



## NOTICE OF MEETING

**19 September 2025**

**A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on TUESDAY 30 SEPTEMBER 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 20 May 2025 (Copy herewith)   | 03             |
| 4. <b>Licensing (Scotland) Act 2005 – List of Applications</b>   | 11             |
| (i) Application for Provisional Premises Licence - Application Form, Operating Plan, Layout Plan, Disabled Access and Facilities Statement, Directors Information, and Licensing Standards Officer's Report (Copies herewith)  | 13             |
| <b>Premises:</b> Tesco Express, Unit 28A Sterling Mills, Devon Vale, Tillicoultry, Clackmannanshire, FK13 6HQ  |                |
| <b>Applicant:</b> PTL Limited, Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire, United Kingdom, AL7 1GA,   |                |
| <b>Agent:</b> Hill Brown Licensing   |                |
| 5. General Permitted Extension - Festive Period 2025-26 – report by Clerk to the Licensing Board (Copy herewith)   | 35             |
| 6. AOCB  | --             |

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

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### 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 20 MAY 2025 at 9.30 am.**

**PRESENT**

Councillor Kenneth Earle (Chair)  
Councillor Donald Balsillie  
Councillor Fiona Law (from 9.48 am)  
Councillor Darren Lee  
Councillor Mark McLuckie

**IN ATTENDANCE**

Paul Fair, Licensing Standards Officer  
Dale Bell, Solicitor, Legal and Governance (Depute Clerk to the Board)  
Shaun Carroll, Licensing Paralegal  
Lezli-Anne Sharp, Licensing Administrator  
Melanie Moore, Committee Services (Minute)

**1.0 APOLOGIES**

Apologies were received from Councillor William Keogh, Councillor Graham Lindsay and Police Scotland.

**2.0 DECLARATIONS OF INTEREST**

None.

**3.0 MINUTES OF MEETINGS OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 22 APRIL 2025**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 22 April 2025 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 22 April 2025 were agreed as a correct record and signed by the Chair.

**4.0 LICENSING (SCOTLAND) ACT 2005**

**(i) Application for Premises Licence – Alloa Post Office**

Premises: Alloa Post Office, 25 Drysdale Street, Alloa, FK10 1JL  
Applicant: Convivence Local Limited, 5 Craw Yard Place, Edinburgh, EH12 9LQ

**Attending**

Mr Paul Fair, Licensing Standards Officer (LSO)  
Mr Gordon Emslie, Agent for the Applicant

The Board heard representation from the Licensing Standards Officer and the Agent for the Applicant. There were no objections received from Police Scotland. The Licensing Standards Officer raised a question regarding the layout plan advising that it needs a slight amendment at the low shelving area. The agent for the applicant advised that he would raise this issue with his clients, Convenience Local Limited.

### **Motion**

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for the Premises Licence subject to the conditions set out in Appendix A (page 36) of the Licensing Standards Officer's Report.

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

### **Decision**

Having considered all the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application for the Premises Licence subject to the conditions set out in Appendix A (page 36) of the Licensing Standards Officer's Report, namely:

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

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 records 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.

## **Action**

Depute Clerk to the Board

### **(ii) Application for Premises Licence – Keystore**

Premises: Keystore, 54a Dovecot Road, Tullibody, FK10 2QY  
Applicant: Muhammad Shafqat Javaid

#### **Attending**

Mr Paul Fair, Licensing Standards Officer (LSO)  
Mr Gordon Emslie, Agent for the Applicant

The Board heard representation from the Licensing Standards Officer and the Agent for the Applicant. There were no objections received from Police Scotland.

#### **Motion**

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for the Premises Licence subject to the conditions set out in Appendix A (page 64) of the Licensing Standards Officer's Report.

Moved by Councillor Mark McLuckie. Seconded by Councillor Darren Lee.

#### **Decision**

Having considered all the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application for the Premises Licence subject to the conditions set out in Appendix A (page 64) of the Licensing Standards Officer's Report, namely:

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

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 the 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 records 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.

