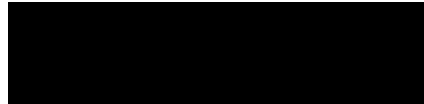




## NOTICE OF MEETING

**19 August 2021**

**A MEETING of the CLACKMANNANSHIRE LICENSING BOARD (SUB COMMITTEE) will be held via MS Teams, on WEDNESDAY 25 AUGUST 2021 at 9.30 AM.**



**RICHARD THOMPSON**  
**Clerk to the Clackmannanshire Licensing Board**

	<b>Page No</b>
1. Apologies	--
2. Declarations of Interest	--
<p>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.</p>	
3. <b>Licensing (Scotland) Act 2005 – Occasional Licence Applications</b>	<b>03</b>
(i) Applications for Occasional Licence and report by the Licensing Standards Officer (Copies herewith)	05
<p>Premises: Holly Tree Inn, Main Street East, Menstrie, FK11 7BJ Applicant: Caledonian Heritable Ltd, c/o McGregor Thomson Solicitors Event: Outside Drinking Area Dates: 13 - 26 August 2021, 27 August – 9 September 2021, 10 – 23 September 2021, 24 September – 7 October 2021</p>	
(ii) Applications for Occasional Licence and report by the Licensing Standards Officer (Copies herewith)	29
<p>Premises: No 5 Inn, Brook Street, Alva, FK12 5JL Applicant: David White Event: Outside Drinking Area Dates: 30 August – 12 September 2021, 13 – 26 September 2021, 27 September – 3 October 2021</p>	

## Clackmannanshire Licensing Board – Board Members 9 (Quorum 5)

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### 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 (SUB COMMITTEE)**

**MEETING Wednesday 25 August 2021 at 9.30 am**

**Via MS Teams**

**Licensing (Scotland) Act 2005**

**Occasional Licence Applications**

<b>Premises</b>	<b>Applicant</b>	<b>Date of Events</b>	<b>Comments</b>
<b>Holly Tree Inn Main Street East Menstrie FK11 7BJ</b>	<b>Caledonian Heritable Limited c/o McGregor Thomson Solicitors Springfield House Laurellhill Business Park Stirling FK7 9JQ</b>	<b>13-26 August 2021 27 August – 09 September 2021 10-23 September 2021 24 September – 07 October 2021</b>	<b>Application &amp; LSO Report, (copies attached)  Police Scotland response no objection received 28 July 2021</b>
<b>No 5 Inn Brook Street Alva FK12 5JL</b>	<b>David White No 5 Inn Brook Street Alva FK12 5JL</b>	<b>30 August – 12 September 2021 13-26 September 2021 27 September – 03 October 2021</b>	<b>Applications, layout plan &amp; LSO Report, (copies attached)  Police Scotland responses no objections 27 July 2021</b>





## APPLICATION FOR OCCASIONAL LICENCE

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

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.

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

<b>1. LICENCE DETAILS (see note 1)</b>	
I am a :- (please tick <b>one</b> only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input 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)	CC0065 HOLLY TREE INN MAIN STREET EAST MENSTRIE FK11 7BJ
Personal Licence Holder Name and Number (if applicable ) Issuing Licensing Board	
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	
Inderjit Singh Shergill Personal Licence Number: SL/EK/974	

--

<b>2. PERSONAL DETAILS</b>			
<b>OTHER (please state)</b>			
FORENAMES	Caledonian Heritable Limited (SC076552)		
SURNAME			
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
<b>ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES</b>			
Registered Office: 4 Hope Street, Edinburgh, EH2 4DB			
Post Town		Postcode	
<b>TELEPHONE NUMBERS</b>			
DAYTIME EVENING  MOBILE		Contact Andrew Thomson: 	
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail) athomson@macgregorthomson.co.uk			

<b>3. THE PREMISES (where the event is to be held -See note and answer fully)</b> Description of Premises.  SIDE AREA TO THE EAST OF THE BUILDING (ADJACENT TO KITCHEN), HOLLY TREE INN AS PER ATTACHED PLAN
Full Postal Address of Premises which this Application Refers to  HOLLY TREE INN MAIN STREET EAST MENSTRIE FK11 7BJ
<b>IMPORTANT</b> From the 1 <sup>st</sup> November, 2016, premises which do not have a <b>Premises Licence</b> and which are used to provide "public entertainment" require to have in place a <b>Public Entertainment Licence (PEL)</b> or a <b>Temporary PEL</b> .

