Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann

www.clacks.gov.uk

**NOTICE OF MEETING**

***23 November 2026***

**A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on TUESDAY 1 DECEMBER 2026 at 9.30 AM.**



**DALE BELL**
**Depute Clerk to the Clackmannanshire Licensing Board**

| | | Page No |
|---|---|---|
| 1. | Apologies | - - |
| 2. | Declarations of Interest<br><br>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 3 November 2026 (Copy herewith) | 05 |
| 4. | **Licensing (Scotland) Act 2005** | |
| | (i) Application for Extended Hours (EXT61) for New Year's Eve Celebrations - Application Form and LSO Report (Copies herewith)<br>**Premises:** Chalmers Entertainment Venue, Alloa Cinema, Bank Street, Alloa, FK10 1HP<br>**Applicant:** Mr Andrew Henderson | 09 |
| | (ii) Application for Extended Hours (EXT62) – Boxing Day Event - Application Form and LSO Report (Copies herewith)<br>**Premises:** Chalmers Entertainment Venue, Alloa Cinema, Bank Street, Alloa, FK10 1HP<br>**Applicant:** Mr Andrew Henderson | 13 |
| 5. | Clackmannanshire Licensing Report 2025-2026 – report by Police Scotland (Copy herewith) | 17 |

| | | Page No |
|---|---|---|
| 6. | Statement of Gambling Policy – report by the Depute Clerk to the Licensing Board (Copy herewith) | 29 |
| 7. | 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

Updated August 2024

Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann
www.clacks.gov.uk

**THIS PAPER RELATES TO ITEM 3 ON THE AGENDA**

**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on TUESDAY 3 NOVEMBER 2026 at 9.30 am.**

**PRESENT**

Councillor Kenneth Earle (Chair)
Councillor Donald Balsillie
Councillor William Keogh (via MS Teams)
Councillor Fiona Law
Councillor Graham Lindsay

**IN ATTENDANCE**

Dale Bell, Solicitor, Legal and Governance (Depute Clerk to the Board)
Lezli-Anne Sharp, Licensing Paralegal
Stacey Stevenson, Licensing Paralegal Administrator
Paul Fair, Licensing Standards Officer
Melanie Moore, Committee Services (minute)
Gillian White, Committee Services

**1.0 APOLOGIES**

Apologies were received from Councillor Mark McLuckie and Councillor Martha Benny.

**2.0 DECLARATIONS OF INTEREST**

None.

**3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 22 SEPTEMBER 2026**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 22 September 2026 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Thursday 22 September 2026 were agreed as a correct record and signed by the Chair.

**4.0 LICENSING (SCOTLAND) ACT 2005:**

i Application for variation of premises licence for The Bottle Shop, 96 Stirling Street, Alva, FK12 5EH

**Attending**
Mr Paul Fair, Licensing Standards Officer (LSO)
Mrs Angela Polley (Applicant)
Mr Gordon Polley (Applicants representative)
Seargent Sharlene Meldrum, Police Scotland

The Board heard from the Licensing Standards Officer who advised that the application sought to make an application for a Non-Minor Variation of the premises licence to include the addition of home delivery of alcohol. He had no concerns with the application and Police Scotland had no further comments. The Board also heard from Mr Polley.

The Board had the opportunity to ask questions to the Licensing Standards Officer and Mr Polley.

**Motion**

Having considered all the information presented to it and having had opportunity for questions, that the Board grants the application for the Non-Minor Variation of the Premises Licence subject to applying the Local Conditions for Home Delivery of Alcohol (as amended).

Moved by Councillor Fiona Law. Seconded by Councillor Kenneth Earle.

**Decision**

Having considered all the information presented to it and having had opportunity for questions, the Board granted the application for the Non-Minor Variation of Licence subject to applying the Local Conditions for Home Delivery of Alcohol (as amended), namely:

**Local Licensing Conditions for 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 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 made available from 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 by the provider.

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 made available from the premises for at least 12 months and will be made available on demand to a Licensing Stands Officer of the area where the premises are located or to a Constable of Police Scotland.

Action
Depute Clerk to the Board

ii. Application for Non-Minor Variation for Premises Licence for Premier, Tron Court, Tullibody, FK10 2PS

**Attending**
Mr Paul Fair, Licensing Standards Officer (LSO)
Seargent Sharlene Meldrum, Police Scotland
The applicant was not in attendance

The Board were happy to proceed with the application in the absence of the applicant. There were no grounds for refusal.

The Board heard from the Licensing Standards Officer who advised that the application sought to make an application for a non-minor variation to adjust the area where the alcohol is held in store. The LSO advised that there were no concerns or representations with the application. The Board had the opportunity to ask questions of Mr Fair. Police Scotland had no further comments.

**Motion**

Having considered all the information presented to it and having had opportunity for questions, that the Board grants the application for the Non-Minor Variation of Premises.

Moved by Councillor Kenneth Earle. Seconded by Councillor Graham Lindsay.

**Decision**

Having considered all the information presented to it and having had opportunity for questions, the Board granted the application for the Non-Minor Variation of the Premises Licence.

**Action**
Depute Clerk to the Board

The LSO welcomed Stacey Stevenson who recently joined the Licensing Team, replacing Lezli-Anne previous position of Licensing Paralegal Administrator.

Ends: 09.56 am

Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann
www.clacks.gov.uk

**THIS PAPER RELATES TO ITEM 4i**

**ON THE AGENDA**

**Extended Hours Application**
Case Reference : EXT61
Date Applied : Thursday, 8th Oct 2026

**Licensee Details**

Is the current premises licence holder a natural or non natural person? : Natural

Full Name : Mr Andrew Henderson

Address : FORMER PUBLIC HOUSE - CHALMERS, BANK STREET,ALLOA, FK10 1HP

Telephone : [redacted]

Email : [redacted]

**Premises Details**

Name : chalmers entertainment venue

Address : ALLOA CINEMA, BANK STREET, , ALLOA, FK10 1HP

Premises Licence Number : CC0044

**Event Details**

Which category does your event fall under : Special event of local or national significance

Details : new years eve celebrations - we will be hosting our new years eve party with dj and hosting special celebrations to finish off the year and bring in the bells

**Hours**

Current Hours: 11:00 to 01:00

Proposed Hours : 11:00 to 03:00

Start Date : Thu, 31 Dec 2026

End Date : Fri, 01 Jan 2027

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

Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann
www.clacks.gov.uk

**Memo**

| | |
|---|---|
| **TO:** | The Clerk to the Licensing Board<br>Kilncraigs<br>Alloa<br>FK10 1EB |
| **FROM:** | Paul Fair<br>Licensing Standards Officer |
| **EXTENSION:** | 2091 |
| **EMAIL:** | pfair@clacks.gov.uk |
| **YOUR REF:** | EXT61 |
| **PREMISES LICENCE:** | CC0044 |
| **DATE:** | 18 November 2026 |

**Subject:**

**Licensing (Scotland) Act 2005, Section 68**

**Report by the Licensing Standards Officer (LSO) on the Application for Extended Hours.**

**Chalmers Entertainment Venue, Alloa Cinema, Bank Street, Alloa, FK10 1HP New Years Eve Celebration – 31 December, 2026 EXT61**

I refer to the above subject and have to report as follows:

Section 69(1)(b) of the Licensing (Scotland) Act 2005 requires notification of extended hours applications to the Licensing Standards Officer for the area. Section 69(3) requires the Licensing Standards Officer to submit a report setting out comments on the application.

1. This report relates to an application for extended hours (Ref EXT61), submitted by Mr Andrew Henderson, the premises licence holder, in respect of Chalmers Entertainment Venue, Alloa Cinema, Bank Street, Alloa, FK10 1HP, premises licence number CC0044.
2. Section 68 of the Licensing (Scotland) Act 2005 provides for the Board to extend licensed hours where it considers this appropriate in connection with a special event or occasion to be catered for on the premises, or a special event of local or national significance.

3. The application describes the event as a “new years eve celebrations - we will be hosting our new years eve party with DJ and hosting special celebrations to finish off the year and bring in the bells”
4. The application identifies the category as a special event of local or national significance.
5. The application offers no further information about the event.
6. The start date is Thursday 31 December 2026.
5. The premises currently enjoy licensed hours that day between 11:00 to 01:00.
6. They propose on this day to operate from 11:00 to 03:00 the following day.
7. The application therefore seeks an extension of 2 additional hours.
8. The Deputy Clerk’s report to the Board for 22 September 2026, “General Permitted Extension – Festive Policy 2026–2027”, describes a general festive extension of one additional hour for on-sales premises, unless this would extend trading beyond 02:00, and recommends a festive period of 18 December 2026 to 3 January 2027 inclusive. That report confirms that a 04:00 terminal hour is not authorised by the general extension.
9. The Board should consider the terms of the application, this report, the adopted festive policy and the relevant Statement of Licensing Policy prior to determining this application.
10. The Board are asked to determine whether the proposed event meets the criteria identified by the applicant and requested terminal hour is suitable and appropriate for the grant of extra hours requested.