## **Action**

Depute Clerk to the Board

### **(iii) Application for Variation of Premises Licence – McGregors**

Premises: McGregors, 41 Primrose Street, Alloa, FK10 1JJ  
Applicant: Gary McGregor

## **Attending**

Mr Paul Fair, Licensing Standards Officer (LSO)  
Mr Gary McGregor, Applicant

The Board heard representation from the Licensing Standards Officer and the Applicant.

## **Motion**

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for the Variation of the Premises Licence subject to the conditions set out in Appendix A and Appendix B of the Licensing Standards Officer's Report. Appendix B is amended to add that the record of bookings should be kept for a period of 12 months.

Moved by Councillor Fiona Law. Seconded by Councillor Donald Balsillie.

## **Decision**

Having considered all the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application for the Variation of the Premises Licence subject to the conditions set out in Appendix A of the Licensing Standards Officer's Report below and an additional condition of keeping a diary of bookings for 12 months in the premises:

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

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 the 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 records 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.

#### **Local Conditions - Children and Young Persons – Access.**

1. Children and young persons will only be admitted to the premises in accordance with the circumstances detailed in the operating plan (ie when attending a family type celebration and where food and family entertainment is provided) and that any such Pre-booked events are recorded and kept for a period of 12 months, in an events diary kept on the premises.
2. 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.

#### **Action**

Depute Clerk to the Board

#### **(iv) Applications for Extended Hours – Volunteer Arms**

Dates: 19 July 2025, 26 July 2025 and 2 August 2025  
 Premises: Volunteer Arms, 132 High Street, Tillicoultry, FK13 6DU  
 Applicant: John Ford Black

#### **Attending**

Mr Paul Fair, Licensing Standards Officer (LSO)  
 Mr John Black, Applicant

The Board heard representation from the Licensing Standards Officer and the Applicant.

#### **Motion**

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the applications for Extended Hours.

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

## Decision

Having considered all the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application for Extended Hours.

## Action

Depute Clerk to the Board

The Licensing Paralegal asked for an adjournment to confirm the final position of the next application on the agenda Item 4v (10.07 am). The Board was back at 10.24 am.

### (v) **Application for Occasional Licence – The Horseshoe Bar, 17 Main Street, Clackmannan**

Dates: 1 May 2025 – 15 May 2025  
Premises: The Horseshoe Bar, 17 Main Street, Clackmannan  
Applicant: Andrena McCouaig

## Attending

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

The Board heard representation from the Licensing Paralegal who advised that the applicant was unable to attend today and asked the Board if they were happy to proceed. The Licensing Standards Officer advised that the application had the dates 1-15 May 2025, which have passed. If the application is granted, the start date would be 21 May 2025.

*Councillor McLuckie left during this item (10.38 am) and was not involved in the decision making process and did not vote.*

## Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for the Occasional Licence subject to the conditions set out in Appendix A (page 101) of the Licensing Standards Officer's Report, with removal of Local Condition No 15.

Moved by Councillor Donald Balsillie. Seconded by Councillor Darren Lee.

## Voting

|                     |         |
|---------------------|---------|
| For the motion      | 3 votes |
| Against the motion  | 1 vote  |
| Abstain from voting | 0 votes |

## Decision

On a division of 3 votes to 1, having considered all the information presented to it and having had opportunity for questions, the Board agreed to grant the application for the Occasional Licence subject to the conditions set out in Appendix A (page 101) of the Licensing Standards Officer's Report, with removal of Local Condition No 15, namely:

- Consumption of alcohol in the outdoor drinking areas is not permitted after 10.00pm. (other times may be agreed in appropriate circumstances).
- Only alcohol that has been specially sold by or on behalf of the licence holder may be consumed in the outdoor area.



- No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking area.
- No live or recorded music, live performances or other entertainment being offered on the premises should be audible or visible in the outdoor area.
- 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.
- Customers consuming alcohol must not be permitted to not encroach on to the footpath or any adjoining public area outwith the boundaries of the licenced 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.
- 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.
- 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 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.
- 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.

