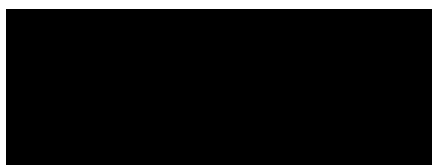




NOTICE OF MEETING

11 September 2020

A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held via MS Teams, on MONDAY 21 SEPTEMBER 2020 at 1.00 pm.



LINDSAY THOMSON
Clerk to the Clackmannanshire Licensing Board

	Page No
1. Apologies	--
2. Declarations of Interest	--
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. Licensing (Scotland) Act 2005 – Occasional Licence Applications	03
(a) Applications for Occasional Licence and report by the Licensing Standards Officer (Copies herewith)	
Premises: Crown Inn , 77 Stirling Street, Alva, FK11 5ED	04
Applicant: Stephen Polley	
Event: Outside Drinking Area	
Dates: 28 September 2020 - 11 October 2020	
12 – 25 October 2020 and	
26 October – 8 November 2020	
(b) Premises: The Royal Oak , 7 Bedford Place, Alloa, FK10 1LJ	22
Applicant: Craig Stewart	
Event: Outside Drinking Area	
Dates: 28 September 2020 - 11 October 2020	
12 – 25 October 2020 and	
26 October – 8 November 2020	

Clackmannanshire Licensing Board – Board Members 9 (Quorum 5)

Councillors

Wards

Councillor	Kenneth Earle (Convenor)	4	Clackmannanshire South	LAB
Councillor	Mike Watson (Vice Convenor)	3	Clackmannanshire Central	CONS
Councillor	Martha Benny	2	Clackmannanshire North	CONS
Councillor	Dave Clark	2	Clackmannanshire North	LAB
Councillor	Helen Lewis	2	Clackmannanshire North	SNP
Councillor	George Matchett, QPM	1	Clackmannanshire West	LAB
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Les Sharp	1	Clackmannanshire West	SNP

Vacancy

The quorum for the Board by virtue of Schedule 1 paragraph 12(1) of the Licensing (Scotland) Act 2005 is 5 members

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

CLACKMANNANSHIRE LICENSING BOARD

MEETING 21 September 2020 at 13:00hrs in

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

Licensing (Scotland) Act 2005

Occasional Licence Applications

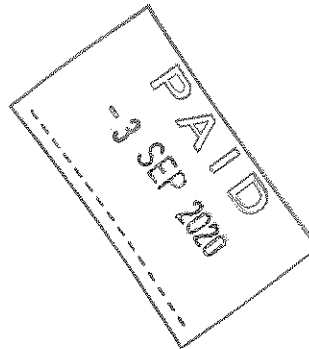
Premises	Applicant	Date of Events	Comments
Crown Inn 77 Stirling Street Alva FK12 5ED	Stephen Polley	28 September – 11 October 2020 12 – 25 October 2020 26 October – 08 November 2020	Applications, LSO Report, Applicants response (copies attached) Layout Plan supplied and conditions Board Members approved signed for all three applications Police Scotland responses no objections 10 September 2020
The Royal Oak 7 Bedford Place Alloa FK10 1LJ	Craig Stewart The Royal Oak 7 Bedford Place Alloa FK10 1LJ	28 September – 11 October 2020 12 – 25 October 2020 26 October – 08 November 2020	Applications, LSO Report, Applicants response (copies attached) Layout Plan supplied and conditions Board Members approved signed for all three applications Police Scotland responses no objections 04 September 2020



APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB



THIS PAPER RELATES TO
ITEM 3a
ON THE AGENDA

Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. LICENCE DETAILS (see note 1)	
I am a :- (please tick one only)	
Premises Licence Holder	<input type="checkbox"/>
Personal Licence Holder	<input checked="" type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	CROWN INN 77 STIRLING ST ALLOA FK12 5ED
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	STEPHEN ALEXANDER POLLEY CC385
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
STEPHEN ALEXANDER POLLEY CC385	

2. PERSONAL DETAILS	
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)	
FORENAMES	STEPHEN ALEXANDER
SURNAME	POLLEY
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.	✓
DATE OF BIRTH	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
[REDACTED]	
Post Town	[REDACTED]
TELEPHONE NUMBERS	
DAYTIME EVENING	01259 760569
MOBILE	[REDACTED]
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	
[REDACTED]	

3. THE PREMISES (where the event is to be held -See note and answer fully)		
Description of Premises. CROWN INN. (REAR CAR PARK AREA)		
Full Postal Address of Premises which this Application Refers to 77 STIRLING STREET ALVA. FK12 5ED		
IMPORTANT From the 1 st November, 2016, premises which do not have a Premises Licence and which are used to provide "public entertainment" require to have in place a Public Entertainment Licence (PEL) or a Temporary PEL .		
Please confirm the following :	1 The premises have a current PEL or	Yes / No <input checked="" type="radio"/> Yes / <input type="radio"/> No
	2 Date Temporary PEL was been applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully) DUE TO SOCIAL DISTANCING, BEER GARDEN TO BE EXTENDED ONTO ADJOINING CAR PARK WHICH IS OWNED BY CROWN INN.	
Approximately How many persons will attend event ?	32
Will SIA Licensed Stewards to be provided ?	YES <input checked="" type="radio"/> NO
Is food to be provided at the Event - If yes please provide details NO.	