Please confirm the following :	1 The premises have a current PEL	Yes / No
	or 2 Date Temporary PEL was been applied for -	
Description of Activities to be Carried on in the Premises ( <b>see note and answer fully</b> )		
Provision of food and alcohol and non alcohol liquid refreshment to the patrons of The Holly Tree Inn.		
There will be two rows of eight tables each, all placed two meters apart.		
Each table will seat up to four persons, subject to Government Restrictions from time to time		
Approximately How many persons will attend event?	64 max	
Will SIA Licensed Stewards to be provided?	NO	
Is food to be provided at the Event - If yes please provide details		
Yes. Indian and European Food from the menus of The Holly Tree Inn and ice cream parlour.		

<b>4. DURATION OF LICENCE</b>	
Start Time and Date	End Time and Date
13/08//2021	26/08/2021

<b>5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES*</b>	
<b>IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES NO*</b>	
<b>PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate</b>	
Times for sale of alcohol for consumption On premises 11.00 a.m. to 10.00 p.m.	Times for sale of alcohol for consumption Off premises N/A
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises	
N/A	

<b>6. CHILDREN (see note 2)</b>	
<b>This section must be completed where alcohol is for sale for consumption on the premises</b>	
Are children or young persons permitted entry? <b>YES</b> (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?	<b>YES</b>
Ages of Children or Young Persons Permitted Entry  0 TO 17	Times at which Children or Young Persons Permitted Entry  11.00 A.M. TO 10.00 P.M
Parts of Premises to which Children or Young Persons Permitted Entry  ALL PARTS	


**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))

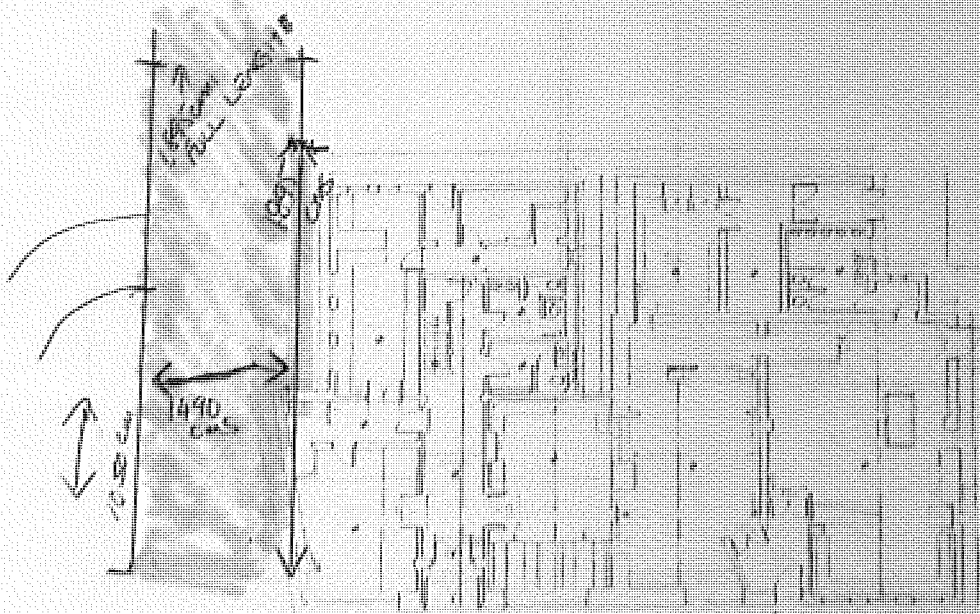
The contents of this Application are true to the best of my knowledge and belief.

<b>SIGNATURE</b>		<b>DATE</b>	23/7/21
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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







## 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.

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

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I am a :- (please tick <b>one</b> only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input 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)	CC0065 HOLLY TREE INN MAIN STREET EAST MENSTRIE FK11 7BJ
Personal Licence Holder Name and Number (if applicable ) Issuing Licensing Board	
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	
Inderjit Singh Shergill Personal Licence Number: SL/EK/974	

--

<b>2. PERSONAL DETAILS</b>			
<b>OTHER (please state)</b>			
FORENAMES	Caledonian Heritable Limited (SC076552)		
SURNAME			
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
<b>ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES</b>			
Registered Office: 4 Hope Street, Edinburgh, EH2 4DB			
Post Town		Postcode	
<b>TELEPHONE NUMBERS</b>			
DAYTIME EVENING  MOBILE	Contact Andrew Thomson: 		
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail) athomson@macgregorthomson.co.uk			

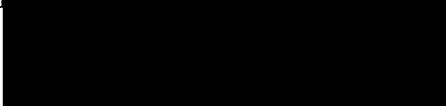
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<b><u>IMPORTANT</u></b> From the 1 <sup>st</sup> November, 2016, premises which do not have a <b>Premises Licence</b> and which are used to provide "public entertainment" require to have in place a <b>Public Entertainment Licence (PEL)</b> or a <b>Temporary PEL</b> .