*Paul Fair*

Civic Licensing Standards Officer

Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann
www.clacks.gov.uk

**THIS PAPER RELATES TO ITEM 4ii**

**ON THE AGENDA**

**Extended Hours Application**
Case Reference : EXT62
Date Applied : Thursday, 8th Oct 2026

**Licensee Details**

Is the current premises licence holder a natural or non natural person? : Natural

Full Name : Mr Andrew Henderson

Address : FORMER PUBLIC HOUSE - CHALMERS, BANK STREET,ALLOA, FK10 1HP

Telephone : [redacted]

Email : [redacted]

**Premises Details**

Name : chalmers entertainment venue

Address : ALLOA CINEMA, BANK STREET, , ALLOA, FK10 1HP

Premises Licence Number : CC0044

**Event Details**

Which category does your event fall under : Special event of local or national significance

Details : Boxing day special event with DJ

**Hours**

Current Hours: 11:00 to 03:00

Proposed Hours : 11:00 to 04:00

Start Date : Sat, 26 Dec 2026

End Date : Sun, 27 Dec 2026

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

Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann
www.clacks.gov.uk

**Memo**

| | |
|---|---|
| **TO:** | The Clerk to the Licensing Board<br>Kilncraigs<br>Alloa<br>FK10 1EB |
| **FROM:** | Paul Fair<br>Licensing Standards Officer |
| **EXTENSION:** | 2091 |
| **EMAIL:** | pfair@clacks.gov.uk |
| **YOUR REF:** | EXT62 |
| **PREMISES LICENCE:** | CC0044 |
| **DATE:** | 18 November 2026 |

**Subject:**

**Licensing (Scotland) Act 2005, Section 68**

**Report by the Licensing Standards Officer (LSO) on the Application for Extended Hours.**

**Chalmers Entertainment Venue, Alloa Cinema, Bank Street, Alloa, FK10 1HP 26 December 2026 : Boxing Day special event with DJ — EXT62**

I refer to the above subject and have to report as follows:

Section 69(1)(b) of the Licensing (Scotland) Act 2005 requires notification of extended hours applications to the Licensing Standards Officer for the area. Section 69(3) requires the Licensing Standards Officer to submit a report setting out comments on the application.

1. This report relates to an application for extended hours (Ref EXT62), submitted by Mr Andrew Henderson, the premises licence holder, in respect of Chalmers Entertainment Venue, Alloa Cinema, Bank Street, Alloa, FK10 1HP, premises licence number CC0044.
2. Section 68 of the Licensing (Scotland) Act 2005 provides for the Board to extend licensed hours where it considers this appropriate in connection with a special event or occasion to be catered for on the premises, or a special event of local or national significance.

3. The application describes the event as a “Boxing day special event with DJ” and identifies the category as a special event of local or national significance. The application offers no further information about the event.
4. The start date is Saturday 26 December 2026.
5. The premises currently enjoy licensed hours that day between 11:00 to 03:00.
6. They propose on this day to operate from 11:00 to 04:00 the following day.
7. The application therefore seeks an extension of 1 additional hour.
8. The Deputy Clerk’s report to the Board for 22 September 2026, “General Permitted Extension – Festive Policy 2026–2027”, describes a general festive extension of one additional hour for on-sales premises, unless this would extend trading beyond 02:00, and recommends a festive period of 18 December 2026 to 3 January 2027 inclusive. That report confirms that a 04:00 terminal hour is not authorised by the general extension.
9. The Board should consider the terms of the application, this report, the adopted festive policy and the relevant Statement of Licensing Policy prior to determining this application.
10. The Board are asked to determine whether the proposed event meets the criteria identified by the applicant tand requested terminal hour is suitable for the grant of extra hours requested.

*Paul Fair*

Civic Licensing Standards Officer

# CLACKMANNANSHIRE LICENSING REPORT 2025-2026




**THIS PAPER RELATES TO ITEM 5**

**ON THE AGENDA**

POLICE SCOTLAND
Keeping people safe

# Foreword

I am pleased to present the Annual Licensing Report for the 2025/26 period, prepared in line with Section 12(A) of the Licensing (Scotland) Act 2005.

Over the last twelve months, our core focus has been on strengthening public trust and safety across Scotland's communities. By prioritising preventative action and early intervention, we continue to make meaningful progress toward our 2030 vision of safer communities, less crime, supported victims, and a thriving workforce.

Effective licensing regulation is built on collaboration. Our close working relationships with Scotland's 32 local authorities, Licensing Boards, the licensed trade and a wide range of stakeholders remain fundamental to our success. Together we have balanced the needs within the licensing sector with our shared responsibility to address alcohol related harm, tackle disorder and anti-social behaviour. As well as safeguarding children and young people.

A significant focus during the year was our preparation for and delivery throughout the Fifa World Cup 2026. Extended licensing hours and increased demand across the hospitality sector required careful planning, strong partnership working and a co-ordinated policing response. Thanks to the professionalism of our officers, staff and partners, these challenges were met successfully while maintaining public safety and supporting communities across Scotland.

As we look ahead, we remain committed to delivering a fair, consistent and effective licensing service. By continuing to work closely with our partners and engaging positively with the licensed trade we will ensure our approach remains balanced, proportionate and responsive to emerging trends.

I would like to thank our partners for their continued commitment, professionalism and support throughout the year. The achievements highlighted in this report are testament to our collaborative efforts and shared ambition to make Scotland's communities safer places to live, work and visit.



**Chief Constable Jo Farrell KPM**

**Police Scotland Licensing Overview –**

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within the National Policing Together Division, with personnel located throughout the organisation. The Department leads the development and implementation of national licensing strategy and policy, providing direction, advice and support to divisional licensing departments, while delivering specialist functions as a national level.

The VPLCU is a dedicated team of specialist officers who work closely with divisional licensing colleagues and partner organisations to inform and influence policing policy and strategy in relation to licensing. The unit provides professional guidance to licensing practitioners, frontline officers, supervisory staff and senior policing leaders.

The VPLCU promotes consistent application of legislation governing the sale and supply of alcohol across Scotland. It seeks to ensure all available measures are utilised to prevent unlawful or irresponsible sale, supply or consumption of alcohol, with the overarching objective of reducing crime, disorder and associated harm.

During 2025/2026, from a licensing perspective, our particular focus was on the following.

- Reviewing serious incidents of violence, disorder and antisocial behaviour associated with licensed premises.
- Delivering and supporting initiatives designed to tackle issues linked to alcohol consumption, particularly where this impacts young people and the night-time economy.
- Overseeing the governance and continued enhancement of the national ICT licensing system, known as Innkeeper, to improve the efficiency and effectiveness of liquor and civic licensing processes. Police Scotland has continued work to upgrade the system to ensure ongoing compliance with GDPR requirements.

Each of the 13 Local Policing Divisions has a dedicated licensing team responsible for overseeing the day-to-day administration of licensing matters. These teams ensure compliance with statutory obligations and respond to any issues arising within licensed premises in their respective local areas.

**Licensing Board Area**

The Clackmannanshire local authority area is policed by Forth Valley Division.

Chief Superintendent Roddy Irvine is the Police Divisional Commander who has overall responsibility for all day-to-day policing functions.

The officers who have responsibility for licensing within the area of Clackmannanshire are as follows:

Local Area Commander; Chief Inspector Garry Smith

Superintendent (Partnerships); Superintendent Aidan Higgins

Inspector, Preventions and Interventions; Inspector David Ryan

Licensing Sergeant; Sergeant Sharlene Meldrum

The Clackmannanshire Area Command serves over 51,000 residents over an area covering over 61 square miles incorporating both urban and village communities. The sub-divisional headquarters are based in the council headquarters at Kilncraigs in Alloa.

There is a total of 130 licensed premises located throughout the Clackmannanshire Area Command. The highest concentration of premises is within Alloa town centre which has one nightclub and numerous bars.

**Local Policing Priorities**

Following our public consultation process, the policing priorities for Forth Valley Division, as set out in our Local Policing Plan are as follows:

- Protecting people most at risk of harm.
- Responsive to the concerns of the communities.
- Road safety and road crime.
- Enhancing our collective resilience to emerging threats; and
- Promoting confidence through our actions.

Police Officers who work locally within Clackmannanshire Area Command and officers from the Police Licensing Department always have these priorities in mind during engagement with licensed premises staff and members of the community who are potentially affected by the operation of licensed premises within their community.

In addition to the above priorities the Licensing Objectives, as set out in the Licensing (Scotland) Act 2005, are key to the activities carried out by officers in relation to alcohol. The 5 objectives are:

- Preventing Crime and Disorder
- Securing Public Safety
- Preventing Public Nuisance
- Protecting and Improving Public Health
- Protecting Children and Young Persons from Harm

## Operation of the Licensing (Scotland) Act 2005

Police, Licensing Standards Officers, and Environmental Health Officers work closely together to provide advice and guidance to the licensed trade through engagement and pro-active visits with the aim of upholding the licensing objectives as laid out in the Licensing (Scotland) Act 2005.

It is recognised the misuse of alcohol can be harmful and damaging to our communities and alcohol is very often a contributory factor in the incidents police attend. These incidents range from low level anti-social behaviour to domestic abuse and incidents of serious violence and injury.

When considering these incidents, it is important to bear in mind in many cases offenders are not traced at the material time so the influence of alcohol cannot be fully assessed in offending behaviours. The experience of officers is the percentages of offenders drunk/having consumed alcohol when committing crimes/offences is likely to be a contributory factor to the offending.

Police Scotland does not hold data linking offending and perpetrators who were drunk or under the influence of alcohol at the time of committing an offence.

It is the responsibility of Police Scotland to ensure staff in licensed premises are complying with the licensing objectives as detailed in the Licensing (Scotland) Act 2005 and to take the necessary action where and when required. Police are responsible for ensuring those conducting themselves improperly in licensed premises are dealt with in accordance with the legislation.

In Clackmannanshire Area Command this is achieved by a variety of prevention and intervention work, which involves the deployment of police resources as single agency and jointly with partners.

The policing of licensed premises in Clackmannanshire is managed by a combination of scheduled and impromptu visits complimented by a Weekend Policing Plan which is adapted weekly to consider intelligence and recent incidents within licensed premises. This plan involves local officers being deployed to carry out high visibility inspections to licensed premises at peak times when demand for policing increases.

The visits are intended to identify any concerns with regards to the management of licensed premises and ensure adherence to the licensing objectives. They also provide support to staff working within reassuring them and providing them with the confidence that local officers are deployed with the key aim of prevention and early intervention. It is hoped visits help to modify the behaviour of the few people who choose to act irresponsibly whilst in licensed premises and under the influence of alcohol.

In addition to this work is carried out to tackle public space concerns and issues such as disorder associated with alcohol. Generally, this type of demand is associated with young people sourcing alcohol and consuming it in public spaces. Hotspots are

identified based on local intelligence and reporting of incidents to police which focuses where local resources are deployed.