4. DURATION OF LICENCE	
Start Time and Date 11.00am MONDAY 28 SEP 2020	End Time and Date 10.00 PM SUNDAY 1 OCT 2020

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO* IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*	
PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate	
Times for sale of alcohol for consumption On premises 11.00am - 10.00 PM	Times for sale of alcohol for consumption Off premises 11.00am - 10.00 PM
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises NONE	

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? **YES/NO** (if answered yes the remainder of this section must be completed)

Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?	YES/NO
Ages of Children or Young Persons Permitted Entry 0-15 16-17.	Times at which Children or Young Persons Permitted Entry 11.00am - 10.00pm. AS IN ACCORDANCE WITH OUR PREMISES LICENCE
Parts of Premises to which Children or Young Persons Permitted Entry CHILDREN WILL BE ALLOWED INTO BEER GARDEN EXTENSION AND MUST BE ACCOMPANIED BY AN ADULT AT ALL TIMES	

7. Signature and declaration by applicant (see note 3)**DECLARATION**

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

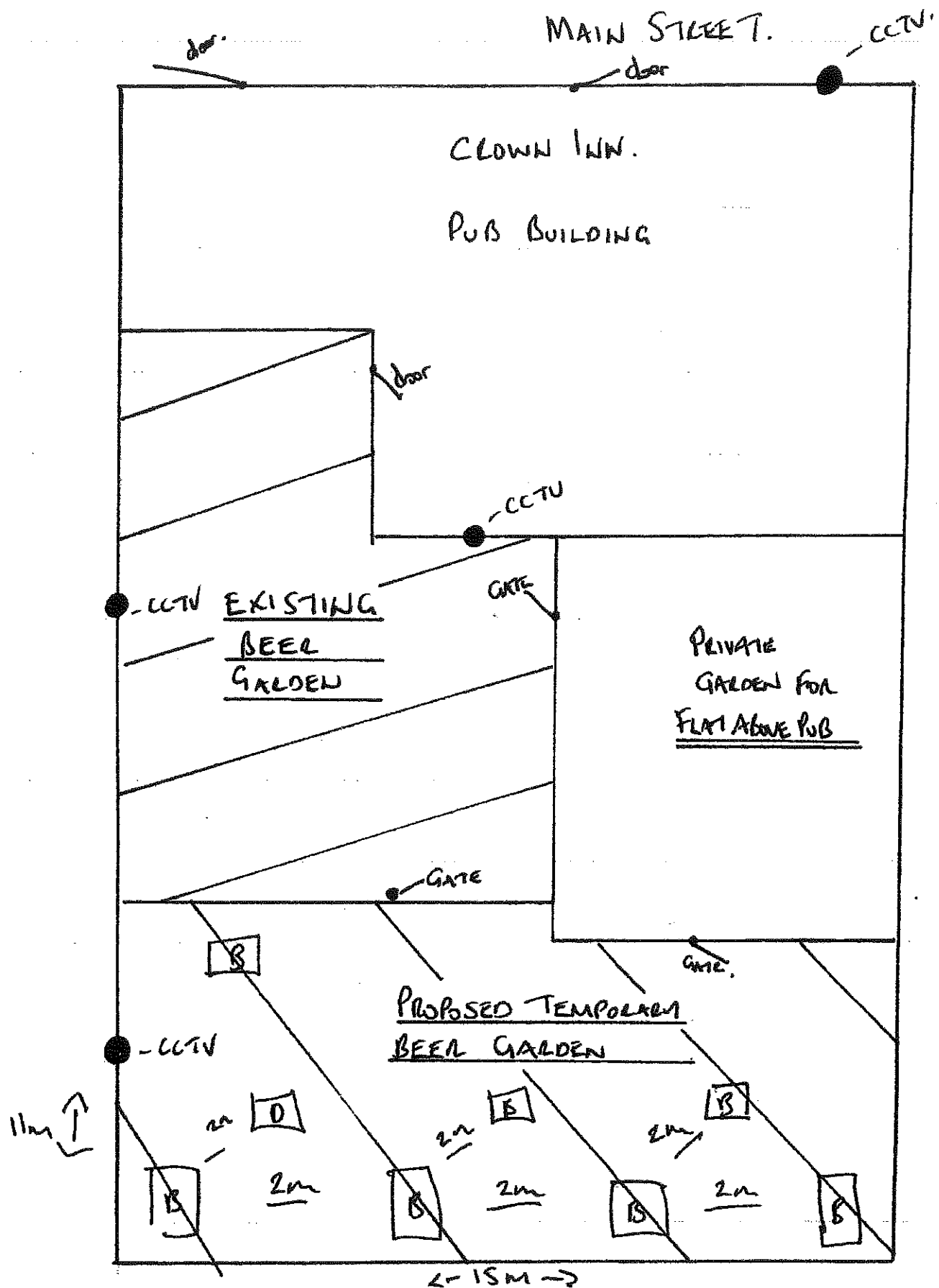
(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

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

SIGNATURE		DATE	03/09/2020
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*** 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



- * C 2 METERS SOCIAL DISTANCING - 8 BENCHES x 4 SEAT = 32
- * C 1 METER " " " 10 BENCHES x 4 SEAT = 40 PEOPLE
- Benches 1.3m wide o Seat 4.

Clackmannanshire Licensing Board

Occasional Licence Application

Supplementary information form

Have you read and understood that your licence, if granted may be subject to the conditions, listed in this guidance?

☒ Yes ☐ No

Do you consent to these conditions being applied to the licence on grant?

☒ Yes ☐ No

Have you made contact with the Planning Department at Clackmannanshire Council to discuss your proposals?

☒ Yes ☐ No *ON PREVIOUS APPLICATION -*

Have you made contact with the Roads Department (Public Spaces only) to discuss your proposals?

☒ Yes ☐ No

Please confirm that you have enclosed a sketch plan of showing the location, dimensions and seating arrangements in the proposed licensed area.