## **Action**

Depute Clerk to the Board

## **5.0 AOCB**

None.

Ends: 11.00 am





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

**Licensing Board  
Licensing (Scotland) Act 2005**

**MEETING: 30 September 2025 at 09:30hrs**

| <b>Applicant/ Subject</b> | <b>Type</b>                                    | <b>Comments</b>   |
|---------------------------|--|---|
| Tesco Express             | Provisional<br>Premises Licence<br>Application | <p>Application form and operating plan attached. LSO Representation attached.</p> <p>The Licensing Board are therefore asked to consider all the information before it and having done so to determine whether to:-</p> <ol style="list-style-type: none"><li>1. Grant the licence</li><li>2. Grant the licence subject to local conditions</li><li>3. Refuse the application</li></ol> |





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

## **Licensing (Scotland) Act 2005 Application for a Dfcj [g]cbU`Premises Licence**

### **APPLICANT INFORMATION**

#### **Question 1**

Name, Address and Postcode of Premises to be Licensed

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Tesco Express, Unit 28A Sterling Mills, Devon Vale, Tillicoultry,  
Clackmannanshire, FK13 6HQ

#### **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 And Company Registration Number.

PTLL Limited, Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire, United Kingdom, AL7 1GA,  
Company Number: 08926930

**2(d)** Where the Applicant is a Club or Other Body, please provide Full Name, and Postal Address of Club or Other Body.

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

see paper apart.

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

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

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



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

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

### Question 3

#### Previous Applications

Has the Applicant been refused a Premises Licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same Premises? **No**  
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) **NoA**

If Yes – Provide Full Details

# Licensing Board



**Clackmannanshire  
Council**

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

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

- (a) In Addition to any convictions held by the applicant at the time of application, applicant should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

## **Applicant's Duty to Notify Licensing Board of Convictions**

- (1) This section applies where any of the persons specified in subsection (2) is convicted of a relevant or foreign offence during the period beginning with the making of a premises licence application and ending with determination of the application.
- (2) Those persons are-
  - (a) the applicant, and
  - (b) where-
    - (i) the applicant is neither an individual nor a council, or
    - (ii) the premises in respect of which the licence is sought are used wholly or mainly for the purposes of a club.  
any connected person.
- (3) The applicant must, no later than one month after the date of the conviction give notice of the conviction to the Licensing Board to which the application was made.
- (4) A notice under subsection (3) must specify-
  - (a) the nature of the offence, and
  - (b) the date of the conviction.





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

**Question 5**

Description of Premises (where Application is Submitted by a Member's Club please also complete question 6)

Retail premises selling a range of goods and services.  
Part of a national chain, retailing food, non-food items and household goods and offering ancillary customer services.

**Question 6**

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

Do the Club's Constitution and Rules Conform to  
The requirements of regulation 2 of the Licensing  
(Clubs) (Scotland) Regulations 2007

**Yes/No\***

\*Delete as appropriate

A Copy of the Club's Constitution & Rules **MUST** Be Included With  
The Application

**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 ...20/08/2025..

Capacity ..... AGENT  
(delete as appropriate)

Telephone number and email address of signatory .....

 .....

# Licensing Board



**Clackmannanshire  
Council**

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

I Have Enclosed the Relevant Documents with this Application – Please Tick the Relevant Boxes

|                                |   |
|--------------------------------|---|
| Operating Plan                 | x |
| Layout Plan                    | x |
| Planning Certificate           | x |
| 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



| <b><u>FOR USE BY THE LICENSING BOARD ONLY</u></b><br><b><u>APPLICATION CHECKLIST</u></b> |  |
|--|--|
| DATE RECEIVED  |  |
| FEE AMOUNT   |  |
| RECEIPT NUMBER   |  |
| RECEIVED BY (INITIALS)   |  |
| CONSIDERATION DATE   |  |
| LAST DATE FOR CONSIDERATION  |  |
| DATE OF INITIAL HEARING  |  |
| DATE GRANTED/REFUSED<br>(delete as appropriate)  |  |