Whilst a key element is to tackle associated disorder and crime which may be reported, prevention is an essential element, through engaging with young people to ensure they understand the health concerns and related dangers of alcohol consumption. Our School Based Officers are based in secondary schools across Clackmannanshire and undertake a range of prevention work in this regard.

Forth Valley Licensing Department reviews data from police systems daily and prepares a weekly report detailing all incidents within or connected to licensed premises throughout Clackmannanshire Area Command. This includes police reports, reported incidents in relation to licensed premises and any intelligence which is received. The report also includes any significant events which are taking place, details of occasional licences and extended hours granted to licensed premises. This information is shared and discussed at a weekly meeting between the Licensing Department and the Local Area Commander, ensuring any concerns or risks are identified early and resources are deployed accordingly.

During the period under report there were 976 documented proactive inspections of licensed premises throughout Clackmannanshire Area Command to both on and off-sales premises. The visits conducted by officers shows our commitment to ensuring the licensing standards are upheld and provides support to the licensed trade.

**Monitoring / Interventions**

Generally, if an incident occurs at licensed premises, contact is made with those in a position of responsibility, the incident discussed, and any necessary action taken. In many cases this prevents the repeat of any like incident. As mentioned in the previous section, if a premises gives cause for concern, then it becomes a monitored premises. This involves local officers and officers from the licensing department engaging with staff to identify why there may have been repeated incidents occurring on the premises and offering the necessary advice and support.

If there is no improvement, then officers from the licensing department meet with the Designated Premises Manager and in some cases the Premises Licence Holder and prepare an intervention plan which the police and the DPM/Licence holder sign. This involves agreed measures which will be taken to improve the operation of the premises; better staff training, a change in the hours stewards is employed, ensuring peak periods are covered, or more frequent toilet checks. The plans that are put in place are dependent on the problems being encountered.

Should the staff on the premises prove uncooperative and the problems continue then consideration would be given to applying for review of the premises licence under Section 36 of the Licensing (Scotland) Act 2005, or a review of the personal licence of staff involved under Section 84A of the Licensing (Scotland) Act 2005.

During the period under report there was no requirement to class any premises in Clackmannanshire as monitored premises and no premises were subject to an intervention agreement.

**Partnership Working**

It is widely recognised that partnership working is key to the successful management of all activities relating to alcohol. The Police Service of Scotland work closely with Clackmannanshire Council in respect of licensing matters. This partnership is strong and includes the Licensing Team at Clackmannanshire Council, Licensing Standards Officer, Legal and Democratic Services and Environmental Health. The Police Service of Scotland are a statutory consultee in applications relating to alcohol received by the Local Authority. All applications received by Police Service of Scotland undergo the same level of scrutiny to ensure that the Licensing Objectives are maintained. Between 1st April 2025 and 31st March 2026, the following alcohol related applications were received by the Police Service of Scotland.

- 178 Occasional Licence
- 41 Personal Licence
- 4 Premises Licence
- 21 Variations

All these applications have been processed by the Clackmannanshire Council Licensing Team prior to onward transmission to the Forth Valley Policing Division Licensing Department for consultation. All applications are processed and scrutinised by the Forth Valley Policing Division Licensing and uploaded onto the National Innkeeper System. A reply is thereafter sent to the Local Authority for every application. Most applications are returned with no adverse comments, however on occasion a letter of objection or representation is submitted.
It is important to recognise that the partnership working, particularly with the Licensing Standards Officer focuses on support, advice and guidance. The priority is to identify any issues or concerns at an early stage in order that early and effective action can be taken. As a result of this partnership working licensing issues are addressed with no need to escalate to the Licensing Board. Numerous joint visits have been carried out by Police and Licensing Standards Officer during the reporting period.

During 2025/2026 there were a range of initiatives between police and partner organisations directed at ensuring public safety in and around licensed premises. Throughout the year officers carried out joint visits to on sales premises with partners.

The licensing department monitor the conduct of door stewards with a collaborative approach with SIA Officers in response to any improper conduct by licensed stewards.

In the period running up to Christmas 2025, a dedicated team of local officers, supported by national specialist officers, participated in an initiative under the banner of “Operation Christmas.”

The daytime element of this campaign focussed on the retail sector, however, in the evenings officers concentrated on the night-time economy, proactively visiting licensed premises, and delivering personal safety messages designed at keeping

those enjoying Christmas parties and other celebrations safe. This included raising awareness of drink spiking, getting home safely, and encouraged responsible drinking.

This tied in with the Festive Drink Drive campaign to deter people from driving when under the influence of alcohol and detecting those who continued to do so.
In 2025/2026, the campaign also focussed on driving the morning after a person had been drinking.

There is good compliance with the legislation across licensed premises in Clackmannanshire, checks with partner agencies continue and regular contact between police and partner agencies assists with the flow of information ensuring any emerging issues are identified and addressed timeously.

**Licensing Policy Statement**

Having been involved in 2018 in the development of the Clackmannanshire Licensing Board Statement of Licensing Policy 2018 – 2023, Police Scotland continued to take the Board's policy statement into account when assessing applications for licences and during discussions within the Licensing Forum. The Statement of Policy assists officers in understanding the expectations of the Board and ensuring that their actions are consistent with the aims and objectives of the Board. The policy is currently being reviewed, and Police Scotland have contributed, and this includes statistical data for the question of overprovision. Whilst realising that the overprovision requirement is a complex and lengthy process, we will ensure Police Scotland are an effective consultee.

**Exclusion Orders / Closure Orders**

Where a person is being reported to the Procurator Fiscal for an offence involving violence on licensed premises, the police can request that consideration is given to imposing an exclusion order if a person is convicted. Section 94 of the Licensing (Scotland) Act 2005 gives the Court the power to impose an exclusion order preventing the convicted person from entering certain licensed premises for a specified period. Police Scotland do not hold information as to how many of these requests are issued to accused persons convicted by the courts.

Under section 97 of the Licensing (Scotland) Act, police can apply to the Licensing Board for a closure order in relation to any premises because of a risk of disorder and risk to public safety. Provision also exists for an officer of or above the rank of Inspector to make an emergency closure order in certain circumstances. During 2025/2026 there has been no necessity to apply for a closure order or implement an emergency closure order in the Clackmannanshire area.

**Licensing Forum**

A representative from the Police Licensing Department ordinarily attends the local licensing forum to hear from licence holders and members of the public and address any concerns they may have. This also contributes to an effective working relationship with licensed premises staff and ultimately a safer environment for the people of

Clackmannanshire. This has yet to be re-established in the Clackmannanshire area, since lockdown when the Coronavirus restrictions were imposed.

**Applications For Licences**

Section 22 of the Licensing (Scotland) Act 2005 covers applications for a premises licence. All applications for premises licences are considered by police. This is achieved by scrutinising police databases to ensure that the granting of a licence will not present issues for the community. Police officers from the Licensing Department will also contact local police officers to ascertain if they predict any problems with the granting of the licence and on most occasions will contact the prospective licence holder also. There have been no objections to premises licence applications during 2024/2025.

Section 72 of the Licensing (Scotland) Act 2005 covers applications for a personal licence. All applications for personal licences are considered by police by carrying out checks on police databases. In the year 2024/2025 there was no objections to the grant of a personal licence.

**Preventing the sale or supply of alcohol to children or young persons**

It is recognised that alcohol misuse among children and young persons can be extremely damaging and may result in antisocial behaviour and have a negative impact on the community, as well as the children involved. As can be seen from the attached statistics there is one charge relating to buying or attempting to buy alcohol for a child.

Community Police Officers in Clackmannanshire engage directly with children, educating them as to the potential dangers involved in consuming alcohol. They have the trust of children and young persons in the local community and can gather intelligence in relation to their alcohol consumption and take any appropriate action. The police Preventions and Interventions Department covering Forth Valley also engage with young people throughout the community and deliver presentations that raise awareness of potential risks.

Police officers on day-to-day duties who come across children and young people under the influence of alcohol, share this information with partner organisations such as health, social work and education, so steps can be taken to establish the root cause for these behaviours rather than criminalising these children. As can be seen from the attached statistics, the percentage of criminal activity in and around licensed premises involving children is negligible.

**Tackling Serious and Organised Crime**

Licensed premises are one type of business known to be used by Serious and Organised Crime (SOC) groups for the purposes of laundering money and the commission of drugs offences. Clackmannanshire Area Command fully engages with Scotland's SOC Strategy, aiming to Divert, Deter, Detect and Disrupt SOC and the

harm it causes. This is not just about drugs, but is also linked to Human Trafficking, Cyber Crime and Sexual Exploitation.

Locally, the Community Policing Teams and Licensing Department regularly engage with the local community and staff within licensed premises ensuring that there is a comprehensive intelligence picture in relation to potential SOC activity within licensed premises in the area. The Licensing Department share information with the Force Disruptions Unit, working to deny persons involved in this type of activity access to licensed premises.

In 2025 Police Scotland created the **Retail Crime Taskforce.** This is a National Unit dedicated to tackling retail crime. It is recognised that those people involved in Serious and Organised Crime target licensed premises in the theft of alcohol. This dedicated unit operate throughout Scotland to tackle this problem. Since the creation of the unit they have operated within the Clackmannanshire area on numerous occasions.

**Proposed activity for the year ahead**

Police will continue to work alongside partners locally including the Licensing Standards Officer, Environmental Health Officers, HMRC and Trading Standards to ensure that on-sales and off-sales premises are safe places to frequent and socialise in. In so doing it is recognised that those in the licensed trade are valuable partners in working towards these objectives and we will work with them wherever possible.

As new challenges are presented, Police Scotland will seek to adapt and respond in a reasonable and proportionate manner to ensure that the licensing objectives and public safety are at the heart of our joint efforts in relation to licensed premises. Intelligence led policing of licensed premises will continue, responding to the concerns of our communities and taking enforcement action when necessary.

The Licensing Dept within Forth Valley plays a vital role in the administration and policing of licensing matters; however it is acknowledged that the officers deployed operationally have a significant role to play. The Licensing Dept is currently producing products and aide memoirs to assist officers.