Name

STEPHEN POLLEY

Email Address :

Telephone No:

Name of Premises

CROWN INN

Signed

Date... *03* / *09* / 2020

Useful email addresses

Licensing@clacks.gov.uk

roads@clacks.gov.uk

planning@clacks.gov.uk

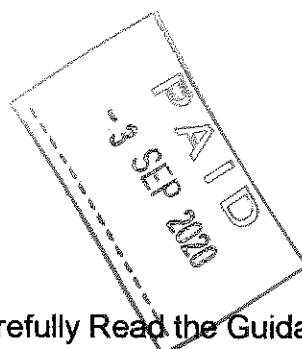
ehhealth@clacks.gov.uk



APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB



Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

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Personal Licence Holder	<input checked="" type="checkbox"/>
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Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	CROWN INN 77 STIRLING STREET ALVA FK12 5ED.
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	STEPHEN ALEXANDER POLLEY CC385.
Name of voluntary organisation or Members Club (if applicable) /	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes STEPHEN ALEXANDER POLLEY CC385	

2. PERSONAL DETAILS			
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)			
FORENAMES	STEPHEN ALEXANDER		
SURNAME	POLLEY		
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.			
DATE OF BIRTH			
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post Town			
TELEPHONE NUMBER			
DAYTIME	01259 760569		
EVENING			
MOBILE			
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			

3. THE PREMISES (where the event is to be held -See note and answer fully)		
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Approximately How many persons will attend event ?	32
Will SIA Licensed Stewards to be provided ?	YES / NO
Is food to be provided at the Event - If yes please provide details No.	

4. DURATION OF LICENCE	
Start Time and Date	End Time and Date
11.00am MONDAY 12TH OCT 2020	10.00 PM SUN 25TH OCT 2020

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO*	
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*	
PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate	
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YES/NO

Ages of Children or Young Persons Permitted Entry

0-15
16-17

Times at which Children or Young Persons Permitted Entry

11:00am - 10:00 PM.
AS IN ACCORDANCE WITH OUR
PREMISES LICENCE

Parts of Premises to which Children or Young Persons Permitted Entry

CHILDREN WILL BE ALLOWED INTO BEER GARDEN,
EXTENSION AND MUST BE ACCOMPANIED BY AN
ADULT AT ALL TIMES.

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(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

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

SIGNATURE

[Redacted Signature]

DATE

03/09/2020

*** Data Protection Act 1998**

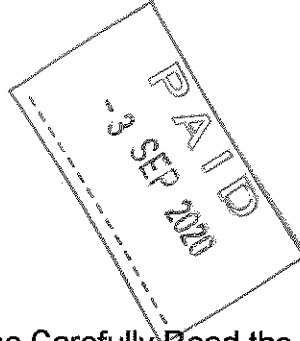
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APPLICATION FOR OCCASIONAL LICENCE

To:

Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB



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Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	CROWN INN 77 STIRLING ST ALVA FK12 5ED
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	STEPHEN ALEXANDER POLLEN CC385.
Name of voluntary organisation or Members Club (if applicable)	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes	
STEPHEN ALEXANDER POLLEN CC385	

2. PERSONAL DETAILS			
TITLE (delete as appropriate) MR MRS MISS MS OTHER (please state)			
FORENAMES	STEPHEN ALEXANDER		
SURNAME	POLLEY		
If you are applying on behalf of a Club or voluntary organisation please state your position in that club/organisation or provide other evidence that you are authorised or entitled to apply on their behalf.			
DATE OF BIRTH	Day	Month	Year
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post Town		Postcode	
TELEPHONE NUMBERS			
DAYTIME	01259 760569		
EVENING			
MOBILE			
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			

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Approximately How many persons will attend event ?	32
Will SIA Licensed Stewards to be provided ?	YES / <u>NO</u>
Is food to be provided at the Event - If yes please provide details NO.	

4. DURATION OF LICENCE	
Start Time and Date 11:00 AM MONDAY 26 / 10 / 20	End Time and Date 10:00 PM SUNDAY 8 / 11 / 20

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES/NO* IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES YES/NO*	
PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate	
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YES/NO

Ages of Children of Young Persons Permitted Entry

0-15
16-17

Times at which Children or Young Persons Permitted Entry

AS IN ACCORDANCE WITH
OUR CURRENT PREMISES
LICENCE

Parts of Premises to which Children or Young Persons Permitted Entry

CHILDREN WILL BE ALLOWED TO BEER GARDEN
EXTENSION AND MUST BE ACCOMPANIED BY AN ADULT
AT ALL TIMES.

7. Signature and declaration by applicant (see note 3)**DECLARATION**

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

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

SIGNATURE

DATE

03/07/2020

*** 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



Fw: LSO Report - Crown-Alva
June Andison to: Melanie Moore

11/09/2020 10:28

History: This message has been replied to.

June Andison
Licensing Administrator
Clackmannanshire Council
3rd Floor 1936 Building
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Tel 01259 452093

----- Forwarded by June Andison/CLACKS on 11/09/2020 10:28 -----

From: [REDACTED]
To: June Andison <jandison@clacks.gov.uk>
Date: 10/09/2020 17:20
Subject: Re: LSO Report - Crown-Alva

Hi June,

With regards to the concerns about adequate lighting for the beer garden area. We have installed dawn to dusk security lighting that covers the car park area. These were installed 6 years ago and there have been no complaints or concerns regarding the lighting from any of the neighbors.

Regards

Stevie Polley

Sent from my iPhone

On Sep 9, 2020, at 4:28 PM, June Andison <jandison@clacks.gov.uk> wrote:

Stevie

Paul has changed his report which is attached can you have read and let me if you have any further comments to make. Could you let me know as soon as possible please

regards

June Andison
Licensing Administrator
Clackmannanshire Council
3rd Floor 1936 Building
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Tel 01259 452093

Partnership and Performance

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



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

Memo

To:	The Clerk to the Licensing Board Greenfield Alloa FK10 2AD	From:	Paul Fair Licensing Standards Officer
		Extension:	2091
		Email:	pfair@clacks.gov.uk
		Our Ref:	PF/LSO/OL/CV19 REP
		Your Ref:	2020-OCCLIC (set3-3 apps)
		Date:	9 September 2020
Subject:	Licensing (Scotland) Act, 2005, Section 57 (3) 3 x Occasional Licence Applications - Outdoor Area Applicant- Stephen Alexander Polley CC385 Car Park area adjacent, and to the rear of The Crown Inn, 77 Stirling Street, Alva.		

Section 57(1)(b) of The Licensing (Scotland) Act, 2005 (the Act) requires that the Licensing Board notifies the Licensing Standards Officer for the area in relation to any application for an occasional licence. This section further provides that the Licensing Standards Officer is provided with a copy of the application.

