



NOTICE OF MEETING

10 January 2023

A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held virtually via VIDEO CONFERENCE (MS TEAMS), on WEDNESDAY 18 JANUARY 2023 AT 9.30 AM.



RICHARD THOMPSON
Clerk to the Clackmannanshire Licensing Board

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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. Confirm Minutes of Meeting of the Clackmannanshire Licensing Board held on 6 December 2022 (Copy herewith)	05
4. Licensing (Scotland) Act 2005:	
(i) Applications for Personal Licences – Granted Under Delegated Powers (For Information only) (Copy herewith)	09
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	Applicant: Chen Li	
6.	Revocation of Personal Licences – report by Licensing Administrator (Copy herewith)	27
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Clackmannanshire Licensing Board – Board Members 8 (Quorum 4)

Councillors

Wards

Councillor	Kenneth Earle (Chair)	4	Clackmannanshire South	LABOUR
Councillor	Mark McLuckie (Vice Chair)	1	Clackmannanshire West	LABOUR
Councillor	Darren Lee	1	Clackmannanshire West	CONSERVATIVE
Councillor	Graham Lindsay	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONSERVATIVE
Councillor	William Keogh	2	Clackmannanshire North	LABOUR
Councillor	Fiona Law	2	Clackmannanshire North	SNP

The quorum for the Board by virtue of Schedule 1 paragraph 12(1) of the Licensing (Scotland) Act 2005 is 4 members



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held via VIDEO CONFERENCE (MS TEAMS), on TUESDAY 6 DECEMBER 2022 at 9.30 am.

PRESENT

Councillor Kenneth Earle (Chair)
Councillor Martha Benny
Councillor Donald Balsillie
Councillor William Keogh
Councillor Fiona Law
Councillor Darren Lee
Councillor Mark McLuckie

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Richard Thompson, Solicitor, (Clerk to the Board)
Melanie Moore, Committee Services

1.0 APOLOGIES

Apologies were received from Councillor Graham Lindsay.

2.0 DECLARATIONS OF INTEREST

None.

**3.0 MINUTE OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD –
8 NOVEMBER 2022**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 8 November 2022 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 8 November 2022 were agreed as a correct record and signed by the Chair.

4.0 LICENSING (SCOTLAND) ACT 2005

Agenda item 4(i) was put before the Board for information only as it had been granted under delegated powers.

(i) Applications for Personal Licences – Granted Under Delegated Powers

A list of applications for personal licences which had been granted under delegated powers was put before the Board for information only.

Decision

The Board agreed to note that the Personal Licence applications had been granted under delegated powers.

5.0 LICENSING (SCOTLAND) ACT 2005 – NON MINOR VARIATION

(i) Application for Variation to Licence (Non Minor)

Premises: Bridge Street Bar, 18 Brook Street, Dollar
Applicant: Andrew David Mackie

Attending

Mr Andrew Mackie, Licence Holder
Mr Bruce Harper, Premises Manager
Mr Paul Fair, Licensing Standards Officer

The Board heard representation from the Licensing Standards Officer and the Licence Holder Mr Mackie. There were no objections received from Police Scotland.

Motion

Having considered all of the information presented to it and having had opportunity for questions, that the Board grants the application for the Variation of Licence (Non Minor) subject to the conditions set out in Appendix A (page 27) of the Licensing Standards Officer's Report with the removal of the tenth bullet point therein.

Moved by Councillor Donald Balsillie. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application for the Variation of Licence (Non Minor) subject to the conditions set out in Appendix A (page 27) of the Licensing Standards Officer's Report with the removal of the tenth bullet point in bold below and to the effect of leaving the remaining bullet points, namely:

- In the approved outdoor area the number of patrons using this area may not exceed the number of seated places available for customers.
- In the approved outdoor area alcohol may only be consumed by persons seated at tables in that area.
- Consumptions of alcohol in the outdoor drinking is not permitted after 10.00pm
- All furniture associated with the use of the outdoor area must be cleared from the area by no later than 10:00pm
- No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking area.
- Live or recorded music or televised events on the premises must not be visible or audible within the outdoor area
- Customers using the outdoor drinking area shall at all times be supervised and/or monitored to ensure that nuisance or annoyance to neighbouring residents is not caused. In particular staff must take all reasonable steps to prevent shouting, singing and disorderly conduct within the outdoor area.
- Customers consuming alcohol must not be permitted to not encroach on to the footpath or any adjoining public area outwith the boundaries or the licensed outdoor drinking area.
- Where the outdoor drinking facility is to be used during the hours or darkness, the licence holder shall ensure that suitable lighting is provided for the convenience and safety of all persons on the premises.

