



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on TUESDAY 25 June 2019 at 9.30 am.

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor Dave Clark
Councillor Craig Holden
Councillor Helen Lewis
Councillor George Matchett, QPM

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Lindsay Thomson, Senior Service Manager, Partnership & Performance (Clerk to the Board)
Gillian White, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor Sharp, Councillor Tina Murphy and Councillor Mike Watson.

2.0 DECLARATIONS OF INTEREST

Councillor Benny advised that she had purchased a ticket for an event which was the subject of an application for an Occasional Licence for an event being held at Cochrane Hall, Alva on 20 July 2019. On advice from the Clerk, Councillor Benny applied the objective test and considered that her interest in was not so significant that it would prevent her from considering the application.

3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 28 MAY 2019

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 28 May 2019 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 28 May 2019 were agreed as a correct record and signed by the Chair.

Agenda items 4(i) to 4(iii) were put before the Board for information only as they had been granted under delegated powers.

4.0 LICENSING (SCOTLAND) ACT 2005

(i) Applications for Personal Licences – Granted Under Delegated Powers

A list of applications numbered 1-3 (inclusive) for personal licences which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the Personal Licence applications numbered 1-3 (inclusive) had been granted under delegated powers.

(ii) Notifications of Personal Licences Refresher Training – Granted Under Delegated Powers

A list of notifications numbered 1-19 (inclusive) for Personal Licences Refresher Training which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the Personal Licences Refresher Training notifications numbered 1-19 (inclusive) had been granted under delegated powers.

(iii) Application for Personal Licences Renewals with Refresher Training – Granted Under Delegated Powers

An application for a Personal Licence Renewal with Refresher Training which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the Personal Licences Renewal with Refresher Training had been granted under delegated powers.

(iv) Application for Personal Licence – Ms Tamara Hensby

An application for a personal licence which had attracted a Notice in Terms of Section 73(3)(c) of the Licensing (Scotland) Act 2005 from the Chief Constable, Police Scotland, was put before the Board for determination.

Attending

Ms Tamara Hensby, Applicant
PC Claire MacKenzie, Police Scotland

Motion

That the Board acknowledge the statutory requirement of the Chief Constable to submit the Notice in Terms of 73(3)(c) of the Licensing (Scotland) Act 2005 and, noting that no recommendation had been made, agree to grant the application for a personal licence to Ms Hensby.

Moved by Councillor Craig Holden. Seconded by Councillor George Matchett, QPM.

Decision

Having acknowledged the statutory requirement of the Chief Constable to submit the Notice in Terms of 73(3)(c) of the Licensing (Scotland) Act 2005, and noting that the Chief Constable had made no recommendation, the Board agreed unanimously to grant the application.

Action

Clerk to the Licensing Board

5.0 LICENSING (SCOTLAND) ACT 2005**(i) Application for Occasional Licence – 13 July 2019**

Applicant: Caroline Allan

Premises: Alloa Town Hall, Marshall, Alloa, FK10 1AB

Event: Ultra White Collar Boxing Event

Attending

Mr Paul Fair, Licensing Standards Officer

The Applicant was not in attendance

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 36) of the Licensing Standards Officer's report dated 10 June 2019.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it the Board agreed unanimously to grant the application subject to the conditions set out in Appendix A (page 36) of the Licensing Standards Officer's report dated 10 June 2019, namely:

- All alcohol and other drinks must be sold and supplied to the customer in, or decanted into, plastic or polycarbonate bottles and drinking vessels.
- Only alcohol sold at the event by the licensee can be consumed at the event.
- A minimum of 8 SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any area immediately outside the premises used by persons attending the event who have temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue.
- At least one person who holds a suitable first aid qualification must be on duty at the event.
- At least one Personal Licence Holder must be on the premises for the duration of event, and be responsible for authorising all sales of alcohol.
- The applicant must prepare an age verification policy; this policy should be supplied to the Licensing Standards Officer at least 48 hours prior to the event.
- The applicant/event organiser must brief all stewards and staff authorised to serve or make sales of alcohol prior to the commencement of the event, this briefing should include information relating to the terms and conditions of the licence, and any other relevant licensing matters – a record of this briefing including details of who delivered the briefing and details of all staff and stewards who received it must be kept. All staff receiving this brief must sign a record of the briefing acknowledging that they received and understood the terms of the brief.

- Only trained staff will be permitted to make sales of alcohol, and all staff authorised to serve and sell alcohol. Trained Staff means staff trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations, 2007.
- All staff authorised to serve and sell alcohol will have with them a training certificate in the prescribed form.
- Any music or other entertainment must cease at no later than 15 minutes prior to the end of licensed hours.
- A full list of all SIA Stewards working at the event will be supplied to the Licensing Standards Officer at least 72 hours prior to the event. The list should include the full name of the Stewards and their SIA Badge number.