| <b><u>FOR USE BY THE LICENSING BOARD ONLY</u></b><br><b><u>IF APPLICATION IS FOR A PREMISES LICENCE</u></b><br><b><u>DOCUMENTS REQUIRED</u></b> |  |
|---|--|
| OPERATING PLAN  |  |
| LAYOUT PLAN   |  |
| PLANNING CERTIFICATE  |  |
| BUILDING STANDARDS CERTIFICATE  |  |
| FOOD HYGIENE CERTIFICATE  |  |

| <b><u>FOR USE BY THE LICENSING BOARD ONLY</u></b><br><b><u>IF APPLICATION IS FOR A PROVISIONAL PREMISES LICENCE</u></b><br><b><u>DOCUMENTS REQUIRED</u></b> |  |
|---|--|
| PROVISIONAL PLANNING CERTIFICATE  |  |
| OPERATING PLAN  |  |
| LAYOUT PLAN   |  |

# OPERATING PLAN

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

## Question 1

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

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

## Question 2

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

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

**Question 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> | <i>NO</i> |
|--|-----------|

*\*If YES – provide details*

|     |
|-----|
| N/A |
|-----|

**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</b><br><b>licensed hours –</b><br><b>please confirm</b><br><b>YES/NO</b> | <b>COL. 4</b><br><b>Where activities</b><br><b>are also to be</b><br><b>provided outwith</b><br><b>core licensed</b><br><b>hours please</b><br><b>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() 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</b><br><b>licensed hours –</b><br><b>please confirm</b><br><b>YES/NO</b>                  | <b>Where activities</b><br><b>are also to be</b><br><b>provided outwith</b><br><b>core licensed</b><br><b>hours please</b><br><b>confirm</b><br><b>YES/NO</b>                  |
| <i>Receptions including</i><br><i>Weddings, funerals,</i><br><i>birthdays,</i><br><i>retirements etc.</i> | NO  | NO  | NO   |
| <i>Club or other group</i><br><i>meetings etc.</i>  | NO  | NO  | NO   |
|   |   |   |  |
| <b>5(b)</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</b><br><b>licensed hours –</b><br><b>please confirm</b><br><b>YES/NO</b>                  | <b>Where activities</b><br><b>are also to be</b><br><b>provided outwith</b><br><b>core licensed</b><br><b>hours please</b><br><b>confirm</b><br><b>YES/NO</b>                  |
| <i>Recorded music –</i><br><i>see 5(g)</i>  | YES   | YES   | YES  |

|                                     |  |  |   |
|-------------------------------------|--|--|---|
| <i>Live performances – 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</b><br><b>licensed hours –</b><br><b>please confirm</b><br><b>YES/NO</b> | <b>Where activities</b><br><b>are also to be</b><br><b>provided outwith</b><br><b>core licensed</b><br><b>hours please</b><br><b>confirm</b><br><b>YES/NO</b> |
| <i>Outdoor drinking 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</b><br><b>licensed hours –</b><br><b>please confirm</b><br><b>YES/NO</b> | <b>Where activities</b><br><b>are also to be</b><br><b>provided outwith</b><br><b>core licensed</b><br><b>hours please</b><br><b>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.

Recorded background music may be provided both during and outwith core licensed 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 premises may trade in the sale of products other than alcohol like food, including hot food and drinks, non-food items, and other household goods (groceries) within and outwith core licensed hours and may provide ancillary consumer services up to 24-hours a day. These services may be provided at the premises or through an online customer delivery/ collection service subject to consumer demand and the grant of any necessary statutory consents where required.