To conclude, we would like to thank you for your continued support during what has been another challenging year for all. We look forward to a safe and healthy 2026/2027.

## Clackmannanshire Area Command
## Alcohol related crimes and offences 2025/26

| Crime Type | Offence Description | Total Offences |
|---|---|---|
| **Licensing Offences** | A Person Behaves In A Disorderly Manner And Refuses/Fails To Leave Premises On Being Asked | 4 |
| | Attempt To Enter Relevant Premises While Drunk. | 0 |
| | Sell alcohol from a vehicle without being authorised to do so | 0 |
| | Consume Alcohol In A Designated Public Place - Local Order | 5 |
| | Sale of alcohol without a premises or occasional licence | 1 |
| | Person Buys Or Attempts To Buy Alcohol For A Child | 0 |
| | Refuse To Leave After End Of Licensed Hours When Asked To Do So | 0 |
| | Responsible Person Drunk Whilst On Relevant Premises | 0 |
| **Licensing Offences Total** | | **10** |

**CLACKMANNANSHIRE LICENSING BOARD**

**THIS PAPER RELATES TO ITEM 6**

**ON THE AGENDA**

**Report to the Clackmannanshire Licensing Board**

**Date of Meeting: 1 December 2026**

**Subject: Statement of Gambling Policy**

**Report by: Depute Clerk to the Licensing Board**

## 1.0 Purpose

1.1. The purpose of this report is to enable the Licensing Board to consider and approve of the consultation of the draft Statement of Gambling Policy 2027-2030.

1.2. The draft statement sets out the principles the board proposes to apply when exercising its functions under the Gambling Act 2005 (the Act).

## 2.0 Recommendations

2.1. It is recommended that the Board:

2.1.1. Approve the draft Statement of Gambling Policy 2027-2030, attached at appendix 1, for statutory consultation.

2.1.2. Approve the consultation period from 11 December 2026 to 22 January 2027.

2.1.3. Agree that a further report, summarising consultation responses and recommending final wording be submitted to the Board before adoption.

## 3.0 Considerations

3.1. The Act has three licensing objectives: preventing gambling from being a source of crime or disorder or being used to support crim; ensuring that gambling is conducted in a fair and open way; and protecting children and other vulnerable persons from being harmed or exploited by gambling

3.2. The revised draft strengthens and clarifies the Board's approach to local risk assessments, premises near sensitive uses, safeguarding, age verification, self-exclusion, customer interaction, support signposting, inspection and proportionate enforcement.

3.3. The consultation will be targeted to statutory consultees, responsible authorities, gambling operators and permit holders, Community Councils, equality and safeguarding interests, public health and support organisations and organisations assisting people affected by gambling-related harm.

## 4.0 Sustainability Implications

4.1. None.

## 5.0 Resource Implications

*5.1. Financial Details*

5.2. There are no direct additional financial implication arising from approval and submission of the consultation process.

*5.3. Staffing*

*5.4.* There are no direct staffing implications arising from this report. Any future proposal affecting the workforce would be subject to assessment, engagement with trade unions, consultation and relevant employment processes.

## 6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities**

| | |
|---|---|
| Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all | ☐ |
| Our families; children and young people will have the best possible start in life | ☐ |
| Women and girls will be confident and aspirational, and achieve their full potential | ☐ |
| Our communities will be resilient and empowered so that they can thrive and flourish | ☐ |

(2) **Council Policies**

| | |
|---|---|
| Complies with relevant Council Policies | ☐ |

## 8.0 Impact Assessments

8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Yes ☒

8.2 If an impact assessment has not been undertaken you should explain why:

## 9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

## 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Statement of Gambling Policy – 2027-2030

## 11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

**Author(s)**

| NAME | DESIGNATION | TEL NO / EXTENSION |
|---|---|---|
| Dale Bell | Deputy Clerk to the Licensing Board | 2086 |

**Approved by**

| NAME | DESIGNATION | SIGNATURE |
|---|---|---|
| Dale Bell | Deputy Clerk to the Licensing Board | [redacted] |

# CLACKMANNANSHIRE
# LICENSING BOARD

# STATEMENT OF GAMBLING POLICY

## UNDER SECTION 349 OF THE GAMBLING ACT 2005

## DRAFT FOR CONSULTATION

**POLICY PERIOD**

Proposed period: 2027 - 2030

Consultation opens: 11 December 2026 Consultation closes: 22 January 2027

Board authority to consult: [INSERT DATE]

*Revision copy: new and materially amended provisions are identified in blue labels.*

Consultation contact: Licensing, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa FK10 1EB
Email: licensing@clacks.gov.uk

# Document control and revision marking [NEW]

**IMPORTANT STATUS**

This is a consultation-ready working draft. Square-bracketed fields must be confirmed before publication. Statutory figures, service names, contact routes and the Board's Scheme of Delegation require final Legal Services verification against the law and guidance in force on the publication date.

| Version | Status | Date | Owner |
|---|---|---|---|
| 0.1 | Draft for consultation | [INSERT] | Clerk to Clackmannanshire Licensing Board |

# Contents


1. Introduction

2. Consultation and declaration

PART A - Principles

3. Licensing objectives and functions

4. General approach to applications

5. Premises licenses and provisional statements

6. Review of premises licenses

7. Permits

8. Temporary and Occasional Use Notices

9. Protection of children and vulnerable persons

10. Interested parties and representations

11. Use and exchange of information

12. Inspection and enforcement

PART B - Scheme of Delegation

Appendix 1 - Consultees

Appendix 2 - Responsible Authorities

Appendix 3 - Children, young persons and vulnerable persons

Appendix 4 - Gaming machines: signposting and verification schedule

# 1. Introduction

## 1.1 General

Clackmannanshire Licensing Board (the "Board") is a licensing authority under the Gambling Act 2005 ("the Act") for the whole local government area of Clackmannanshire. This Statement sets out the principles the Board proposes to apply when exercising its functions under the Act.

Section 349 of the Act requires the Board, before each successive three-year period, to prepare and publish a statement of the principles it proposes to apply. The Statement may be reviewed and revised at any time, following the consultation required by the Act.

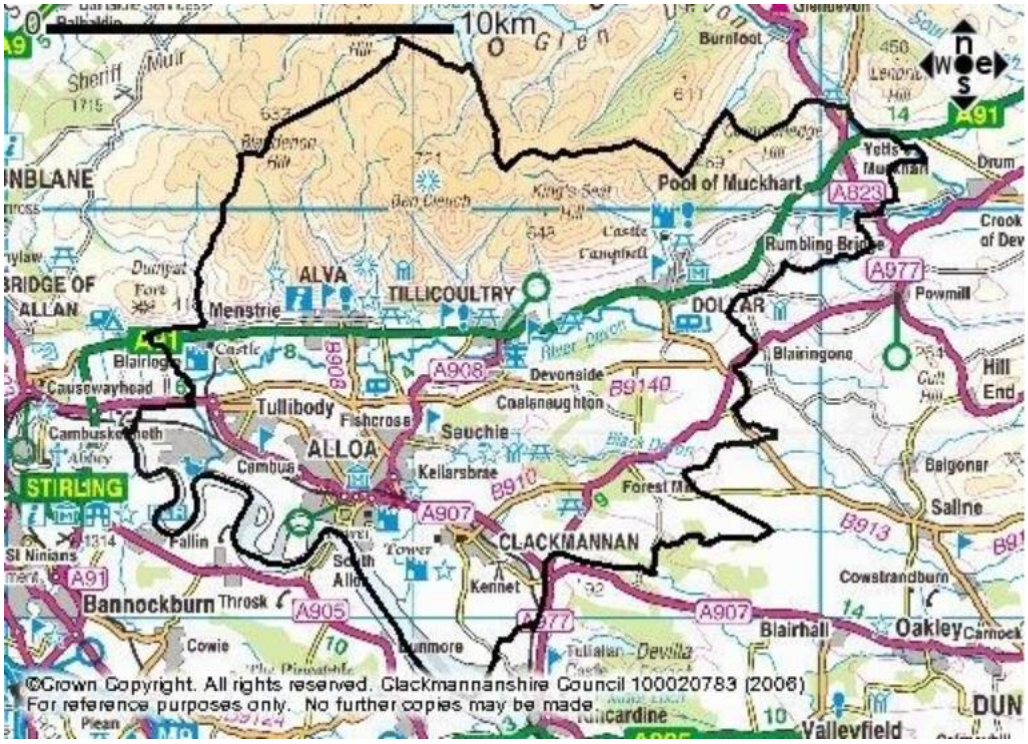
This Statement should be read with the Act, regulations made under it, relevant codes of practice, and the Gambling Commission's Guidance to Licensing Authorities. It is a policy statement and not a substitute for legal advice or an operational guide.

The Board will carry out its functions transparently, consistently and in the public interest. It will seek to avoid unnecessary duplication with planning, building standards, fire safety, health and safety and other regulatory regimes.

**The Gambling Commission Guidance was last updated publicly in July 2025, with further section updates thereafter.**

## 1.2 Profile of Clackmannanshire

Clackmannanshire is the smallest mainland local authority area in Scotland with a population of 51,610 as of 30 June 2025[1]. Alloa is the principal commercial and administrative centre. Other main settlements include Sauchie, Clackmannan, Tillicoultry, Devonside, Coalsnaughton, Tullibody, Cambus and Alva. The area of Clackmannanshire is shown below




The Board will use current local knowledge and available evidence when considering how local circumstances engage the licensing objectives. Relevant evidence may include population and demographic information,

[1] As published by the National Records of Scotland

deprivation indicators, locations used by children and young people, treatment and support services, and information supplied by responsible authorities and public health partners.

### 1.3 Policy period and review

This Statement will take effect on [INSERT DATE] and will remain in force until [INSERT DATE], unless reviewed and revised earlier. The Board will keep the Statement under review and may consult on amendments where local circumstances, legislation, guidance or evidence materially changes.

