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#### **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

		Page	No
1.	Apologies		
2.	Declarations	of Interest	
	or non-financial accordance with	ers are reminded of their obligation to declare any financial interest which they may have in any item on this agenda in the Councillors' Code of Conduct. A Declaration of Interest completed and passed to the Committee Services Officer.	
3.	Licensing (S	Scotland) Act 2005 – Occasional Licence s	03
(i)		for Occasional Licence and report by the Licensing fficer (Copies herewith)	05
	Premises: Applicant:	Holly Tree Inn, Main Street East, Menstrie, FK11 7BJ Caledonian Heritable Ltd, c/o McGregor Thomson Solicitors	
	Event: Dates:	Outside Drinking Area 13 - 26 August 2021, 27 August – 9 September 2021, 10 – 23 September 2021, 24 September – 7 October 2021	
(ii)		for Occasional Licence and report by the Licensing fficer (Copies herewith)	29
	Premises: Applicant: Event: Dates:	No 5 Inn, Brook Street, Alva, FK12 5JL David White Outside Drinking Area 30 August – 12 September 2021, 13 – 26 September 2021, 27 September – 3 October 2021	

#### 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 (SUB COMMITTEE)**

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

#### Via MS Teams

#### Licensing (Scotland) Act 2005

#### **Occasional Licence Applications**

Premises	Applicant	Date of Events	Comments
Holly Tree Inn Main Street East Menstrie FK11 7BJ	Caledonian Heritable Limited c/o McGregor Thomson Solicitors	13-26 August 2021 27 August – 09 September 2021 10-23 September 2021	Application & LSO Report, (copies attached)
	Springfield House Laurellhill Business Park Stirling FK7 9JQ	24 September – 07 October 2021	Police Scotland response no objection received 28 July 2021
No 5 Inn Brook Street Alva FK12 5JL	David White No 5 Inn Brook Street Alva FK12 5JL	30 August – 12 September 2021 13-26 September 2021 27 September – 03 October 2021	Applications, layout plan & LSO Report, (copies attached)
	11112 002		Police Scotland responses no objections 27 July 2021

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

To:

THIS PAPER RELATES TO ITEM 3i 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.

LICENCE DETAILS (see note 1)     I am a :-     (please tick one only)					
Premises Licence Holder	□x				
Personal Licence Holder					
Representative of a Voluntary Organisation					
Representative of a Members Club					
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					

2. PERSONAL DETAILS						
	FORENAMES   Caledonian Heritable Limited (SC076552)					
SURNAME		Odlodoffian Floritable Eliffica (0.001.0002)				
If you are applying voluntary organisa position in that clul	on behalf of a Club or tion please state your b/organisation or provide t you are authorised or n their behalf.					
DATE OF BIRT	'H	Da	ay	Month	Year	
	ERE ORDINARILY RI DENCE PURPOSES	ESIDEN <sup>-</sup>	т то ве	USED FOR		
Registered Office	: 4 Hope Street, Edinburg	gh, EH2 4	DB			
Post Town		.,,,,,	Postcode	9		
TELEPHONE N	IUMBERS					
DAYTIME EVENING						
MOBILE						
FAX NUMBER						
<b>E-MAIL ADDRESS</b> (if you would prefer us to correspond with you by e-mail) athomson@macgregorthomson.co.uk						
3. THE PREMI Description of P	SES (where the even Premises.	it is to b	e held -S	ee note and answ	ver fully)	
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						
IMPORTANT						
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	1 The premises have a current PEL	Yes / No			
following :	or	165/110			
	2 Date Temporary PEL was been applied for -				
Description of Activities	to be Carried on in the Premises (see note and a	nswer fully)			
Provision of food and ald Holly Tree Inn.	cohol and non alcohol liquid refreshment to the par	trons of The			
There will be two rows o	f 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?					
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.					