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

N/A

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

N/A



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

N/A

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

N/A

**Question 7**

**CAPACITY OF PREMISES**

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

30.8 sqm - Off Sales

**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

| <b><i>Date of issue</i></b> | <b><i>Name of Licensing Board issuing</i></b> | <b><i>Reference no. of personal licence</i></b> |
|-----------------------------|---|---|
|                             |   |   |

**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:**

[REDACTED]

**Date:** 20/08/2025

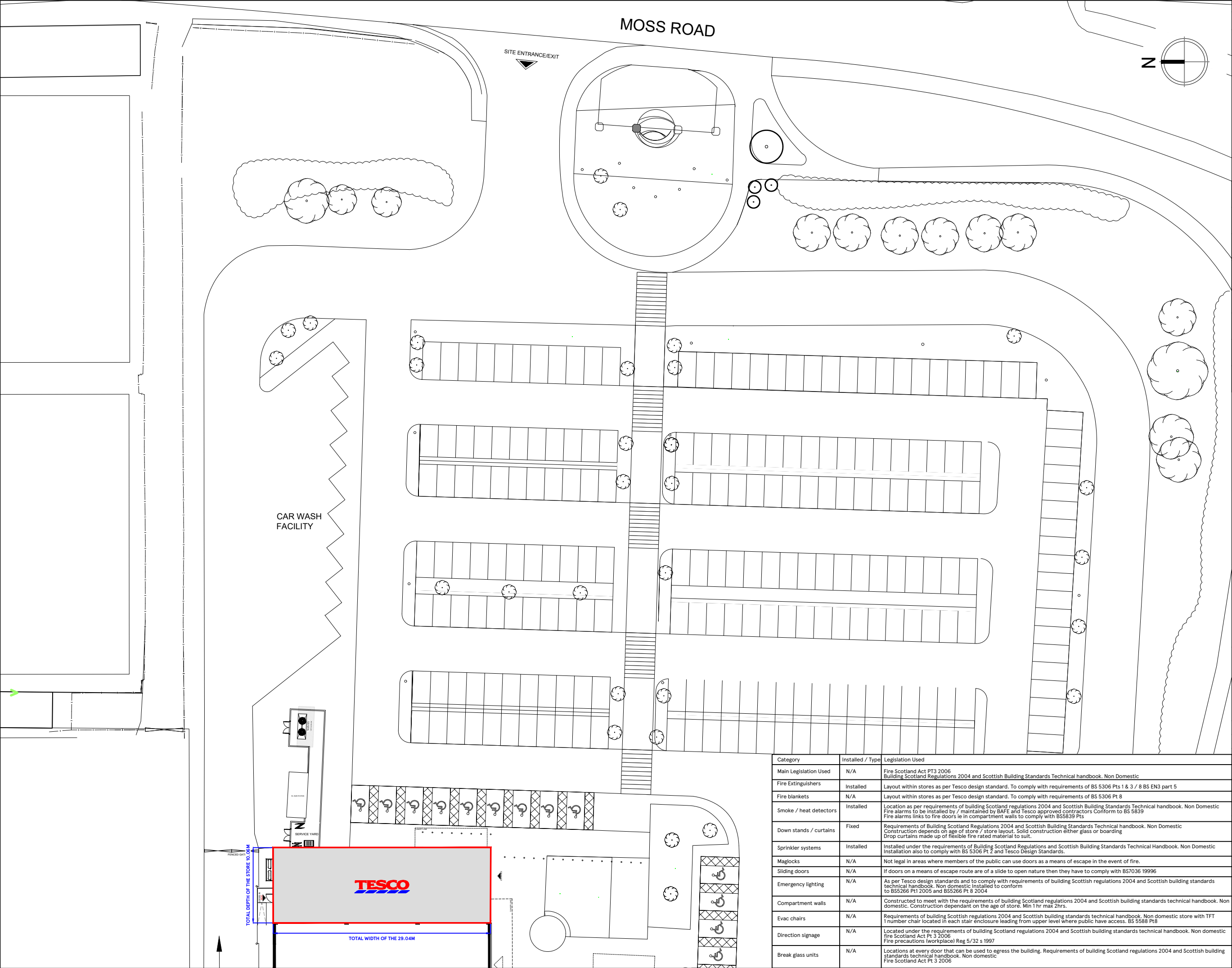
**Capacity:** Agent

















**Telephone number and email address of signatory:**

[REDACTED]