## 2. Consultation and declaration

### 2.1 Consultation

The Board is consulting on this draft from [INSERT DATE] until [INSERT DATE]. The draft is available on the Council website and in any other formats or locations specified in the consultation notice. Representations should be sent to licensingcon@clacks.gov.uk or to the Clerk to the Licensing Board at Kilncraigs, Greenside Street, Alloa FK10 1EB.

In accordance with section 349(3), the Board will consult the Chief Constable; persons representing gambling businesses in the area; and persons representing people likely to be affected by the exercise of the Board's functions. The wider consultation list is at Appendix 1.

The Board will consider all competent responses before determining the final wording. A consultation report will identify the main issues raised and the Board's response, subject to legal requirements concerning personal information and confidentiality.

### 2.2 Declaration

In adopting the final Statement, the Board will have regard to the licensing objectives, the Gambling Commission's Guidance to Licensing Authorities and the responses received during consultation.

# PART A - PRINCIPLES

## 3. Licensing objectives and functions [AMENDED]

### 3.1 Licensing objectives

In carrying out its premises licensing and permit functions, the Board will have regard to the three licensing objectives in section 1 of the Act:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

### 3.2 Board functions

The Board will be responsible for considering and determining applications, notices, permits, registrations and entitlements allocated to licensing authorities by the Act.

There are five types of premises licensed under the Gambling Act, namely:

- Casino Premises
- Bingo Premises
- Betting Premises, including tracks;
- Adult Gaming Centre; and
- Family Entertainment Centres.

The other main regulatory functions of the Board under the Act relate to:

- premises licenses and provisional statements for casinos, bingo premises, betting premises and tracks, adult gaming centres and family entertainment centres;
- club gaming permits and club machine permits;
- unlicensed family entertainment centre gaming machine permits;
- prize gaming permits;
- gaming machine notifications and permits for alcohol-licensed premises;
- temporary use notices and occasional use notices;
- registration of small society lotteries; and
- functions relating to travelling fairs.

The Board does not license remote gambling or issue operating and personal licenses. Those matters are regulated by the Gambling Commission.

## 4. General approach to applications

Each application will be considered on its own facts and merits. This Statement does not override any person's statutory right to apply, make a competent representation or seek a review.

The Board will not take account of expected demand for gambling facilities or moral objections to gambling. It may apply relevant local knowledge and evidence.

The Board will not determine an application by reference to whether planning permission, building warrant or another regulatory approval is likely to be granted. The regimes will be kept separate, while information may be shared where relevant.

For premises licenses and temporary use notices, the Board will aim to permit gambling so far as it considers the proposal:

- in accordance with relevant Gambling Commission codes of practice;

- in accordance with relevant Gambling Commission guidance;
- reasonably consistent with the licensing objectives; and
- in accordance with this Statement.

### 4.1 Local area profile and local risk assessments

The Board has considered whether to publish a separate local area profile. At the date of this draft, the Board considers that this Statement, local knowledge and engagement with responsible authorities provide an appropriate framework. The Board may prepare or publish a local area profile if evidence indicates that it would assist operators, communities or decision-making.

Operators subject to the relevant Licence Conditions and Codes of Practice must assess local risks to the licensing objectives and implement policies, procedures and controls to mitigate them. The Board expects a suitable local risk assessment to accompany an application for a new premises licence or a material variation, and to be provided on request.

A local risk assessment should address the premises, locality, customer profile, nearby sensitive uses, staffing, supervision, age verification, self-exclusion, safeguarding, incident management, advertising and any other factor relevant to the licensing objectives.

## 5. Premises licenses and provisional statements

### 5.1 General policy

Premises licenses are subject to statutory mandatory and default conditions. The Board may exclude a default condition or attach proportionate conditions where authorised and appropriate.

Premises means any place. The Board will decide as a matter of fact and degree whether different parts of a building can properly be treated as separate premises, having regard to the Act and Gambling Commission guidance.

A premises licence should relate to premises capable of being used for gambling within a reasonably near future. Where construction or significant alteration remains outstanding, a provisional statement may be the appropriate route.

### 5.2 The “Aim to Permit” Duty (Section 153)

The Board recognises that under Section 153 of the Gambling Act 2005, a they have a statutory duty to "aim to permit" the use of premises for gambling, provided any application is reasonably consistent with the three licensing objectives, Gambling Commission codes of practice and this policy.

Section 153(2) explicitly prohibits a Licensing Board from considering the expected demand for gambling facilities. Guidance from the Gambling Commission confirms that applications cannot be refused merely because there are already other betting shops or gambling venues in the area.

### 5.3 Location and sensitive uses

Applications near schools, places regularly used by children or young people, residential areas with a high concentration of families, vulnerable-adult services or addiction treatment services will receive scrutiny under the licensing objectives. Proximity alone will not determine an application. The applicant should explain the local risks and demonstrate effective mitigation.

### 5.4 Crime and disorder

Relevant considerations may include the design and layout of the premises, staff training, cash handling, CCTV, physical security, age-verification procedures, incident records and evidence of violence, disorder or organised crime. Nuisance and general antisocial behaviours are not separate Gambling Act licensing objectives, although evidence may be relevant where it demonstrates crime, disorder or harm under an objective.

## 5.5 Fair and open gambling

The Gambling Commission generally leads on fair and open gambling through operating and personal licenses. The Board will nevertheless consider any matter within its statutory remit and may liaise with the Commission.

## 5.6 Protecting children and vulnerable persons

The Board may consider proof-of-age schemes, supervision, staff training, premises layout, segregation of adult-only areas, signage, opening hours, self-exclusion arrangements, information about support services and controls concerning advertising and promotions.

For policy purposes, vulnerable persons may include people who gamble more than they intend, beyond their means, or who may be unable to make informed or balanced decisions because of cognitive impairment, mental ill-health, alcohol or drug dependency, or other circumstances. This is not an exhaustive definition.

## 5.7 Conditions

Any condition imposed by the Board will be lawful, necessary and proportionate; directly related to the premises and type of gambling; fairly related to the scale and type of premises; and reasonable in all other respects. The Board will not duplicate conditions imposed by the Act, regulations or the Gambling Commission unless legally justified.

## 5.8 Adult Gaming Centres

Applicants must demonstrate effective measures preventing access by anyone under 18. Measures may include monitored entrances, Challenge 25 or an equivalent age-verification scheme, CCTV, staff training, self-exclusion and the display of support information.

## 5.9 Licensed Family Entertainment Centres

Applicants must ensure that under-18s cannot access adult-only Category C gaming-machine areas. Physical separation, supervision, sightlines, signage and staff procedures should be addressed in the application and local risk assessment.

## 5.10 Casinos

The Board has not passed a resolution under section 166 not to issue casino premises licenses.

## 5.11 Bingo Premises

Where children and young people are admitted, Category C and higher machines must be located and managed so that under-18s cannot access them. The Board will consider barriers, designated entrances, supervision, staff visibility and prominent age-restriction notices.

## 5.12 Betting Premises

The Board may consider lawful conditions concerning betting machines, taking account of premises size and layout, counter positions, staffing and the ability to monitor access and use by children, young people and vulnerable persons.

## 5.13 Tracks

Track applications must identify all gambling areas, temporary betting areas, entrances, age-restricted areas and gaming-machine locations. Measures must prevent under-18s entering adult gambling areas or using machines other than those they may lawfully use.

## 5.14 Travelling Fairs

The Act defines a traveling fair as “wholly or principally” providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year.

The Board will consider whether gambling amounts to no more than an ancillary amusement and whether the statutory limit on use of the land is met. It may liaise with neighbouring authorities where land crosses boundaries.

### 5.15 Provisional Statements

Following the grant of a provisional statement, later representations or different licence terms are restricted by the Act. The Board will apply the statutory tests and will not take irrelevant planning or building-control considerations into account.

## 6. Review of premises licenses

The Board may initiate a review of a class of premises licence or particular premises where authorised by the Act. Before initiating a review, it may use proportionate informal engagement, mediation or other resolution where appropriate, without prejudicing the need for prompt formal action.

In considering an application for review, the Board will consider whether the operation is consistent with relevant codes and guidance, the licensing objectives and this Statement. It may reject an application on a statutory ground, including where it is frivolous or vexatious, would certainly not justify regulatory action, or substantially repeats earlier grounds without a material change of circumstances.

Following a review, the Board may take any action authorised by the Act including:

- adding, removing or amending license conditions;
- excluding or changing a default condition;
- suspending the premises licence for the statutory period not exceeding three months; and
- revoking the premises license.

Action will be evidence-based and proportionate.

## 7. Permits

Permits issued under the Act are subject to statutory conditions.

### 7.1 Club Gaming and Club Machine Permits

The Board may not attach conditions to a Club Gaming Permit or Club Machine Permit. When considering grant or variation, the Board will have regard to the licensing objectives and Gambling Commission guidance and will consider whether any statutory ground for refusal applies.

### 7.2 Unlicensed Family Entertainment Centre Gaming Machine Permits

The premises must be wholly or mainly used for making gaming machines available. The permit authorises Category D machines only. The Board may consider the suitability of the applicant and premises, including locality, relevant convictions, safeguarding procedures, staff suitability and training, knowledge of lawful stakes and prizes, and measures protecting children and vulnerable persons.

### 7.3 Prize Gaming Permits

The Board will have regard to Gambling Commission guidance and may consider the suitability of the applicant and premises. Applicants should demonstrate safeguarding arrangements, knowledge of lawful stakes and prizes, staff training and that the proposed gaming is lawful.

### 7.4 Alcohol-licensed premises: automatic entitlement and permits

Where Gaming machines are present on the premises, qualifying alcohol-licensed premises must notify the Board of an automatic entitlement to up to two Category C or D gaming machines and pay the prescribed fee.

The Board may remove the entitlement on a statutory ground.

Where an alcohol licence is transferred and the new licence holder wishes to retain the automatic gaming machine entitlement, they must notify the Licensing Board and pay the prescribed fee.

The licensing Board will issue a certificate of notification in relation to any premises seeking to take advantage of the automatic entitlement arrangements in the Act.