Please confirm the following :	1 The premises have a current PEL or	Yes / No
	2 Date Temporary PEL was been applied for -	
Description of Activities to be Carried on in the Premises ( <b>see note and answer fully</b> )		
<p>Provision of food and alcohol and non alcohol liquid refreshment to the patrons of The Holly Tree Inn.</p> <p>There will be two rows of eight tables each, all placed two meters apart.</p> <p>Each table will seat up to four persons, subject to Government Restrictions from time to time</p>		
Approximately How many persons will attend event?		64 max
Will SIA Licensed Stewards to be provided?		<b>NO</b>
Is food to be provided at the Event - If yes please provide details		
Yes. Indian and European Food from the menus of The Holly Tree Inn and ice cream parlour.		

<b>4. DURATION OF LICENCE</b>	
Start Time and Date	End Time and Date
27/08/2021	09/09/2021

<b>5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES*</b>	
<b>IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES NO*</b>	
<b>PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate</b>	
Times for sale of alcohol for consumption On premises 11.00 a.m. to 10.00 p.m.	Times for sale of alcohol for consumption Off premises N/A
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<b>6. CHILDREN (see note 2)</b>	
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<b>7. Signature and declaration by applicant (see note 3)</b>		
<b>DECLARATION</b>		
<b>IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</b>		
(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.		
<b>SIGNATURE</b>		<b>DATE</b> 23/7/21

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Name of voluntary organisation or Members Club (if applicable)	
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Inderjit Singh Shergill Personal Licence Number: SL/EK/974	

--

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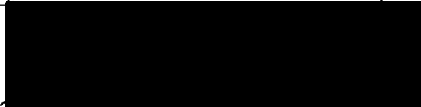
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Is food to be provided at the Event - If yes please provide details		
Yes. Indian and European Food from the menus of The Holly Tree Inn and ice cream parlour.		

<b>4. DURATION OF LICENCE</b>	
Start Time and Date	End Time and Date
10/09/2021	23/09/2021

<b>5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES*</b>	
<b>IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES NO*</b>	
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Approximately How many persons will attend event?		64 max
Will SIA Licensed Stewards to be provided?		<b>NO</b>
Is food to be provided at the Event - If yes please provide details		
Yes. Indian and European Food from the menus of The Holly Tree Inn and ice cream parlour.		

<b>4. DURATION OF LICENCE</b>	
Start Time and Date	End Time and Date
24/09/2021	7/10/2021

<b>5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES*</b>	
<b>IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES NO*</b>	
<b>PROVIDE DETAILS AS TO HOURS REQUESTED WHEN ALCOHOL WILL BE SOLD ON/OFF THE PREMISES-* delete as appropriate</b>	
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Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises	
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<b>6. CHILDREN (see note 2)</b>	
<b>This section must be completed where alcohol is for sale for consumption on the premises</b>	
Are children or young persons permitted entry? <b>YES</b> (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?	<b>YES</b>
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<b>7. Signature and declaration by applicant (see note 3)</b>	
<b>DECLARATION</b>	
<b>IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</b>	
(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.	
<b>SIGNATURE</b>	<b>DATE</b> 23/7/21