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

## 5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES\* IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES 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

11.00 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

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? <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?  YES					
Ages of Children of Young Persons Permitted Entry	Times at which Children or Young Persons Permitted Entry				
0 TO 17	11.00 A.M. TO 10.00 P.M				
Parts of Premises to which Children or Young Persons Permitted Entry					

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

#### **DECLARATION**

**ALL PARTS** 

## 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.

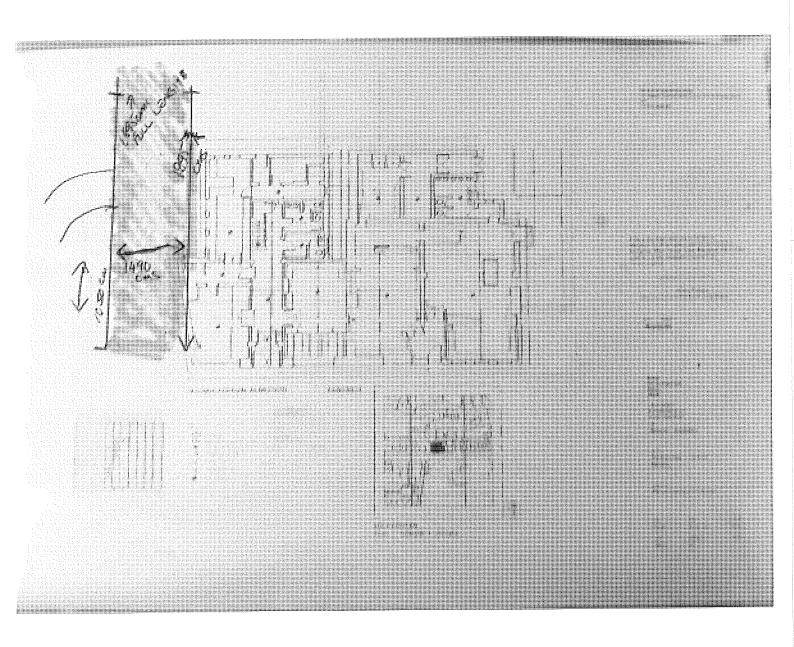
**SIGNATURE** 

DATE

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



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.

1. LICENCE DETAILS (see note 1)				
I am a :- (please tick <b>one</b> only)				
Premises Licence Holder	□х			
Personal Licence Holder				
Representative of a Voluntary Organisation				
Representative of a Members Club				
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				

2. PERSONAL	DETAILS					
OTHER (please	e state)					
FORENAMES	FORENAMES Caledonian Heritable Limited (SC076552)					
SURNAME	SURNAME					
voluntary organisa position in that club	on behalf of a Club or tion please state your plorganisation or provide t you are authorised or their behalf.					
DATE OF BIRT	'H	D	ay	Month	Year	
	ERE ORDINARILY R ENCE PURPOSES	ESIDEN	Т ТО ВЕ	USED FOR		
Registered Office	: 4 Hope Street, Edinburg	gh, EH2 4	DB			
Post Town			Postcode	•		
TELEPHONE N	UMBERS					
DAYTIME EVENING						
MOBILE				_		
FAX NUMBER						
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail) athomson@macgregorthomson.co.uk						
3. THE PREMISE Description of Prescription of	SES (where the even remises.	t is to be	e held -Se	ee note and answ	er fully)	
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 IN MAIN STREET I MENSTRIE FK11 7BJ						
IMPORTANT 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</b> Entertainment Licence (PEL) or a <b>Temporary PE</b> L.						

Please confirm the	1 The premises have a current PEL	Yes / No			
following:	or .	162/110			
	2 Date Temporary PEL was been applied for -				
Description of Activities	to be Carried on in the Premises (see note and ar	nswer fully)			
Provision of food and ald Holly Tree Inn.	cohol and non alcohol liquid refreshment to the pat	rons of The			
There will be two rows o	f 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?					
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.					

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

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES\*
IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES 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

11.00 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

#### 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** (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
Ages of Children of Young Persons Permitted Entry	Times at which Children or Young Persons Permitted Entry
0 TO 17	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.