Action

Clerk to the Board

(ii) Application for Occasional Licence – 20 July 2019

Applicant: Steven Preston
Premises: Cochrane Hall, Alva, FK12 5JL
Event: Live Music Night

Attending

Mr Paul Fair, Licensing Standards Officer

The Applicant was not in attendance.

The Board heard representation the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 47) of the Licensing Standards Officer's report dated 10 June 2019.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Dave Clark.

Decision

Having considered all of the information presented to it the Board agreed unanimously to grant the application subject to the conditions set out in Appendix A (page 47) of the Licensing Standards Officer's report dated 10 June 2019, namely:

- All alcohol must be sold and supplied to the customer in, or decanted into, plastic or polycarbonate Bottles and drinking vessels.
- Only alcohol sold at the event by the licence Holder can be consumed at the event.
- At least 3 SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any area immediately outside the premises used by persons attending the event who have temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue and leaving the venue. Including a specific responsibility to make regular checks of the toilets.
- At least one person who holds a suitable first aid qualification must be on duty at the event.
- At least one Personal Licence Holder must be on the premises for the duration of event, and be responsible for authorising all sales of alcohol.

- Only staff trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations, 2007 are permitted to make sales of alcohol, and all staff authorised to serve and sell alcohol will have with them a training certificate in the prescribed form.
- Any music or other entertainment must cease at no later than 15 minutes prior to the end of licensed hours.
- No glass or other forms of waste likely to produce excessive noise will be disposed of in the external bins at the premises after 9pm and before 10am the following morning.
- Full particulars (Name, Date of Birth and SIA Badge No.) of the SIA Stewards to be employed at the event will be provided in writing to the Licensing Standards Officer at least 72 hours prior to the event.
- The applicant will prepare a written age verification document to be approved as suitable by the Licensing Standards Officer at least 72 hours in advance of the event. The Age verification Policy will set out the steps to be taken by those serving and selling alcohol at the event, to ensure that those purchasing alcohol and who appear to the seller to be under 25 years of age are over 18 years of age. The policy will detail the documents that will be accepted by staff on duty and include a confirmation that all staff have been suitably trained in relation to the policy and will have a place for each member of staff to sign a statement confirming that they have been trained and have understood the policy.

Action

Clerk to the Board

(iii) Application for Occasional Licence – 16 August 2019

Applicant: Craig Stewart

Premises: Alloa Town Hall, Marshall, Alloa, FK10 1AB

Event: Live Music Night

Attending

Mr Paul Fair, Licensing Standards Officer

The Applicant was not in attendance.

The Board heard representation from the Licensing Standards Officer and had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 55) of the Licensing Standards Officer's report dated 10 June 2019 and subject to condition 3 being amended to replace the words "A sufficient number of SIA Licensed Stewards" with the words "Ten SIA Licensed Stewards".

Moved by Councillor George Matchett, QPM. Seconded by Councillor Craig Holden.

Decision

Having considered all of the information presented to it the Board agreed unanimously to grant the application subject to the conditions set out in Appendix A (page 55) of the Licensing Standards Officer's report dated 10 June 2019, and subject to condition 3 being amended to replace the words "A sufficient number of SIA Licensed Stewards" with the words "Ten SIA Licensed Stewards", namely:

- All alcohol must be sold and supplied to the customer in, or decanted into, plastic or polycarbonate Bottles and drinking vessels.
- Only alcohol sold at the event by the licence Holder can be consumed at the event.
- Ten SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any area immediately outside the premises used by persons attending the event who have temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue. Including a specific responsibility to make regular checks of the toilets and to monitor the upper Balcony area in relation to the safety and wellbeing of children and young persons attending the event.
- At least one person who holds a suitable first aid qualification must be on duty at the event.
- At least one Personal Licence Holder must be on the premises for the duration of event, and be responsible for authorising all sales of alcohol.
- Only staff trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations,2007 are permitted to make sales of alcohol, and all staff authorised to serve and sell alcohol will have with them a training certificate in the prescribed form.
- Any music or other entertainment must cease at no later than 15 minutes prior to the end of licensed hours.
- No glass or other forms of waste likely to produce excessive noise will be disposed of in the external bins at the premises after 9pm and before 10am the following morning.

Action

Clerk to the Board

6.0 Annual Functions and Annual Financial Report 2018/19

The report, submitted by the Clerk to the Licensing Board, sought approval of the Board's Annual Functions and Finance Report.

Motion

That the Board approve the Annual Functions and Finance Report.

Moved by Councillor George Matchett QPM. Seconded by Councillor Dave Clark.

Decision

The Board unanimously agreed to approve the Annual Functions and Finance Report.

7.0 AOCB

None

Ends: 10:15 hrs