- **The outdoor drinking facility must not be used for any purpose which is likely to cause annoyance to neighbours through smell, for example, the use of barbecues, but including vaping or smoking tobacco or other products**
- The Premises Licence Holder must prepare a document for the benefit of the current Premises Manager and any staff working on the premises, explaining how compliance with the conditions of the premises licence, insofar as they relate to the licenced outdoor drinking area, will be achieved and supervised. This document must be available to staff at all times and a record should be kept of all staff trained in relation to it. This Document must also be available on the premises for inspection by the Licensing Standards Officer.
- In any outdoor drinking area attached to the premises the licence holder will be required to display such notices as prescribed by the Licensing Board. Notices prescribed in relation to these conditions may relate to such matters as
 - Noise
 - Conduct of Customers
 - Children's and Young Person's Access to the Area
 - Permitted hours of use
- Outdoor drinking areas which are adjacent to a public place or public footpath, must at all times when the area is in use be clearly delineated by a physical barrier making the extent of the licenced area clear and obvious to any person using the area or using the adjacent public place or footpath.
- All alcohol to be consumed in the Outside Drinking Area must be taken to and from the Area by the designated premises manager or another member of staff authorised to serve to sell alcohol on their behalf. Patrons of the Premises are specifically prohibited from taking alcohol to or from the Premises to the Outside Drinking Area.
- Children and young persons are only permitted to use the outdoor area when accompanied by an adult over the age of 18 years of age who is a parent or other relative or person responsible for their guardianship.
- Only alcohol that has been sold on the premises can be consumed in the outdoor areas.

Action

Clerk to the Board

6.0 REVOCATION OF PERSONAL LICENCES

The Licensing (Scotland) Act 2005 prescribes that all personal licence holders must undergo mandatory training in a form prescribed by the Scottish Ministers no later than 3 months following the period beginning 5 years from the date that the personal licence was issued. The Board is therefore asked to take the following procedural steps to deal with the matters contained in the report.

Motion

To agree the recommendation as set out in the report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Darren Lee.

Decision

The Board agreed to make a formal decision to revoke the personal licences set out in the table appended to the report in terms of section 87(3) of the Licensing (Scotland) Act 2005.

Action

Clerk to the Board

7.0 AOCB

(i) Statement of Licensing Policy

The Licensing Standards Officer advised that a Statement of Licensing Policy must be published within 18 months of the Local Government elections. The LSO was happy to take forward the role and sought approval from the Board.

The Board agreed that the LSO take forward the role and the Board agreed a short term working group to consider the policy statements.

The Board agreed the following members would form a sub group:

Councillor Kenneth Earle (substitute Councillor Mark McLuckie)
Councillor Donald Balsillie (substitute Councillor Fiona Law)
Councillor Martha Benny (substitute Councillor Darren Lee)

The policy will be circulated for comments in due course and will be published by 6 November 2023.

Action

Clerk to the Board

Ends: 10:28hrs

CLACKMANNANSHIRE LICENSING BOARD

MEETING 18 January 2023 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Personal Licence(s) Grant

No.	Applicant	Date Received	Comments
1.	Jessica May Simpson c/o Hospitality Training Solutions City Labs 4-6 Dalton Square Lancaster LA1 1PP	01 November 2022	Personal Licence granted under delegated powers
2.	Scott Kane c/o Carlton Clubs Ltd Operations Office 28 Allan Park Stirling FK8 2LT	30 November 2022	Personal Licence granted under delegated powers