Having considered the content of the applications to which this representation relates, I have the following comments to make:

1. This representation relates to 3 occasional licences each lasting for a period of 14 days, and seeking authority to make sales of alcohol for on sales consumption in an outdoors space which is not currently part of the licensed footprint of the premises at the above address.
2. The 3 applications seek to licence the premises from 28 September 2020 for a continuous period of 6 weeks until 8 November 2020.
3. The purpose of an occasional licence is to allow premises that are not normally licensed to be licensed "occasionally". Not necessarily for a special event or special occasion.
4. If these applications are granted it will result in continuous licensed period of 18 weeks in relation to this area. The applicant is aware that he should be looking to a more permanent licensing solution if he wishes to continue the use of this area in the longer term.
5. I should point out to the Licensing Board that from 1st October (selected only as an indicative date) the sunset time is 18:48hrs reducing by 2-3 minutes each day

thereafter. Ultimately darkness will fall at around 16:20hrs on 8th November, 2020.

6. In light of the information contained in paragraph 5 the Board may want to consider whether or not the continued use of this large outdoor area is appropriate as a licensed area, and they may wish to seek additional information from the applicant in relation to how he will address matters of adequate supervision and customer safety during colder, dark periods with an increased chance of adverse weather.
7. On Friday 3 July 2020, the Licensing Board approved the use of a pre-application guidance document for those wishing to licence a new outdoor area. The applicant in this case has had the opportunity to view the document, has completed the supplementary information form and has acknowledged the understanding statement. The applicant has accepted the suggested conditions in that document and fully understands that additional conditions, from the pool list contained in the statement of licensing policy, may also be applied as local conditions.
8. The land in this case is an area used for car parking at the rear of the premises and is owned by the premises. The area is suitable for licensing in the current circumstances, and is adjacent to an existing licensed outdoor drinking area.
9. In the 12 week period of licensing of this area that has already passed, the use of the area has attracted no adverse comments or complaints, despite being fairly close to a residential area.
10. The applicant has been advised that he should only use personal licence holders or other staff trained to the standards required by the Licensing (Training of Staff)(Scotland) Regulations 2007 to sell alcohol at the premises.
11. The applicant has also been advised that any staff left in charge at the premises should be the holder of a personal licence or should be able to make immediate contact with a personal licence holder responsible for the management of the premises, during all licensed hours.
12. Appendix A contains a list of suggested conditions that the Licensing Board may wish to impose on granting this application. These conditions are necessary to ensure compliance with the licensing objectives contained within The Licensing (Scotland) Act, 2005.

Paul Fair

Licensing Standards Officer.

Appendix A

- 1 Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
- 2 The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
- 3 The outside area can only be occupied by persons seated at a table.
- 4 The licence holder must ensure that alcohol is only consumed by persons seated at a table.
- 5 (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
- 6 No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- 7 All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Licensing Board

DATE OF EVENT
LICENCE NO
TO POLICE & WE

THIS PAPER RELATES TO
ITEM 3b
ON THE AGENDA

Royal Oak

14 September 2020

Application for an Occasional Licence

To:

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

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You May Wish to Keep a Copy of the Completed Form for Your Records.

1. Licence Details – Outdoor Drinking Area Extension At The Royal Oak Hotel, Alloa	
I am a:	
Premises Licence Holder	<input type="checkbox"/>
Personal Licence Holder	<input checked="" type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises	THE ROYAL OAK HOTEL, 7 BEDFORD PLACE, ALLOA, CLACKS, FK10 3DE CC203 – CLACKS COUNCIL
Licence number and Issuing Licensing Board	N/A
Personal licence number Issuing Licensing Board	CC102 – CLACKS COUNCIL



Licensing Board

Name of voluntary organisation or Members Club (if applicable)		N/A	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event		CRAIG STEWART – CC102	
2. Personal Details			
Full Name	Surname	First Name	
	STEWART	CRAIG	
Address where ordinarily resident to be used for correspondence purposes.	THE ROYAL OAK HOTEL 7 BEDFORD PLACE ALLOA FK10 1LJ		
Telephone Number	01259 929587 [REDACTED]		
Email Address	THEROYALLOAK.ALLOA@GMAIL.COM		
Age, Date & Place of Birth	Years	Date of Birth	Place of Birth
	[REDACTED]		
3. The Premises (See note and answer fully)			
Description of Premises: <p>THE ROYAL OAK HOTEL, ALLOA – The Royal Oak hotel, bar and restaurant is a busy community hub in Alloa, located just out with the town centre. The hotel was built in the late 1820's and currently has 7 rooms for hire as well as a vibrant restaurant and lively bar. It currently has category C listing with historic Scotland.</p> <p>We are currently closed due to Covid-19 lockdown, but are looking to utilise a car parking space out the back of the building as a temporary drinking area with 10 tables and 6 seated benches. These will all configure with social distancing regulations. The area will be temporarily fenced off at the end of the car park to prevent any cars from entering the area.</p> <p>We would be looking to have this temporary arrangement in place until the pandemic is brought to a level of containment or culmination, which would allow us to trade as normal.</p>			
Full Postal Address of Premises which this Application Refers to: <p>THE ROYAL OAK HOTEL 7 BEDFORD PLACE ALLOA CLACKMANNANSHIRE FK10 1LJ</p>			



Licensing Board

Description of Activities to be Carried on in the Premises

TEMPORARY OUTDOOR DRINKING AREA. We are looking to utilise a car parking space out the back of the building as a temporary drinking area with 10 tables and 6 seated benches. These will all configure with social distancing regulations. The area will be temporarily fenced off at the end of the car park to prevent any cars from entering the area.

We would be looking to have this temporary arrangement in place until the pandemic is brought to a level of containment or culmination, which would allow us to trade as normal within the bar area.

We will adhere to all council, licence board and environmental health policies or advice about the application, and will strive to implement any procedures that may need for us to introduce or establish. This is in regards to opening times, permitted times for selling alcohol, closing times, rules, regulations, and any queries that may arise from an environmental health aspect.

