



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

