



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.

1. LICENCE DETAILS (see note 1)	
I am a :- (please tick one 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	

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2. PERSONAL DETAILS			
OTHER (please state)			
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
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Registered Office: 4 Hope Street, Edinburgh, EH2 4DB			
Post Town		Postcode	
TELEPHONE NUMBERS			
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. 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 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	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)		
<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?		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.		

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? 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 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.

SIGNATURE		DATE	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



1. The building is situated in the...
 2. The building is situated in the...
 3. The building is situated in the...

4. The building is situated in the...
 5. The building is situated in the...
 6. The building is situated in the...

REFERENCE

- 1. The building is situated in the...
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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	

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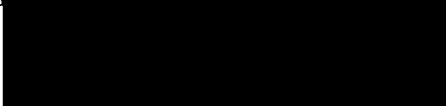
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Please confirm the following :	1 The premises have a current PEL	Yes / No
	or 2 Date Temporary PEL was been applied for -	
Description of Activities to be Carried on in the Premises (see note and answer fully)		
Provision of food and alcohol and non 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.		

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	
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7. Signature and declaration by applicant (see note 3)		
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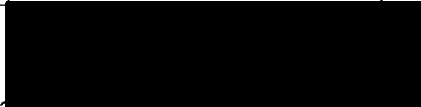
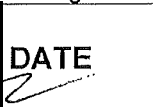
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Approximately How many persons will attend event?	64 max	
Will SIA Licensed Stewards to be provided?	NO	
Is food to be provided at the Event - If yes please provide details		
Yes. Indian and European Food from the menus of The Holly Tree Inn and ice cream parlour.		

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*	
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Is food to be provided at the Event - If yes please provide details		
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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*	
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	
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The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE	DATE 23/7/21

*** Data Protection Act 1998**

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8. CHECKLIST - Please tick

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

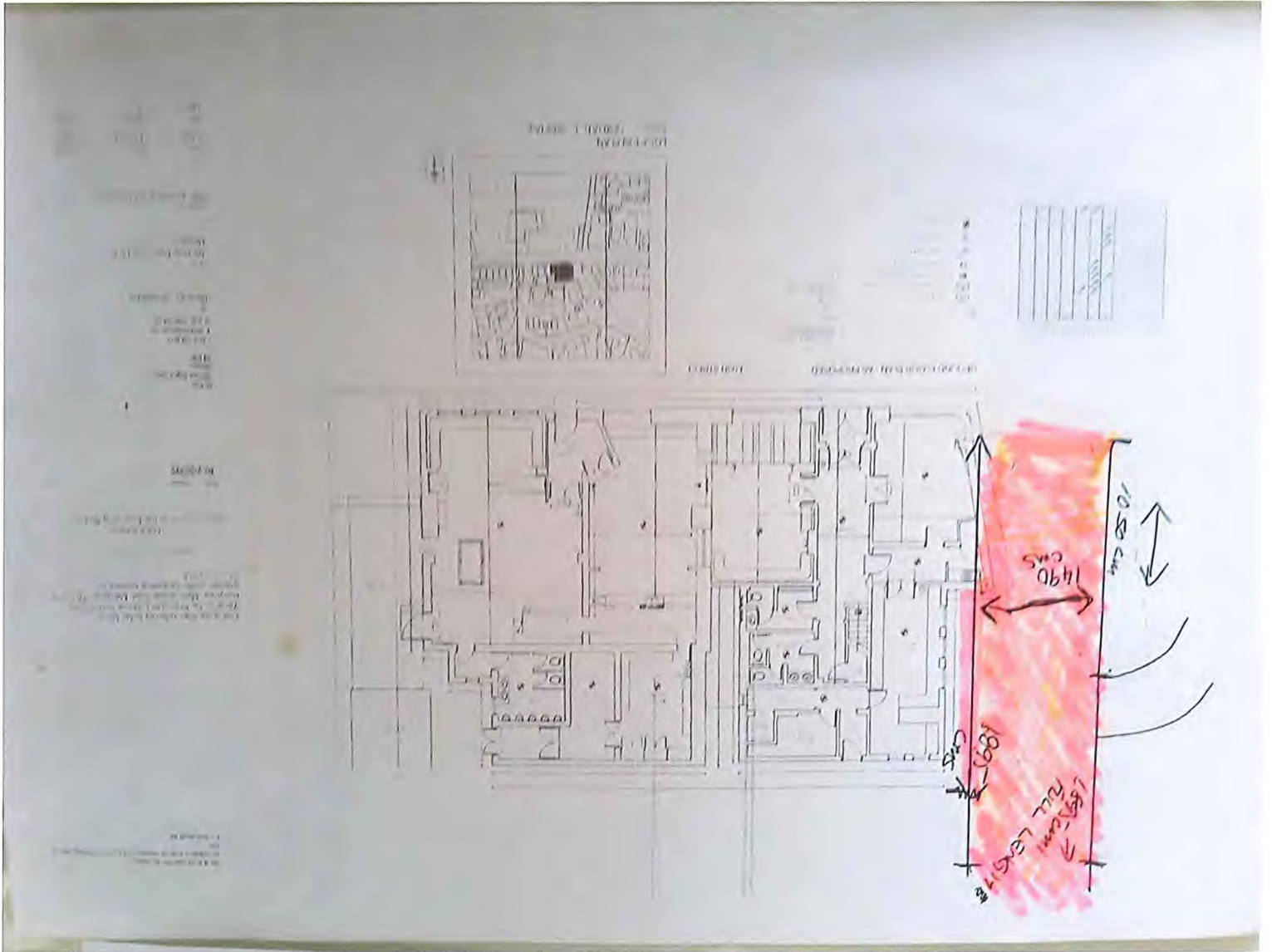
2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are a statement of the terms on which they are allowed entry

3. Data Protection Act 1998

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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