**\* 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

**8. CHECKLIST - Please tick**

I have Made or enclosed payment of the fee for the application	
--	--

**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

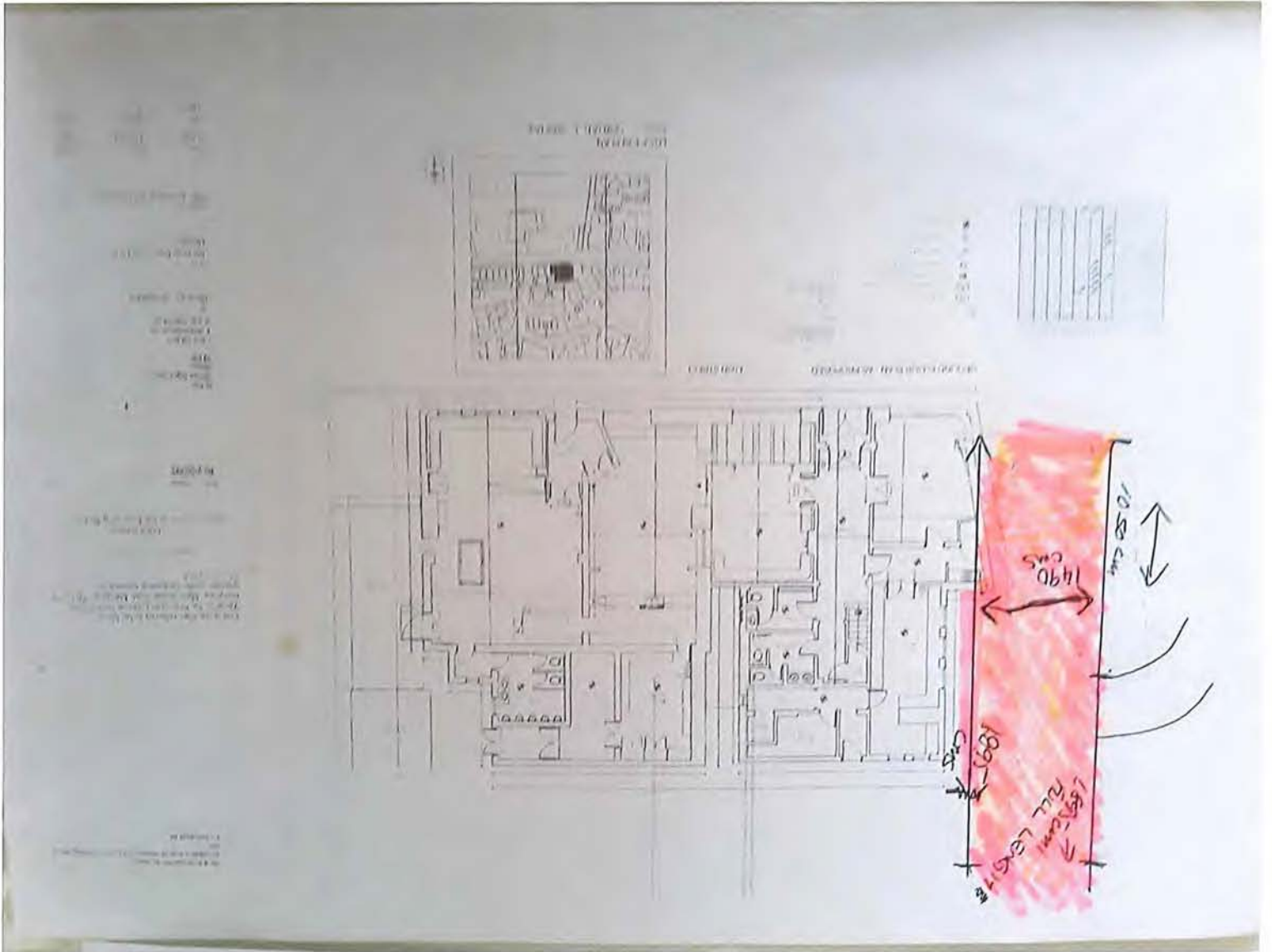
2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are a statement of the terms on which they are allowed entry

3. 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.

4. Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament  
(<http://www.opsi.gov.uk/legislation/scotland/acts2005/20>)

**Clackmannanshire Licensing Board has a duty to protect public funds that it administers and may use this information for the prevention and detection of fraud. For more details, please contact The Councils, Senior Auditor, on telephone number 01259 452047**





## 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: **2021-OL (set1-2021-4 apps)**

Date: **11 August 2021**

Subject: **Licensing (Scotland) Act, 2005, Section 57 (3)  
4 x Occasional Licence Applications - Outdoor Area  
Applicant- Caledonian Heritable Limited  
Car Park area adjacent, and to the East of  
The Holly Tree Inn, Main Street East, Menstrie.**

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 4 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. I would highlight an error in the application which indicates that the location to be licensed lies to the **East** of the premises, when in fact the location on the attached plan and the area discussed with the applicants agent lies to the West side of the building at the junction of Park Road. I have again reported on the basis that this in an error.
3. I have included a image of the location and area to be licensed at Appendix B
4. The 4 applications seek to licence the premises from 13 August 2021 for a continuous period of 8 weeks until 7 October 2021.
5. 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.