**SIGNATURE** 

DATE

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

To:

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

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4 LICENCE DETAILS (see note 4)		
1. LICENCE DETAILS (see note 1) I am a :- (please tick one only)		
Premises Licence Holder	□x	
Personal Licence Holder		
Representative of a Voluntary Organisation		
Representative of a Members Club		
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		

2 PERSONAL	DETAILS				
2. PERSONAL DETAILS OTHER (please state)					
FORENAMES		Limited	(SC0765	552)	
SURNAME					
voluntary organisa position in that clu	on behalf of a Club or tion please state your b/organisation or provide it you are authorised or their behalf.				
DATE OF BIRT	TH	D	ay	Month	Year
	ERE ORDINARILY RI DENCE PURPOSES	ESIDEN	Т ТО ВЕ	USED FOR	
Registered Office	: 4 Hope Street, Edinburg	gh, EH2 4	DB		
Post Town			Postcode	•	
TELEPHONE N	IUMBERS				
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					
3. THE PREMISES (where the event is to be held -See note and answer fully) Description of Premises.					
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Full Postal Addre	ess of Premises which	this App	olication F	Refers to	
HOLLY TREE IN MAIN STREET I MENSTRIE FK11 7BJ					
<u>IMPORTANT</u>					
From the 1 <sup>st</sup> Nov which are used t	rember, 2016, premise o provide "public entel <b>_icence (PEL)</b> or a <b>Te</b>	rtainmen	ıt" require	ave a <b>Premises Li</b> to have in place a	cence and Public

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 (see note and ar	swer fully)		
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Each table will seat up to four persons, subject to Government Restrictions from time to time				
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Will SIA Licensed Stewards to be provided?				
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.				

4. DURATION OF LICENCE	•
Start Time and Date	End Time and Date
10/09/2021	23/09/2021

## 5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES\* IS ALCOHOL TO BE SOLD FOR CONSUMPTION OFF THE PREMISES 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

11.00 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

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6. CHILDREN (see note 2)		
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Parts of Premises to which Children or Young Persons Permitted Entry		
ALL PARTS		

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

#### **DECLARATION**

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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** 

DATE

23/7/21

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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.

1. LICENCE DETAILS (see note 1)		
I am a :- (please tick <b>one</b> only)		
Premises Licence Holder	□x	
Personal Licence Holder		
Representative of a Voluntary Organisation		
Representative of a Members Club		
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		

2. PERSONAL DETAILS OTHER (please state)					
	Caledonian Heritable	Limited	(SC0765	52)	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
SURNAME				.,,	
voluntary organisa position in that clu	on behalf of a Club or tion please state your b/organisation or provide it you are authorised or their behalf.				
DATE OF BIRT	TH .	D	ay	Month	Year
	ERE ORDINARILY R DENCE PURPOSES	ESIDEN <sup>-</sup>	т то ве	USED FOR	
Registered Office	: 4 Hope Street, Edinbur	gh, EH2 4	DB		
Post Town			Postcode	9	
TELEPHONE N	NUMBERS				
DAYTIME EVENING					
MOBILE					
FAX NUMBER  E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)					
athomson@macgregorthomson.co.uk					
3. THE PREMISES (where the event is to be held -See note and answer fully) 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					
IMPORTANT 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</b> (PEL) 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 (see note and a	nswer fully)		
Provision of food and alcohol and non alcohol liquid refreshment to the patrons of The Holly Tree Inn.				
There will be two rows of	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?				
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.				

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

5. IS ALCOHOL TO BE SOLD FOR CONSUMPTION ON THE PREMISES YES\*

## 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 11.00 a.m. to 10.00 p.m. 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? <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?	YES	
Ages of Children of Young Persons Permitted Entry	Times at which Children or Young Persons Permitted Entry	
0 TO 17	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.