**THIS PAPER RELATES TO
ITEM 4(ii)
ON THE AGENDA**

CLACKMANNANSHIRE LICENSING BOARD

MEETING 18 January 2023 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Personal Licence(s) Renewal with Refresher Training

No.	Applicant	Date Received	Comments
1.	Ewan Mcilwraith	09 September 2022	Personal Licence granted under delegated powers

CLACKMANNANSHIRE LICENSING BOARD

MEETING 18 January 2023 at 09:30am

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

Licensing (Scotland) Act 2005

Personal Licence(s) Refresher Training

No.	Applicant	Date Received	Comments
1.	Bramley Eccles	10 November 2022	Personal Licence Refresher Training granted under delegated powers
2.	Diane Shepherd	10 November 2022	Personal Licence Refresher Training granted under delegated powers

CLACKMANNANSHIRE LICENSING BOARD

MEETING 18 January 2023 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Variation(s) (Minor)

Premises	Applicant	Date Received	Comments
Inn Tullibody 23-31 Main Street Tullibody FK10 2PY	Trust Inns Limited Blenheim House Ackhurst Business Park Foxholw Road Chorley PR7 1NY	12 October 2022	Minor Variation to vary Designated Premises Manager granted under delegated powers
Sauchie Express 61 Main Street Sauchie FK10 3JT	Glen Groceries Limited 46 Stirling Street Alva FK12 5EB	28 October 2022	Minor Variation to vary Designated Premises Manager granted under delegated powers
Eddy's Food Station 1 Woodburn Drive Alloa FK10 2HL	Eddy's Food Station c/o Janet Hood Kirton of Balfour Edzell Brechin Angus DD9 7XU	04 November 2022	Minor Variation to vary Designated Premises Manager and Change of Premises Licence Holders Name granted under delegated powers
Auld Brigg Filling Station Auld Brigg Tullibody			Minor Variation to vary Designated Premises Manager granted under delegated powers

CLACKMANNANSHIRE LICENSING BOARD

MEETING 18 January 2022 at 09:30am

Via MS Teams

Licensing (Scotland) Act 2005

Variation(s) (Non Minor)

Premises	Applicant	Date Received	Comments
<p>The Bridge Inn 1 High Street Tillicoultry Fk13 6AA</p>	<p>Chen Li</p>	<p>11 October 2022</p>	<p>Variation to Operating Plan</p> <ul style="list-style-type: none"> • Change to opening hours on Sunday for on/off sales from 12:30hrs to 11:00hrs • Delivery of food to include alcohol <p>Application form (copy attached)</p> <p>No objections/representations received from LSO and Police Scotland</p>

Licensing Board



Clackmannanshire
Council

www.clacksweb.org.uk

Licensing (Scotland) Act 2005, Section 29 Application for Variation of Premises Licence

To:

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

If you are Completing this Form by Hand, Please Write Legibly in Block Capitals using **BLACK INK**. Please Ensure the Completed Application is Signed by the Applicant, Dated and Returned to the Above Address along with the Fee and the Original Licence or a Statement of Reasons as to why the Original Licence Cannot be Produced.

APPLICANT INFORMATION

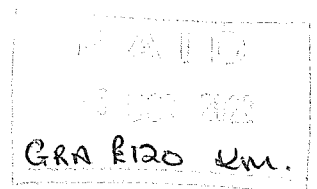
Question 1

Name, Address, Postcode and Licence Number of Premises.

Bridge Inn
1 High Street
Tillicoultry
FK13 6AA

Question 2

Full Name, Address, Postcode, Telephone Number and Email Address of the Current Licensee or the Applicant if Different.



Licensing Board



Clackmannanshire
Council

www.clacksweb.org.uk

Chen Li



DETAILS OF VARIATION

Question 3

Brief Details of Variation (Continue on Separate Sheet if Necessary)

We would like to change the opening time on Sunday to be 11 am for both on sales and off sales.

We would also like to add delivery service to our license. We opened our restaurant in June this year and now offer a food delivery service. We would like to add alcoholic drinks to be available for delivery with food orders.