6. The applicant is aware that they should be looking to a more permanent licensing solution if they wish to continue the use of this area in the longer term during 2021.
7. The land in this case is an area used for car parking at the side of the premises and is owned by the premises.
8. 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.
9. I have previously discussed the likely conditions that may be applied to the outdoor area if the licenses are granted and referred the applicant to the Clackmannanshire Licensing Board statement of Licensing Policy where he will be able to see sample local conditions, similar to those contained within Appendix A
10. 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.
11. Outdoor areas, particularly those adjacent to public places require close supervision and careful management to avoid conflict with the licensing objectives. The Board may wish to explore with the applicant any proposals that they have for supervision and management of the area.
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 Holly Tree Inn.
- 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 Only alcohol sold by the Hollytree Inn will be permitted by the licence holder to be consumed in the outdoor area
- 6 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.
- 7 No entertainment, live or recorded music or performances will be permitted in any outdoor area.

Appendix B - Image of location







### APPLICATION FOR OCCASIONAL LICENCE

To:

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

**THIS PAPER RELATES TO  
ITEM 3ii  
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.

<b>1. LICENCE DETAILS (see note 1)</b>	
I am a :- (please tick <b>one</b> only)	
Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input 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)	NOS INN CC152 BROOK STREET ALLOA CLACKMANNANSHIRE FK12 5JL
Personal Licence Holder Name and Number (if applicable) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC158
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	
ALISON LILY ALLAN WHITE CC158	

<b>2. PERSONAL DETAILS</b>			
TITLE (delete as appropriate) <b>MR MRS MISS MS OTHER</b> (please state)			
FORENAMES	DAVID HAMILTON		
SURNAME	WHITE		
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
	[REDACTED]		
<b>ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES</b>			
BROOK STREET			
Post Town	ALVA		Postcode
			FK12 5JL
<b>TELEPHONE NUMBERS</b>			
DAYTIME	[REDACTED]		
EVENING	[REDACTED]		
MOBILE	[REDACTED]		
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
[REDACTED]			

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

Description of Activities to be Carried on in the Premises (see note and answer fully)  
 OUTSIDE DRINKING AREA TO FRONT OF BUILDING  
 (PRIVATE CAR PARK)  
 SALE OF ALCOHOL & FOOD  
 CHILDREN AND YOUNG PERSONS WILL BE PRESENT

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ? YES  NO

Is food to be provided at the Event - If yes please provide details  
 YES  
 FULL DINING MENU WILL BE AVAILABLE

4. DURATION OF LICENCE

Start Time and Date	End Time and Date
11 AM 30 <sup>th</sup> Aug 2021	10 PM 12 <sup>th</sup> SEP 2021

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 AM - 10 <sup>00</sup> PM	Times for sale of alcohol for consumption Off premises 11 AM - 10 <sup>00</sup> PM
--	---

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises  
 N/A

**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 of Young Persons Permitted Entry  Any AGE	Times at which Children or Young Persons Permitted Entry  11AM - 8PM.

Parts of Premises to which Children or Young Persons Permitted Entry

ALL AREAS  
EXCEPT WHERE ALCOHOL IS BEING SERVED.  
(IE BAR SERVE AREA)