An application for more than two machines requires a Licensed Premises Gaming Machine Permit. Applications will be considered on their merits, with particular regard to supervision, visibility from the bar or service point, staff training, age controls and the licensing objectives. The Board may grant fewer machines or different categories than requested where authorised but may not attach additional conditions to the permit.

# 8. Temporary and Occasional Use Notices

## 8.1 Temporary Use Notices

A set of premises may be subject to temporary use notices only within the statutory maximum in a 12-month period. In deciding whether locations form one set of premises, the Board may consider ownership, occupation, control, layout and the practical effect of the notices. The Board will be alert to notices that would effectively permit regular gambling without a premises licence.

## 8.2 Occasional Use Notices

An Occasional Use Notice may permit betting at a genuine track without a premises licence, subject to the Act. The Board will consider whether the location is a “track”, whether the notice is given by a person entitled to do so and whether the statutory annual day limit would be exceeded. The Board will maintain the required register.

**[VERIFY] Insert the current statutory day limits for Temporary Use Notices and Occasional Use Notices only after Legal Services has checked the Act and current amendments. The previous draft stated 21 and 8 days respectively.**

# 9. Protection of children and vulnerable persons

## 9.1 Designated advisory body

Under section 157, the Board must designate in writing a body competent to advise it about the protection of children from harm. The body should have responsibility across the whole Board area and relevant safeguarding expertise.

The Board designates Child Protection, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB, for this purpose.

## 9.2 Advice concerning vulnerable persons

The Board may seek advice concerning vulnerable adults from the Chief Social Work Officer, the Clackmannanshire and Stirling Health and Social Care Partnership, Adult Protection services, Alcohol and Drug Partnership services, public health partners and other competent bodies, as appropriate to the matter.

# 10. Interested parties and representations

Under section 158, a person is an interested party in relation to a premises licence if, in the Board's opinion, the person lives sufficiently close to be likely to be affected; has business interests that might be affected; or represents a person falling within either category.

The Board will decide status case by case. The person making representations should provide enough information to allow the Board to determine interested-party status and the relevance of the representation.

## 10.1 "Sufficiently close"

Relevant factors may include:

- the size and nature of the premises;
- the distance between the premises and the person's home or other relevant location;
- the likely number of customers and routes to and from the premises;
- the nature, duration and timing of the authorised activities; and
- any circumstance making the person more susceptible to adverse impact than people generally.

## 10.2 Business interests

Relevant factors may include the size and nature of the premises, the likely catchment area, and whether the person has a business interest in that area which might be affected. Mere commercial competition in the same gambling sector is not sufficient. Demand or lack of demand is not relevant.

## 10.3 Representatives

Serving MPs and MSPs whose constituency includes the premises, serving councilors whose ward includes the premises, and the relevant Community Council may ordinarily represent interested parties without producing individual written authorities. Other representatives should provide the name and address of the person represented, information establishing that person's status and written authority to act. A Board member asked to represent a party should consider the rules on conflicts, impartiality and participation in the Board's decision.

## 10.4 Form and publication of representations

Representations must comply with the Act and regulations, be submitted within the statutory period and address matters relevant to the licensing objectives, Gambling Commission guidance, relevant codes or this Statement. Details may be shared with the applicant and included in Board reports, subject to law and any justified personal-safety restriction.

# 11. Use and exchange of information

The Board may collect, hold, publish and exchange information where authorised or required by the Act and other law. This includes exchange with the Gambling Commission and persons specified in Schedule 6 to the Act.

The Board will process personal data in accordance with UK data protection law, including the UK GDPR and the Data Protection Act 2018, and will have regard to relevant guidance. Information may also be disclosed under freedom of information legislation, subject to applicable exemptions.

Application and representation details referred for determination may be published in statutory reports. The identity and contact details of a person making representations will ordinarily be disclosed where necessary for a fair process. A request to restrict publication on personal-safety grounds will be considered individually, but complete anonymity cannot be guaranteed where this would be incompatible with legal obligations or procedural fairness.

# 12. Inspection and enforcement

In carrying out inspection and enforcement, the Board and authorised officers will have regard to Gambling Commission guidance and recognised better-regulation principles. Action will be:

- proportionate, intervening only where necessary and matching action to risk;
- accountable, with decisions capable of explanation and scrutiny;
- consistent, applying rules and standards fairly;
- transparent and open, providing clear information and guidance; and
- targeted, focusing resources on risks to the licensing objectives.

The Board will use a risk-based inspection approach. Inspection frequency and intensity may reflect the premises type, compliance history, complaints and intelligence, management controls, changes in operation and risks identified in local risk assessments.

The Board's principal local role is compliance with premises licenses, permits, notices and other permissions it administers. Operating and personal licence matters will normally be referred to the Gambling Commission. The Board will cooperate with Police Scotland, the Scottish Fire and Rescue Service, Council services and other regulators where lawful and appropriate.

Operators with multiple premises in the area may be asked to nominate a senior single point of contact with sufficient authority to address compliance concerns promptly.

# PART B - SCHEME OF DELEGATION [NEW / VERIFY]

**LOCAL APPROVAL REQUIRED**

This Part is drafted as a model. It must be reconciled with the Board's formally approved Scheme of Delegation before consultation. If the Board maintains a separate scheme, replace this Part with an accurate cross-reference.

## B1. General

The Scheme supports timely, efficient and effective decision-making. Delegations are subject to the Act, regulations, codes, guidance and any later amendment. The Clerk or Depute Clerk may refer any delegated matter to the Board.

## B2. Functions reserved to the Board

The following matters are reserved to the Board:

- adopting or materially revising this Statement;
- resolving under section 166 not to issue casino premises licenses;
- determining premises licence, variation or provisional statement applications where competent, relevant representations remain outstanding;
- determining a premises licence transfer where a competent Gambling Commission representation remains outstanding;
- premises licence reviews;
- deciding whether to issue a counter-notice where legislation requires Board determination; and
- determining contested permit applications where competent representations remain outstanding, subject to the Act and the Board's approved scheme.

## B3. Delegated functions

All other functions capable of delegation are delegated to the Clerk or Depute Clerk, subject to the Board's approved scheme. These may include uncontested applications, administrative and non-material variations, registrations, notifications, statutory registers, acceptance or rejection of plans which do not comply with prescribed requirements, and substitution of a plan where the authorised gambling or gaming provision is not materially changed.

The Clerk or Depute Clerk may delegate functions to appropriately authorised officers where permitted by law and the approved scheme.

# Comments, contact and accessible formats

Comments on this consultation draft should be sent by Friday 22 January, 2027 to the Clerk to Clackmannanshire Licensing Board, Kilncraigs, Greenside Street, Alloa FK10 1EB, or by email to licensing@clacks.gov.uk.

If you require this document in another language, large print, Easy Read or another accessible format, please contact the Licensing Service using the details above.

# Appendix 1 - Proposed consultees

The final consultation distribution list should use current organisational names and contact routes. Proposed categories include:

- Chief Constable, Police Scotland;
- Gambling Commission;
- Scottish Fire and Rescue Service;
- HM Revenue and Customs;
- relevant Clackmannanshire Council Planning, Environmental Health, Legal, Trading Standards, Education, Housing and Social Work services;
- Chief Social Work Officer, Child Protection and Adult Protection bodies;
- Clackmannanshire and Stirling Health and Social Care Partnership;
- local Alcohol and Drug Partnership and public health partners;
- all Clackmannanshire Community Councils and relevant residents' organisations;
- Citizens Advice and organisations supporting people affected by gambling harm;
- GamCare, GambleAware and other relevant treatment or support organisations;
- local Gambling Act premises licence and permit holders;
- relevant gambling, amusement and licensed-trade bodies;
- the Community Connector for Gambling – CTSI, 27 High Street, Alloa
- elected members; and
- any person or organisation requesting inclusion or identified as likely to be affected.

# Appendix 2 - Responsible Authorities

For applications where the Act requires notice to Responsible Authorities, applicants must use the authorities and contact details prescribed by law and published by the Board at the application date. The schedule should include, as applicable:

| Responsible authority | Postal address | Email / electronic contact |
|---|---|---|
| Clackmannanshire Licensing Board | Licensing Team, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB | licensing@clacks.gov.uk<br><br>Tel: 01259 450000 |
| Gambling Commission | Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP | General enquiries: info@gamblingcommission.gov.uk. |
| Chief Constable, Police Scotland | Chief Constable, Police Scotland, Force Headquarters, PO Box 21184, Alloa, FK10 9DE | check |
| Scottish Fire and Rescue Service | Fire Safety Enforcement, Scottish Fire and Rescue Service, Stirling Fire Station, 6 Raploch Road, Stirling, FK8 1TJ | E.SCF.FireSafety@firescotland.gov.uk for Stirling and Clackmannanshire fire-safety enquiries. |
| Planning authority | Planning Services, Clackmannanshire Council, | planning@clacks.gov.uk<br><br>Tel: 01259 450000 |

| | | |
|---|---|---|
| | **Kilncraigs, Greenside Street, Alloa, FK10 1EB** | |
| **Environmental health authority** | **Environmental Health, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB** | **ehealth@clacks.gov.uk**<br><br>**Tel: 01259 450000** |
| **Authority designated for the protection of children from harm** | **Clackmannanshire Child Protection Committee, Kilncraigs, Greenside Street, Alloa, FK10 1EB** | **childcare@clacks.gov.uk.**<br><br>**Tel: 01259 450000** |
| **HM Revenue and Customs** | **HM Revenue and Customs, Excise Processing Team, BX9 1GL, United Kingdom** | **NRUBettingGaming@hmrc.gov.uk.**<br><br>**Telephone: 0300 200 3700.** |
| **Authority in relation to vessels, where applicable: SEPA** | **Scottish Environment Protection Agency, Moray House, 2A Forthside Way, Stirling, FK8 1QZ;** | **Customer Hub: 0300 099 6699. For legal service only: serviceonsepa@sepa.org.uk.** |
| **Authority in relation to vessels, where applicable: Maritime and Coastguard Agency** | **1 Prince of Wales Dock, Edinburgh EH6 7DX** | **engagement@forthports.co.uk, john.stevenson@forthports.co.uk**<br><br>**Tel: +44 (0)131 555 8700** |

**[VERIFY] Insert current postal and electronic service details only after confirmation by Licensing and Legal Services.**

# Appendix 3 - Children, young persons and vulnerable persons

The third licensing objective is to protect children and other vulnerable persons from being harmed or exploited by gambling. Under the Act, a child is a person under 16, a young person is aged 16 or 17, and an adult is aged 18 or over.