**SIGNATURE** 

ATE

23/2/21

#### \* 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

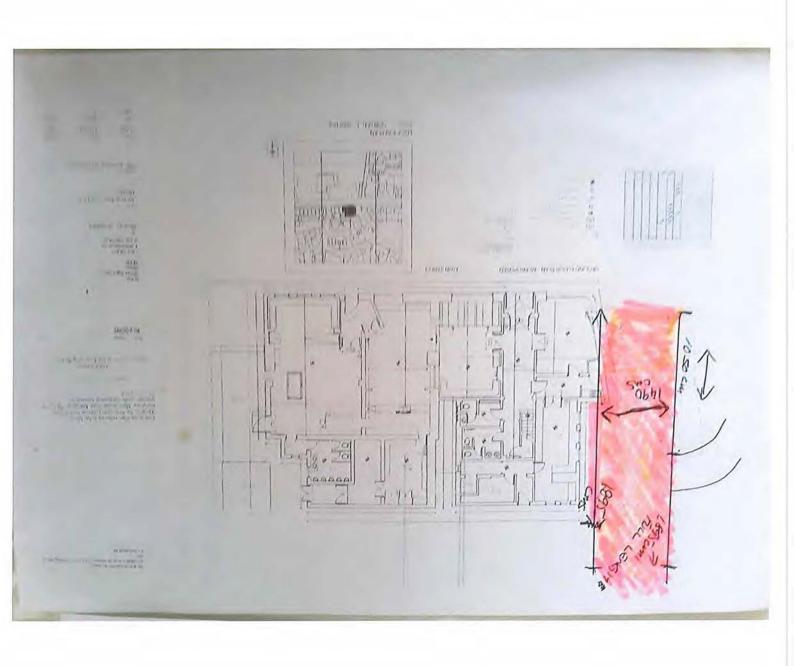
is eligible to apply for an occasional licence

- 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 (hhp://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



## Clackmannanshire Comhairle Siorrachd Chlach Mhanann www.clacks.gov.uk

**Partnership and Performance** 

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

#### 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 <u>again</u> 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.
- 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 able to 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





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.

4 LIGENICE DETAILS (con note 1)				
1. LICENCE DETAILS (see note 1)				
(please tick one only)				
Premises Licence Holder				
Personal Licence Holder				
Representative of a Voluntary Organisation				
Representative of a Members Club				
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	NOS INN CC 152 BROOK STREET ALVA CLACKMANNAUSHIRE FK12 55L			
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				
AUSON LILY ALLAN WHITE CC158.				

2. PERSONAL DE		ANICE AN	e OTHEE	(place state)	
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DAYTIME EVENING					
MOBILE					
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E-MAIL ADDICESS (II y	——————————————————————————————————————	оспевроп	a with you	oy 0 ((1211)	
3. THE PREMISES Description of Premi	ises.				
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Full Postal Address	of Premises whic	h this App	olication f	Refers to	
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IMPORTANT From the 1 <sup>st</sup> Novem which are used to predefine the transfer of the	ovide "public ent	ertainmer	nt" require		
Please confirm the	1 The premi			PEL	Yes No
following:	or	<b></b>	<b>-</b> 1 . 1		
	2 Date Tem	porary PE	L was be	een applied for - 	

Description of Activities to be Carried on in the Premises (see note and answer fully)  OUTSIDE DIRINKING APEA TO FROM OF BULLDING  (PRIVATE CARREL)				
SALE OF ALCHOL & FO		*Althoughtening (co.) (and on		
CHILDREN AND YOUNG	ERSIN'S WIN BE PRES	ANT		
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Is food to be provided at the Event - If yes p	lease provide details			
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IS ALCOHOL TO BE SOLD FOR CONS	JMPTION OFF THE PREMISES(	YES/NO*		
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ON/OFF THE PREMISES-* delete as appro	priate	Mary Mary Mary Mary Mary Mary Mary Mary		
Times for sale of alcohol for consumption On premises	Times for sale of alcohol for con Off premises	sumption		
114m - 10'00 pm	11AM - 1000 pm			
Statement of the times at which any activities on in the premises	s other than the sale of alcohol wil	l be carried		
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li lu				

