



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on TUESDAY 3 SEPTEMBER 2019 at 9.30 am.

PRESENT

Councillor Kenneth Earle (Convenor)
Councillor Martha Benny
Councillor Dave Clark
Councillor Craig Holden
Councillor George Matchett, QPM
Councillor Tina Murphy
Councillor Les Sharp

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Anne McPherson, Business Support Officer, Licensing
Lindsay Thomson, Senior Service Manager, Partnership & Performance (Clerk to the Board)
Melanie Moore, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor Helen Lewis and Councillor Mike Watson.

2.0 DECLARATIONS OF INTEREST

None

3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 25 JUNE 2019

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 25 June 2019 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 25 June 2019 were agreed as a correct record and signed by the Chair.

Agenda items 4(i) to 4(vii) 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 1-10 (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 1-10 (inclusive) had been granted under delegated powers.

(ii) Application for Personal Licence Renewal – Granted Under Delegated Powers

An application for a personal licence renewal 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 Renewal application had been granted under delegated powers.

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

An Application for a personal licence 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 Licence with Refresher Training application had been granted under delegated powers.

(iv) Notification of Personal Licence Renewal with Refresher Training – Granted Under Delegated Powers

A list of notifications numbered 1-34 (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 1-34 (inclusive) had been granted under delegated powers.

(v) Confirmation of Provisional Premises Licence – Granted Under Delegated Powers

Confirmation of Provisional Premises Licence which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note confirmation of provisional premises licence had been granted under delegated powers.

(vi) Application for Transfer of Licence – Granted Under Delegated Powers

An application for transfer of licence which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the Transfer of Licence application had been granted under delegated powers.

(vii) Application for Variation of Licence (Minor) – Granted Under Delegated Powers

A list of applications numbered 1-2 (inclusive) for variation of licence (Minor) which has been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note the Variation of Licence (Minor) applications numbered 1-2 (inclusive) had been granted under delegated powers.

5.0 LICENSING (SCOTLAND) ACT 2005

- (i) Application for Personal Licence, Notice in Terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 received from Police Scotland. Representative was received from the Licensing Standards Officer.

Attending

Mr Shaun McAra, Applicant
Mr Paul Fair, Licensing Standards Officer
Chief Inspector Drew Sinclair, Police Scotland
PC Claire MacKenzie, Police Scotland

The Board heard representation from the Police Scotland, the Licensing Standards Officer and the Applicant and had the opportunity to put questions to them all.

Motion

Having considered all of the information presented to it that the Board refuse the application for a personal licence on the basis of the applicant not being a fit a proper person at this time.

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

Decision

Having considered all of the information presented to it the Board unanimously agreed to refuse the application for a personal licence on the basis of the applicant not being a fit and proper person at this time.

Action

Clerk to the Board.

6.0 POLICE SCOTLAND: CHIEF CONSTABLE'S REPORT TO THE CLACKMANNANSHIRE LICENSING BOARD FOR THE PERIOD 1 APRIL 2018 TO 31 MARCH 2019

Attending

Chief Inspector Drew Sinclair, Police Scotland (representing the Chief Constable)
Claire MacKenzie, Police Scotland (Licensing Officer)

The Board heard a presentation from Chief Inspector Drew Sinclair on the Chief Constable's report and had the opportunity to put questions to him.

Having commented on and challenged the report as appropriate and having had the opportunity for questions, the Board agreed to note the information provided in the Chief Constable's Report to the Clackmannanshire Licensing Board for the period 1 April 2018 to 31 March 2019.

7.0 GENERAL PERMITTED EXTENSION – FESTIVE PERIOD 2019-20

A report submitted by the Clerk to the Licensing Board the purpose of which was to enable the Licensing Board to consider its approach to the festive period 2019-20.

Motion

That the Board agree the recommendations as set out in the report.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Kenneth Earle.

Decision

The Board agreed unanimously to:-

1. Note that the Statement of Licensing Policy has incorporated the Festive Policy.
2. Agree that any general extension incorporated into the Statement of Licensing Policy 2018 shall apply for the period of 13 December 2019 to 2 January 2020.

Action

Clerk to the Board

8.0 AOCB

None

Ends: 10:35 hrs