**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.

<b>SIGNATURE</b>		<b>DATE</b>	19 MARCH 2021
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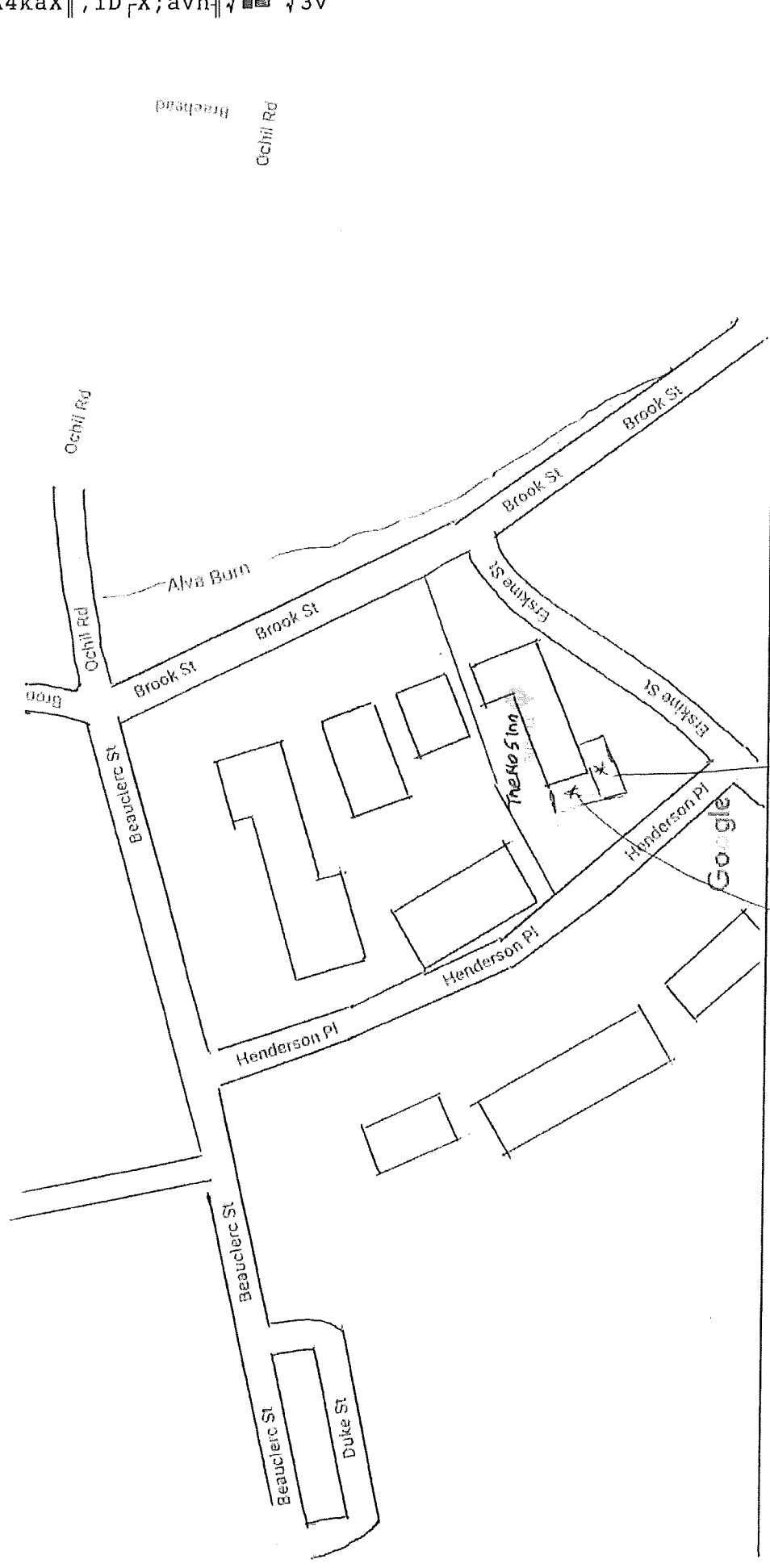
\* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request





Google Maps



Map data ©2020 10 mi

PERMANENT BEER GARDEN

PROPOSE TEMPORARILY EX TENSION

STARTING 19th FEBRUARY 25

15/06/2020

Google Maps

(b)



### 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.

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

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Premises Licence Holder	<input checked="" type="checkbox"/>
Personal Licence Holder	<input 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)	NOS INN CC152 BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL
Personal Licence Holder Name and Number (if applicable ) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC158
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	
ALISON LILY ALLAN WHITE CC158	

<b>2. PERSONAL DETAILS</b>			
TITLE (delete as appropriate) <b>MR MRS MISS MS OTHER</b> (please state)			
FORENAMES	DAVID HAMILTON		
SURNAME	WHITE		
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
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
BROOK STREET			
Post Town	ALVA	Postcode	FK12 5JL
TELEPHONE NUMBERS			
DAYTIME	[REDACTED]		
EVENING	[REDACTED]		
MOBILE	[REDACTED]		
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
[REDACTED]			

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

Description of Activities to be Carried on in the Premises (see note and answer fully)  
OUTSIDE DRINKING AREA TO FRONT OF BUILDING  
(PRIVATE CAR PARK)

SALE OF ALCOHOL & FOOD  
CHILDREN AND YOUNG PERSONS WILL BE PRESENT

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ? YES  NO

Is food to be provided at the Event - If yes please provide details  
YES  
FULL DINING MENU WILL BE AVAILABLE

