Licensing Board that I believe will adequately address the common concerns that surround the home delivery of alcohol.

11. I would suggest that these proposed conditions are necessary and expedient for the purposes of the licensing objectives.
12. Those concerns are deliveries being made to under age persons, or to persons who are drunk or at serious risk of harm from drinking alcohol, and deliveries being made by untrained individuals, or by couriers that do not have robust age verification measures in place.
13. I have no further concerns about the application.

*Paul Fair*

Licensing Standards Officer.

## **Appendix A**

### **Draft Local |Conditions Home Delivery Of Alcohol**

**These conditions may only be applied by the licensing Board once they confirm that it is necessary and expedient or the purposes of the licensing objectives.**

1. A written Age Verification Policy (AVP) must be kept and applied to all sales of alcohol for delivery to any place off the premises. This AVP must set out the steps that are to be taken to establish the age of a person attempting to take delivery of alcohol ("the customer") if it appears to the person making delivery of the alcohol that the customer appears to be less than 25 years of age (or such older age as may be specified in the policy).
2. Information must be provided to customers whether online or in store that Alcohol will only be left at the delivery address with a person who can prove that they are over 18 years of age.
3. Premises Licence holders and Premises Managers must ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training in the content and application of the Age Verification Policy to be applied to all deliveries.
4. A record of all persons trained in relation to the Age Verification Policy will be kept on the premises and made available to the Licensing Standards Officer and any Constable of Police Scotland.
5. A copy of the training record referred to in No 4 above should be supplied to delivery agent on completion of the training
6. Licence holders and Premises Managers will ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training to ensure that deliveries of alcohol are not made to persons who are or appear to be drunk.
7. Licence holders using Royal Mail, a private postal service, a courier service or independent delivery drivers will ensure that an age verified signed for delivery option is utilised that requires any package containing alcohol to be left with an adult over 18 at the specified delivery address and at no other place.
8. The premises licence holder will ensure that records of all alcohol deliveries are retained on the premises and that those record contain the following information, the forename and surname of the purchaser, the delivery address, the quantity and type of alcohol delivered and the purchase price.
9. All records, electronic or written made in relation to the delivery of alcohol will be kept on the premises for at least 12 months and will be made available on demand to a Licensing

Standards Officer for the area where the premises are located or to a Constable of Police Scotland.





**CORE-DMS - DOCUMENT - #1491995**  
**David Bellingham** to: licensingcon

07/01/2025 08:07

Police Scotland have no adverse comment to make on the details provided in this application.

Regards,

Licensing Dept.

WARNING: This email originated from outside Clackmannanshire Council.

Check the sender's email address, any URLs before clicking links, opening attachments, or following requests. When in doubt, contact the I.T. Service Desk.



- CC121 - VARIATION - ALI FOOD STORE.PDF



03 OCT 2024



Clackmannanshire  
Council

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Comhairle Siorrachd  
Chlach Mhanann

## APPLICATION FOR VARIATION OF PREMISES LICENCE

### Licensing (Scotland) Act 2005, Section 29

To:

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

**THIS PAPER RELATES TO  
ITEM 4iii**

**ON THE AGENDA**

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.

Lodge Ladywell (1474) Social Club  
6A Banchory Place  
Tullibody  
FK10 2SL

CC111

#### Question 2

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

Lodge Ladywell (1474) Social Club  
6A Banchory Place  
Tullibody  
FK10 2SL

## **DETAILS OF VARIATION**

### **Question 3**

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

Convert the premises from a members club type licence to an open licence and nominate a premises manager

Vary the terms of the current Operating Plan to reflect new requirements as described in the proposed 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 **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).

*Remove the Local conditions that relate to "members clubs"*

## **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

Russell Scott



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 |
|---------------|----------------------------------|-----------------------------------|
| 27/07/2022    | Clackmannanshire Licensing Board | CC949                             |

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.

Immediately on grant of the variation

## 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 19/8/24 .....

Capacity SECRETARY ..... 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 Statement of reasons for failing to 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  
Kilncraigs  
Greenside Street  
Alloa**

From: **Paul Fair  
Licensing Standards Officer**

Extension: **2091**

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

Our Ref: **PF/LSO/NPL/REP/CC111**

Your Ref:

Date: **27 January 2025**

Subject: **Licensing (Scotland) Act, 2005. Section 29  
Non Minor Variation – Conversion from trade as a Members Club  
Lodge Ladywell Social Club, 6a Banchory Place, Tullibody**

1. Having considered the content of the application to vary the premises licence, 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 is an application for a non minor variation.
3. The variation seeks to change status of the premises from that identified as a "Members Club" to what we could refer to as an "Open Licence"
4. I have no concerns about the proposed changes and I have discussed at length the implications and responsibilities that this variation will place on the premises manager and licence holder.
5. I understand that the applicant has complied with the necessary site notice requirements
6. The conversion from trading as a Members Club, to an open licence is a common occurrence in Scotland and I am unaware of any particular issues connected with the practice.
7. The only matter that is amended in the proposed operating and layout plan that may be of particular interest to the Licensing Board is the introduction of an outdoor drinking area to the East of the club.
8. The applicant has been given guidance in relation to the operation of the proposed outdoor area and has accepted that the use of this area may be subject to additional local conditions.
9. In this case, I would suggest that to support compliance with the licensing objectives contained within the Licensing (Scotland) Act, 2005, that if the Board decide to grant the variation as applied for then they should apply additional local conditions of the type suggested in the Clackmannanshire Licensing Board Statement of Licensing Policy.