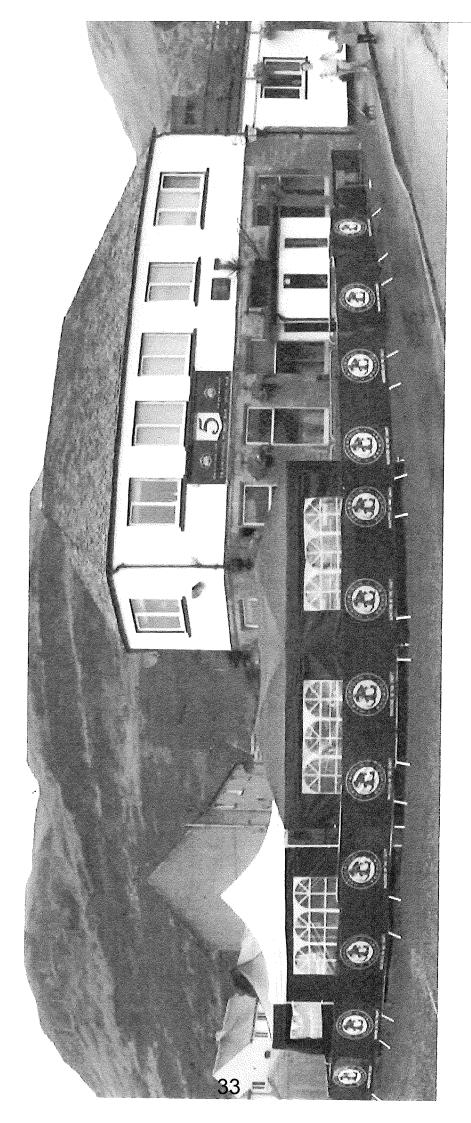
### 6. CHILDREN (see note 2) This section must be completed where alcohol is for sale for consumption on the premises Are children or young persons permitted entry (YES)NO (if answered yes the remainder of this section must be completed) Will Children (0-15yrs) and Young Persons (16 &17 yrs) require to be accompanied by YES/NO a parent or person over the age of 18 yrs? Times at which Children or Young Persons Ages of Children of Young Persons Permitted Entry Permitted Entry 11 AM - 8 PM. Any AGE Parts of Premises to which Children or Young Persons Permitted Entry ALL AREAS EXCEPT WHERE ALCOHOLIS BEING SERVED.

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	19 MARCH 202)			

#### \* 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)





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.

1. LICENCE DETAILS (see note 1)				
lama:-				
(please tick <b>one</b> only)				
• /				
Premises Licence Holder				
Personal Licence Holder				
Representative of a Voluntary Organisation				
Representative of a Members Club				
Name and Address of Premises, licence	NOS INN CC 152			
number, Issuing Licensing Board	BROOK STREET			
(if applicable)	ALVA			
	CLACKMANNADSHIRE			
	FK12 55L			
Personal Licence Holder Name and	ALISON LILY ALLAN WHITE			
Number (if applicable )				
Issuing Licensing Board	CC158			
Name of voluntary organisation or Members	Club (if applicable)			
Traine of voluntary organisation of Members	oras (" approasio)			
Name of Personal Licence Holder and Licence No. of person responsible for authorising sales of alcohol at event - See guidance notes				
	ALLOUTE COLCO!			
AUSON LILY	ALLAN WHITE CC158.			

2. PERSONAL	. DETAIL	.S				
TITLE (delete as	appropriat	e) MR MRS	MISS M	S OTHER	R (please state)	
FORENAMES	T	ONNA	HAMIL	_TON	No. 2 Test de la lita	
SURNAME		WHIT	TE			
If you are applying voluntary organisa position in that clul other evidence tha entitled to apply or	tion please o/organisal t you are a	e state your ion or provide outhorised or				
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Post Town	ALVA			Postcode	FK12 5	JL
TELEPHONE N	IUMBER	S			7440	
DAYTIME EVENING						
MOBILE						
FAX NUMBER E-MAIL ADDRESS	3 (if you wo	ould prefer us to	correspon	 nd with you	by e-mail)	
Description of F	remises.				ee note and ansv	
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BROOK STREET ALVA.						
Full Postal Address of Premises which this Application Refers to						
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	to provid	e "public ente	ertainmer	nt" require	ave a <b>Premises L</b> e to have in place	
Please confirm		1 The premi		_F	t PEL	(Vas PNIs
following:		or				Yes 'No
		2 Date Tem	porary Pl	EL was b	een applied for -	