4. DURATION OF LICENCE

Start Time and Date	End Time and Date
11 AM 13 <sup>th</sup> SEP. 2021	10 PM 26 <sup>th</sup> SEP 2021

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 AM - 10 <sup>00</sup> PM	Times for sale of alcohol for consumption Off premises 11 AM - 10 <sup>00</sup> PM
--	---

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A

**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)

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Parts of Premises to which Children or Young Persons Permitted Entry  
  
ALL AREAS  
EXCEPT WHERE ALCOHOL IS BEING SERVED.  
(IE BAR SERVE AREA)

**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.

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------------------	---	-------------	---------------

\* Data Protection Act 1998

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### 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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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)	NOS INN CC152 BROOK STREET ALLOA CLACKMANNANSHIRE FK12 5JL
Personal Licence Holder Name and Number (if applicable ) Issuing Licensing Board	ALISON LILY ALLAN WHITE CC158
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	
ALISON LILY ALLAN WHITE CC158	

<b>2. PERSONAL DETAILS</b>			
TITLE (delete as appropriate) <b>MR MRS MISS MS OTHER</b> (please state)			
FORENAMES	DAVID HAMILTON		
SURNAME	WHITE		
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
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
BROOK STREET			
Post Town	ALVA	Postcode	FK12 5JL
TELEPHONE NUMBERS			
DAYTIME	[REDACTED]		
EVENING	[REDACTED]		
MOBILE	[REDACTED]		
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
[REDACTED]			

<b>3. THE PREMISES (where the event is to be held -See note and answer fully)</b>		
Description of Premises.		
WITHIN PRIVATE CAR PARK AT THE NOS INN BROOK STREET ALVA.		
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BROOK STREET ALVA CLACKMANNANSHIRE FK12 5JL		
<b>IMPORTANT</b>		
From the 1 <sup>st</sup> November, 2016, premises which do not have a <b>Premises Licence</b> and which are used to provide "public entertainment" require to have in place a <b>Public Entertainment Licence (PEL)</b> or a <b>Temporary PEL</b> .		
Please confirm the following :	1 The premises have a current PEL	Yes No
	or 2 Date Temporary PEL was been applied for -	



(3)

Description of Activities to be Carried on in the Premises (see note and answer fully)  
 OUTSIDE DRINKING AREA TO FRONT OF BUILDING  
 (PRIVATE CARPARK)  
 SALE OF ALCOHOL & FOOD  
 CHILDREN AND YOUNG PERSONS WILL BE PRESENT

Approximately How many persons will attend event ?

Will SIA Licensed Stewards to be provided ? YES  NO

Is food to be provided at the Event - If yes please provide details  
 YES  
 FULL DINING MENU WILL BE AVAILABLE

4. DURATION OF LICENCE	
Start Time and Date	End Time and Date
11 AM	10 PM
27 <sup>th</sup> SEP 2021	3 <sup>rd</sup> Oct 2021

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 AM - 10 <sup>00</sup> PM	Times for sale of alcohol for consumption Off premises 11 AM - 10 <sup>00</sup> PM
--	---

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises  
 N/A

**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 of Young Persons Permitted Entry  Any AGE	Times at which Children or Young Persons Permitted Entry  11AM - 8PM.

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ALL AREAS  
EXCEPT WHERE ALCOHOL IS BEING SERVED.  
(IE BAR SERVE AREA)