10. At **Appendix A** I have drafted proposed conditions for the benefit of the Licensing Board that I believe will adequately address the common concerns that surround the use of outdoor drinking areas.
11. The Licensing Board should also remove the local conditions on the premises licence that relate to members clubs
12. I have no further concerns about the application.

*Paul Fair*

Licensing Standards Officer.

## **Appendix A**

### **Draft Local |Conditions Outdoor Drinking Areas.**

**These conditions may only be applied by the licensing Board once they confirm that it is necessary and expedient or the purposes of the licensing objectives.**

1. Consumption of alcohol in the outdoor drinking is not permitted after 10.00pm. (other times may be agreed in appropriate circumstances).
2. No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking area.
3. No live or recorded music, live performances or other entertainment being offered on the premises should be audible or visible in the outdoor area.
4. Customers using the outdoor drinking area shall at all times be supervised and/or monitored to ensure that nuisance or annoyance to neighbouring residents is not caused. In particular staff must take all reasonable steps to prevent shouting, singing and disorderly conduct within the outdoor area.
5. 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.
6. 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.
7. 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.
8. Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.
9. 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.
10. The Premises Licence Holder must prepare a document for the benefit of the current Premises Manager and any staff working on the premises, explaining how compliance with the conditions of the premises licence, insofar as they relate to the licensed outdoor drinking area, will be achieved and supervised. This document must be available to staff

at all times and a record should be kept of all staff trained in relation to it. This Document must also be available on the premises for inspection by the Licensing Standards Officer.

11. 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 conditions may relate to such matters as:

- Noise;
- Conduct of Customers;
- Children's and Young Person's Access to the Area;
- Permitted hours of use.

12. Outdoor drinking areas which are adjacent to a public place or public footpath, must at all times when the area is in use be clearly delineated by a physical barrier making the extent of the licensed area clear and obvious to any person using the area or using the adjacent public place or footpath.

13. Where the outdoor area is adjacent to an area that is located within the confines of any public alcohol consumption byelaw area then a notice (at least A4 in size) to this effect must be erected in a position that it is clearly visible and legible by the licence holder within the area reminding patrons of the consequences of consuming alcohol in the byelaw area.

31/12/2024

Your Ref: CC111

Our Ref: 887730

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



Roddy Irvine  
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 VARIATION OF A PREMISES LICENCE  
LODGE LADYWELL (1474), 6A BANCHORY PLACE, TULLIBODY,  
CLACKMANNANSHIRE, FK10 2SL.**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of change from members club and amend operating form to reflect this. New DPM: Russell Scott.

In terms of Section 29(5) this request can be considered a variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully

Roddy Irvine  
Chief Superintendent  
Divisional Commander

For enquiries please contact the Licensing Department on 01786 456026.





**Partnership and Performance**

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

**THIS PAPER RELATES TO  
ITEM 5  
ON THE AGENDA**

## Memo

To: **The Clerk to the Licensing Board  
Kilncraigs  
Greenside Street  
Alloa**

From: **Paul Fair  
Licensing Standards Officer**

Extension: **2091**

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

Our Ref: **PF/LSO/S84/CC994**

Your Ref:

Date: **27 January 2025**

Subject: **Licensing (Scotland) Act, 2005. Section 84  
Finding of Conduct Inconsistent with the Licensing Objectives  
Personal Licence Holder – Marypuspa Dishanth CC994**

1. This report is provided only as a summary of events leading to a hearing to consider the appropriate disposal by the licensing Board of a finding made under section 84(2).
2. The finding was made by Clackmannanshire Licensing Board during a premises licence review hearing which took place on 5 November, 2024.
3. During that hearing the Board were asked to consider the content of a premises licence review application made by the Licensing Standards Officer.
4. At paragraphs 62-70 in that report the licensing standards officer suggested that there was evidence to support a claim that Marypuspa Dishanth had falsified training records relating to staff training at the premises.
5. In particular the claim related to the training record of Joju Noel (**Appendix A**) who personally confirmed that he had not received the appropriate licensing training on the date recorded on the certificate (10 September, 2024).
6. His memory was clear as the training certificate was dated only 2 days before he was spoken to on 12 September, 2024.
7. The Board agreed, on balance of probability, with the suggestion that the certificate had been falsified and found that Marypuspa Dishanth was responsible for the falsification of the document and that this amounted to conduct that was inconsistent with the licensing objectives.
8. The finding recorded in the minute of the Licensing Board meeting was made.
9. The Board must now allow Marypuspa Dishanth the opportunity to address them in relation to this finding and thereafter make a decision as to what if any action is necessary.
10. The options for the Board are found in Section 84(6A) of the 2005 Act, and they are set out in **appendix B** for their assistance.
11. I am happy to answer any questions the Board may have surrounding the training requirements and the importance of training for staff selling or serving alcohol.

