

<p><b>THIS PAPER RELATES TO ITEM 5i ON THE AGENDA</b></p>
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**CLACKMANNANSHIRE LICENSING BOARD**

**MEETING 30 April 2019 at 09.30am in**

**The Council Offices, Kilncraigs,  
Greenside Street, Alloa, FK10 1EB**

**Licensing (Scotland) Act 2005**

**Variation(s) (Non Minor)**

Premises	Applicant	Date Received	Comments
Lidl Store Clackmannan Road Alloa FK10 4DA	Lidl UK GmbH c/o Harper Macleod LLP The Ca'd'oro 45 Gordon Street Glasgow	05 February 2019	<p>Variation to Operating Plan to include:-</p> <ul style="list-style-type: none"> <li>• Change to length of display on one side of aisle from 9.4m to 12.0m</li> <li>• Change to size of aisle end display</li> <li>• Introduce seasonal display of 12.02m<sup>2</sup> for period of 1 December to 2 January each year</li> <li>• Seasonal &amp; Non Seasonal Capacity now 63.28m<sup>2</sup></li> </ul> <p>Application and Letter Police Scotland (copies attached) No comment received from Licensing Standards Officer</p> <p>No objections/representations received</p>



25/03/2019

Your Ref:

Our Ref:

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



**POLICE  
SCOTLAND**

Keeping people safe

Iain Livingstone QPM  
Chief Constable

Forth Valley Division Headquarters  
West Bridge Street  
Falkirk  
FK1 5AP

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
LIDL  
CLACKMANNAN ROAD, ALLOA.**

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

The variation requested consists of change of lay out plan.

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

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

Yours faithfully

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Iain Livingstone QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01324 678850.





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

To:

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

PAID - 4 Feb 2019  
CM

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

### APPLICANT INFORMATION

#### Question 1

Name, Address, Postcode and Licence Number of Premises.

LIDL STORE  
~~HILTON ROAD~~ CLACKMANNAN ROAD  
ALLOA  
~~ALLOA FK10 3SG~~ FK10 4DA

#### Question 2

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

LIDL UK GmbH, 19 WORPLE ROAD, LONDON SW19 4JS

NB: Transfer sent on 25/1/19

## DETAILS OF VARIATION

### Question 3

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

IN COURSE OF BUILD OF STORE, LIDL'S STANDARD SHOP LAYOUT HAS CHANGED. THE ALCOHOL DISPLAY AREA HAS CHANGED AS FOLLOWS:

- CHANGE TO LENGTH OF DISPLAY ON ONE SIDE OF AISLE FROM 9.4m to 12.0m.
- CHANGE TO SIZE OF AISLE END DISPLAY
- INTRODUCE SEASONAL DISPLAY OF  $12.02m^2$  FOR PERIOD OF 1 DECEMBER TO 2 JANUARY EACH YEAR - A SEASONAL VARIATION
- SEASONAL + NON-SEASONAL CAPACITY NOW  $63.28m^2$

$$(\therefore 51.26m^2 + 12.02m^2 = 63.28m^2)$$

## OPERATING PLAN

### Question 4

Do you Propose to Vary any of the Information Within the Operating Plan Contained in the Licence?

YES/NO

If Yes Please Complete and submit New Operating Plan to include the Proposed Variations.

# Licensing Board



Clackmannanshire  
Council

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

## LAYOUT PLAN

### Question 5

Do you Propose a Variation to the Layout Plan Contained in the Licence?

YES/~~NO~~

If Yes Please Supply **6 Copies** of the New Layout Plan Conforming to Paragraph 5 of The Premises Licence (Scotland) Regulations 2007.

## CONDITIONS

### Question 6

Do you propose a variation to any of the conditions to which the licence is subject?

YES/~~NO~~

If Yes please give details of the proposed variation below

Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions).

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## PREMISES MANAGER

### Question 7

If you Propose to Vary the Information Contained in the Licence Relating to the Premises Manager . Please Provide the following information.

Name, Address and Personal Licence Details (Number and Issuing Board) of the Existing Premises Manager



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

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

Name and Address of the Proposed Premises Manager

Date and Place of Birth of the Proposed Premises Manager

Email Address and Telephone Number of the Proposed Premises Manager



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## Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence

Is the Variation Relating to the change of Premises Manager to Take Effect During the Application Period

YES/NO

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

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### DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If Signing on Behalf of the Applicant Please State in What Capacity.

The Contents of This Application Are True to the Best of my Knowledge and Belief.

Signature  Date 01/2/19

\* (See Note Overleaf)

Capacity Solicitor APPLICANT/AGENT  
(Delete as appropriate)

Telephone Number and Email Address of Signatory

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## OPERATING PLAN

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

### Question 1

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

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

### Question 2

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

Day	ON Consumption	
	Opening time	Terminal hour
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

**Question 3****STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES**

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10 a.m.	10 p.m.
<i>Tuesday</i>	10 a.m.	10 p.m.
<i>Wednesday</i>	10 a.m.	10 p.m.
<i>Thursday</i>	10 a.m.	10 p.m.
<i>Friday</i>	10 a.m.	10 p.m.
<i>Saturday</i>	10 a.m.	10 p.m.
<i>Sunday</i>	10 a.m.	10 p.m.

**Question 4****SEASONAL VARIATIONS**

*Does the applicant intend to operate according to seasonal demand*

**YES**

*\*If YES – provide details*

The applicant seeks an increased capacity of alcohol display for the period of 1 December each year until 2 January of the following year. The relevant capacities shall be stated in question 7 below. The applicant seeks the increased capacity to allow them to adequately cope with increased seasonal demand around the Christmas and New Year period.

**Question 5**

**PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL**

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



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

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

The premises are supermarket premises and shall be operated as such outwith the core hours for the sale of non-alcohol produce

**5(f) any other activities**

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

The premises are supermarket premises and shall be operated as such outwit the core hours for the sale of non-alcohol produce

**5(g) Late night premises opening after 1.00am**

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
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When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
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*Delete as appropriate	
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### **Question 6 (On-sales only)**

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

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
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	*Delete as appropriate	
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6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

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

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

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



### Question 7

#### *CAPACITY OF PREMISES*

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

Off Sales:

Capacity during non-seasonal trading: - 51.26m<sup>2</sup>

Additional capacity during season trading (1 December each year to 2 January following year) is 12.02m<sup>2</sup>

**Maximum total capacity: 63.28m<sup>2</sup>**

### Question 8

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

*Personal details*

8(a) Name

8(b) Date of birth

8(c) Contact address

8(d) Email address

8(e) Personal licence

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

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature  .. \* (see note below)

Date ..... 01/21/19 .....

Capacity ..... Soucm ..... APPLICANT/AGENT (delete as appropriate).

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

Agent: Harper Macleod LLP, 45 Gordon Street, Glasgow, G1 3PE



**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.