We would like to, if permitted, have the option to open the outdoor area from 11.00am with a closing time of 22.00pm. Last orders would be at 21.15pm with the full area cleared and cleaned down by 22.00pm at the latest. We will be flexible on this, and would cohere to any proposals.

There will be table service for drinks, with card payments encouraged. There will be one person pouring drinks in the bar area, and someone dealing with customer registration at the front door if still required. We hope that by doing this we will have complete control on the numbers of people in the area at all times.

There will be sanitation stations at every entry/ exit point and every toilet area. There will be a one-way system in place for entering and exiting the Royal Oak with entry through the bar, and exit via the restaurant next door. Ladies toilets will be situated in the restaurant side of the building and gents in the bar. This will be the only time someone will be able to come back in to the building unless they are leaving. This will be controlled by either the person behind the bar or person on table service duty

Approx. how many persons will attend event?

60

Will Stewards to be provided?

No

Is food to be provided at the event

YES

If Yes - please provide details:

We will be looking to utilise some of the tables out back, if the demand is there, as an extension to the restaurant as well. These would need to be booked in advance and for a certain time period

4. Duration of Licence

Start Time and Date

11.00am
Monday, 28th September, 2020

End Time and Date

22.00pm
Sunday, 11th October, 2020



Licensing Board

5. Alcohol Consumption	
Is Alcohol to be sold for consumption on the premises?	Yes
Is Alcohol to be sold for consumption off the premises?	Yes
Provide details as to hours required when alcohol will be sold on/off* the premises *delete as appropriate	
Times for sale of alcohol for consumption - On premises 11.00am – 22.00pm	Times for sale of alcohol for consumption - Off premises 11.00am – 22.00pm
<p>Statement of the times at which any activities other than the sale alcohol will be carried on in the premises:</p> <p>The drinking area will open at 11.00am each day, or as permitted, and will close at 22.00pm, or as permitted.</p> <p>Last orders will be called 21.15pm for on premise sales with the bar closing for on and off sales at 21.30pm.</p> <p>The outdoor area will be completely cleared by 22.00pm</p>	

6. Children	
(This section must be completed where alcohol is for sale for consumption on the premises)	
Are children or young persons permitted entry?	Any advice on this would be appreciated
If Yes - the remainder of this section must be completed	
Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?	YES
Ages of Children of Young Persons Permitted Entry 0-17 years	Times at which Children or Young Persons Permitted Entry 12.00am until 19.00pm Restaurant/ food only and only if accompanied by an adult. Again, only if the board is willing to allow this option.
<p>Parts of Premises to which Children or Young Persons Permitted Entry</p> <p>Only the parts of the premises covered by the licence application or those permitted by the Licence Board</p>	



Licensing Board

7. Signature and Declaration by Applicant

DECLARATION

**IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN
CONNECTION WITH THIS APPLICATION**

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief

Signature	<i>Craig Stewart</i>	Dated	Wednesday, 19th August, 2020
-----------	----------------------	-------	--

* 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

Checklist	
I have made or enclosed payment of the fee for the application	X

NOTES

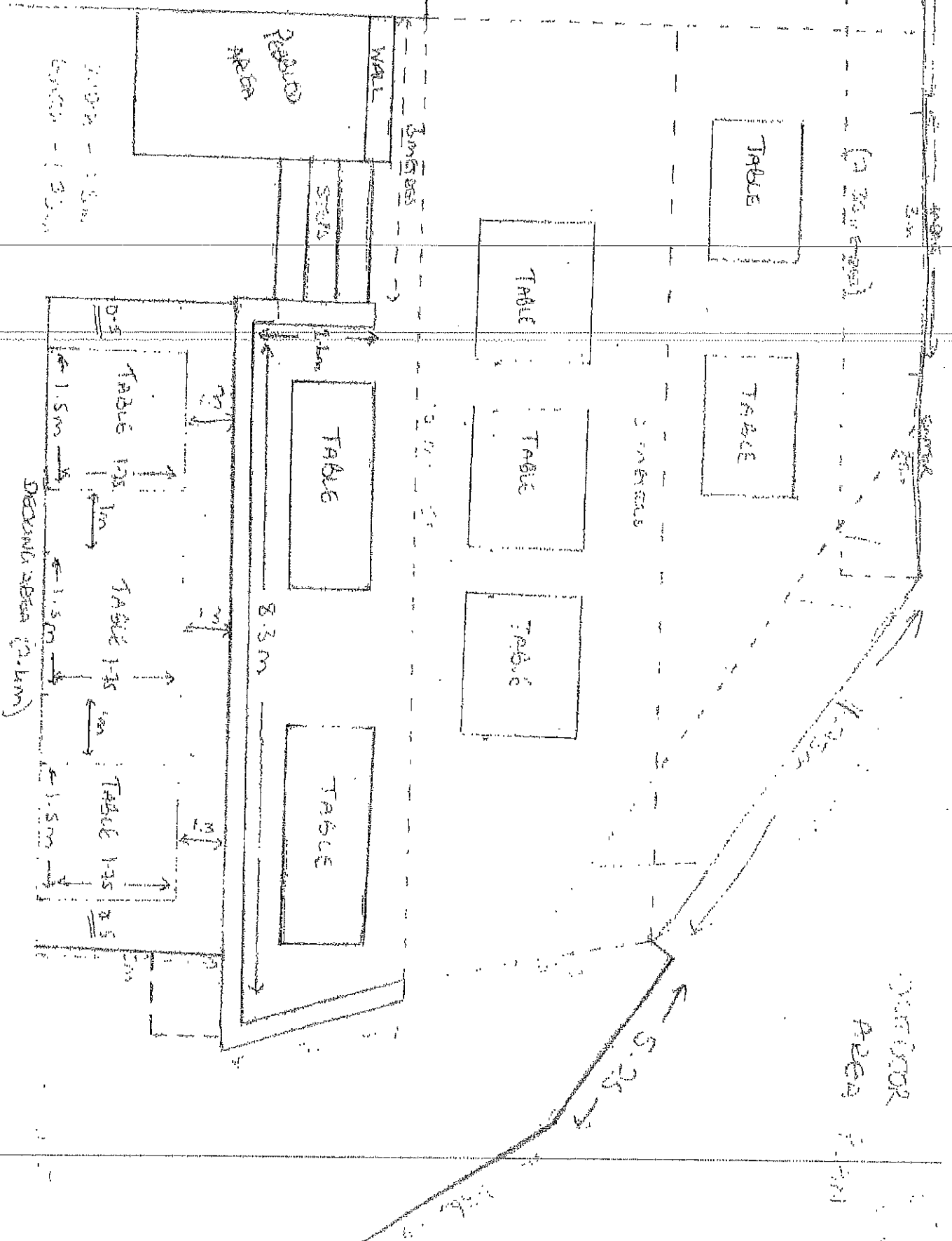
- Section 56 of the Licensing (Scotland) Act 2005 provides that only:
 - The holder of a premises licence;
 - The holder of a personal licence; or
 - A representative of any voluntary organisation is eligible to apply for an occasional licence
- Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are a statement of the terms on which they are allowed entry
- Data Protection Act 1998