*Paul Fair* Licensing Standards Officer.

## Appendix A

**SCHEDULE - FORM OF TRAINING RECORD**  
LICENSING (SCOTLAND) ACT 2005 - SCHEDULE 3, PARAGRAPH 6  
**Training of Staff - Training Record**  
Member of Staff JOSE WOEL

**The Act - Schedule 3**

6. (1) No person (other than a person who holds a personal licence) is to work in the premises in the capacity mentioned in sub-paragraph (2) unless that person has complied with such requirements as to the training of staff as may be prescribed for the purposes of this paragraph.

(2) That is a capacity (whether paid or unpaid) which involves the person -

(a) making sales of alcohol, or

(b) where alcohol is sold on the premises for consumption on the premises, serving such alcohol to any person.

**DECLARATION**

**TRAINEE**

I JOSE WOEL confirm that I have received the training required by the Licensing (Training of Staff) (Scotland) Regulations 2007.

Signature [Redacted]

**TRAINER**

I Maryaspa D'shandh confirm that I have provided the above named member of staff with the training required under the Licensing (Training of Staff) (Scotland) Regulations 2007 on 10/09/2024.

Signature [Redacted]

Where signatory is the holder of a Personal Licence issued under the Licensing (Scotland) Act 2005, please insert the number and the name of Licensing Board which issued the licence here Clackmannanshire Licence Board.

Where signatory is a person other than the holder of a Personal Licence described above, please provide details of the qualification held and accredited by the Scottish Qualifications Authority for the purposes of regulation 2(b) of the Licensing (Training of Staff) (Scotland) Regulations 2007. The name of any company by which the person is employed to provide training should also be given.

Qualification .....

Name of Company .....



## **Appendix B**

### **Licensing (Scotland) Act, 2005**

#### **Section 84 Conduct inconsistent with the licensing objectives**

(1) This section applies where, in the course of a review hearing in respect of any premises licence, a Licensing Board makes a finding such as is mentioned in subsection (2) in relation to any personal licence holder who is or was working in the licensed premises in respect of which the premises licence was issued (“the licensed premises concerned”).

(2) That finding is a finding that the licence holder concerned, while working as mentioned in subsection (1), acted in a manner which was inconsistent with any of the licensing objectives.

(3) The Licensing Board making the finding must—

(a) if the licence holder concerned is, at the time of the finding, working in licensed premises (whether the licensed premises concerned or other licensed premises) in that Board's area, hold a hearing,

(b) in any other case, give notice to the relevant Licensing Board of their finding together with a recommendation as to whether the personal licence held by the licence holder concerned should be revoked, suspended or endorsed.

(4) In subsection (3)(b), “relevant Licensing Board” means—

(a) if the Licensing Board making the finding referred to in subsection (1) has reason to believe that the licence holder concerned is working at licensed premises situated in the area of another Licensing Board, that other Licensing Board,

(b) in any other case, the Licensing Board which issued the personal licence held by the licence holder concerned.

(5) Where a Licensing Board receives a notice and recommendation under subsection (3)(b), the Board must hold a hearing.

(6) At a hearing under subsection (3)(a) or (5), the Licensing Board may—

(a) after giving—

(i) the licence holder concerned, and

(ii) such other persons as they consider appropriate,

an opportunity to be heard, and

(b) if satisfied that it is necessary to do so for the purposes of any of the licensing objectives,

make an order under subsection (7).

(6A) Subsection (6) is subject to subsection (7A).

(7) That is an order—

(a) revoking,

(b) suspending for such period, not exceeding 6 months, as the Board considers appropriate, or

(c) endorsing,

the personal licence held by the licence holder concerned.

(7A) Where, at the hearing, the Licensing Board are satisfied that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a personal licence, the Board must make an order revoking the licence.

(8) Where the Licensing Board makes an order under subsection (7) [F3or (7A)] , the Board must give—

(a) the licence holder concerned,

(b) where the hearing was held in pursuance of a notice given under subsection (3)(b), the Licensing Board which gave the notice, and

(c) if different, the Licensing Board which issued the personal licence,

notice of the order and of the reasons for making it.