**\* 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



| REV   | DATE  | AMENDMENTS                         |
|---|---|------------------------------------|
| ##  | 22.05.2025  | TOTAL LICENSED FRONTAGE : 30.8 SQM |
|   |   |                                    |
| ADDRESS: UNIT 28A STERLING MILLS,<br>THE DEVON WAY,<br>TILlicOLTRY,<br>FK13 6HQ   |   |                                    |
|    | INCOMING WATER  |                                    |
|    | INCOMING ELECTRICAL   |                                    |
| <br>PROPOSED DRAINAGE  | DRAINAGE POINT  |                                    |
|    | 26W LED, 1500MM, 3924LLM, COLOUR 84,150LLM/W.REACTA 21, ON .OFF HIGH FREQUENCY,EM.              |                                    |
|    | 21.9W,3060LM C84, 1500MM, OPAL LENS OPTIC, 4 POLE EOR LOOM,EM                                   |                                    |
|    | 26W,1500MM, 3870LLM, POLYCARBONATE COVER, SINGLE, COLOUR 84 ,148LLM/W,EM                        |                                    |
|    | 22.1W LAY-IN, 600X600MM, 2940LLM, TWIN DIFFUSER, COLOUR 84,133LLM/W.                            |                                    |
|    | 2.5W LED MAINTAINED 3 HOUR EMERGENCY  |                                    |
| FIRE DETECTION LEGEND   |   |                                    |
|   | SOUNDER   |                                    |
|    | VISUAL INDICATOR (BEACON)   |                                    |
|    | 6KG 27A FOAM & 2KG CO2 EXTINGUISHERS  |                                    |
|     | AREA COVERED BY SMOKE DETECTION   |                                    |
|    | BREAK GLASS CALL POINT  |                                    |
| <b>Disclaimer:</b> Any information contained in this drawing which is not required by regulation 5 of SSI 2007 /452 is included for illustrative purposes only and does not form part of the layout plan for the purposes of the said regulation or the licensing (Scotland) Act 2005<br>This will prevent us requiring a new application when other areas of the store change  |   |                                    |
| CHILDREN AND YOUNG PERSONS ARE ALLOWED ACCESS THROUGHOUT THE PREMISES   |   |                                    |
|    | AREA TO BE USED FOR THE DISPLAY OF ALCOHOL: PRODUCTS PACKED WITH ALCOHOL AND NON-ALCOHOL DRINKS |                                    |
| PROJECT :<br>TILlicOLTRY, STERLING MILLS  |   |                                    |
| DESCRIPTION<br>PROPOSED SITE<br>BWS LICENSE LAYOUT  |   |                                    |
| DRAWING NO. TILlicOLTRYFeaspg##BWSPLAN  |   |                                    |
| PHASE   | 2   | ISSUE ##                           |
| SYSTEM ID. No. TILlicOLTRYFeasbg##.dwg  |   |                                    |
| SCALE   | DATE  |                                    |
| NTS@A3  | 18.06.2025  |                                    |
| FEASIBILITY MANAGER   | JON WOODCOCK  |                                    |
| TBS PLANNER   | PRIYANKA  |                                    |
| <br>FEASIBILITY PLANNING<br>STORE PLANNING DEPARTMENT<br>PROPERTY SERVICES<br>HIGHWOODS BUILDING, KESTREL WAY<br>WELWYN GARDEN CITY, HERTFORDSHIRE, AL7 1GB UK<br>TELEPHONE : 01707 395150<br><small>THE COPYRIGHT AND ALL OTHER RIGHTS IN AND RELATING TO THIS PUBLICATION BELONG TO AND ARE THE SOLE PROPERTY OF TESCO STORES LIMITED. ALL RIGHTS ARE RESERVED. NEITHER THE WHOLE NOR ANY PART OF THIS PUBLICATION MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS INCLUDING PHOTOCOPYING AND RECORDING OR FROM ANY RETRIEVAL SYSTEM WITHOUT THE PRIOR WRITTEN LICENCE FROM THE OWNER ©1997 TESCO STORES LIMITED</small> |   |                                    |

