

**CLACKMANNANSHIRE LICENSING BOARD**

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**Report to the Licensing Board**

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**Date of Meeting: 28 November 2017**

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**Subject: Cessation of Premises Licence No. CC0194**

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

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**1.0 Purpose**

1.1 To advise the Board of the cessation of Premises Licence No. CC0194, Ballantynes Bistro, 3-5 Hill Street, Tillicoultry, by operation of law.

**2.0 Background**

2.1 Section 28(1)(b) of the Licensing (Sc) Act 2005 provides that a premises licence ceases to have effect following the occurrence of any of the events noted at s28(5), one of which at sub-paragraph (b) is that "*the licensed premises in respect of which the licence was issued ceased to be used for the sale of alcohol*".

2.2 On 28 September 2017 the Licensing Standards Officer sent a memo to the Clerk to the Board advising that having visited the premises it was clear the premises were no longer being used as a restaurant and had been converted to an estate agency. An e-mail received from the premises licence holder dated 9 November 2017 in response to correspondence confirms this position.

**3.0 Recommendation**

3.1 That the Board notes the information contained in the memo from the Licensing Standards Officer, and further notes that the Premises Licence No. CC0194 ceased to have effect by operation of law in April 2017.

**4.0 Sustainability Implications**

4.1. None

**5.0 Resource Implications**

5.1. *Financial Details* - None

5.2 *Staffing* - None

**6.0 Equalities Impact**

6.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

## 7.0 Legality

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

## 8.0 Appendices

- 8.1 Memo to Clerk to the Board from LSO dated 28 September 2017.

## 9.0 Background Papers

- 9.1 None.

### Author(s)

| NAME           | DESIGNATION                         | TEL NO / EXTENSION |
|----------------|-------------------------------------|--------------------|
| Stuart McQueen | Depute Clerk to the Licensing Board | 2085               |

### Approved by

| NAME            | DESIGNATION                  | SIGNATURE         |
|-----------------|------------------------------|-------------------|
| Lindsay Thomson | Clerk to the Licensing Board | Signed: L Thomson |