The information on this form may be held on an electronic register which may be available to members of the public on request.
- Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament

http://www.opsi.gov.uk/legislation/scotland/acts2005/asp_20050016_en_1

BINS

NOT IN USE



ROYAL
OAN

Clackmannanshire Licencing Board

Occasional Licence Application

Supplementary information form

Have you read and understood that your licence, if granted may be subject to the conditions, listed in this guidance?

Yes/No

Do you consent to these conditions being applied to the licence on grant?

Yes/No

Have you made contact with the Planning Department at Clackmannanshire Council to discuss your proposals?

Yes/No

Have you made contact with the Roads Department (Public Spaces only) to discuss your proposals?

Yes/No

Please confirm that you have enclosed a sketch plan of showing the location, dimensions and seating arrangements in the proposed licensed area.

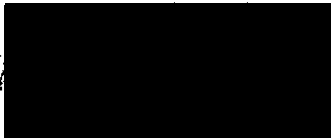
Name

Email Address :

Telephone No:

Name of Premises

Signed



Licensing Board

Royal Oak

DATE OF EVENT	12-25 Oct 2020
LICENCE NO	20/00320/occenc
TO POLICE & WEB	4 September 2020

Application for an Occasional Licence

To:

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

Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

You May Wish to Keep a Copy of the Completed Form for Your Records.

1. Licence Details – Outdoor Drinking Area Extension At The Royal Oak Hotel, Alloa	
I am a:	
Premises Licence Holder	<input type="checkbox"/>
Personal Licence Holder	<input checked="" type="checkbox"/>
Representative of a Voluntary Organisation	<input type="checkbox"/>
Representative of a Members Club	<input type="checkbox"/>
Name and Address of Premises	THE ROYAL OAK HOTEL, 7 BEDFORD PLACE, ALLOA, CLACKS, FK10 3DE CC203 – CLACKS COUNCIL
Licence number and Issuing Licensing Board	N/A
Personal licence number Issuing Licensing Board	CC102 – CLACKS COUNCIL



Licensing Board

Name of voluntary organisation or Members Club (if applicable)		N/A	
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event		CRAIG STEWART – CC102	
2. Personal Details			
Full Name	Surname STEWART	First Name CRAIG	
Address where ordinarily resident to be used for correspondence purposes.	THE ROYAL OAK HOTEL 7 BEDFORD PLACE ALLOA FK10 1LJ		
Telephone Number	01259 929587 [REDACTED]		
Email Address	THEROYALLOAK.ALLOA@GMAIL.COM		
Age, Date & Place of Birth	Years	Date of Birth	Place of Birth
	[REDACTED]		
3. The Premises (See note and answer fully)			
Description of Premises:			
<p>THE ROYAL OAK HOTEL, ALLOA – The Royal Oak hotel, bar and restaurant is a busy community hub in Alloa, located just out with the town centre. The hotel was built in the late 1820's and currently has 7 rooms for hire as well as a vibrant restaurant and lively bar. It currently has category C listing with historic Scotland.</p> <p>We are currently closed due to Covid-19 lockdown, but are looking to utilise a car parking space out the back of the building as a temporary drinking area with 10 tables and 6 seated benches. These will all configure with social distancing regulations. The area will be temporarily fenced off at the end of the car park to prevent any cars from entering the area.</p> <p>We would be looking to have this temporary arrangement in place until the pandemic is brought to a level of containment or culmination, which would allow us to trade as normal.</p>			
Full Postal Address of Premises which this Application Refers to:			
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Licensing Board

Description of Activities to be Carried on in the Premises

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Approx. how many persons will attend event?	60
Will Stewards to be provided?	No
Is food to be provided at the event	YES

If Yes - please provide details:

We will be looking to utilise some of the tables out back, if the demand is there, as an extension to the restaurant as well. These would need to be booked in advance and for a certain time period

4. Duration of Licence

Start Time and Date	End Time and Date
11.00am Monday, 12 th October, 2020	22.00pm Sunday, 25 th October, 2020



Licensing Board

5. Alcohol Consumption	
Is Alcohol to be sold for consumption on the premises?	Yes
Is Alcohol to be sold for consumption off the premises?	Yes
Provide details as to hours required when alcohol will be sold on/off* the premises *delete as appropriate	
Times for sale of alcohol for consumption - On premises 11.00am – 22.00pm	Times for sale of alcohol for consumption - Off premises 11.00am – 22.00pm
<p>Statement of the times at which any activities other than the sale alcohol will be carried on in the premises:</p> <p>The drinking area will open at 11.00am each day, or as permitted, and will close at 22.00pm, or as permitted.</p> <p>Last orders will be called 21.15pm for on premise sales with the bar closing for on and off sales at 21.30pm.</p> <p>The outdoor area will be completely cleared by 22.00pm</p>	