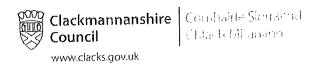
Description of Activities to be Carried on in the CLUSINE DRINKING APEA	Premises (see note and answer fully) 10 FIZONT OF BULLDING 4TE CAR PARK)
SALE OF ALCHOL & FO CHILDREN AND YULNG PO	ERSONS WILL BE PRESANT
Approximately How many persons will attend	event ?
Will SIA Licensed Stewards to be provided?	YES (NO)
Is food to be provided at the Event - If yes ple	ease provide details
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4. DURATION OF LICENCE Start Time and Date  (  AM	End Time and Date IC)prM
13th SEP. 2021	26'SEP 2021.
5. IS ALCOHOL TO BE SOLD FOR CONSU IS ALCOHOL TO BE SOLD FOR CONSU PROVIDE DETAILS AS TO HOURS REQUE ON/OFF THE PREMISES-* delete as appro	ESTED WHEN ALCOHOL WILL BE SOLD
Times for sale of alcohol for consumption On premises \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	Times for sale of alcohol for consumption Off premises  11AM - 10000
Statement of the times at which any activities on in the premises	s other than the sale of alcohol will be carried
N/H	

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 must be completed)	NO (if answered yes the remainder of this section				
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  Times at which Children or Young Persons Permitted Entry					
ANY AGE	11 AM - 8 PM.				
Parts of Premises to which Children or Young Persons Permitted Entry					
ALL AREAS					
EXCEPT WHERE ALCOHOLIS BEING SERVED.					

# 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 19 MARCH 202)

#### \* Data Protection Act 1998

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To:

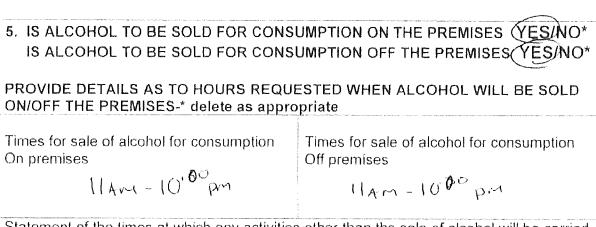
Clerk to the Licensing Board Kilncraigs Greenside Street Alloa FK10 1EB

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.

1. LICENCE DETAILS (see note 1)	
I am a :- (please tick <b>one</b> only)	
Premises Licence Holder	
Personal Licence Holder	
Representative of a Voluntary Organisation	
Representative of a Members Club	
Name and Address of Premises, licence number, Issuing Licensing Board (if applicable)	NOS INN CC 152 BROOK STREET ALVA CLACKMANNADSHIRE FK12 55L
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)
sales of alcohol at event - See guidance note	ce No. of person responsible for authorising
AUSON LILY	ALLAN WHITE CC158.

2. PERSONAL						
TITLE (delete as	appropriat	e) WR MRS	MISS M	S OTHER	₹ (please state)	
FORENAMES		OIVAC	HAMIL	TON		
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If you are applying voluntary organisar position in that club other evidence that entitled to apply or	tion please o/organisat t you are a	state your ion or provide uthorised or				
DATE OF BIRT	H		D	av	Month	Year
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BRO	OK ST	REET				
Post Town	ALVA			Postcode	FK12 5	JL
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FAX NUMBER  E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)						
E-MAIL ADDRESS (If you would prefer us to correspond with you by e-mail)						
Description of F	Premises				ee note and answ	
LAITHIN	PRIVA	TE CAR	PARIL	ATT	HE NOS INN	J
WITHIN PRIVATE CAR PARK AT THE NOS ININ BROOK STREET ALVA.						
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CHACIMANNIANSHIPE FKIZ 5JL						
IMPORTANT From the 1 <sup>st</sup> No which are used Entertainment	to provid	2016, premis le "public ent	ses which ertainme	n do not h nt" requir	ave a <b>Premises L</b> e to have in place a	icence and
Please confirm		1 The prem	ises have	a currer	t PEL	Yes No
following:		or				165 NO
		2 Date Tem	porary P	EL was b	een applied for -	