| Category               | Installed / Type | Legislation Used  |
|------------------------|------------------|---|
| Main Legislation Used  | N/A              | Fire Scotland Act PT3 2006<br>Building Scotland Regulations 2004 and Scottish Building Standards Technical handbook. Non Domestic   |
| Fire Extinguishers     | Installed        | Layout within stores as per Tesco design standard. To comply with requirements of BS 5306 Pts 1 & 3 / 8 BS EN3 part 5   |
| Fire blankets          | N/A              | Layout within stores as per Tesco design standard. To comply with requirements of BS 5306 Pt 8  |
| Smoke / heat detectors | Installed        | Location as per requirements of building Scotland regulations 2004 and Scottish Building Standards Technical handbook. Non Domestic<br>Fire alarms to be installed by / maintained by BAFE and Tesco approved contractors Conform to BS 5839<br>Fire alarms links to fire doors ie in compartment walls to comply with BS5839 Pts |
| Down stands / curtains | Fixed            | Requirements of Building Scotland Regulations 2004 and Scottish Building Standards Technical handbook. Non Domestic<br>Construction depends on age of store / store layout. Solid construction either glass or boarding<br>Drop curtains made up of flexible fire rated material to suit.   |
| Sprinkler systems      | Installed        | Installed under the requirements of Building Scotland Regulations and Scottish Building Standards Technical Handbook. Non Domestic<br>Installation also to comply with BS 5306 Pt 2 and Tesco Design Standards.   |
| Maglocks               | N/A              | Not legal in areas where members of the public can use doors as a means of escape in the event of fire.   |
| Sliding doors          | N/A              | If doors on a means of escape route are of a slide to open nature then they have to comply with BS7036 19996  |
| Emergency lighting     | N/A              | As per Tesco design standards and to comply with requirements of building Scottish regulations 2004 and Scottish building standards technical handbook. Non domestic installed to conform to BS5266 Pt1 2005 and BS5266 Pt 8 2004   |
| Compartment walls      | N/A              | Constructed to meet with the requirements of building Scotland regulations 2004 and Scottish building standards technical handbook. Non domestic. Construction dependant on the age of store. Min 1 hr max 2hrs.  |
| Evac chairs            | N/A              | Requirements of building Scottish regulations 2004 and Scottish building standards technical handbook. Non domestic store with TFT 1 number chair located in each stair enclosure leading from upper level where public have access. BS 5588 Pt8  |
| Direction signage      | N/A              | Located under the requirements of building Scotland regulations 2004 and Scottish building standards technical handbook. Non domestic<br>Fire Scotland Act Pt 3 2006<br>Fire precautions (workplace) Reg 5/32 s 1997  |
| Break glass units      | N/A              | Locations at every door that can be used to egress the building. Requirements of building Scotland regulations 2004 and Scottish building standards technical handbook. Non domestic<br>Fire Scotland Act Pt 3 2006   |



**Licensing (Scotland) Act 2005**  
**Section 20(2)(b) (ia)**

**DISABLED ACCESS AND FACILITIES STATEMENT**

**Question 1**

**Disabled access and facilities**

|      |  |            |
|------|--|------------|
| 1(a) | Is there disabled access to the premises   | <b>YES</b> |
| 1(b) | Do you have facilities for those with a disability   | <b>YES</b> |
| 1(c) | Do you have any other provisions available to aid the use of the premises by disabled people | <b>YES</b> |

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.

- **Tesco Detailed Access Guides:** We work with AccessAble to create full Access Guides for all UK stores, created by a trained surveyor according to ISO9001 standard. The Detailed Access Guide gives information specific to each store letting customers know what access will be like when they visit, with photos. It looks at the route customers will use getting in and what is available inside each store. We updated the guides all the time to make sure they are as accurate as possible.

More information can be found here: <https://www.accessable.co.uk/tesco>

- The entrance to the store is directly from the main road and there is step free access with no ramp required at the main doors to enable disabled access to the premises.
- The aisles are wide enough to allow disabled access around the store.
- Doors and emergency exits provide enough space for disabled people to enter and exit the premises.