We will ensure each driver completes 2 hours training with one of our personal license holders. Drivers will check customer ID at the point of delivery and will ensure the customer who has ordered is over 18 years of age before they deliver any alcoholic drinks.

Delivery drivers will only carry alcoholic drinks when they are included in the order and alcoholic drinks will only be delivered when accompanied by a food order.

We will take 2 copies of each order. One copy will go with the driver and one copy will be kept on record at the restaurant. Both copies will include customer's address, details of order, prices and will also note that where alcoholic drinks are in the order, the driver will

OPERATING PLAN

Question 4

Do you Propose to Vary any of the Information Within the Operating Plan Contained in the Licence?

YES/NO

If Yes Please Complete and submit New Operating Plan to include the Proposed Variations.

Licensing Board



Clackmannanshire
Council

www.clacksweb.org.uk

LAYOUT PLAN

Question 5

Do you Propose a Variation to the Layout Plan Contained in the Licence?

YES NO

If Yes Please Supply 6 Copies of the New Layout Plan Conforming to Paragraph 5 of The Premises Licence (Scotland) Regulations 2007.

CONDITIONS

Question 6

Do you propose a variation to any of the conditions to which the licence is subject?

YES NO

If Yes please give details of the proposed variation below

Please Note That You Cannot Vary any Condition Which Is on Your Licence By Virtue Of Section 27(1) Of The Licensing (Scotland) Act, 2005 (Mandatory Conditions).

PREMISES MANAGER

Question 7

If you Propose to Vary the Information Contained in the Licence Relating to the Premises Manager . Please Provide the following information.

Name, Address and Personal Licence Details (Number and Issuing Board) of the Existing Premises Manager

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

If only the existing Premises Manager's Personal Details have Changed
Please Provide details

If there is a Change of Premises Manager Please Provide the following:-

Name and Address of the Proposed Premises Manager

Date and Place of Birth of the Proposed Premises Manager

Email Address and Telephone Number of the Proposed Premises Manager

Licensing Board



Clackmannanshire Council

www.clacksweb.org.uk

Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence

Is the Variation Relating to the change of Premises Manager to Take Effect During the Application Period

YES/NO

If the Answer to the Above Question is NO Please Provide Below the Date the Variation is to Take Effect.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If Signing on Behalf of the Applicant Please State in What Capacity.

The Contents of This Application Are True to the Best of my Knowledge and Belief.

Signature.......... Date 27.09.22.
 * (See Note Overleaf)

Capacity APPLICANT/AGENT
 (Delete as appropriate)

Telephone Number and Email Address of Signatory

.....








OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES
OR BOTH

1(a) Will alcohol be sold for consumption solely ON the Premises?	
1(b) Will alcohol be sold for consumption solely OFF the Premises?	
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES
*Delete as appropriate	

Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR
CONSUMPTION **ON** PREMISES

DAY	ON CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY	11:00am	12:00pm
TUESDAY	11:00am	12:00pm
WEDNESDAY	11:00am	12:00pm
THURSDAY	11:00am	12:00pm
FRIDAY	11:00am	1:00am
SATURDAY	11:00am	1:00am
SUNDAY	11:00am	midnight

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

DAY	OFF CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY	11:00am	10:00pm
TUESDAY	11:00am	10:00pm
WEDNESDAY	11:00am	10:00pm
THURSDAY	11:00am	10:00pm
FRIDAY	11:00am	10:00pm
SATURDAY	11:00am	10:00pm
SUNDAY	11:00am	10:00pm

Question 4

SEASONAL VARIATIONS

Does the Applicant intend to operate according to Seasonal Demand	YES
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*If YES – provide details