Description of Activities to be Carried on in the Premises (see note and answer fully)  CICTSIDE DRINKING AREA TO FRONT OF BULLDING  (PRIVATE CARRACK)  SALE CIVE ALCVIOL & FOOD  CHILDREN AND YOUNG PERSONS WILL BE PRESANT			
		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 DIMING MENUL BE AVALLAISE			
		4. DURATION OF LICENCE	
		Start Time and Date End Time and D	ate
	2021.		
174 SEP 2021 3Rd Oct :			
174 SEP 2021 3Rd Oct:			



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

NH

#### 6. CHILDREN (see note 2)

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

must be completed)

Are children or young persons permitted entry (YES)NO (if answered yes the remainder of this section

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

Times at which Children or Young Persons Permitted Entry

ANY AGE

11AM - SpM.

Parts of Premises to which Children or Young Persons Permitted Entry

ALL AREAS

EXCEPT WHERE ALCOHOLIS BEING SERVED.

#### 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

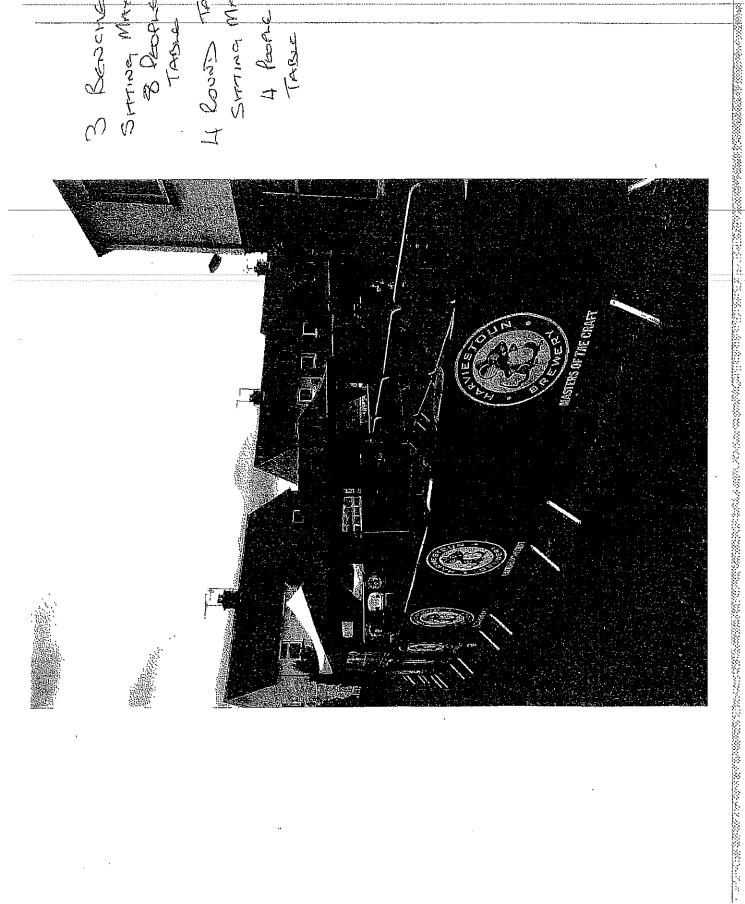
DATE

19 MARCH 202)

#### \* Data Protection Act 1998

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4 Cours Traces Sitting MAS 3 Rescribes 4 People



#### **Partnership and Performance**

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

#### 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.
- 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.