**Question 3**

**Facilities available**

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

- There is a unisex disabled toilet which is mainly for colleague use but will be available to customers upon request. In the event of an emergency the toilet is fitted with a visual indicator beacon.

#### **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.

- **Facilities for the hard of hearing:** Customers can look for signs with the “hearing loop ear” symbol. This is where our checkouts are fitted with an induction loops system to support customers and colleagues who may have hearing difficulties.
- **Assistance dogs:** Tesco welcome assistance dogs in all our stores.
- **Booking help in advance:** Aided or accompanied shops can be offered to customers who may have difficulty getting around the store or need additional support with their shopping.
- **Sunflower lanyard:** If a customer is wearing a Sunflower lanyard, colleagues will understand that they have a hidden disability and that you may need a little extra help or time during their shopping trip. Free Sunflower lanyards are available to customers and colleagues.
- **Larger text on self-service checkouts:** Customers can enlarge the text at the self-service checkouts using a touchscreen. Or adjust speaker volume using a haptic button.
- **Shopping aids for autistic people:** Tesco has an autism-friendly visual guide to shopping and a PECs shopping list (Picture Exchange Communication System).
- **In-store quiet hours:** From 9-10am every Wednesday and Saturday, we have a quiet hour in all our stores.

#### **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 Disabled Access and Facilities Statement are true to the best of my knowledge and belief.

**Signature:**



**Date:** 2024

**Capacity:** Licensing Executive

*– duly authorised agent for and on behalf of Tesco Stores Limited*

**Telephone and email 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.

**Paper Apart**  
**Connected Persons for PTLL Limited**  
**Company number: 08926930**

**Current Directors:**

- **Ms. Kay Elizabeth Majid**

DOB: [REDACTED]

Nationality: [REDACTED]

Place of Birth: [REDACTED]

Home Address: [REDACTED]

Occupation: Group General Counsel

- **Tesco Services Limited**

07600956

Role: Director

**Secretaries:**

- **Tesco Secretaries Limited**

08730224



**Partnership and Performance**

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

## Memo

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

From: **Paul Fair  
Licensing Standards Officer**

Extension: **2091**

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

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

Your Ref:

Date: **16 September, 2025**

Subject: **Licensing (Scotland) Act, 2005. Section 29  
Application for a Provisional Premises Licence  
Tesco Express  
Unit 28A Sterling Mills, Devonvale, Tillicoultry, FK13 6HQ**

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 is an application for a provisional premises licence.
3. The premises are currently undergoing conversion from a previous retail use.
4. The only other matter of significance connected to this application is that the answer to Question 5(f) indicated that the premises would offer home delivery of food, groceries and alcohol.
5. 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.
6. 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.
7. 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.
8. 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.
9. I would suggest that these proposed conditions are necessary and expedient for the purposes of the licensing objectives.
10. 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.

11. I have no further concerns about the application.

*Paul Fair*

Licensing Standards Officer.

## **Appendix A**

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

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 only 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 records 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.

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**Report to the Licensing Board**

---

**Date of Meeting: 30 September 2025**

---

**Subject: General Permitted Extension - Festive Period 2025-26**

---

**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 2025-6.

**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 2023 shall be in place during the periods from 19th December 2025 to 2nd January 2026 inclusive.
  - 3.1.3 That the final general extension incorporated into the Statement of Licensing Policy shall end 3rd January 2026, as this is the last non-working day of the festive period.

**4.0 Consideration**

- 4.1 For several years the Board has granted a General Extension of licensed hours for the Festive Period. This approach has also been incorporated into 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 ☒

#### **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.

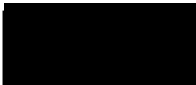
## 9.0 Background Papers

9.1 Consultation on the Statement of Licensing Policy .

### Author(s)

| NAME      | DESIGNATION                         | TEL NO / EXTENSION |
|-----------|-------------------------------------|--------------------|
| Dale Bell | Depute Clerk to the Licensing Board | 0000               |

### Approved by

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