**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.

<b>SIGNATURE</b>		<b>DATE</b>	19 MARCH 2021.
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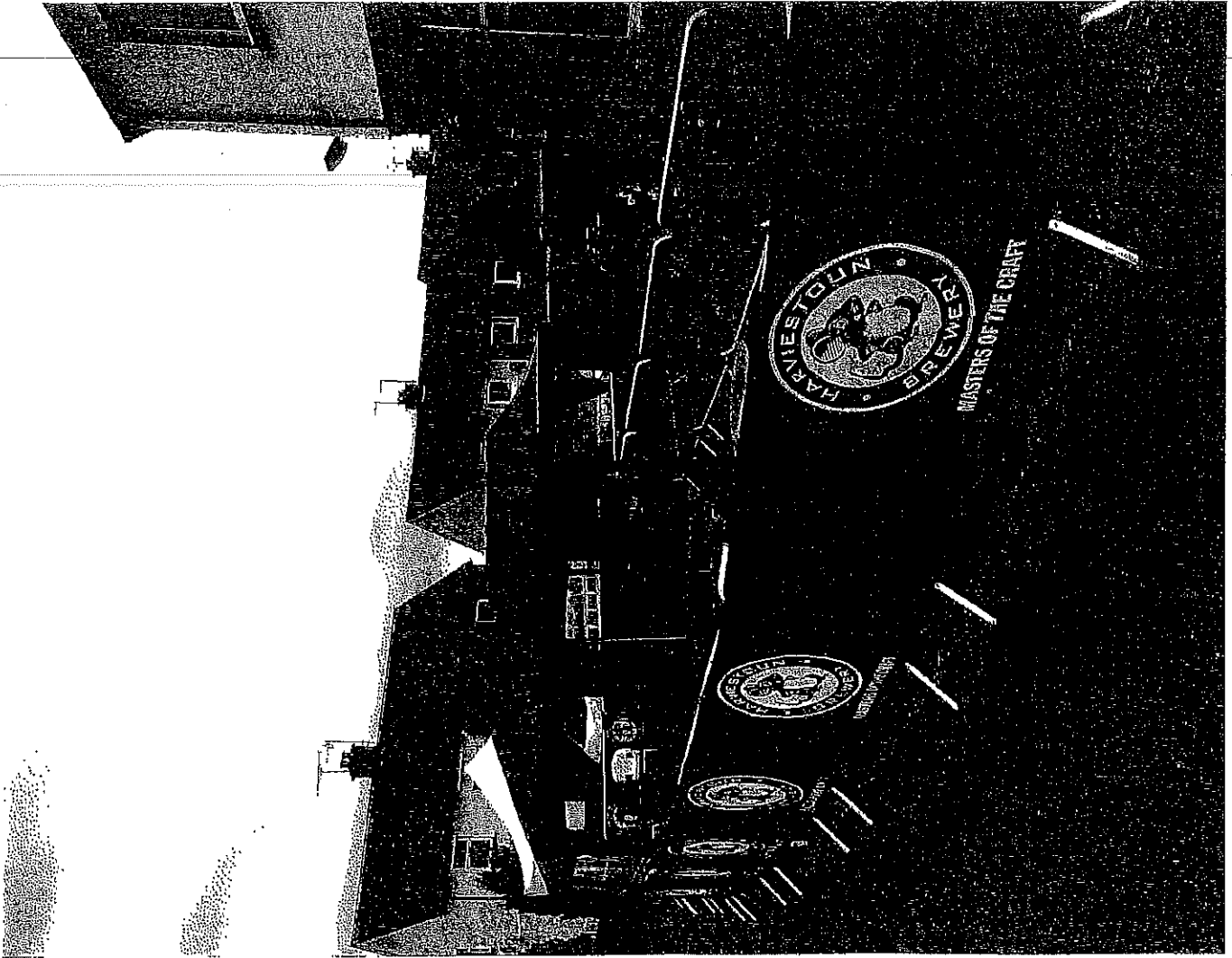
\* Data Protection Act 1998

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request

3 Benches  
Sitting Max  
8 People Each  
TABLE

4 Round TABLES  
Sitting Max  
4 People Each  
TABLE

No 5





## 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: 2021-OL (set3-2021-3 apps)**

**Date: 11 August 2021**

**Subject: Licensing (Scotland) Act, 2005, Section 57 (3)  
3 x Occasional Licence Applications - Outdoor Area  
Applicant- No 5 Inn, Alva, CC152  
Car Park area adjacent, and to the front of The No 5 Inn, Brook 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 30 August 2021 for a continuous period of 6 weeks until 3 October 2021.
3. These applications were only lodged with Clackmannanshire Licensing Board on 26 July 2021. The date of signing shown as 19<sup>th</sup> March 2021 is not indicative of the date of submission to the Licensing Board.
4. 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.
5. 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 during 2021. Although he has intimated an intention to permanently licence an extended

outdoor area and was provided with an application form and advice on the process, no application to vary the licence has been lodged.

6. The land in this case is an area used for car parking at the front and side of the premises and is owned by the premises.
7. In the periods of licensing of this area during 2020 and 2021, the use of the area has attracted no adverse comments or complaints, despite being fairly close to a residential area.
8. The applicant is aware 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.
9. 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.
10. 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 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 Only alcohol sold by the The No5 inn, Alva may be consumed in the licensed area.