6. Children (This section must be completed where alcohol is for sale for consumption on the premises)	
Are children or young persons permitted entry?	Any advice on this would be appreciated
If Yes - the remainder of this section must be completed	
Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?	YES
Ages of Children of Young Persons Permitted Entry 0-17 years	Times at which Children or Young Persons Permitted Entry 12.00am until 19.00pm Restaurant/ food only and only if accompanied by an adult. Again, only if the board is willing to allow this option.
<p>Parts of Premises to which Children or Young Persons Permitted Entry</p> <p>Only the parts of the premises covered by the licence application or those permitted by the Licence Board</p>	



Licensing Board

7. Signature and Declaration by Applicant

DECLARATION

**IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN
CONNECTION WITH THIS APPLICATION**

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief

Signature	<i>Craig Stewart</i>	Dated	Wednesday, 19 th August, 2020
-----------	----------------------	-------	--

* 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

Checklist	
I have made or enclosed payment of the fee for the application	X

NOTES

1. Section 56 of the Licensing (Scotland) Act 2005 provides that only:

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are a statement of the terms on which they are allowed entry

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http://www.opsi.gov.uk/legislation/scotland/acts2005/asp_20050016_en_1

Licensing Board

DATE OF EVENT	26/10-8/11-2020
LICENCE NO	20/00321/000000
TO POLICE & WEB	4 September 2020

Application for an Occasional Licence

To:

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

Before Completing this Form Please Carefully Read the Guidance Notes issued along with the Application. If completing by Hand Please Write Legibly in **BLOCK CAPITALS**. In all Cases Ensure that your Answers are Inside the Boxes and Written or Typed in **BLACK INK**. Use additional sheets if necessary.

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1. Licence Details – Outdoor Drinking Area Extension At The Royal Oak Hotel, Alloa	
I am a:	
Premises Licence Holder	<input type="checkbox"/>
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Licence number and Issuing Licensing Board	N/A
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Licensing Board

Name of voluntary organisation or Members Club (if applicable)	N/A		
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event	CRAIG STEWART – CC102		
2. Personal Details			
Full Name	Surname STEWART	First Name CRAIG	
Address where ordinarily resident to be used for correspondence purposes.	THE ROYAL OAK HOTEL 7 BEDFORD PLACE ALLOA FK10 1LJ		
Telephone Number	01259 929587 [REDACTED]		
Email Address	THEROYALOAK.ALLOA@GMAIL.COM		
Age, Date & Place of Birth	Years	Date of Birth	Place of Birth
	[REDACTED]		
3. The Premises (See note and answer fully)			
Description of Premises:			
<p>THE ROYAL OAK HOTEL, ALLOA – The Royal Oak hotel, bar and restaurant is a busy community hub in Alloa, located just out with the town centre. The hotel was built in the late 1820's and currently has 7 rooms for hire as well as a vibrant restaurant and lively bar. It currently has category C listing with historic Scotland.</p> <p>We are currently closed due to Covid-19 lockdown, but are looking to utilise a car parking space out the back of the building as a temporary drinking area with 10 tables and 6 seated benches. These will all configure with social distancing regulations. The area will be temporarily fenced off at the end of the car park to prevent any cars from entering the area.</p> <p>We would be looking to have this temporary arrangement in place until the pandemic is brought to a level of containment or culmination, which would allow us to trade as normal.</p>			
Full Postal Address of Premises which this Application Refers to:			
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Licensing Board

Description of Activities to be Carried on in the Premises

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Approx. how many persons will attend event?	60
Will Stewards to be provided?	No
Is food to be provided at the event	YES

If Yes - please provide details:

We will be looking to utilise some of the tables out back, if the demand is there, as an extension to the restaurant as well. These would need to be booked in advance and for a certain time period

4. Duration of Licence

Start Time and Date	End Time and Date
11.00am Monday, 26 th October, 2020	22.00pm Sunday, 8 th November, 2020



Licensing Board

5. Alcohol Consumption	
Is Alcohol to be sold for consumption on the premises?	Yes
Is Alcohol to be sold for consumption off the premises?	Yes
Provide details as to hours required when alcohol will be sold on/off* the premises *delete as appropriate	
Times for sale of alcohol for consumption - On premises	Times for sale of alcohol for consumption - Off premises
11.00am – 22.00pm	11.00am – 22.00pm
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6. Children	
(This section must be completed where alcohol is for sale for consumption on the premises)	
Are children or young persons permitted entry?	Any advice on this would be appreciated
If Yes - the remainder of this section must be completed	
Will Children (0-15yrs) and Young Persons (16 & 17 yrs) require to be accompanied by a parent or person over the age of 18 yrs?	YES
Ages of Children of Young Persons Permitted Entry	Times at which Children or Young Persons Permitted Entry
0-17 years	12.00am until 19.00pm Restaurant/ food only and only if accompanied by an adult. Again, only if the board is willing to allow this option.
Parts of Premises to which Children or Young Persons Permitted Entry	
Only the parts of the premises covered by the licence application or those permitted by the Licence Board	



Licensing Board

7. Signature and Declaration by Applicant

DECLARATION

**IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN
CONNECTION WITH THIS APPLICATION**

(Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief

Signature	<i>Craig Stewart</i>	Dated	Wednesday, 19th August, 2020
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Checklist	
I have made or enclosed payment of the fee for the application	X

NOTES

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- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are a statement of the terms on which they are allowed entry

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Partnership and Performance

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



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

Memo

To:	The Clerk to the Licensing Board Greenfield Alloa FK10 2AD	From:	Paul Fair Licensing Standards Officer
		Extension:	2091
		Email:	pfair@clacks.gov.uk
		Our Ref:	PF/LSO/OL/CV19 REP
		Your Ref:	2020-OCCLIC (set3-3 apps)
		Date:	10 September 2020
Subject:	Licensing (Scotland) Act, 2005, Section 57 (3) 3 x Occasional Licence Applications - Outdoor Area Applicant- Craig Stewart, The Royal Oak, Alloa. Car Park area adjacent, and to the rear of The Royal Oak, Alloa.		