The Act contains detailed restrictions on participation and access. In summary, and subject always to the Act, regulations, licence conditions and current Gambling Commission guidance:

- betting shops and adult gaming centres are adult-only premises;
- bingo premises may admit under-18s, but controls must prevent them participating in gambling other than lawful Category D machine play;
- family entertainment centres may admit under-18s, but Category C machines must be segregated and restricted to adults;
- alcohol-licensed premises may admit under-18s where the premises licence permits, but under-18s must not use Category C machines;
- clubs must control machine use by under-18s in accordance with the permit and legislation; and
- tracks must prevent under-18s participating in unlawful gambling or accessing adult-only machine areas.

Operators should consider inclusive safeguarding arrangements, including age verification, staff training, safe intervention, self-exclusion, customer interaction, signposting to support, advertising controls and procedures for concerns involving children or adults at risk.

# Appendix 4 - Gaming machines: signposting and verification schedule

**WHY THIS APPENDIX DOES NOT REPRODUCE FIXED FIGURES**

Machine stakes, prizes, categories and entitlements can change through regulations. To reduce the risk of publishing outdated figures, the consultation draft signposts the current statutory sources. A verified table may be inserted before final adoption if the Board considers this useful.

Before the final policy is adopted, Licensing and Legal Services should verify and record:

- current maximum stakes and prizes for Categories A, B1, B2, B3, B3A, B4, C and each Category D sub-category;
- current numerical and ratio entitlements for casinos, bingo premises, betting premises, adult gaming centres and family entertainment centres;
- entitlements for unlicensed family entertainment centres, clubs, miners' welfare institutes and alcohol-licensed premises;
- any transitional rights based on the date premises were first licensed; and
- the effect of the Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025 and any later amendment.

The Gambling Commission's Guidance to Licensing Authorities, including its gaming-machine appendices and machines toolkit, should be used with the Act and current regulations. Where an inconsistency arises, the legislation prevails.

## Internal pre-publication sign-off [NEW]

| Check | Owner / date | Complete |
|---|---|---|
| Policy period and consultation dates inserted | | ☐ |
| Current Gambling Commission Guidance checked | | ☐ |
| Current LCCP checked | | ☐ |
| Statutory notice day limits checked | | ☐ |
| Machine categories and entitlements checked | | ☐ |
| Casino resolution and 2025 changes checked | | ☐ |
| Scheme of Delegation reconciled | | ☐ |
| Responsible Authorities verified | | ☐ |
| Safeguarding bodies and service names verified | | ☐ |
| Information Governance approval | | ☐ |
| Equalities and accessibility review | | ☐ |
| Current operators and consultees verified | | ☐ |
| Hyperlinks and contact details tested | | ☐ |

| | | |
|---|---|---|
| Board authority to consult recorded | | ☐ |

# Equality and Fairer Scotland Impact Assessment (EFSIA) Summary of Assessment

**Title: Clackmannanshire Licensing Board Statement of Gambling Policy 2027-2030.**

**Key findings from this assessment (or reason why an EFSIA is not required):**
The proposal is relevant to equality and socio-economic disadvantage and requires a full EFSIA. The Statement applies to the Licensing Board's functions under the Gambling Act 2005 and contains safeguards intended to protect children and other vulnerable persons. Potential positive impacts arise from age controls, supervision, local risk assessments, self-exclusion, customer interaction, support signposting and proportionate enforcement. Potential adverse or unintended impacts may arise if information and consultation are inaccessible, if vulnerability is approached through assumptions rather than evidence, or if local deprivation data is used in a way that stigmatises communities. Particular relevance has been identified for age, disability and socio-economic disadvantage, with implementation and accessibility considerations for the other protected characteristics.

**Summary of actions taken because of this assessment:**
The draft Statement, the Gambling Act 2005, Gambling Commission guidance, the licensing objectives, Scottish Census 2022 information and socio-economic evidence have been considered. The assessment recommends accessible consultation, targeted engagement with safeguarding, equality, public-health, advice and gambling-harm organisations, and review of consultation evidence before the Statement is adopted. The policy wording and implementation arrangements should remain evidence-led, proportionate and non-stigmatising.

**Ongoing actions beyond implementation of the proposal include:**
The Licensing Board will monitor consultation accessibility, equality-related complaints or barriers, concerns involving children or vulnerable persons, recurring issues in local risk assessments and relevant inspection or enforcement outcomes. The EFSIA should be updated after consultation, reviewed after three years of operation, or earlier if significant evidence or legal guidance changes.

**Lead person(s) for this assessment: Dale Bell**

**Senior officer approval of assessment: Dale Bell**

**DATE: 13 November 2026**

# Equality and Fairer Scotland Impact Assessment (EFSIA)

An Equality and Fairer Scotland Impact Assessment (EFSIA) must be completed in relation to any decisions, activities, policies, strategies or proposals of the Council (referred to as 'proposal' in this document). The first stage of the assessment process will determine the level of impact assessment required.

This form should be completed using the guidance contained in the document: ['NAME']. Please read the guidance before completing this form.

The aim of this assessment is to allow you to critically assess:

- the impact of the proposal on those with protected characteristics and, where relevant, affected by socio-economic disadvantage (referred to as 'equality groups' in this document);
- whether the Council is meeting its legal requirements in terms of Public Sector Equality Duty and the Fairer Scotland Duty;
- whether any measures need to be put in place to ensure any negative impacts are eliminated or minimised.

The Fairer Scotland Duty requires public authorities to pay 'due regard' to how they can reduce inequalities of outcome caused by
socio-economic disadvantage, when making **strategic decisions**. Strategic decisions are key, high-level decisions such as decisions about setting priorities, allocating resources, delivery or implementation and commissioning services and all decisions that go to Council or committee for approval.

---

## Step A – Confirm the details of your proposal

### 1. Describe the aims, objectives and purpose of the proposal.

The purpose of the proposal is to adopt and publish a three-year Statement of Gambling Policy under section 349 of the Gambling Act 2005 for the proposed period 2027-2030. The Statement sets out the principles the Licensing Board will apply when exercising its functions relating to premises licences, provisional statements, permits, notices, reviews, inspection and enforcement, having regard to the licensing objectives, Gambling Commission guidance and the statutory aim-to-permit duty.

### 2. Why is the proposal required?

Section 349 of the Gambling Act 2005 requires the Licensing Board to prepare and publish a statement of principles before each successive three-year period. The Statement provides transparency and consistency for applicants, operators, responsible authorities, communities and people affected by gambling premises or activities.

### 3. Who is affected by the proposal?

The proposal may affect gambling operators and employees; applicants; customers; children and young people; adults who may be vulnerable to gambling-related harm; families and affected others; residents and businesses near gambling premises; responsible authorities; treatment and support services; community organisations; Board members and officers. As the Statement applies across Clackmannanshire, it has the potential to affect the wider community.

### 4. What other Council policies or activities may be related to this proposal? The EFSIAs for related policies might help you understand potential impacts.

Gambling Act 2005; Gambling Commission Guidance to Licensing Authorities and Licence Conditions and Codes of Practice; the Board's Scheme of Delegation; child and adult protection arrangements; equality, accessibility and information-governance policies; community planning, public health, Alcohol and Drug Partnership and poverty-reduction activity; and related planning and enforcement processes, recognising that these are separate regulatory regimes.

**5. Is the proposal a strategic decision? If so, please complete the steps below in relation to socio-economic disadvantage. If not, please state why it is not a strategic decision:**

Yes. Adoption of a three-year statutory Statement sets the Licensing Board's high-level approach across Clackmannanshire and influences regulatory decisions, enforcement priorities, public protection and engagement. The Fairer Scotland Duty is therefore relevant because gambling-related harm can interact with deprivation, debt and financial insecurity.

---

## Step B – Consider the level of EFSIA required

*You should consider the available evidence and data relevant to your proposal. You should gather information in order to:*

- *help you to understand the importance of your proposal for those from equality groups,*
- *inform the depth of EFSIA you need to do (this should be proportionate to the potential impact), and*
- *provide justification for the outcome, including where it is agreed an EFSIA is not required.*