THE PREMISES WOULD LIKE TO TAKE THE ADVANTAGE OF ANY ADDITIONAL HOURS OFFERED BY CLACKMANNANSHIRE LICENSING BOARD AS PART OF FESTIVAL POLICY OR ANY OTHER GENERAL EXTENSION.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please Confirm YES/NO	COL. 3 To Be Provided During Core Licensed Hours Please Confirm YES/NO	COL. 4 Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Accommodation	YES	YES	YES
Conference Facilities	YES	YES	YES
Restaurant Facilities	YES	YES	YES
Bar Meals	YES	YES	YES
5(b) Activity Social Functions Including:	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Receptions Including Wedding, Funerals, Birthdays, Retirements Etc.	YES	YES	NO
Club of Other Group Meetings etc.	YES	YES	NO
5(b) Activity Entertainment Including:	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Recorded Music – see 5(g)	YES	YES	NO
Live Performance – See 5(g)	YES	YES	NO
	YES	YES	YES

Dance Facilities			
Theatre	NO	NO	NO
Films	YES	YES	NO
Gaming	YES	YES	NO
Indoor/Outdoor Sports	YES	YES	NO
Televised Sport	YES	YES	YES
5(d) Activity	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Outdoor Drinking Facilities	YES	YES	NO
5(e) Activity	Please Confirm YES/NO	To Be Provided During Core Licensed Hours Please Confirm YES/NO	Where Activities Are Also to Be Provided Outwith Core Licensed Hours Please Confirm YES/NO
Adult Entertainment*	NO	NO	NO

- * Adult Entertainment means any form of entertainment which-
- (a) involves a person performing an act of an erotic or sexually explicit nature; and
 - (b) is provided wholly or mainly for the sexual gratification or titillation of the audience

Where you have answered **YES** in respect of any entry in Column 4 above, please provide further details below

ACCOMMODATION AND RESTAURANT FACILITIES ARE AVAILABLE TO RESIDENTS OF THE PREMISES OUTWITH CORE LICENSING HOURS AS THE PREMISES TRADE AS A HOTEL. RESIDENTS MAY BE SUPPLIED WITH ALCOHOL OUTWITH CORE LICENSING HOURS IN TERMS OF SECTION 63 OF THE LICENSING (SCOTLAND) ACT 2005.

OTHER ACITIVITES LISTED MAYBE OFFERED OUTWITH CORE HOURS AS APPROPRIATE.

5(f) Any Other Activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below

<p>THE PREMISES TRADE AS A HOTEL AND WILL OFFER NORMAL HOTEL SERVICES DURING THE LICENSING HOURS</p> <p>PREMISES OFFERS HOT FOOD AND TAKE AWAY TO CUSTOMERS. PREMISES DELIVERY ALCOHOL TO HOT FOOD CUSTOMERS.</p>

5(g) Late Night Premises Opening after 1.00am

Where You Have Confirmed That You Are Providing Live or Recorded Music Will The Decibel Level Exceed 85dB	
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When Fully Occupied Are There Likely To Be More Customers Standing Than Seated	
--	--

*Delete As Appropriate	
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Question 6 (On-Sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When Alcohol Is Being Sold For Consumption On The Premises Will Children Or Young Persons Be Allowed Entry	YES

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6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

CHILDREN AND YOUNG PERSONS ARE PERMITTED TO ACCESS THE PREMISES IF ACCOMPANIED BY AN ADULT OR WHERE A RESIDENT OF THE PREMISES.

6(c) Provide Statement Regarding the **AGES** of children or Young Persons to be Allowed Entry

BIRTH – 17 YEARS

6(d) Provide Statement Regarding the **TIMES** During Which Children and Young Persons will be Allowed Entry

CHILDREN ARE PERMITTED ACCESS TO THE PREMISES DURING MONDAY TO SUNDAY 11:00AM TO 10:00PM

YOUNG PERSONS ARE PERMITTED TO ACCESS THE PREMISES DURING ALL CORE LICENSING HOURS

WHERE A CHILD OR YOUNG PERSON IS RESIDENT OF THE PREMISES THEY MAY ACCESS IT AT ALL TIMES

6(e) Provide Statement Regarding the **PARTS** of the Premises to Which Children and Young Persons Will Be Allowed Entry

CHILDREN AND YOUNG PERSONS SHALL BE PERMITTED ENTRY TO

THE RESTAURANT/DINING AREA, LOUNGE BAR AND TOILETS. WHERE RESIDENTS ON THE PREMISES THEY MAY ACCESS THE FIRST FLOOR ACCOMMODATION.