Section 57(1)(b) of The Licensing (Scotland) Act, 2005 (the Act) requires that the Licensing Board notifies the Licensing Standards Officer for the area in relation to any application for an occasional licence. This section further provides that the Licensing Standards Officer is provided with a copy of the application.

Having considered the content of the applications to which this representation relates, I have the following comments to make:

1. This representation relates to 3 occasional licences each lasting for a period of 14 days, and seeking authority to make sales of alcohol for on sales consumption in an outdoors space which is not currently part of the licensed footprint of the premises at the above address.
2. The 3 applications seek to licence the premises from 28 September 2020 for a continuous period of 6 weeks until 8 November 2020.
3. The purpose of an occasional licence is to allow premises that are not normally licensed to be licensed "occasionally". Not necessarily for a special event or special occasion.
4. If these applications are granted it will result in continuous licensed period of 18 weeks in relation to this area. The applicant is aware that he should be looking to a more permanent licensing solution if he wishes to continue the use of this area in the longer term.
5. I should point out to the Licensing Board that from 1st October (selected only as an indicative date) the sunset time is 18:48hrs reducing by 2-3 minutes each day thereafter. Ultimately darkness will fall at around 16:20hrs by the 8th November, 2020.

6. In light of the information contained in paragraph 5 the Board may want to consider whether or not the continued use of this large outdoor area is appropriate as a licensed area, and they may wish to seek additional information from the applicant in relation to how he will address matters of adequate supervision and customer safety during colder, dark periods with an increased chance of adverse weather.
7. Increased bright lighting in the area, could cause rise to complaints from local residents whose property is overlooked by the beer garden area.
8. On Friday 3 July 2020, the Licensing Board approved the use of a pre-application guidance document for those wishing to licence a new outdoor area. The applicant in this case has had the opportunity to view the document, has completed the supplementary information form and has acknowledged the understanding statement. The applicant has accepted the suggested conditions in that document and fully understands that additional conditions, from the pool list contained in the statement of licensing policy, may also be applied as local conditions.
9. The land in this case is an area used for car parking at the rear of the premises and is owned by the premises. The area is suitable for licensing in the current circumstances, and is adjacent to an existing licensed outdoor drinking area.
10. In the 12 week period of licensing of this area that has already passed, the use of the area has attracted a number of complaints and enquiries from local residents.
11. As part of the routine enquiries into this set of occasional licences the Licensing Standards Officer has consulted with the Environmental Health department. Senior EHO, Helen Henderson, has provided information in relation to the premises that appears to be relevant to the preventing public nuisance licensing objective and is perhaps connected to the preventing crime and disorder objective. This information is contained within appendix B attached to this report.
12. It may be that the Licensing Board would wish to hear directly from Helen Henderson or another officer speaking on behalf of Environmental Health and I am advised that someone would be available via Microsoft Teams to attend any hearing of the Licensing Board.
13. Having considered all the information within this report and any other sources of information as they see fit, the Board are asked to determine whether or not a ground for refusal of these applications exist.
14. Appendix A contains a list of suggested conditions that the Licensing Board may wish to impose in the event that they decide to grant this application. These conditions are necessary to ensure compliance with the licensing objectives contained within The Licensing (Scotland) Act, 2005.

Paul Fair

Licensing Standards Officer.

Appendix A

- 1 Alcohol sold for consumption in the licensed outdoor area will be ordered from, and delivered to the table, by staff employed at the premises.
- 2 The outdoor area must be clearly separated from any neighbouring unlicensed area by a physical barrier such as a fence or series of posts and rope or tape of at least 1 metre in height.
- 3 The outside area can only be occupied by persons seated at a table.
- 4 The licence holder must ensure that alcohol is only consumed by persons seated at a table.
- 5 (For Licensed public spaces only) All drinks whether alcoholic or not sold or supplied for consumption in the outdoor area, will be sold in or decanted into plastic or polycarbonate drinking vessels.
- 6 No entertainment, live or recorded music or performances will be permitted in any outdoor area.
- 7 All outdoor areas will be operated in compliance with the current Scottish Government guidance for Licensed Outdoor Drinking areas, including any amendments to that guidance which occurs in the duration of the licence.

Appendix B

Environmental Health are dealing with a noise complaint regarding the beer garden located at the rear of the Royal Oak Hotel in Alloa.

The complainant lives at [REDACTED]. The property is a first floor flat and the living accommodation all looks onto the beer garden at the Royal Oak. They contacted Environmental Health due to the disturbance caused by the beer garden being busy with 40-50 individuals on a regular basis from lunchtime through to 10pm. Due to the layout of the property, the only option to get respite from the noise is to leave the property as the living room and bedroom look onto the beer garden. The complainant understands that they are living next to licensed premises and there will be some disturbance however the scale of the permitted beer garden has been difficult.

I can confirm that I visited the complainant's property with a colleague on Saturday 29 August at 8pm. Noise from patrons was clearly audible in the courtyard to this property. Once inside, the noise was louder as the property is located above the boundary wall and there is no screening. The background drone from people talking in the beer garden was intrusive within the property and spikes of laughter even more disturbing and exacerbating the problem. It is my opinion that the complaint is valid.

The Royal Oak Hotel was visited straight after and we spoke to Craig Stewart. At that time there were only 27 patrons in the beer garden and Craig was advised that it was our opinion that the complaint was valid. The number of patrons in the beer garden was well below capacity as I understand from Craig that it can accommodate up to 70 individuals. Myself and my colleague spent time in the area after visiting the hotel and the noise from patrons in the beer garden could be heard as far as outside the Skills Development Scotland building located in Bank Street.

The beer garden is located within a quiet residential area and is therefore susceptible to noise complaints. The issue with the beer garden is the scale and also the hours of operation. To improve the situation, it is my opinion that the total number of patrons allowed in the area at any one time should be restricted to 30 and the area closed at 7pm. This would continue to provide the hotel with an outside area that could be used during the day for both the pub and restaurant. Restricting the covers and the operating hours would provide the residents with respite from noise originating in this area.

10 September, 2020

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