**6. What information is available about the experience of those with protected characteristics in relation to this proposal? Does the proposal relate to an area where there are already known inequalities? Refer to the guidance for sources of evidence and complete the table below.**

| **Equality Group** | **Evidence source** (e.g. online resources, report, survey, consultation exercise already carried out) | **What does the evidence tell you about the experiences of this group in relation to the proposal?** NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C). |
|---|---|---|
| **Age** | Draft Statement sections 3, 5, 9 and Appendix 3; Scottish Census 2022; consultation evidence. | Children and young people are expressly protected by the third licensing objective. Adult-only access, machine segregation, age verification, supervision and safeguarding may have a positive impact. Risks include exposure to gambling environments and inconsistent age controls. |
| **Disability** | Draft Statement sections 5.6, 9 and Appendix 3; Scottish Census 2022; Adult Protection, HSCP and disability-sector evidence. | Some cognitive impairments or mental-health conditions may increase vulnerability in particular circumstances. Physical, sensory, communication or learning disabilities may create barriers to consultation, information, complaints or participation. Disability must not automatically be equated with vulnerability. |
| **Race** | Scottish Census 2022; consultation with equality and community organisations. | Language, literacy, digital access and trust in public bodies may affect awareness and engagement. Decisions and enforcement must be consistent and evidence-based and must not rely on assumptions about ethnicity or locality. |
| **Sex** | Consultation responses; gambling-harm and service-provider evidence. | Gambling participation, product use, help-seeking and effects on family finances may differ. Evidence should consider people experiencing direct harm and affected family members without stereotyping. |
| **Gender Reassignment** | Consultation and equality stakeholder feedback. | No direct differential treatment is proposed. Discrimination, privacy concerns or barriers in premises, consultation or complaint handling remain implementation risks. |

| Equality Group | Evidence source (e.g. online resources, report, survey, consultation exercise already carried out) | What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C). |
|---|---|---|
| | | |
| **Sexual orientation** | Consultation and equality stakeholder feedback. | No direct differential policy effect has been identified. Inclusive communication and fair treatment remain relevant to implementation. |
| **Religion or Belief** | Consultation and equality stakeholder feedback. | Views on gambling differ within and between faith and belief groups. Moral objection is not a licensing ground, but consultation must be inclusive and the statutory framework explained neutrally. |
| **Pregnancy or maternity** | Consultation and equality stakeholder feedback. | No direct differential policy effect has been identified. Flexible and accessible participation arrangements may be required, and wider household financial harm should be considered where supported by evidence. |
| **Marriage or civil partnership** | Employment-related review, if applicable. | The proposal is not an employment policy and no differential treatment has been identified. |
| **Socio economic disadvantage (if required)** | Scottish Index of Multiple Deprivation; local debt, welfare, public-health and gambling-harm evidence; consultation responses. | Gambling losses and harm may compound low income, debt, insecure housing and financial stress. Area-level deprivation should be contextual evidence only and must not be used as a proxy for individual vulnerability or as an automatic basis for refusing an application. |

**7. Based on the evidence above, is there relevance to some or all of the equality groups? Yes. If yes or unclear, proceed to further steps and complete full EFSIA**
**If no, explain why below and then proceed to Step E:**

The available evidence indicates clear or potential relevance to age, disability and socio-economic disadvantage, with implementation and accessibility considerations for the remaining protected characteristics. A full EFSIA is therefore required. Evidence gaps will be tested through statutory and targeted consultation and must not be treated as evidence that no impact exists.

## Step C – Stakeholder engagement

This step will help you to address any gaps in evidence identified in Step B. Engagement with people who may be affected by a proposal can help clarify the impact it will have on different equality groups. Sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your proposal on equality groups.

**8. Based on the outcome of your assessment of the evidence under Step B, please detail the groups you intend to engage with or any further research that is required in order to allow you to fully assess the impact of the proposal on these groups. If you decide not to engage with stakeholders, please state why not:**

The statutory consultation should include responsible authorities and gambling businesses and should also target Child Protection, Adult Protection, Education and youth representatives, the Chief Social Work

Officer, Clackmannanshire and Stirling Health and Social Care Partnership, public-health and mental-health partners, Alcohol and Drug Partnership services, Citizens Advice and welfare/debt services, disability and advocacy organisations, equality groups, Community Councils, and organisations supporting people affected by gambling harm. The draft and consultation information should be available in accessible formats, with responses accepted online, by email and by post and with a telephone contact.

**9. Please detail the outcome of any further engagement, consultation and/or research carried out:**

[TO COMPLETE AFTER CONSULTATION: summarise equality and socio-economic issues raised, evidence received, the Board's response and any revisions made to the Statement or EFSIA.]

## Step D – Impact on equality groups and steps to address this

**10. Consider the impact of the proposal in relation to each protected characteristic under each aim of the general duty:**

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

**If relevant, consider socio-economic impact.**

| **Age** | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Retain age-verification, supervision and segregation safeguards. Consult child-protection and youth interests. Ensure local risk assessments consider nearby schools and youth facilities, routes, advertising, sightlines and supervision. Monitor incidents involving under-18s. |
| potential for developing good relations | X | | | |
| potential to advance equality of opportunity | X | | | |

| **Disability** | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Provide accessible consultation and policy formats and reasonable adjustments. Assess vulnerability case by case and avoid equating disability with vulnerability. Seek evidence from Adult Protection, HSCP, mental-health and disability organisations. |
| potential for developing good relations | X | | | |
| potential to advance equality of opportunity | X | | | |

| **Race** | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Use clear language and offer translation or interpretation where reasonably required. Monitor equality-related complaints and ensure decisions and enforcement rely on relevant evidence rather than assumptions about ethnicity or locality. |
| potential for developing good relations | X | | | |
| potential to advance equality of opportunity | X | | | |

| **Sex** | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Seek evidence from support services about different patterns of harm and help-seeking. Ensure support signposting is inclusive and consider affected family members and competent evidence concerning domestic or financial abuse. |
| potential for developing good relations | X | | | |
| potential to advance equality of opportunity | | | X | |

| **Gender Reassignment** | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Use inclusive language, protect privacy and ensure complaints are handled respectfully and confidentially. Monitor relevant complaints and representations. |
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | | | X | |

| **Sexual Orientation** | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Maintain inclusive consultation and non-discriminatory implementation. Monitor evidence, complaints and representations. |
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | | | X | |

| Religion or Belief | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Explain the statutory framework and relevance tests clearly. Permit lawful participation while distinguishing evidence linked to the licensing objectives from moral objection. |
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | | | X | |

| Pregnancy/maternity | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination | | | X | Provide flexible and accessible engagement routes. Consider supported evidence about household financial harm without stereotyping pregnant people or parents. |
| potential for developing good relations | | | X | |
| potential to advance equality of opportunity | | | X | |

| Marriage/civil partnership | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Positive impacts | Negative impacts | No impact | |
| risk of discrimination (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters) | | | X | No material impact identified because the proposal is not an employment policy. Continue standard non-discrimination monitoring. |

| Socio-economic disadvantage | Place 'X' in the relevant box(es) | | | Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes |
|---|---|---|---|---|
| | Yes | No | No impact | |
| (If required) Will the proposal reduce inequalities of outcome caused by socio-economic disadvantage? | X | | | The safeguards and partnership approach may help reduce harm, but the policy cannot remove wider inequalities on its own. Use SIMD, public-health and advice-service evidence contextually; avoid stigma or automatic refusal rules; encourage proportionate local risk assessment and support signposting; and monitor geographic patterns carefully. |

## 11. **Describe how the assessment might affect the proposal or project timeline?**

The EFSIA should be issued with, or made available during, consultation. Time should be allowed after consultation to analyse equality and Fairer Scotland evidence, amend the Statement and EFSIA, complete Legal Services and Information Governance checks and obtain senior-officer approval before adoption. Additional resource is expected to be limited to officer time, accessible formats, targeted engagement and any specialist support required.

- **Communication plan**: do you need to communicate with people affected by proposal in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach certain groups?
- **Cost**: do you propose any actions because of this assessment which will incur additional cost?
- **Resources**: do the actions you propose require additional or specialist resource to deliver them?
- **Timing**: will you need to build more time into the project plan to undertake research, consult or to complete any actions identified in this assessment?

12. **Having considered the potential or actual impacts of your proposal, you should now record the outcome of this assessment**. Choose from one of the following:

| Please select (X) | **Implications for the proposal** |
|---|---|
| | **No major change**<br>Your assessment demonstrates that the proposal shows no risk of unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review. |
| X | **Adjust the proposal and/or implement mitigations**<br>You have identified ways of modifying the proposal to avoid discrimination or to better advance equality of opportunity or foster good relations. In addition, or alternatively, you will introduce measures to mitigate any negative impacts. Adjustments and mitigations should be recorded in the tables under Step D above and summarised in the summary sheet at the front of the document. |
| | **Continue the proposal with adverse impact**<br>The proposal will continue despite the potential for adverse impact. Any proposal which results in direct discrimination is likely to be unlawful and should be stopped and advice taken. Any proposal which results in indirect discrimination should be objectively justified and the basis for this set out in the tables under Step D above and summarised in the summary sheet at the front of the document. If objective justification is not possible, the proposal should be stopped whilst advice is taken. |
| | **Stop the proposal**<br>The proposal will not be implemented due to adverse effects that are not justified and cannot be mitigated. |

## Step E – Discuss and review the assessment with decision-makers

**13. You must discuss the findings of this assessment at each stage with senior decision makers during the lifetime of the proposal and before you finalise the assessment. Record details of these discussions and decisions taken below:**

[TO COMPLETE] The draft assessment should be discussed with relevant officers, senior decision-makers and the Licensing Board. The record should include the date, attendees, equality and Fairer Scotland issues considered, consultation evidence, agreed mitigations, changes to the Statement and any remaining risk before final adoption.

## Step F – Post-implementation actions and monitoring impact

It is important to continue to monitor the impact of your proposal on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

14. **Record any post-implementation actions required.**

The final Statement and completed EFSIA will be published in accordance with Council requirements. Accessible formats and contact routes will remain available. Officers will establish monitoring arrangements for equality and accessibility complaints, under-18 incidents, safeguarding concerns, local risk-assessment issues and relevant review or enforcement outcomes. Any unforeseen impact will be considered through established Licensing Board processes.

15. **Note here how you intend to monitor the impact of this proposal on equality groups**.

The impact will be monitored through complaints and representations, feedback from operators and communities, information from Police Scotland, safeguarding, public-health, treatment and advice partners, inspection and enforcement activity, and recurring weaknesses in local risk assessments. Data will be interpreted cautiously and lawfully, with small numbers protected against identification and without treating area-level deprivation as a proxy for individual vulnerability.

16. **Note here when the EFSIA will be reviewed as part of the post-implementation review of the proposal:**

This EFSIA will be updated after consultation and before adoption of the final Statement. It will then be reviewed every three years, or earlier if legislation, Gambling Commission guidance, the policy or significant local evidence changes, or if monitoring identifies an unforeseen disproportionate impact.

---

## Step G – Assessment sign off and approval

Lead person(s) for this assessment:

Signed: Dale Bell

Date: 13/11/2026

Senior officer approval of assessment:

Signed: Dale Bell

Date: 13/11/2026

All full EFSIAs must be published on the Council's website as soon as possible after the decision is made to implement the proposal.