Question 7

CAPACITY OF PREMISES

What is the Proposed Capacity of the Premises to Which This Application Relates?

ON SALES – 160
OFF SALES – 3.81 M2

Question 8

PREMISES MANAGER (NOTE Not Required Where Application is For Grant of Provisional Premises Licence)

Personal Details

8(a) Name

CHEN LI

8(b) Date of Birth

[REDACTED]

8(c) Contact Address

[REDACTED]

[Redacted]

8(d) Email Address

[Redacted]

8(e) Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence
31 MAY 2018	CLACKMANNANSHIRE LICENSING BOARD	CC765

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If Signing on Behalf of the Applicant Please State in What Capacity.

The Contents of This Operating Plan Are True to the Best of my Knowledge and Belief.

Signature [Redacted] * (See Note Below)

Date 27.09.2022.

Capacity APPLICANT/AGENT (Delete as appropriate)

Telephone Number and Email Address of Signatory

[Redacted]

* 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.

Report to the Licensing Board

Date of Meeting: 18 January 2023 at 09.30am

Subject: Revocation of Personal Licences

Report by: Licensing Administrator

1.0 Purpose

- 1.1 The Licensing (Scotland) Act 2005 prescribes that all personal licence holders must undergo mandatory training in a form prescribed by the Scottish Ministers no later than 3 months following the period beginning 5 years from the date that the personal licence was issued.
- 1.2 The Board is therefore asked to take the following procedural steps to deal with the matters contained in this report.

2.0 Recommendation

- 2.1 That the Board makes a formal decision to revoke the personal licences set out in the table appended to this report in terms of section 87(3) of the Licensing (Scotland) Act 2005.

3.0 Considerations

- 3.1 The 2005 Act prescribes that all personal licence holders must undertake refresher training and thereafter provide the Board with confirmation of the completed training within a period of 5 years and 3 months following the date of the issue of the licence. Where the licence holder fails to do so, the Board must revoke the licence.
- 3.2 The Board is required to notify all licence holders not less than 3 months before the expiry of the requirement to undertake and provide evidence of refresher training. The Board first wrote to affected licence holders in December 2020 and subsequent reminders were sent to remind them of that requirement. The Coronavirus (Scotland) Act 2020 amended the 2005 Act to allow for an extension of time where the failure to comply has been as a result of coronavirus. None of the licence holders in the appended list have indicated any reason for failure to comply and it is understood that training has been available virtually.
- 3.3 The licence holders in the appended list have failed to comply with the requirements under the 2005 Act. The Board must therefore revoke their licences.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. *Financial Details*

5.2. None

5.3. *Staffing*

The impact of this procedural step will be absorbed into existing resources.

6.0 Equalities Impact

6.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? Yes
No

7.0 Legality

7.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

8.0 Appendices


8.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

8.2 List of Personal Licences to be revoked

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
June Andison	Licensing Administrator	2091

Approved by

NAME	DESIGNATION	SIGNATURE
Richard Thompson	Clerk to the Licensing Board	

CLACKMANNANSHIRE LICENSING BOARD

MEETING 18 January 2023 at 09:30am

The Council Offices, Kilncraigs, Alloa, FK10 1EB

Licensing (Scotland) Act 2005

Personal Licence(s) - Revoke

Attached list of Personal Licence Holders who have failed to notify Clackmannanshire Licensing Board of the completion of the mandatory 5 year Refresher Training

PERSONAL LICENCES ISSUED 2016

NAME	LICENCE NO	NAME	LICENCE NO	NAME	LICENCE NO
Margaret Ann Neil	CC729	Nicola Marina Gibson	CC727	Alexandria McPhee	CC725
Donna Barr	CC728	Steven Howie	CC726	Nichola Yvonne Drysdale	CC730
Ailish Margaret Brunton	CC731	Amanda Thompson	CC732	Kieran Potter	CC733
Alexander Wallace	CC735	Claire McAdam	CC738	Donna Mair	CC736
Michelle McPake	CC737	Nicola Ferguson	CC739		